



Silver Springs HOA Board Meeting September 4 , 2008 at 6:30-8:15 PM at the Park

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

Board Members in attendance: Bill Gunter, Sue Pollard, Lucy Archer, Michael Winer.

Board Members absent: Dave Coehlo.

General Members present: Clay Archer, Bill Noland, Lyn Cier, David Muscovitz.

Michael Winer called the meeting to order.

AGENDA AS FOLLOWS:

1) Approve previous August 2008 meeting minutes.

Michael wants the Minutes to not be word for word of what has taken place, rather a synopsis, including a list of how Board members have voted on each resolution. All items on the Agenda should (and are) also be listed. Michael suggested that the meeting minutes for August 14th be not posted since there was not a quorum of board members in attendance. Bill G. said that since Lucy had already gone to the trouble of preparing them and Dave C. had approved them prior to the meeting that he thought they should be approved and posted. Sue nodded in assent. Lucy said that other than the obvious misunderstandings by a couple people at the last meeting about what her duties were, there was other important material discussed and should be on the board record. It was generally agreed to approve and post the August 14, 2008 minutes. Bill G., Sue, Lucy, Dave (via e-mail) in agreement.

Michael went over who was on the Board again. He said the Board is to have seven members, four of them officers. He thought Skip Domenick wanted to be included. Lucy said she remembered Skip saying that he was done, that he had retired, and that he was only attending on occasion to support Bill N. Sue added that Skip had told her he did not want to be on the board. Paul Stangeland has not attended since March, Gordon Jones resigned. John Coursen does not want to be on the Board. The question remains: Who can we recruit?

2) Rules and Regulations Draft

Review and comment on. Vote as necessary.

Sue said she felt the Draft was too punitive, giving the example that homeowners are being told they cannot work on their homes after 6 PM from Monday through Friday. Other board members had not looked over the Draft yet. Clay and Lucy had some questions and comments. The discussion was tabled until the Board could meet at a separate meeting to go over the Draft with John and compare it to our 2003 CC&Rs. It was agreed to meet between today and October 2nd. Michael will talk to John and set up a work meeting.

3) Compliance of CCR's.

Committee Members: Clay, Paul.

Procedures for Violations Doc and Follow-up.

No report presented.

4) ARC Committee.

Members: Sue, Dave, Bill G.

Procedure. Follow-up form was to be presented to the board at this meeting. Sue said she had been slammed all month and did not get around to it. Lucy asked her to just write down the date and name of the member calling with a short line describing what work had been requested. Sue answered that she knew it was easy but since she didn't start a long time ago it was now difficult to get into step to keep track. Michael asked her if the process that Dave told us he was working on had worked out. Sue did not know anything about the laminated map that Dave requested nor about how he planned to use it to keep track of

the ARC requests. Sue promised to get organized and to bring an ARC list next month. Sue said there were a lot of folks making improvements.

-Lot 71 – Odell – requested answers to thinning some pines crowded along his driveway.

5) Financial Report from Lyn Cier.

There is still some legal expense from Hobbs regarding phone work on the Chamberlain problem.

The \$175 per home MA assessment that is collected each year still seems unwarranted. (\$175 X 189 lots = \$33,200.) The MA will be working on their 2009 Budget during their September 15 meeting. It was suggested that we all attend and give our input to this process. It was agreed that each month we should get a copy of the MA check ledger so that we can see in detail why the MA has a monthly stack of checks to be co-signed. Michael may or may not request this from Robyn, either way, Robyn is known for not complying with Board member requests.

Ten homeowners have yet to pay their Annual HOA dues. Lyn will step-up the notification process. Lyn brought some checks for Michael to sign.

Lucy asked Lyn how many properties are rentals. Lyn was not sure since some renters have their dues paid by owner parents.

There may be seven rentals: Lots 12, 24, 53, 78, 127, 173 (half of duplex), 197, 201

6) October Newsletter.

Welcome new volunteers to meetings and committees. Additions to be sent to Lucy. Ask for community members to come to Annual meeting! Same as the September issue. Send official meeting notification. Should we include proxies and/or ballots? If not at what point should they be sent out? See HOA Docs.

7) Underdrain System issue:

Update from Bill Noland. A couple days prior to the August 30, 2008 deadline to find new counsel to advise the HOA Board regarding the status of the underdrain system, Michael called him, Lincoln Hobbs, to find out what was the status. Lincoln agreed to produce a few sentences that would provide the HOA with a basis for the stand they will take on this topic. The website has a [webpage on the underdrain system](#), which includes Bill N. and Skip's report and the two 1978 maps drawn by J.J. Johnson Engineering. Bill said that report was not up to date, more and different information is now available. Will he submit it for the webpage?

8) Proposals from Board members regarding Lakes, to present to Master Association.

Lucy had prepared a Proposal that she had worked on with Jane Washington, President of NorthShore. Bill N. suggested that the lakefront owners pay a ratio of what the access was on the lake. The 29 lakefront homeowners on the Silver Willow Lake should pay four-fifths of the lake maintenance and insurance, etc., while the rest of the non-lake-front owners would be assessed the remaining one-fifth. Gaylynn Mooney and Les Carriel had on occasion stated that the lakefront owners wanted to pay a bigger share of the lake costs but that nothing had been done about it at the MA meetings.

Michael made a motion that this written proposal would be presented at the next MA meeting on September 15th. All were in favor. Michael asked Lucy if she would present it to the MA Board. Lucy deferred to Jane Washington, the co-writer of this proposal, and a MA Board member. He will contact Jane to go over it and prepare for the presentation.

Bill, Sue, Lucy, and Lyn said in a chorus that that was what Lucy's typed proposal also stated. The 29 lakefront owners should pay 4/5th of the lake costs while the remaining 1/5th would be paid by the 475 non-lake-front owners. If Silver Springs SF had an issue with the assessment then the MA should do a direct billing to the eleven SSSF homeowners on the lake for their additional assessment. This was not a SSSF assessment, it is a MA assessment and does not work against our HOA docs.

It was also discussed that the little lake, Silver Willow Pond, though it was deeded to the MA at the same time as the big lake, was encircled by a "Private Enjoyment Easement" recorded on the plat in 1989. The

Ross Lloyd park is within this easement, however it is uncertain whether there is access via the Little Lake lots. The easement is around the lake in Plate B and therefore seems to preclude any use by General Members. It was discussed that the little lake should be deeded over to SouthShore and that the MA should no longer be responsible for its maintenance or insurance. All were in agreement to complete the work for which the General Members have already been assessed in 2006 and 2007, and have accrued around \$90,000, that is still in the MA account. Robyn Bailey had said that she saw some SouthShore deeds that state that the little lake is for the "Private and Exclusive Use" of the homeowners whose lots are on the lake front. It was further discussed that this situation occurred when the developers wanted to sell the little lake waterfront lots for a premium price. For proof, we need to find some of these "Child" and original deeds that have this description on them.

Sue said that she wondered how the new [Conatser Waterway Access law](#) would affect our waterways in Silver Springs. Sue said her cabin on the Weber River was now assessable via the river. The Conatser Judicial Law enacted on July 18, 2008 was sent to Lucy by Marty Bushman, A.G. of the Division of Wildlife Resources and is available on the Silver Springs website at the link indicated above. Basically, this law allows the public to have access to waterways, diversions, rivers, streams, creeks, lakes (natural or impounded=man-made), etc. Allows the public lawful ingress and egress of all waterways from public lands and bridges, etc.. Water is a public resource in the State of Utah; therefore public access was granted but must be via public easements only. The public is now allowed to float, and now, to touch the waterway bottoms. The public may not access the waterways through private property. We should understand this law since we have so many waterways in our Community.

9) **General Meeting October 13, 2008.**

Discussion of hiring a management company to take care of our compliance issues.

John Coursen's property management company (PMA) will only work with us if they can get a percentage of our annual collections and take over our books. It was suggested that other property management companies be contacted to see under what terms and conditions they would take over compliance. No assignments or firm plans were set to get these bids and answers. It was generally discussed that compliance issues were a thorn in the neighborhood's ambient feelings. Whoever was trying to enforce compliance of the CC&R's would be perceived for years as a heavy. It was not a good situation for building camaraderie. It was suggested that in the next newsletter and at the General Meeting a paragraph or two informs folks that nearly everyone in SS has had an infraction call or letter. So we are all in the same boat together, but it is all for the good of the neighborhood.

Everyone on the Board is encouraged and expected to assist and attend the General Meeting. The paperwork was sent in to the principal of PPES, who then sends it to the District for approval. The cost will be \$40 per hour. One member of the board announced he would be returning from out of town on the day and time of the meeting.

10) **Comments** from Community Members. Limit 5 minutes per person / issue.

-David Muscovitz and his dog, Shadow, stopped by to request that dog relief stations be installed in the Park and other strategic locations. These would provide plastic scoop bags and a trash can for doggie mess pick-up. Good idea!

This meeting was adjourned around 8:15 PM.

The next meeting will be on Thursday, October 2, 2008 at the Library Auditorium at 6:30 PM at Kimball Junction.

Unless a special work meeting is scheduled to work on the Rules and Regulations Draft to get it ready for distribution in conjunction to the Annual General Meeting.

Annual General Membership meeting will be held **Monday, October 13, 2008** at Parley's Park Elementary School. 7 PM