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Trustees Meeting  
Silver Springs Board of Trustees

The monthly Trustees Meeting was held December 30, 1991 at Fred Stayrook's home and called to order at 7:10 pm by President Tom Lanning. Trustees present were: Tom Lanning, Hughes Martin, Karen Schoephoerster, Sonny Ideker, Lee Case, Fred Stayrook, homeowner, Paul Parsoneault and Clerk, Lisa Hovey. Absent were Jim Coker and Master HOA Representative Lucy Murphy.

Tom asked all in attendance to read the Minutes from the December 17th meeting. Lee asked that a change be made as follows: Page 1, last paragraph has been changed to read "The front yard fence violation of Justin Pavoni on Willow Loop was briefly mentioned. Lisa briefed everyone on the situation. Of the various options available to them (Pavoni), they chose to erect a fence in their front yard to protect a pond they had built several months prior to protect their homeowners insurance policy. This issue needs to be addressed." Sonny motioned to accept the Minutes with the above change. Lee seconded and unanimously approved.

Tom indicated Lisa was previously approved by the Board to take on all administrative duties. Tom asked that the Board work from the Pending Issues Sheet (see attached) compiled by Lisa and create agendas for future meetings. Following the Pending Issues Sheet, Tom asked that the Board meet two times per month in order to eliminate too much down time between issues. One will be a working meeting and one open to the community. The Board agreed to meet every 2nd and 4th Tuesday of each month at Parley's Park Elementary School. In addition, Tom requested a monthly newsletter be prepared and forwarded to all homeowners consisting of a summary of the two monthly meetings to avoid an annual meeting filled with potential anger and lack of knowledge of issues. Lisa quoted the cost would be \$50-75/mo and recommended she add to the January bill a notation that a monthly newsletter will go out for 6 months. The Board suggested after 6 months on the July billing, a survey be included to see how beneficial the newsletters are. Hughes motioned to accept and Fred seconded. Motion was unanimously approved.

Tom reiterated that Jim Coker had given his resignation, however, Nancy Cloutier had denied acceptance of his seat. Hughes has not been able to reach Bonnie Adams and will continue to do so to see if she has interest.

Tom informed the Board he would like Dick Mitchell to continue on the Architectural Committee for 6 months because of his approval/enforcement procedures in place. Dick has agreed to continue for 6 months contingent upon conditions outlined in his letter to the Board (see December 17 Minutes). Tom reassured the Board that by putting himself on the Architectural Committee it will help eliminate problems experienced in the past. Paul Parsoneault was asked by Tom for his opinion of Dick Mitchell's continuance. Paul answered with opposition since he has served his 3 year term. Paul Parsoneault officially volunteered to take Dick's seat on the committee. Tom responded he will get back to him after a couple of months. Tom asked that in the upcoming newsletter a notation be made reminding all homeowners they must seek approval from the Architectural Committee when remodeling, building, etc. Fred motioned to keep

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Dick Mitchell for a special 6 months until a replacement can be found. Hughes seconded. All agreed with one opposition.

The Board further agreed that CC&Rs' enforcement is to be handled by the Board with Dick responsible for plan approval only. The Board also suggested that Tom make the initial contact with the homeowner as well.

Hughes gave a Treasurer's report. He indicated there is currently \$29,000+ in the checking account with some of the deposits coming from plan approvals and mailboxes. A percentage of this amount is still owing to the Master HOA for the park. There is \$11,000 in a money market account.

Tom updated everyone regarding the Master HOA. He feels their main objective at this time is to finish the park. They have not met since July and Tom does not want to give money for the park until it is a functioning entity. Silver Springs HOA is responsible for 45% of the park bills incurred. Tom feels our Association needs to assess a special fee for capital expenses. Lee clarified that 3 years ago the community was informed there was enough funds collected from dues over the years to pay capital expenses and no special assessment was needed. The Association would only assess for maintenance expenses. Tom stated he understood our dues were used to defend against American Savings to protect our aesthetic values, and court costs for CC&Rs infractions. Lee clarified that before the park the Association had a lengthy hassle with the water company over water fees and our dues were used to pay legal costs associated with the hassle and then allocated for the park.

Tom believes the park will need a hired contractor to finish since there is not enough volunteer enthusiasm. Lee mentioned that the past Board decided not to remit all park funds all at once, which would earn interest for the Master HOA, and instead put the monies into a separate checking account. He also indicated the Association will be working off of lessor dues for 1992. It was decided to wait until Sonny and Lucy spoke with the Master HOA and assist in getting it functioning. They would then request an updated budget on the exact costs to complete the park.

Lisa suggested we re-record the Bylaws and CC&Rs with the amended changes so everyone will have the same copy. Tom asked that all Board members read their amended copy of the CC&Rs and Bylaws for review at the next meeting. Lisa will prepare the monthly newsletter summary of minutes after the 2nd monthly meeting.

Following the Pending Issues Sheet, Tom noted the timetable is on line for the Architectural Committee. Concerning the Property Development Political Action Group, Tom indicated some homeowners asked the Board to write Ranch Place regarding their proposed street access into our streets. Tom feels the Board should be kept informed of surrounding developments and how they may affect our community. If necessary, he would like the Association to spend money to defend against a development. After much discussion, Hughes motioned to have Tom form a group to follow surrounding developments and have this group report back to the Board for further evaluation. Karen seconded. Motion was unanimously approved.

Lisa mentioned the need to approve the September 9 Minutes. Since Lee is the only returning Board member, he agreed to read and let Lisa know of his approval.

Tom asked that an introduction letter be sent with the upcoming monthly newsletter from the Board stating a mission statement (i.e., parks completion, CC&Rs, Architectural Committee and Board enforcement procedures). He asked that each Trustee write their own statement and have available at the next meeting. The Board agreed to also send the October 14 Annual Meeting Minutes to all homeowners.

Fred asked for an update concerning his statement at the Annual Meeting asking that the vote be reheld again in two weeks. Lisa read the October 14 Minutes referring to his statement which states Scott Welling indicated "since the vote did not pass the election is closed at the time of adjournment. A vote cannot be held at a later date or votes added at a later date. A special meeting can be called by the Board of Trustees and the Board can review whether an election should take place and the proper steps."

Paul Parsonneault asked how to change the CC&Rs and why his September letter seeking a variance had not been answered. Tom responded through the Annual Meeting with 51% of the homeowners voting for or against an issue. He asked Paul to have patience with regards to his September letter as the Board is in the process of addressing a procedure to change the CC&Rs amicably.

The issues in need of addressing for the next Board meeting is as follows:

- Hughes to report back on a replacement for Jim Coker.
- Attach Dick Mitchell's letter of conditions to Minutes of December 17 for all Board members to read.
- Each Trustee read the amended By-Laws and CC&Rs for a final decision to re-record.
- Tom report back on Property Development Political Action Group volunteers.
- Each Trustee consider a Board mission statement.
- Develop a process for modification to CC&Rs and what is the legal association between the CC&Rs and Architectural Committee rules.
- Lisa to give Tom a listing of all homeowners who received the August 13 and 30th non-compliance letters for follow-up.
- Address Booher satellite issue.
- Tom and Sonny will talk with Justin Pavoni regarding his front yard fence. Suggest they send a photo to their insurance company.
- Scott to be contacted by Lee and report back regarding:
  - determine how to legally enforce white window panes
  - a possible fine system
  - CC&Rs enforcement options, and do we have the right to tow?
  - regarding Lisa's suggestion to add a notation to her computer of a non-compliance, could this cause a failed sale which could result in legal suits
- Fred to form a legal counsel search committee.

- Each Trustee read the indemnity policy Tom provided and report back. Tom cannot sell due to conflict of interest, however, another staff person within his office will sell the policy. The cost is \$950. Need to have the Master HOA make a bid for a park policy. There could be a special fee assessed to each homeowners association to cover the cost.
- Sonny is to meet with the Master HOA and report back on various issues (i.e., issues detailed on the Pending Issues Sheet).

Tom will follow the Snyderville Basin Government Action Group and periodically relay back to the Board. The group is supposed to contact each association of its activities.

Tom talked with Bob Haedt regarding his letter to the Board concerning the motorhome parked in the driveway of a neighbor's home. Tom wants to wait for Scott's input concerning our enforcement rights. Fred indicated the homeowner will not move the motorhome.

Lisa will inform the Lindon/Bodell family about our political action group as it relates to their letter to the Board.

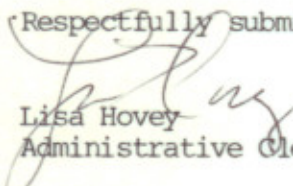
Tom indicated there is a new ordinance in place regarding loose dogs.

Lisa was asked to write a letter to the County Commissioners depicting who the Board members are and our address.

Regarding pending issues with the County, the Board feels the calibration on the snow plow trucks is satisfactory. Tom will follow-up with the County concerning the bike lanes being painted in the spring and not fall, and to consider a speed light at the school. Tom will follow-up in the spring regarding the boat business on E. Meadows with homeowner Richards since the business does not take place in the winter. Lee is finished with his letter to the County regarding our water situation and Lisa is to forward letterhead to him.

The meeting adjourned at 10:30pm.

Respectfully submitted,

  
Lisa Hovey  
Administrative Clerk

PENDING ISSUES AS OF DECEMBER 30, 1991:

Administrative:

- meet two times per month, one meeting open to community
- have monthly Board minutes available at Blue Roof each month
- replace Jim Coker's seat (Hughes and Jim to find candidates)
- review and follow Dick Mitchell's conditions, find replacement in six months
- updated financial report
- re-record By-Laws and CC&Rs
- send monthly newsletters with summary of monthly minutes, prepare for January billing
- create a timetable for:
  - functioning Architectural Committee
  - Property Development Political Action Group
  - parks completion
- read and approve minutes of Sept 9, Sept 23, Oct 14, Nov 11, Dec 17
- send Annual Minutes of October 14 to all homeowners
- Board mission statement

CC&Rs and Infractions:

- consider changing the CC&Rs where currently the Architectural Committee has considerable control without having to consult the Board
- follow-up August 13 & 30 letters:
  - has the homeowner come into compliance?
  - did we receive promised compliance letter from homeowner?
- Booher issue is not resolved
- contact Justin Pavoni regarding his front-yard fence
- what do we do with white window panes?
- have Scott report back on possible fine system and CC&Rs enforcement options (Lee)
- suggestions for enforcement:
  - sign a contract with the builder similar to what Jeremy Ranch has (see their contract)
  - have homeowner sign a copy of the CC&Rs at time of closing

have Lisa add to computer a notation for those homeowners who are in non-compliance so when a title company calls for a dues payoff at closing this information could be included so the new owner will know of its current situation  
discuss information collected by Jim Coker on procedures taken by another homeowners association through his daughter  
remove vehicles

County:

- have Sheriff help with placement of safety signs
- follow-up on:
  - calibration of snow plow trucks to help with gravel disbursement
  - bike lanes painted in spring and not fall
  - speed light at school
  - boat business at Richard's home
  - Lee finish letter regarding our water situation

Master HOA:

- take over entrance and flag
- take over Blue Roof sign light power
- SSHOA take control
- re-elect officers and meet often
- take over all light maintenance
- finish parks by hiring a contractor
- CC&Rs enforcement
- collect funds
- take over all sign maintenance
- have all associations meet with MHOA?

Miscellaneous:

- form legal counsel search committee
- focus on surrounding subdivisions' aesthetic character as well as SSHOA

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Pending Issues

- form Property Development Political Action Group to follow surrounding developments
- Tom follow Snyderville Basin Government Study Group
- follow-up letters:
  - Bob Haedt
  - Lindon/Bodell Family
- loose dogs
- indemnity agreement/liability insurance proposal:
  - review and implement
  - contact Scott for indemnity agreement wording for By-laws (Lee)
- street lights to be fixed:
  - corner of East Meadows and Silver Springs Drive
  - Ruth Wagner's corner
  - Hardman's old house
  - adjust wattage? replace lights?
  - fix tampered lights by Cloutier
  - finish painting light posts, Jim to supply paint & rollers
  - need new light maintenance man