



BOARD OF DIRECTOR MEETING AGENDA

APRIL 10, 2024

6:00 PM Nevada / 7:00 PM Utah

Zoom Meeting

CALL TO ORDER: by John at 6:02 PM

ATTENDING MEMBERS: John Scott, Donna Mooers, Paula Dudek, Steve Weidner, Scott Bowen on phone, Rosann Krausch, Jared Alvey,

Quorum: Yes

OLD BUSINESS:

Approval: February 28, 2024, Minutes

Minutes approved as written.

TREASURES REPORT:

THE TREASURES' REPORT WILL NO LONGER BE POSTED IN PUBLIC FORM. ASSOCIATION MEMBERS MAY REQUEST THE TREASURERS REPORT BY CONTACTING EITHER THE SECRETARY OR THE TREASURER.

Income tax: Income Tax is finished. We neither receive nor pay anything.

Total: \$158,197.73

Three members are still unpaid. Liens will be filed after 2 years. Until then, billing will occur every month with interest added. There is a formula used to determine interest.

Web site update: Per the Attorney, the four open Board meetings and Annual meeting minutes go on the web. Closed, working Board meetings do not go posted. Donna questioned posting our finances. She suggested two sets of minutes: The web posted with the financials removed and the set sent to

members with all financials. On the web a notation will be made that any member can request copies of financials, in writing.

Lot clearing updates: Presently the Attorney is out sick. His Assistant Ricky sent information stating the HOA has the authority to order a lot cleaned. After 10 days the HOA can hire someone to clean the lot and bill the property back. This gives the HOA the authority but would like conversation with owner as to why they are not clearing the lot(s). Donna explained a procedure is in place. Last year the Board and ARCOM divided up the lots, reviewed each lot, there was a list with photographs. The loss of a couple of Board members derailed further action.

Donna will put the procedure together, get it to everyone and set the action in motion. John suggested rather than meet in St. George, meet on the mountain for both the Board meeting and walking the lots. All agreed.

A letter will be sent out prior to with a heads up to members that the Board/ARCOM will be reviewing all properties during the weekend of May 25. The Board meeting/walk will be at John's cabin at 2:00 PM. Estimated time 2 hours. John has the vests.

Paula suggested cleaning lots during a warmer period would probably be more productive as that is when many members spend time on the mountain. The concern is for those members who do keep their lots up, feeling they are not being considered for their efforts. Rosann added there are a few lots that have never come into compliance.

John added the first letter should be generic to all owners, non-threatening, non-accusatory. The letter will to some degree identify the type of hazards being looked for to bring a lot into compliance with our CC&R's. After the review, if there are any issues on a specific lot, those items will be documented in a letter to that owner giving the owner a time frame in which to come into compliance. Rosann requested that we note in the letter that we are working with the Fire Department. John will check with the Fire Department to see if they want to join the walk.

Rosann questioned our role regarding those properties where construction was never completed. John advised he will add that to the conversation with the Attorney.

ARCOM Updates: (added) Steve advised ARCOM did approve a member who wanted to add stucco to an existing structure. Both Steve, Jared, and Ross approved it.

Jared did get a request for a storage container. He advised the member to submit the plan for review. Thus far, no plan has been submitted.

Discussions:

- 1. Reduction of dues:** Per the Attorney, if charges have been assessed but not incurred, then the safest route would be to return 100% of the surplus. That may not be practical. An alternative would be to re-allocate to one or more of the purposes set forth in Article 4.3 of the CC&R's. (The Bylaws were mistakenly cited as the reference. It should have been the CC&R's 4.3. Section 2 of the Bylaws was also referred to in relationship to dues, but Section 2 of the Bylaws deals specifically with Board meetings only). We are well over the required reserve amount.

Suggestions for lot 113. Build a pavilion or club house on lot 113. Rent it out. Use it for meetings. HOA document storage. Sell lot 113. Maintenance and liability questions. Hooking into a water system, insurance, cost of construction, snow load all came up without resolution.

To be addressed for suggestions at the annual meeting.

- 2. Itemized list of expenditures 2019 report:** A copy of the report was sent. It showed the sudden spike in spending was due to an unexpected cost for Magnesium Chloride, a new computer, and other minor unplanned expenses.
- 3. Snow Removal:** Snow removal of the roads is through individual taxes. The HOA cost for snow removal is for lot 113 only.
- 4. Cleaning lot process:** Previously discussed. See Lot Clearing Updates this document. The letter will request clearing by Labor Day.
- 5. Rental Unit Policy:** Per the Attorney it is not our duty to police this issue. John added (information provided by he thought was from Jared) places that allowed rentals and then did not allow them saw property values decrease substantially along with an increase in law suits.

Rosanne questioned whether the HOA has the right to deny rentals based on the fact our lots are recognized as residential with specific areas zoned for businesses. She questioned those rentals or AirB&B's who are not in compliance with County laws.

Paula suggestion the county requirements be posted on the web and sent out with dues billing. Also add members having problems with renters should contact the proper authority rather than a Board member.

Rosanne requested and John agreed that it should go to a vote of members. A vote requires 55% of voting members.

Several areas throughout Nevada and Utah have various rental options: 20% of members can rent on a rotation basis; only long term rentals are only allowed; no rentals are allowed.

If the county requires renters or potential renters to notify their HOA, no one, to date, has notified our HOA.

The Attorney has Rosanne's letter. John suggested giving the Attorney time to address Rosanne's concerns. Tabled.

6. Job Descriptions: Sent to Donna.

Scott asked about the Sheriff's substation. History and copies of the lease agreement were passed out. But, there are many questions that need answering: who is checking the foundation, we have a commercial lease but who is doing it, have the foundation, roof, walls ever been inspected? Is there a Certificate of Occupancy? Donna described the interior and suggested members go through it. John will contact the Sheriff. Paula suggested a tour.

New Business:

Other issues, concerns, discussions

There were no further issues, concerns, discussion.

The Annual meeting will be June 29th. John will advise location, time.

The Board Meeting is **changed** from St. George, May 29 **to Duck Creek, lot 215, 3350 N. Cherokee May 25 2:00 PM.** Board/ARCOM members.

Adjournment: Donna made a motion to adjourn. John seconded the motion. The meeting was adjourned at 7:24 PM.