



**Silver Springs HOA Board Meeting
July 10 , 2008 at 6:30-7:15 PM at the Park**

Notice of this meeting was on the SS website calendar for a full month and notice was sent twice via Google Groups to the Board and to some volunteers.

Board In attendance: Michael Winer, Lucy Archer, Skip Domenick, Bill Gunter, Sue Pollard, Dave Coehlo

General Members: Clay Archer, Bill Noland, Lyn Cier, John Coursen

Michael Winer called the meeting to order.

AGENDA AS FOLLOWS:

1) Misc.

These Board meetings are to be kept at one hour fifteen minutes.

The next meeting will be on Thursday August 14, 2008 at the Park. Lucy reported that Mountain Regional Water has reserved the Library Conference room on the second Thursday of each month in perpetuity. They are a government entity so are able to reserve more than a month in advance.

Board officers were quickly appointed and agreed to serve: Dave Coehlo as Vice President, Bill Gunter as Treasurer

The Home Savings account was opened and the money transferred. Lucy Archer was required to sign the Resolution documents as secretary. Michael will supply a copy of these two pages for the file records.

2) Compliance of CC&R's

The board needs to increase the membership of the Compliance Committee. Lucy suggested that we contact past board members or folks that have attended past meetings or picnics to see if they would serve a term on the Committee. No one present volunteered to work on this committee except Clay Archer.

John Coursen has provided to the Board a quick five-page synopsis of the CC&Rs. It is suggested that a copy of the synopsis and the fine schedule be delivered to each home. We want to provide awareness to members of what the HOA rules require before we begin the proposed procedure to enforce the CC&Rs.

The Compliance Committee will commence sending out letters to violators, then have a follow-up contact with the homeowner, and if compliance does not occur then the fines will be imposed. John reminded Michael that the HOA does have the ability to force compliance with fines and liens, as well as with hiring a company to do the required work then billing the homeowner. If the billing remains unpaid the HOA would have to pay the contracted company then lien the property for payment. We cannot expect contractors or

lawn maintenance companies to do the work when they will not be paid for long periods of time.

No further comment was made regarding the list of 16 homeowners on the non-compliance list from last month.

It was noted that as the newsletter was being distributed that there were many fewer boat and camper infractions and most lawns and yards showed improvement. Lucy talked to Bronson Calder owner of a rental home on E. Meadows. Bronson said no one had ever mentioned the boat problem to him before, he will work with his tenant regarding the red boat that is persistently in the driveway be moved into the garage or in the back of the house.

Compliance

Lot 1 - the Clark's weed-whacked and mowed their lawn the day after the owner saw Lucy taking pictures of the property. New G.C., Rob Jenkins, in process of getting new permits, revising work.

Lot 2- Ted Ligety complaint from Silver Meadows residents about party noise and lots of comings and goings. Also yard is overgrown and mailbox is broken.

Lot 12 - Sadowski rental home in disrepair. Bill Gunter and Lucy have been in touch with Rick and Becky at Mountain Property Management 649-6743. Becky will make the renter Mary Ann, aware of the trash can rule, and the CC&Rs on the website. Lease to be terminated in 3 months. Rick is getting bids for fence and painting, etc.

Lot 26 - Bill Kahn wants to stucco his house exterior. The CC&Rs permit stucco but ARC has to approve the appearance. See Schlopy house on Lot 62.

Lot 32 - Schillinger's building a deck or add-on in back. Did they get ARC approval? No reply.

Lot 53 - Morton - This house is being rented. The weeds have been whacked down but not collected. Lucy talked to Becky at MPM, she said the owner is in town right now and plans to work on it.

Lot 96 - John toured this property, now a bankruptcy sale. The listing Realtor described it to him as a possible rental with one rental upstairs and a separate rental downstairs. She was in conflict with the zoning and HOA rules. Realtors need to be informed of our Single Family status. See at 1484 Willow Loop. Add to Realtor-Buyer Link page.

(Where is the attached sheet mentioned in Michael's agenda?)

Questions have been raised regarding open flame fire pits. Is there a difference between gas, propane, charcoal, wood fires? Should burning of flying cinder items(cardboard, paper, some tinder) be included?

"CC&R's Article X: Section 19. No Hazardous Activities. No activities shall be conducted on any lot and no improvements constructed on any lot which are or might be unsafe or hazardous to any person or party. Without limiting the generality of the foregoing, no firearms shall be discharged upon any lot, and no open fires shall be lighted or permitted on any lot except in a contained barbeque unit while attended and in use

for cooking purposes or within safe and well-designated interior fireplaces."

3) **ARC Committee**

Who are the members of this committee? Dave Coehlo, Sue Pollard, Bill Gunter, maybe Julia Loughlin and Dave Hernandez can be called to help.

Michael asked the Committee for the follow-up paperwork that has been requested during the last couple meetings? Silence. John commented that a paper trail should be kept for all homeowner contacts and agreements. Sue said that she knows who she worked with and can recall what she said and if anything goes wrong the ARC Committee will be responsible and she will deal with it. Lucy replied that it isn't that simple and that ultimately the Board and its president are liable if there is a dispute. Also future ARC members may need to review the files. Documented conversations and courses of action are very important and the [HOA Board has recorded a motion](#) to that effect and Barbara Carter in 2000 had produced a report form for these purposes. Sue said that a while back Skip had given to her a stack of blank triplicate forms on which to record applications and actions taken.

Review of Procedure: Each month the ARC and Compliance Committees need to deliver copies, to the Board at the monthly meetings, of each dated report for each homeowner contact, work performed or requested, and agreement. Follow-up conversations, work, etc. will be on a new form each month. This perpetuates each month until the project is completed.

4) **Website:**

Michael requested that his phone number and personal email be removed from all locations on the website. He would prefer messages be cc: to Lucy. Link him to a general e-mail account. Also remove his information from the newsletter, etc.

SSSFHOA is pleased with their new website. Cheers of "Here, here!" and thumbs up were shouted from the people present.

Michael wants to look into why the M.A. has recently requested a duplicate and competing website for the MA. How much was spent, who approved it and when, inquire at the next M.A. meeting. We should be helping each other rather than duplicating and spending unnecessarily.

Michael wants to sign off on the board meeting minutes prior to posting them on the website. He was provided with a hard copy of last month's minutes. Lucy will e-mail future minutes to him, with a one week review period prior to posting them.

5) **Realtor / Title Company Inquiries**

For Realtor and Title Company referrals, etc. send them to the website [Realtors-Buyers Link](#) page at: <http://www.silverspringshoa.org/realtors-buyers-link> The CC&R's, application forms, etc. are all on this web page. Also post the new "Rules and Regulations Summary" and highlight that this is a Single Family Neighborhood and No multi-family rentals allowed in the Silver Springs Single Family subdivision. Direct inquiries about dues, monies owed, etc. to Lyn Cier. Lyn was asked if she was okay with having her contact information online and for referrals and she replied that she was okay with it.

6) Master Expenses:

The MA 2007-2008 Budget was approved in prior years. Michael has decided to drop further inquiry into the MA Budget as it is counter-productive and has created discord. We will be better served to keep tabs on expenses and be involved with the upcoming 2009 MA Budget formulation.

We welcome SSSFHOA members to provide input, guidance, experience, and questions to take to the next MA Board meetings in regard to their Board's upcoming budget talks.

7) July Newsletter:

The letter is ready to go unless anyone has something more to add. Hard copies of the draft were provided for Board review. Included was a Neighborhood Watch article written and submitted by Terry Moffitt. Also Bill Noland had [news of a proposed zoning change at the Blue Roof Market](#). This will be added to the newsletter. Lucy will e-mail this information to the twelve presidents of the MA so everyone can be included. Also add that the General Membership is welcome to attend our monthly meetings.

8) Drainage Issue:

Bill Nolan has researched and presented a summary of his findings regarding the underdrain system. We are awaiting a response from our Legal Counsel, Lincoln Hobbs.

Meeting was adjourned at approximately 7:15 PM. Next meeting September 4, 2008 at 6:30 PM at the SS Park

Bill Noland stayed to answer Board questions regarding the underdrain system. Sue Pollard, Clay and Lucy Archer, Lyn Cier remained until 9:30 p.m. to review Bill's findings. Bill has learned much about French drains, drainage, water issues, location of pipes and caps, and many other like subjects. Sue stated that she was sorry that five or six homeowners in Silver Springs out of 188, were having seasonal high water issues, mostly in recent years, but she felt that did not justify tearing up fences, trees, landscaping, other private property to find the underdrains and repair them. The group agreed this could really get out of control and Silver Springs could become stigmatized. Clay said that the system had been put in the ground in 1978 or 1979 and had been completely abandoned for thirty years. Though the system may still be healthy in some areas it may be completely absorbed by nature in other areas. Bill said that the drainage routes, ground table levels, and run-off were evidently changing as construction at the Canyons and other areas changed and snowfall fluctuated. We agreed that the CC&Rs and the lack of verbiage on the recorded plats place the responsibility on the individual owners for surface water and easement issues.

We agreed that it would be better for five or six owners to buy sump pumps than to get into what might become a multi-million dollar tear up of the Phase 1B neighborhood. For sure the damage to trees, property, subdivision reputation, would greatly exceed the expected benefits.

1982 CC&Rs Article VIII Section 1 Duties and Powers of the Association states:

"(a) Own, and/or maintain and otherwise manage all of the common areas and all facilities, improvements and landscaping thereon, including but not limited to the private streets and street fixtures, the underdrain system, and all other property acquired by the Association.

There is also a County. This agreement is binding on successors but there is a question whether our 1987 re-organized HOA is considered a successor of Ray Fry the Developer and Ray Fry the HOA President of this agreement. All future recorded CC&Rs do not mention this agreement nor the underdrain system.