Silver Springs Masters HOA January 12, 2009 Minutes

Attendance: Michael Winer –SSSFHOA, Nancy Samson – Quail Meadows II, Steve Lo Re- South Shore, Jane Hamilton- Park Place and Robyn Bailey – Manager **Proxies:** Karen Williams-Willowbend West (Robyn Bailey), Jane Washington-Northshore (Robyn Bailey), Phil Tovic - Silver Meadows (Robyn Bailey), Allen Durfee-Ptarmigan (Robyn Bailey)

Not Present: Isa Wright- Willowbend East, Meadow Springs- Whit Logan, Anthony Sands – Quail Meadows, and Rosemary Craighill – Meadow Wild **Guest:** Richard Krebbs – SSSFHOA, Bill Noland- SSSFHOA, Bill Gunter-SSSFHOA.

Meting began at 7:10 p.m.

Approval of last meeting Minutes: Steve noted that he was miss quoted. It stated that he was for, but he noted that he was not for, sinking money into a possibility. It was also noted that the insurance issue at the bottom of the budget needed clarification. With these changes all present approved Novembers minutes.

1) 2009 Board and Election: Michael Winer introduced Bill Gunter as the new Silver Springs Single Family HOA President. Bill Gunter then explained that their board had decided to have Bill Noland serve as their official voting representative and authorized Bill Noland to be their Trustee at the Masters. Michael Winer introduced Richard Krebbs as a member of the New SSSFHOA board as well. Michael explained that as of December he was no longer a part of SSSFHOA board. Nancy then said she had a proposal that Michael stay on as President. Michael Winer declined the offer stating that he promised his wife this was his last meeting. The observation was made that we didn't have very many attending members present and maybe we should wait until Feb. meeting for the board elections. It was pointed out that many members don't come to this meeting not wanting to be elected. We asked each member present if they would be able to be an officer of our board. Bill Noland asked if there should be nominating ballets and if we knew of any other member wanting to run as president. Robyn explained that Anthony Sands, QM, had been a president before. Karen Williams WBW, was not interested. Whit Logan, MS, is on a few boards, and Jane Washington NS, has told us several times that she will be leaving the board soon. Jane Hamilton nominated Bill Noland as President, Nancy Samson seconded the motion. All present were in favor. The motion carried. Nancy nominated Steve Lo Re as Vice President. Jane seconded the motion. All present voted in favor. Steve is the new VP. Jane

motioned Nancy Samson as Secretary/Treasurer. Steve seconded the motion and all present voted in favor. It should be noted that Robyn Bailey is the paid manager and part of her job description is to do the Secretary / Treasurer duties. Nancy will sign checks and check over minutes that Robyn takes.

2) By-Laws Update: Bill Noland asked who our current attorney was. Michael Winer explained that it was Jim Kennicott. Michael stated that he would contact Jim and tell him that Bill is now the president and all Masters issues should be directed to Bill only. Steve explained that his HOA was looking into a law firm that specializes in HOA's. He asked for permission to look into them for our By-Laws. We talked about Novembers concerns that the By-Laws permitted the Masters ability to lien individual property. Bill Noland said that our Articles of Incorporation already stated that the Masters can lien property. The group expressed a desire to match the wording in the new By-Laws with the Articles of Incorporation. Steve said that so much of the wording in the new document by Jim did not pertain to our type of HOA. He was wondering if maybe we should start over with someone who has greater expertise in handling the particular needs of our organization. Bill asked that it be looked at by the new group ASAP. Steve said he would get back to the board when he knows what the expenditures would be.

3) February Meeting date? Water Way Meeting: February 9, the second Monday, will be our meeting date. Feb. Meeting will be devoted to our water areas that are owned by the Masters. We will discuss insurance / liability at the March meeting.

4) Other: Nancy asked if we were still on track for a Masters Annual Meeting in March. We all agreed that an annual meeting will be a great way to communicate with our members but until the By-Laws are finished we will not be effective. Bill asked that it be proactive with information and a controlled agenda. We will end out a mailing with web site information.

Walgreens was discussed. Many members were not notified in advance presentation they had at the Elementary School. We will make sure to inform members of any upcoming Snyderville Basin planning meetings that deal with the blue roof corner.

Meeting adjourned at 9:05p.m.

Next Meeting February 9, 2009 7:00p.m.

Silver Springs Masters HOA February 9, 2009 Minutes

Attendance: Steve LoRe (South Shore), Jane Washington (North Shore), Nancy Samson (Quail Meadows II), Isa Wright (Willowbend East), Alan Durfee (Ptarmigan), Anthony Sands (Quail Meadows I), Bill Noland (Silver Springs Single Family) and Robyn Bailey manager

Proxies: Rosemary Craighill (Meadow Wild) Robyn Bailey, Karen Williams (Willowbend West) Robyn Bailey, Phil Tisovec (Silver Meadows) Robyn Bailey and Jane Hamilton (Park Place) Robyn Bailey

Not Present: Meadow Springs (Whit Logan)

Guests: Jim Kennicott (attorney for Masters), Jim Harsh (SSSFHOA and little lake committee member), Micheal Winer (SSSFHOA past master president), Gaylynn Mooney (North shore lake committee member), Les Carriel (SSSFHOA lake committee member), Ron Duyker (South Shore and Water Way/Master Property committee member) and Harvey Shapiro(Quail Meadows II) **Meeting Started at 7:10 p.m.**

Last months Minutes January 12, 2009 were approved by all present.

- 1. Introduction of the New Board: Bill Noland introduced himself to the members and guests. He is our new Masters President. He then introduced Steve LoRe as the Vice President, and Nancy Samson as the Secretary/Treasurer. Bill explained that he will be following Roberts Rules of Order for our meetings. Everyone will have a chance to be heard in an orderly fashion.
- 2. Brief update on ice rink: Bill explained the speed skating rink that was set up on the big lake. The group was not authorized to build the rink. They are a group not affiliated with any club but hoping to be Olympic Speed Skaters. This group thought that they had a right to our lake due to the new Utah ruling that states all water ways are public. They noticed that we were conveniently located and decided to build the rink. This new water law was made for fishermen and recreational type businesses like rafting companies, so they could fish and float on the river with in private property. Jim Kennicott explained river-fishermen property rights. If you can enter rivers, streams, and lakes on public property you can move up or down stream with in private property you can move up or down stream with in

the private property then to exit the water ways you must leave on public property. All of our land around our lakes is private property. One must have permission to cross private land. The speed skating group did vacate the property. The group did express an interest in getting permission to maintain a rink. Bill asked Jim if they were guest of lake or property owner. What is our responsibility? Jim said that there can be limits to no guests to unlimited guest. He said that many HOA'S allow guests only if accompanied by an owner. The lake could be an attractive nuisance and could be a liability. How do you patrol the nuisance? Gaylynn asked for clarification between the rink builders and the lake owners that build hockey rinks. Jim said that clearly the people building the rink did not live here, however little rinks are a hazard as well. Ice conditions change. Bill made a motion to have our properties signage looked into by our insurance companies risk management department and to notify all members what are responsibilities are as members. It was suggested that the word "guest" be taken off the sign. Steve LoRe asked not to include "guest" on the signage. Jim said that you can only shift liability a little bit. Jim recommended the wording to say "Silver Springs Residence Only" on the new sign. Anthony commented that we currently allow guest to play tennis with us, to play basketball and use the lakes. He said that to not allow guests would have severe consequences. Anthony proclaimed that he would sue because this changed the use of our properties. Bill asked if Anthony had this in writing such as on his title. Anthony said no but it still changes his use of the property. Nancy suggested that as a temporary measure, we adjust the signage to read "Private Property -Silver Springs Residences" and revisit the signage in four months. Jim stated that the ownership of the lakes changed. Harvey suggested that we need better lake signage posted around lakes. Michael Winer asked who would be policing guests. Jim then stated that there are three tears of liability: 1) Invited people- this being the highest level of liability. 2) Invitees- contracted to do work 3) Trespasser- no right to be there however the owner still has liability. Jim suggested that the sign says Private Property. Steve asked that it says "Private Property for Silver Springs Residents". Ron stated that he teaches this in real estate, and it should be obvious as to ownership. He suggested the sign reads "Private Property Silver Springs Masters Homeowners Association". All present were in favor of this wording. Signs will be made.

3. Water Way Report / Master Property: Ron brought out a aerial map with property lines. There are nine parcels 1) NSS-B-WA this is wet lands North west corner butting up to Ranch Place. 2) NSS-B-WOS Waterway in Northshore between Heather lane and Creek side Lane. 3) NSS-A-CA Northshore berm. 4) SOS-A-PARK Park south of the Big Lake. 5) SOS-A-BERM Berm from North shore entrance to Walker court and includes the Ross Lloyd Park on the Little Lake 6) PP-98-A-10 big Lake 7) PP-98-A-I-A Steam bed north of W. Silver Springs connecting to Big Lake 8) PP-98-A-6 Little Lake and 9) PP-91 Tennis court park. Bill asked Ron about a document he found relating to lake front homeownerships private enjoyment easements rights. Bill asked if it was a valid document. Ron said he is not certain of the validity of this document. He stated that there are many

different HOAs that may not be consistent with each other. Bill motioned that Ron expand his report to include a legal definition of the lake owners property and easements that might be included. Jane Washington seconded the motion. Jim indicated that the county could have this information. The motion passed with one vote abstaining (Ptarmigan) all others present in favor. Anthony made a motion to have the map Ron brought scanned and put on the web site. All present were in favor motion passed. Robyn will have the map scanned and put on web site.

- Liability Report: Jane asked that we attach her report to the minutes. Jane asked Jim how we should handle the liability we have with the lakes. Bill asked Jane what her purpose was with this report. She replied that she wanted to know what our liability is. Steve asked her where she came up with the amount and or numbers that she has on her report. Are the numbers scare tactics, legitimate estimates based on past law suits or guesses. Steve also asked if there were other law suits that we are aware of in Utah. Jane said that the numbers were just estimates. Bill asked Jane that we look into two issues: 1) Liability- ask for two insurances to look into risk factors and lawyers to look into the settlement amount if death or disability occurred due to negligence. 2) Create a LLC to limit our liability and off load our lakes. Jane commented that in addition to signage and risk assessment regarding these lakes, we need to know what the real judgments have been that pertain to Utah. Ron then asked that the motion should be to gathering data; studying risk factors and having more than one insurance company look at this. Then we would distribute the information to all members. Bill agreed that once we see we know our risks then we notify members of the liability and the board has placed the liability with its members. Nancy seconded the motion. All present voted in favor of gathering data, studying risk factors with more than one insurance company and then let every member know what our liability is.
- **5. Other:** Alan Durfee asked what the latest was with Walgreens. Jane Washington reported that they the developer has not brought this to the planning commission to a working meeting and all would be informed when and if it is.

6. Public input and concerns: None Meeting adjourned 9:05p.m.

Next meeting March 16, 2009 7:00p.m.

Silver Springs Masters HOA March 16, 2009 Minutes

 Verify Quorum: Nancy Samson (Quail Meadows II), Phil Tisovec (Silver Meadows), Allen Durfee (Ptarmigan), Bill Noland (SSSFHOA), Steve LoRe (South Shore), Isa Wright (Willowbend East) and Robyn Bailey (Manager) Proxies: Karen Williams (Willowbend West) Robyn Bailey, Rosemary Craighill (Meadow Wild) Robyn Bailey Not Present: Anthony Sands (Quail Meadows), Whit Logan (Meadow Springs), Jane Hamilton (Park Place), and Jane Washington (North Shore)

Guests: Gaylynn Mooney (North Shore), Les Carriel (SSSFHOA), Harvey Sharpio (Quail Meadows II), Richard Krebbs (SSSFHOA), Bill Gunter (SSSFHOA) and Ron Duyker (South Shore) **Visitors:** Peter Harrison & Michael Miller of VialFotheringham

- 2) Call Meeting to Order: 7:08
- 3) Approval of Previous Minutes: Steve LoRe moved to accept the minutes. Allen Durfee seconded the motion. All present were in favor. Motioned carried.
- 4) Reports:
 - a) Lakes/Maintenance Plan: The lake committee presented their maintenance plan for the 2009 season. They plan on using 5-6 types of treatments this year, and estimate that the cost will be around \$5,000.00. Allen Durfee moved to accept the plan. Bill Noland seconded the motion. All were in favor. The motion carried.
- 5) Unfinished Business:
 - a) Insurance / Liability: It was reported that Association members have always had the potential of covering an award that exceeds our insurance limits. Our insurance is currently 2 million per incident 4 million overall. The underwriters really want specific restrictions. We are covered and for the moment we are O.K. After the insurance adjusters assess our property, suggestions will be made, and we will revisit this matter. We might consider a meeting of all members concerning insurance. Item continued.
 - b) Signs / Tagging: Our new private property signs look great except that Homeowners is misspelled. We have been tagged on two signs with local graffiti. Bill Noland talked with Summit County Sheriff Sergeant Burton and he suggested that we get rid of it as soon as possible. We also had some tagging on the slide. Bill was able to clean it off however the signs will need more work. Robyn will talk with Park City Signs. Item continued.
 - c) Property/private easements: Ron Duyker gave a brief overview to the board stating that in the last few years the Masters has accomplished many things like entrance signs, new lights, playground equipment, new tennis court and the lakes. Ron explained that we have added value to the community and that all associations have been involved. Ron then stated that the easements are

different even within the same association and that in order to get accurate information we would need to have a title search and survey each property. Then you would need an attorney to look into it. He believes that this could be very costly. The title company suggested that those few who think that there are easements, should prove that they have access around the lakes. Item continued.

- d) Bylaws / Legal: The Board received a briefing from Michael Miller and Peter Harrison from Vial Fotheringham LLP legal firm. This law firm specializes in work with HOA's. They have offices in four states and have about 1,500 HOA clients. They charge \$150-\$160 per hour and their aids are \$65-\$70 an hour. After they left, Bill motioned to recommend have the Masters work with this new firm to revamp our documents. Our documents are inconsistent and need to be reviewed and updated. Steve seconded the motion. Allen Durfee abstained from the vote. 7 were in favor. The motion carried. Steve will work with this firm on the By-Laws. Item continued.
- e) 2005 Developer Homeowner Agreement Amendment: This agreement needs to be addressed. We could bill separately. This would resolve the SSSFHAO conflict and give the Masters the ability to implement the tiered system. Members would receive two bills. Bill Noland requested that the board members discuss this with their HOA's, and be prepared to discuss. Item continued.

6) New Business:

- a) Meeting Dates: Third Monday of each month. Item closed.
- b) Meeting Schedule on Web Site & Agenda: Bill proposed to post meeting schedule on the open part of the website. Board agreed. Robyn will look into it. Item continued.
- c) Financial Audit: Bill related that SSSFHOA recommends that we do a financial audit. There is much more to this than meets the eye. Steve has experience with them and will help narrow our choices at the next meeting. Item continued.
- d) Lake History Summary: A time line of the history of the lakes will be created by the Lake Committee for the benefit of Association members. Item continued.
- e) Property file / Tennis court: We will create a property file. We will define every area that we own and what maintenance is needed at each parcel. Bill Noland moved to create a standing committee to research our responsibility for each parcel of land the Masters owns, and to create a single source permanent file for the Masters Board. The committee membership would be filled after the Board defines the committee tasking specifics. The motion failed due to not enough affirmative votes. After further questions by Nancy, the motion was presented again. It passed the second time. Item Continued.
- 7) Confirm Next Meeting: April 20, 2009 7:00p.m. Baileys
- 8) Public Input: The Board agreed that board members could identify non-board members to participate in board business discussions. If time is available, non-board association members will be allowed to address the meeting prior to adjournment.
- 9) Adjourn; 9:05p.m.

Silver Springs Masters HOA April 20, 2009 Minutes

- Verify Quorum: Allen Durfee (Ptarmigan), Jane Hamilton (Park Place), Nancy Samson (Quail Meadows II), Steve LoRe (South Shore). Jane Washington (North Shore), Tim Sattlemier (Silver Meadows), Bill Noland (SSSFHOA), Isa Wright (Willowbend East), Rose Mary Craighill (Meadow Wild) Robyn Bailey Guests: Les Carriel (SSSFHOA)
- 2) Call Meeting to Order: 7:10 p.m.
- Approval of Previous Minutes: Bill Noland moved to approve the March minutes. All were in favor.
- 4) Reports:
 - a) Lakes Update: Les updated us on the gate bid for the little lake drains. He has a bid for \$25,000 in parts the company has not given him the labor bid but he believes that it will be about \$78,000 to \$79,000 thousand dollars.
- 5) Unfinished Business:
 - a) Insurance / Liability: Individual liability risk assessment. Earlier today Bill Noland, Robyn Bailey and Julie Larsen met with our insurance risk assessment adjuster. He took notes and pictures of each property. He will get back with us on signage and other areas we might need to address. He suggested a cover for the drain inlet in the retaining pond on our berm behind Park Place, leveling out the timber at the tennis park and more signage. Bill Noland reviewed the history of our insurance. He explained that the Masters most resent study occurred in 2005 and was done by Skip Domenick. We have always had the potential of individual liability. The only area that Julie Larsen was not aware of was the wet lands in North Shore. What the insurance people want is a detailed description of what is allowed on each property. Access and cost are directly related. . Our water lawyer Craig Smith reviewed our public access. Bill Asked Craig Smith three questions 1. How does the Utah Supreme Court interpretation on water access affect the Masters. A) Natural waterways like streams, rivers and lakes the public has access to. B) Man made water areas on private property are private. C) We have both natural streams and man made lakes that are surrounded by private property. The general public does not have access to the lakes because they are surrounded by private property. 2. New legislation should not affect us. 3. General liability and hazard/attractive nuisances. A) Trespasser is not an issue. The only real concern is an uncommon or hidden danger that we are aware of but did not give warning of or is unique to this lake. Post warnings on swimming. We need to identify any unusual problems concerning our property. Ice on the lake is considered the same as water since it is common knowledge that it can be dangerous. Bill suggested that we get more details on our signage and inform our memberships. Item continued.
 - b) Signs / Tagging: Robyn reported that the misspelled signs have been replaced, and an overlay will be put over the tagged area of the signs. No more tagging has occurred.

- c) Bylaws / Legal: Bill Noland and Steve LoRe met with Vail Fotheringham and they recommend that we revise all of our documents. Currently they do not match. Our charter has been to manage common property. We need to decide what we want to be. We should meet with our constituents to see what the Masters should do. They found that our documents are really out of date. Bill Noland has found a 1990 copy of the Bylaws which were the same as our unsigned recorded copy. Bill motioned to accept and to follow these Bylaws until new ones are signed and recorded. Nancy seconded the motion all were in favor the motion carried. Item continued
- d) 2005 Developer Homeowner Agreement: We will ask our legal counsel to include the possibility of tiered dues.
- e) M A Properties / Property Committee: Bill Noland has researched each property we are responsible for. Bill asked each association to become actively involved with the common areas that are closest to them; to keep a daily eye on the property. Bill proposed that we have a representative for each property. Tennis Park: Town home/ Condo HOA, Wet Lands: North Shore, Lake Park: SSSFHOA, South Shore Berm South Shore & Park Place, Little Lake Park: South Shore. The wetlands in North Shore needs researched on what is required by State and Federal laws to protect and maintain them. Bill asked North Shore to help with that research. The representative from North Shore declined.
- f) Jane Washington made a motion that the Master Association take on the stream that runs between Quail Meadows I, Quail Meadows II, Meadow Wild and Silver Meadows. Rosemary seconds the motion. Nancy said that maybe the Masters should consider owning all streams that contribute to the lake. After discussion Jane with drew her motion.
- g) Financial Audit: Steve LoRe presented three options for an audit. A) Limited scope audit: money in money out, random sampling of data, reviews checks and balances, brief overview of bank accounts. B) Includes most of the limited scope but reviews all of the transactions over a stated period of time. C) Full scope audit: extensive review of entire books, tax returns, bank accounts reconciled by transaction, mail pickup, financial reports reviewed for accuracy and areas of potential fraud. It was deemed reasonable to pursue the limited scope audit. Allen seconds the motion. Robyn will get bids for both a one year to five year audit. All were in favor. Item continued.

6) New Business:

- a) Property Maintenance: It was reported that the picnic tables and benches needed to by sanded and stained. Robyn will get bids on this. Willows at the big park need to be trimmed. This was agreed to be done. The tennis park cottonwood trees were requested to be trimmed because they were interfering with the view of the mountains. This was discussed and will need further consideration.
- b) Accounts Receivable: Meadow Springs, Park Place, Quail Meadows, SSSFHAO, South Shore and Willowbend West still owe 2009 dues.
- 7) Confirm Next Meeting: May 18, 2009 7:00pm Lake Park
- 8) Association Member Input: None
- 9) Adjourn: 9:20p.m

Silver Springs Masters May 18, 2009 Minutes

- Verify Quorum: Bill Noland(SSSFHOA), Rose Mary Craighill (Meadow Wild), Jane Hamilton (Park Place), Isa Wright (Willowbend East), Tracey Phillips (Quail Meadows II), Bill Adamray (Silver Meadows), Robyn Bailey Proxy: Steve LoRe (South Shore) Bill Noland
- 2. Meeting to Order: 7:15 p.m.
- 3. Approval of Minutes: All present were in favor of minute's approval.
- 4. Committee Reports:
 - a) Lakes: Les was not able to attend so Bill Noland reported that Cross Marine's bid for the labor had drastically gone up from two years ago. Bill Noland made a motion that if we do not receive a reasonable bid from Cross Marine that we allow Les to have the project rebid. Bill Adamsray seconded the motion. The motion passed unanimously. Item continued.
 - 1. **Tennis Park:** Edging boards need to be leveled out. The roof on the pavilion needs repaired/replaced. We will get bids. Item continued.
 - South Shore Berm: A dump truck has dumped a load on concrete and asphalt on the peninsula section. The collection pond needs a grate. There are two options for closing the access to the road. One is to put a chain across the other is to install a post in the middle. Robyn will research. Item continued.
 - North Shore Wetlands: Bill Noland called the Army Corps of Engineers. He said that they are just fine and should remain the same. The corps wants to be contacted if there are any changes. This area should have limited access and signage should read no access. Item continued.
 - 4. Blue Roof entrance: Rosemary Craighill reported that two lights are out but the remaining coverage seems good. She wondered about the flag poles. Robyn reported the history behind them. We have no power for a light for the American flag to be flown. We tried having the three resort's flags however the county required a permit. Item closed.

5. Unfinished Business:

- a) Insurance/Liability: Risk Assessment Report/ Signage: The insurance report is not back yet. Once we have a formal report we will ask each HOA to ask it's members how each property should be used. Then signage will reflect use and we will get a final insurance recommendation. Item continued.
- b) Master Association Documents/Update: Development Agreement, Articles of Incorporation, and Bylaws are all out of date. A total revision is being done, so we can move forward. Item continued.
- c) Master Association Property Maintenance Projects

- Park Furniture: We have two proposals for the work that needs done. Ricky Miller lives with in our community and the vote was unanimous to have him do it. Robyn will let him know tomorrow. Item continued.
- Street Lights: Light is out at Willow Lane and East Meadows. We have a leaning light at East Meadows and Silver Springs. Robyn is working on both with Canyon Electric. Item continued.
- d) Financial Audit: Robyn spoke with Wood and company. They said that this is a good time for them to do it. Tracey Phillips said she could help out with this since she does this as a living. Item continued
- e) Master Association Property
 - Tennis Park: Bill has been researching this property and has discovered many references to the West court, in minutes and in titles to Meadow springs however we do not have title to the west court and we do not know who does. Mrs. Sattlemier is helping to find the best solution. Item continued.
 - 2) **Title Search**: Bill asked whether each property the Masters own has a title search done on them. Robyn will research. Item continued.
 - Lake Agreement / Affidavit: Our HOA counsel recommends that Robyn complete an affidavit about all HOAs agreeing to the signing of the agreement receiving the Lakes from Mt. Regional. Robyn will do this. Item continued

6. New Business:

- a) Tennis Park Trees: Bill Noland stated that legally the Master Association is not legally obligated to ensure anyone's view line. Rosemary said she thought that if Willowbend East wanted this done it should be at their expense. Tracey said that trees grow and that is not the Masters role to provide a view of the Mountains. Masters needs to maintain parks. Motion to consider whether the Masters should pay for WBW view (\$ 1500 every two years) or would the Masters consider paying for the tree trimming on a one time basis. Isa asked to postpone a vote until next meeting. Item continued.
- b) Vegetation at Big Park Shoreline: Proposal to clean out the willows and cottonwoods along the lake edge. This is a safety, view and maintenance issue. We made this a homework assignment, to look at the beach shore line of the big lake and see what you think needs to be done at the next meeting. Item continued.
- c) Concern for area landscapes and pest control: Silver springs Single Family HOA wanted to remind members to maintain their properties and be aware of insects like tip weevil. Item closed.
- d) Private Enjoyment Easement around lakes: Bill continues to research the legal and practical issues behind the easements which restrict Master Association member access to the property around the two lakes.
- e) **Meeting Place**: Bill has asked that we look into a new place to meet. He would like a place that has enough room for every member to sit around a table.

7. Member Comments: none

8.Next Meeting June 15, 2009: 9:05p.m. Isa motioned to end meeting and Rosemary seconded the motion. All were in favor.

Silver Springs Masters HOA Minutes June 15, 2009

Julie 15, 2009

 Verify Quorum: Bill Noland (SSSFHOA), Steve LoRe (South shore), Rosemary Craighill (Meadow Wild), Jane Hamilton (Park Place), Linda Bowman (Northshore), Robyn Bailey

Proxies: Willowbend West (Robyn Bailey) and Silver Meadows (Robyn Bailey) **Committee Members and Visitors:** Les Carriel (Lake committee) and Bill Gunter(SSSFHOA)

2) Meeting to Order: 7:10 p.m.

3) Approval of Minutes: Rosemary motioned Steve seconded the

motion. All were in favor of approving the May minutes.

4) Committee Reports

a) **Lakes:**Les reported that the bid for the little Lake outlet Renovation was now reasonable. The total amount will be around 101,000.00 76,000.00 for Cross Marine and 25,265.00 for the supplies and welding. The board requested that Les get a formal contract from both the pipe(supply) people and Cross Marine so we have a complete package to vote on. Item Continued.

b) **M A Properties:**

1) Tennis Court: Needs to have the railroad tie level

2) North Shore Wet Lands: The Army Corps of Engineers said The wetlands were OK as they stood. Any changes noticed or Proposed must be sent to them. Item Closed

3) North Shore Entrance: Sprinkler damage and the people

at North shore want more plants at entrance. Item continued.

4) Main Entrance: nothing reported

5) South Shore Berm: Mountain Regional removed the debris dumped by unknown persons. Bob Radkey, from Basin Recreation, will design a swing gate that will prevent unapproved vehicles on the peninsula. Item Continued.

6) Ross Lloyd Park: nothing reported

7) Big Lake Park: The board walked the south side of the large lake to see which bushes and trees should be removed. It was agreed that the larger cottonwood trees would stay and that they would be trimmed up to look like trees. The smaller trees and the willow brush would be removed. Item Continued.

5) Unfinished Business

a) Insurance/Liability

- Risk Report: Four items need to be addressed. 1) The Park Place retaining pond collector culvert needs a cover. 2) Proper signage needs to be at all Master Properties.
 3) Retaining pond needs inspected and repaired for proper Drainage. 4) Tennis court area either needs more gravel added or the timbers leveled. Item Continued
- Olympic Liability Penalty & Change of D&O: Our old insurance company charged us a percentage once the policy was cancelled. Steve LoRe said he would look into this situation. Item Continued.

Insurance

b) MA Documents & MA Charter: Bylaws and Articles of incorporation and the Declaration are all been looked at. Each Association is being asked to ask their member of what the Masters should be doing. Currently we are chartered to take care of common open space properties and to provide discussion of common issues. The home work assignment is to bring back a responsible wish list. Item Continued.

- c) MA Property Maintenance Projects
 - **Park Furniture:** The picnic table and the benches are being worked on now. Item Continued.
 - Street Lights: There are three lights and electrical work at the large park that is being worked on. Item Continued.
 - Tennis Park Shelter Roof: Robyn reported that the wood shingle would run about 7,000.00 each and that a asphalt shingle is a little under half price at 3,300.00. The board asked for more bids. Robyn will get them. Item Continued.
- d) Tennis Park Trees: This item is closed until there is a motion.
- e) Big Park Shoreline Vegetation: The group discussed and looked this matter over and decided to cut down most bushes and volunteer trees. We will keep the large trees.
- f) MA Property Verification
 - West Tennis Court: Kate Sattlemier is looking into our best possibilities for claiming this property. Item Continued.
 - **Title Searches:** Bill Noland noted that many of our properties have not had a title search done on them. Steve LoRe motioned to have this done on all properties. Bill Gunter seconded the motion all present were in favor motion passed. Item Continued.
 - Lakes Acquisition Affidavit: Robyn will draft it.

- Lakes Private Enjoyment Easement: Item Continued.

g) Alternate Board Meeting Location: We have been looking for a new location and Jane Hamilton reported that St. Lukes across from Parleys Park Elementary School has offered us a room that we could meet at. Tuesday work best for them so we will try the third Tuesday July 21, at St. Lukes 7:00p.m.

6) New Business

- a) Gate to Berm Access Road: Bob Radkey is working on a plan.
- b) Dam Inspection: Bill Noland met with Matt Lindon and a new inspector. The State has several guidelines and inspects the dams every two years. There are several structural safeties matters that need to be addressed. Bill learned that there is a private enjoyment easement. We need to know what and where our property line is. We need to know what we are responsible for. Once we have a better legal picture of what we own then we can address the owners better. Item Continued.
- c) MA Check Signing Authority Transfer: Since Nancy Samson has turned her responsibilities to Tracey we will need another check signer. Steve LoRe will fill this position.
- d) Property Encroachment Issue: The Hanson property that is adjacent to the collective pond has been surveyed and their back fence is 24 feet on the east and 9.5 on the west into our common property. All present decided that we should adhere to the property lines no exceptions. Sprinklers and fence should placed on their property. Steve LoRe volunteered to write a formal letter. Item Continued.

e) Late Payments: Robyn will send a reminder. Item Continued.

- 7) Member Comments: Bill Gunter said that SSSFHOA will be having a their annual party at the Park July 25, 2009. They have once again invited all communities to come. They will have a local band play games and pot luck. They asked if the Masters would consider paying \$400.00 to help cover the cost. Bill Gunter motioned and Rosemary seconded the motion all were in favor. The party is from 4:00p.m. until dusk. July 25, 2009
- 8) Confirm Next Meeting: July 21, 2009 at ST.LUKES
- 9) Adjourn 9:55 p.m.

Silver Springs Master HOA July 8, 2009 Minutes

Attendance: Tracey Phillips (Quail Meadows II), Bill Noland (SSSFHOA), Bill Gunter (SSSFHOA), Steve LoRe (South Shore), Robyn Bailey.

Proxies: Linda Bowman (North Shore) - Bill Noland, Karen
Williams (Willow Bend West) - Robyn Bailey, Rosemary
Craighill (Meadow Wild) - Robyn Bailey, Isa Wright
(Willowbend East) - Robyn Bailey, Phil Tisovec (Silver
Meadows) - Robyn Bailey

Not represented: Meadow Springs (Whit Logan), Park Place (Jane Hamilton), Ptarmigan (Allen Durfee), Quial Meadows (Anthony Sands)

Meeting started at 7:25 p.m.

Survey of Master Property: Bill Noland asked the group if we were ready to vote on having a survey of Master properties and which company we would choose to hire. Steve said that we could vote since we had enough proxies to proceed. Steve made the motion to have Park City surveying company to survey our property Bill Gunter seconded the motion. The motion passed unanimously. Bill Noland will proceed in the survey with Park City Surveying Company.

Meeting Adjourned 7:30p.m.

Silver Springs Master Association Board Meeting July 21, 2009 Minutes

- Verify Quorum: Jane Hamilton (Park Place), Steve LoRe (South Shore), Allan Durfee (Ptarmigan), Bill Noland (SSSFHOA), Robyn Bailey (Manager) Proxies : Linda Bowman (North Shore) Bill Noland, Phil Tivosec (Silver Meadow) Robyn Bailey, Rosemary Craighill (Meadow Wild) Robyn Bailey Guests: Rick Krebs (SSSFHOA), Bill Chamberland (Ptarmigan), Barbara Rowe & Chet Chmielewski (Ptarmigan) Stan Kanarowski (South Shore) Not Present: Anthony Sands (Quail Meadows), Tracy Philips (Quail MeadowsII) Whit Logan (Meadow Springs), Isa Wright (Willowbend East), Mark Rasmussen (Willowbend West)
- 2) Meeting to Order: 7:08 p.m.
- 3) Approval of Minutes: Approved as read.

4) Committee Reports

- a. Lakes: Les was not able to come. Bill reported that he referred to Les an excavator that might lower the cost of the Little Lake drain work. Item continued.
- b. **Properties by HOA**: We have had a fire break cut in the tall grass bordering the South Shore berm. The handle to the Tennis court door is broken. Item continued.

5) Unfinished Business

- a. **Tennis Courts/Grounds/Shelter Roof/Title Update**: Bill motioned to accept the proposal for the tennis court pavilion roof to be redone for \$1,600.00. Jane seconded the motion. The motion passed with a unanimous vote in favor.
- b. North Shore Entrance sprinklers: Item Closed.
- c. **Berm road gate/collector cover**: The entrance has been surveyed. Bill Noland and Jane Hamilton will meet with Bob Radke to get a bid on the gate and water collector grate. Item continued.
- d. **Big Lake Park brush removal**: Robyn said that the project has commenced. Item continued.
- e. **Insurance Risk Survey report**: Signs have been ordered, the tennis court wood ties have been lowered, we just need to have the collector cover and the drainage looked at by Park Place. Excavator is \$770 per hour to look into the drainage problem. The current owner does not want to be involved in the exploratory excavation. We are involved since it is an insurance issue and potential threat to Association members. Jane wants to be proactive. Bill moved to explore and go forward and hope for a quick fix. Steve seconded the motion. All voted in favor. Item continued.
- f. **Olympus Insurance penalty investigation**: Steve discovered an amendment was made to the policy 4 years ago requiring a written notice

of cancellation. Since that was not done, Olympus was entitled to a penalty payment that cost of 25% of the total years premium. Bill asked that in the future any agreement by contract should have at least 2 signatures. Two people will look at all contracts and agreements. Canceling contracts will also be reviewed by at least 2 people. Item Closed.

- g. **MA Charter**: Currently we are to maintain property for recreational benefit of the membership only, and maintain street lights. Do we want to expand our charter? Item continued.
- h. **Park Furniture**: Ricky completed this project the benches and tables look great. Item Closed.
- i. **Street Lights**: Four lights have been repaired and the pole on Silver Springs and E Meadows Dr. has been welded and looks good. Item Closed.
- j. **Property Title Reports**: Founders' Title is working on the remaining 6 parcels and it should be complete soon. Item continued.
- k. Lakes acquisition affidavit: Robyn has finished the affidavit it just needs to be notarized. Item continued.
- Private Enjoyment Easement on lakes: Claudia McMullen has recommended a property lawyer "Ted Barnes" to us so we can understand the various easements and property rights issues that are pertain to Master Properties. He has no conflicts; he is from Pinebrook and is familiar to our area. Bill asked for approval to hire him for legal advice at \$250.00 per hour. Allan Durfee motioned to hire Ted, Jane seconded the motion. All agreed it would be best to have good legal council. All voted in favor of Ted Barnes. The motion was approved. Item continued.
- m. **Dams' inspection/Survey/Plan**: Bill told the group about our liability with the lakes and dams. Bill has met with the Utah State Dam inspectors and has learned of some potential problems that need to be addressed such as dam profile, vegetation and borrowing animals that could affect the dam. We are required to maintain the dams. The Association and all of its members are at significant liability risk until the dams are brought into compliance with state criteria. The dams are classified as "medium hazard". Item continued.
- n. **MA check signing authority**: Since Nancy Samson is no longer on the board Steve LoRe has volunteered to be named as a signer. Bill Noland, Jane Hamilton and Steve LoRe now have signature authority. Item closed.
- o. **Property encroachment at Park Place**: The survey of Master property showed that there are a few by private lots onto Master Association property. Properties that have made unapproved improvements on Master land will be looked at by council. Item continued.
- p. HOA late payments to MA: Robyn reported that Quail Meadows has paid \$1,000.00 and is planning on making payments for three months. We have not heard from Meadow Springs. They still owe for 2009. Steve moved to write a letter to the President of each HOA and give 15 days to

require full payment or each resident will be billed individually. Item continued.

q. **MA financial audit**: Robyn reported that she had not gotten in touch with the Woods. Steve said that they are not auditors so he would look into finding someone. Item continued.

6) New Business

- a. Lakes upkeep accountability/Lakes Committee? Bill asked for a volunteer to maintain and inspect the drains every two weeks. Robyn volunteered Hyrum and Derek to look at them and to clean them out when needed. Item continued.
- **b** Activities on "Lakes" property/Definition/Enforcement: We have just become aware of this issue and are now actively pursuing this issue through legal assistance. Item continued.
- c. **MA Document Access**: Steve stated that we are a nonprofit 501c6 corporation. As such, Association minutes and financial documents are not "public". The board can decide who has access to our documents. We have the right for reasonable protection. We may want to copyright our documents and at the very least use a PDF file before posting documents on our web site. Robyn will put a copyright statement on all documents produced. Item continued.
- d. Northshore HOA Letter: This latter states that Jane Washington agreed to drive by the Masters owned wetlands that are in her area. The board met and rescinded this responsibility, stating that it was the Master Associations' responsibility for oversight of the wetlands. Bill will meet with North Shore President. Item continued.
- e. **Drain/excavation at Park Place**: motioned in unfinished business e. Item continued.
- f. **Budget/expenditure update**: Robyn presented the budget. Item continued.
- **g. Prioritize outstanding projects:** Awaiting cost estimates on the Little Lake drains. Item continued.

7) Association Member Comments: Stan Kanarowski asked that each HOA enforce their CC&R's or hire someone to do it for them. This helps property valves.
8) Confirm next meeting: Tuesday August 18, St Lukes 6:30pm

9) Adjourn: Steve motioned to close. Allan seconded the motion. All were in favor Meeting ended 9:40p.m.

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Silver Springs Master Association Board Meeting August 18, 2009 Minutes

Verify Quorum HOAs represented: Park Place, Silver Meadows, SSSFHOA, Quail Meadows II, Ptarmigan, Meadow Springs **Proxies:** North Shore, WBE, Meadow Wild **Guests:** Les Carriel (SSSFHOA), Gaylynn Mooney (North Shore), Bill Gunter(SSSFHOA), Guy Sanderson (SSSFHOA), Julia Loughlin (SSSFHOA), Lyn Cier (SSSFHOA)

- Not Present: South Shore, WBW, Quail Meadows
- 1) Meeting to Order: 6:40p.m.
- 2) Approval of Minutes: Approved as printed
- 3) Committee Reports
 - a. Lakes/Drains: The bid from Cross Marine for the small lake drains was presented, which would bring the total bid to \$101,594.00 A motion was entered to delay the work until next fall. After discussion, this motion was withdrawn. A motion to get other bids was passed, and it was agreed that the work would be accomplished not later than next fall. A motion was passed which required the work be done this year if either new bids or the current bid is accepted by the Board. Item continued.
 - b. Properties: There were no new issues raised with Association properties.

4) Unfinished Business

- a. Tennis Courts /Shelter Roof/Title Update: The title to the west tennis court is still under review. The repair of the shelter roof is on the contractors' schedule. Item continued.
- b. Berm Road Gate/Drain Collector Cover: The grate over the drainage collector is in place, and will be secured shortly. A motion was passed to accept the \$1300 bid to construct the gate restricting vehicular access to the south berm. Item continued.
- c. Big lake Park Brush Removal: We are waiting for the fire department to chip the willow brush then when the growth is about 6 inches high we will spray the willows. Item continued.
- d. Park Place Drain Excavation: The exploratory excavation revealed that the pipe ends on the private lot where the water has been coming to the surface. The Board agreed that the Association has taken responsibility for the water collection basin and the flow of water to the point where it currently ends. From this point on it is not Association property and it is now up to the property owner to get the water to the storm gutter. The Summit County Engineer has agreed that it is ok for the seasonal water to drain into the storm drain system via the street gutter. Upon receipt of proposals from the contractor, the Board will relay its' position to the property owner. Item continued.
- e. MA Charter/Document Revision/Voting Due to no consensus on expanding the role of the Master Association, the President proposed to move forward with updating Association documents. It was agreed that the documents task force would move forward with the project. Item continued.
- f. Property Title Reports: They should be finished in the next week. Item continued.
- g. Lakes Acquisition Affidavit: The Secretary will have the document notarized. Item continued.
- h. Late HOA Payments/Criteria? Most have now paid. Criteria will be included in the Association document revisions. Item closed.
- i. Financial Audit: The Vice President is in charge of securing an auditing firm. Item continued.
- j. MA Document Access/Copy write/PDF: As a nonprofit organization, our documents are not public, and the Association can determine how they will be accessed. All documents will

have a copy write statement, and be produced in a PDF format to prevent alteration. Item continued.

- k. Northshore "Wetlands" letter (Neighborhood Watch): Northshore has agreed to join the neighborhood watch program for the wetlands in its' vicinity. Item closed.
- Lakes Committee(s) Expansion: A proposal was presented to have a committee for each lake and have more involvement from lot owners around the lakes, A "Friends of the Lake" volunteer organization was proposed where interested parties could contribute to the upkeep of the lakes. Our legal council will be consulted as to whether this type of activity is acceptable for a nonprofit organization. Item continued
- m. Prioritize Outstanding Projects: We will look at the Association budget and reserve requirements prior to assigning priorities. Item continued.
- n. Lake (and lakeshore) Activity Restrictions (i.e. Fireworks)
- i. Signs: A motion was passed to add dawn to dusk limitations on lake parks signs. A motion to prohibit fireworks on Association owned or controlled property passed. Item continued.
- ii. Resolution: Resolutions on park hours and fireworks will be written. If passed by the Board, they will be enacted in accordance with the Bylaws. Item continued.
 - o. Property Survey Results: As part of performing due diligence on Association property, a boundary survey has been completed on the "Lakeshore" property and some areas of the South Berm. We did discover some encroachments and issues with access to and along the dams which we will receive help with from out counsel. Item continued.
- i. Off-Lakes: There are a few instances of encroachment on Association property from private lots.
- ii. Non-Dam Shore: The issue of Private Easement and non-Private Easement encroachment was addressed.
- iii. Dams
- 1. History: The Association has been owner of and responsible for maintenance of the dams since 2004.
- 2. Property Encroachments/Easement Restrictions/State Profile Rqmts: It appears that some property owners are not familiar with the restrictions inherent with being on a dam, Each property will have to be addressed case by case.
- 3. Vegetation/Burrowing Rodents/Erosion: There are various problems ranging from grasses and unauthorized landscaping which provide habitat for burrowing rodents, to willow bushes and tree roots invading the dam structure, and dam erosion caused by unauthorized modification of the dam profile and opposite lakeshore.

iv. Next Steps

- 1. Legal Advice: A property attorney has been retained to advise the Board on how to proceed with these issues.
- 2. Vegetation Control: The state Dam Safety Inspector will return at Association request to specify dam repairs and vegetation removal criteria.

5) New Business

Web Site/Communication to Members: We will send out post cards to inform members of the web site and make it a central feature of communication with the community on current issues Lakes Emergency Action Plan: This plan has been updated with current contact names and members. It will be filed with the state Dam Safety office along with the current lakes Operating Plan. Item continued.

- a. Meeting Frequency: A motion was made that for the near future the Board schedule a meeting every two weeks to deal with rapidly developing issues. The motion passed with 5 in favor 3 against 1 abstained. Item closed.
- b. Use of "Resolutions" Until New Documents Finished: The Bylaws allow the Board to pass resolutions to provide guidance or more definition of policies needed for the Association

to function in the best interest of the Membership. Resolutions on rules for use of Association Common areas and protection of communications are under draft. Item continued

- 6) Association Member Comments: None
- 7) Confirm Next Meeting: Sept. 1, 6:30 pm and Sept. 15, 6:30pm
- 8) Adjourn: The meeting adjourned by majority vote at 9:45pm

Silver Springs Master Association Board Meeting September 1, 2009 Minutes

Verify Quorum: Meadow Wild, South Shore, Northshore, Ptarmigan, SSSFHOA, Meadow Springs, Silver Meadows, Quail Meadows II **Proxies:** Park Place **Not Present:** Willowbend West, Willowbend East, Quail Meadows II **Guests:** Ted Barnes (Attorney), Leslie Christoff (Northshore), Bill Gunter(SSSFHOA), Julia Loughlin(SSSFHOA), Gaylynn Mooney (Northshore), Guy Sanderson (SSSFHOA)

- 1) Meeting to Order: 6:40p.m.
- 2) Approval of minutes: Skip until next meeting
- 3) Closed session
- 4) **Open Meeting**: 7:30p.m.
 - a. Determine MA Reserve funding as affected by impending project: Tracey, Rosemary, and Robyn will work on reserve fund and budget.
 - b. "Dams 101" educational briefing:
 - 1. Vegetation on the dams: trees, willows and plants harboring borrowing animals all need to go.
 - 2. Pressurized sprinklers such as valve boxes, and water features can not be on the dam.
 - 3. Integrity of the slope of the dam
 - c. Schedule Board "field trip" for MA property familiarization: Saturday 12, 2009 at 9:00am-12:00 noon.
- 5) Confirm next meeting: September 15, 2009 6:30 p.m.
- 6) Meetings adjourn: 8:30p.m.

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Silver Springs Master Association Board Meeting September 15, 2009 Minutes

- Verify Quorum: SSSFHOA, QMII, South Shore, Park Place, Meadow Springs Proxy: Meadow Wild Not Present: Northshore, WBW, QM, WBE, Silver Meadows, and Ptarmigan. Guest: Jim Harsh (SSSHOA), Bill Gunter (SSSHOA), Eric Fraleigh (Northshore) Julia Loughlin (SSSHOA), Gaylynn Mooney (Northshore), Lyn Cier (SSSHOA), Kathy & Don Higginson(Northshore)
- 2) Meeting to Order 6:55p.m.
- 3) Approval of Previous Minutes: Not a Quorum, no vote could be taken. No official business was addressed. Meet again Sept.29, 2009 St. Lukes 6:30pm

Master Association Monthly Meeting Minutes September 29, 2009 6:30 pm, St. Luke's Episcopal Church

- 4) Verify Quorum: Quail Meadows II, Meadow Wild, Park Place, SSSFHOA, South Shore, Silver Meadows, Meadow Springs Not Present: Willowbend West, Northshore, Willowbend East, Quail Meadow I, and Ptarmigan Guests: Brenda Lake (manager Northshore, WBE), Julia Loughlin (SSSFHOA), Janet & Harry Fuller (SSSFHOA), Eric Fraleigh (Northshore), Gaylynn Mooney (Northshore), Les Carriel (SSSFHOA), Brian Robinson (SSSFHOA), Jim Harsh (SSSFHOA), John Buchhammer (Ptarmigan)
- 5) Meeting to Order: 7:05p.m.
- 6) Approval of Previous Minutes: Approved by unanimous vote.
- 7) Committee Reports
 - a. Lakes. Presentation by big lake drain bid selection and management committee to assist Board in little lake drain contractor decision. Eric Fraleigh explained in detail the bid process and selection of Cross Marine for the large lake gate project. Cross Marine was very competitive, they have a true understanding of the job and what it requires. This is a unique project there are not many companies that can work in muck, water, and have the design capabilities to complete the job. Jim Harsh added that Cross Marine is very specialized company that has knowledge of the gates. Tracey asked if the company could be held to no over runs. Phil said having heard the bid process better he would make a motion to reconsider the previous vote to get more bids. Steve seconded the motion. Four voted to reconsider, two voted against. Bill made a motion to accept Cross Marine bid and for them to be our primary contractor for the little lake gates, and if the bid goes up for next year we get more bids. Phil seconded the motion, all present were in favor. Motion passed
 - b. **Other Association properties**: Robyn volunteered to find out what the cost for a Doggie Bag post would be for the parks. Item Continued.

8) Unfinished Business

- a. **Tennis Courts/Shelter Roof/Title Update**: The gate has been fixed and the pavilion roof has been replaced, we are waiting for the title update. Item Continued.
- b. **South Berm Road Gate**: This has been completed. If you need the code please call (435)645-9342. Item Closed
- c. South Berm Water Collector Cover: The cover is on and locked. Item Closed
- d. Wetlands Signs: Signs are up but they need to be higher. Item Continued.
- e. **Park Place Drain Excavation**: We are now on our third contractor. We are planning it to be done before winter. Item Continued.
- f. Big Lake Park Brush Removal: This maintenance is finished. Item Closed.
- g. **Property Title Reports**: We now have title reports on all properties. Item Closed,
- h. Lakes Acquisition Affidavit: Robyn needs to complete. Item Continued.

- i. **Financial Audit**: Steve reported that he is looking into this small nonprofit audit. He is waiting for the estimates. Item Continued.
- j. **Financial Reserve Proposal**: The state of Utah does not require HOA's to have reserve accounts, however there is legislation pending that will require HOA's to have a reserve study, or disclose that it does not have any. We have some savings that is in reserve right now, however there are a few more accounts that should be set up. For example Operating reserve and dam shore line reserve. Item Continued.
- k. MA Document Access/Copy Write/PDF: We are a nonprofit 501c-6. Converting to a non-changeable PDF format and placing copy right statements on each document continues. Item Continued.
- 1. Lakes Committee(s) Revitalization. To be addressed next meeting. Item Continued.
- m. MA Document(s) Update/Use of Interim Resolutions. Continued until next meeting. Item Continued.
- n. Web Site Notice to Membership. (postcards): Each HOA will be in charge of distributing them to their membership. Item Continued.
- o. Property Survey Results. Survey is completed and recorded. Item Closed.
- p. **Dam Safety Survey Results**: We are waiting for the dam engineer report. The draft has been given out. The Dam Advisory Committee will meet on Monday Oct.5, 2009 at 6:30p.m. to go over it. Item Continued.
- q. **MA Property Use Regulations**. (Discuss draft) : Bill has been working on the rules and regulations in a form of resolutions that could be put in place once voted on. Item Continued.
- r. Lakes Emergency Action Plan: This has been updated from 2005 and filed with the state. Item Closed
- s. **Bark for North Shore Entrance**: Robyn reported that it would take about \$300.00 for bark. Brenda said that Northshore will bring in a plan for the upcoming 2010 budget. Item Continued.

9) New Business.

- a. **Budget Planning Procedure**. Robyn said that in the past we have needed a few meetings to pass the budget and that the budget must be passed before Dec. so in January when the bills are sent out we know what the numbers are. The next meeting will cover budget submissions in detail. Item Continued.
- b. **Drainage easements to be cleared of weeds**: Bill asked if Meadow Wild, or Northshore wanted to do this themselves? They deferred to the Master Association to do it. Bill will get bids. Item Continued.
- c. **Resolutions to define voting requirements for Board business.** Bill is working on them and should send them out soon. Item Continued.

10) Association Member Comments (3 min each)

Julia Loughlin asked that the board treat each member equally she does not like the tiered system.

Gaylynn Mooney asked that we educated and inform the lake front owners of the dams and the easements. She also requested that we treat them with respect while tours are being made. She hopes that the homeowner is part of the process and solution. Janet Fuller was upset about the communication, she said that the meetings schedule changes too much and needs to be accurate on the web site. She was really upset at the park bush trimming and that she did not understand her easements on her own property.

11) Confirm Next Meeting. Oct.20, 2009, Nov.3, 2009 Annual Meeting Nov.17, 2009

Adjourn 8:50p.m.

Silver Springs Master Homeowners Association Meeting Minutes October 20. 2009, St Lukes Episcopal Church

1) Verify Quorum: SSSFHOA, South Shore, Silver Meadows, Quail Meadows II, Meadow Springs, Willowbend West, North Shore, Willowbend East **Proxies**: Ptarmigan (QMII), Quail Meadows (QMII), Meadow Wild (SSSFHOA), Park Place (Southshore) **Guests**: Eric Farleigh (North Shore), Gaylynn Mooney (North Shore), Julia Loughlin (SSSFHOA), Jim Harsh (SSSFHOA), Lyn Cier (SSSFHOA) Kate Sattlemeirer (SM)

2) Meeting to Order: 6:45 p.m.

3) Approval of Minutes: Approved as printed.

4) Committee Reports

a) Lakes: Gaylynn reviewed the lakes water quality budget submission. The board tentatively agreed to increase that budget line item to \$8000.00 for the budget discussion. Item Continued.

b) Drains: Cross Marine will be coming up to review the little lake job on Thursday. Jim Harsh said that he did not foresee any price increase for next year's project. **c) Dams**: The final letter from the Dept.of Natural Resources is finished. Bill Noland made the motion to authorize the little lake dam profile work be done at the same time as the work on the drains, and to have Cross Marine bid the job. Bill Gunter seconded the motion. All voted in favor. Motion carried. The lake committee has broken the letter down into seven categories. They have looked at each lot on the large lake and next Thursday will review the little lake, then they will use the information to help establish on-going priorities. The state generally allows about two years to comply with the discrepancies. Item Continued.

d) Properties – **Berm Trail**: Bill Noland mentioned that the trail on the North Shore end of the berm appears to be eroding. There is some concern for safety. Robyn will call Bob Radkey with Basin Rec to get his advice. Item Continued.

5) Unfinished Business

a) Tennis courts – Title: Kate relayed that there was a phantom signed deed for the west side tennis court. She said that there are two options to transfer control to the Master Association; a quick claim deed and a long term lease. The quick claim deed would require the MWHOA, the original owner, and MS to amend the plat map. She recommended a long term lease between the Masters and both MW & MS. To amend the declaration both HOA's will need a 2/3 majority and to amend the plat map requires a public meeting. Kate, Rosemary and Whit need to get together to figure out the next step. Bill asked if there was any objection to have them pursue this issue together. Whit said he could look into it more with Kate. Item Continued.
b) Park Place Drain Excavation: This should be done next week and it will take 2 - 3 days. Item Continued.

c) Lakes Acquisition Affidavit: Robyn has finished this and turned it over to Bill Noland. Item Closed.

d) Doggie Bags for Parks: Robyn passed out a flyer that showed the different models. We think we will need between 3-4 of these posts. Item Continued.

e) Wetlands Signs: Need to be more visible so Robyn will look into T post sold at home depot. Item Continued.

d) MA Documents Copyright/PDF Conversion/Resolution: To protect documents they will be formatted in PDF. Item Continued.

e) Financial Audit: Steve said that it will cost between 12 - 15 thousand dollars. Tracey and Steve propose to do the audit themselves. They proposed to do look at the books first and then make a recommendation if further problems exist. Item Continued.

f) Lakes Committees – Staffing. Both lake committees are constituted. Item Closed.

g) MA Property Rules & Regs Resolution: Bill requested that the Trustees take these back to members for review. Item Continued.

h) MA Documents Update/Operation Procedures: Adopted Bylaws, Developer/Homeowner Agreement, all need to be updated.. We need to start from scratch. Brenda asked that when the documents were done who needed to vote on them. Bill replied that is a good question. The board only or the general membership. Bill is pursuing legal clarification. Item Continued.

i) Drainage Cleaning: the homeowners are not to block the waterways. Bill asked that the Homeowners continue to clean out their own back yards. The tall grasses should be controlled. Steve motioned that the Masters formally accept the task of cleaning out the weeds and growth on the waterways to control the flow of spring runoff water. Tracey seconded the motion. All present voted in favor. Motion passed. Item Continued.

j) North shore Entrance Maintenance: Brenda Lake presented a proposal to be considered in the 2010 budget for the entrance to be about 15,000.00. All agreed to clean up the area to make it look nicer next year however asked that we get more bids. Bill Gunter said he would look into more bids. Item Continued.

k) Budget/Reserves: Our documents say that we are to be equally assessed; however our last Special Assessment was tiered. Tracey presented several possibilities in order to raise our reserves. Steve suggested that we get a line of credit. The Bylaws say that if you vote for a special assessment at a general meeting, you need a 2/3 vote in order to pass. Increase of dues can be passed by the vote of the board. Discussion to continue at the next meeting. Robyn went down the budget line by line. Item Continued.

6) New Business

a) Motion to Explore Selling Master Property to Basin Recreation – QM II:

Tracey is looking at an option of turning over/selling Master property to the Snyderville Basin Recreation Dept. She believes that it would be nice to have them own and manage the properties, like they do Willow Creek. She said it would be a way to bring the communities together. She made the motion to explore the option of the SBRD taking over our community property and is asked for permission to discuss the possibility with them. We have 9 parcels of property. These are all owned solely by the Master Association. There is no direct or percentage ownership by the individual lot owners. State code confirms that a non-profit corporation such as the Master Association can buy and sell property. If an HOA document is silent on a subject, then state code applies. Our documents are silent on sale of property. Tracey motioned to explore selling or dedicating all of the master's property to the SBRD. Whit seconded the motion. Phil said he is not against exploring, but is worried about the public coming into our community, and is this really worth our time to explore. Phil said that he thinks that the situation we face now will be resolved and that we will soon be in a better position. The notion passed with 7 in favor, 5 opposed. Motion carried. Phil then motioned to have Tracey and another person on the board represent the Master Association, and to have zero expenses on for the Masters. Tracey seconded the motion 10 in favor 2 opposed. Item Continued.

b) Motion to Explore Withdrawal from Master Association – QM II: Tracey made the motion explore criteria for QMII to withdraw from the MHOA. Vote Motion Failed. Brenda made a motion to determine which HOA'S are legally part of the Master Association using up to 8 hours of legal counsel. 6 voted on favor and 6 were opposed. Motion failed. Bill Gunter asked why they would want to with withdraw. Brenda said that the Master's should identify which HOA's are legally part of the Master's Association to make sure collecting dues from them is valid. Item Continued.

a) Annual Meeting Planning

1) Notification: Many members do not live here so what is the best way to send notice of the annual meeting? Steve suggested that we make signs to place at the entrances. Phil suggested that we do door hangers and street signs. We agreed that we will do mailing, door hangers and signs so all members can come. Bill asked that each HOA get with Robyn on the number of door hangers they will need. Item Continued.

2) Location: Bill is looking into Parleys Park Elementary School and to ask for the lunch room. Item Continued.

3) Agenda: Brenda will send a proxy form for us to look at. Bill is looking into who the voting authority for Master Association maters really resides with. Item Continued.

7) Comments from Guests:

a) Gaylynn Mooney: Asked who oversees and approves the legal work the Masters gets done. She said she observed the members ask for definition and be denied, yet some can ask legal council without permission.

b) Julia Loughlin: She is concerned with raising dues and a tiered system for a special assessment. She suggests that all areas need to be considered then, i.e. tennis court view, berm view etc.

d) Eric Fraliegh: He is in favor of developing the peninsula and spending more money on the parks, and allowing more access for boats. He thinks our dues are too low, and we should build our reserves over time. If we do the tiered fee system we could be opening a can of worms.

e) Lynn Cier: She has concerns over the audit. She doesn't think it is wise to spend so much money on the NS entrance at this time. She thinks that bark is all we

need right now. Concerning the budget she would like to see some hard numbers from real bids not just potential costs.

8) Verify Next Meeting: Nov 3 Annual Meeting Nov 17

9) Adjourn 10:50p.m.

Silver Springs Master Homeowners Association Meeting Minutes Nov. 17, 2009 St Lukes Episcopal Church, 6:30 p.m.

Closed Session: 6:30-7:30 The Board of Trustees met with counsel.

At the beginning of the meeting, the QMII and Ptarmigan representatives stated that they believed they were not members of the Master Association, so they would no longer be participating. Bill Noland stated that the Master Association considers them to be a part of the Association, and will continue to treat them as such. Both QMII and Ptarmigan representatives then left the meeting.

Open Session:

1) Verify Quorum: Park Place(Jeff Nielsen), Meadow Spring (Whit Logan), SSSFHOA (Bill Noland), South Shore (Steve LoRe), North Shore (Gaylynn Mooney), Meadow Wild (Les Carriel), Silver Meadows (Phil Tosvec), Willowbend West (Robyn Bailey), and Lyn Cier (SSSFHOA) Not Present: Quail Meadows (Anthony Sands) Quail Meadows II (Tracey Phillips), Ptarmigan(Alan Durfee) Willowbend East(Isa Wright) Guests: Julia Loughlin (SSSFHOA), Guy Sanderson(SSSFHOA), Eric Fraleigh (North shore), Rick Catoni(Park Place) Ron Duyker (South shore) Harry Fuller (SSSFHOA), Steve Hamilton (Park Place)

2) Approval of previous minutes: The minutes were not approved. Robyn will get with Brenda Lake to see what she wants changed to her motion. Steve suggests that each name be put with the HOA they represent. Les asked why we have more narrative and history of each item. He suggested that it be more business like and less narrative. Gaylynn suggested that maybe we have one history on each item. Item Continued.

3) **Management Contract:** Bill stated that we need a definitive and legal contract with our manager. The contract needs to be job specific and define what is expected of both parties. Jeff Nielsen will look into this matter and contact Brenda Lake for more info. Item

Continued.

4) Committee Reports

a) Lakes: The box for aeration equipment is broken, this is normal wear and tear. Gaylynn will approach Mtn. Regional about contributing to the expense of a new cover. The aerators have been turned off for the season. Item Continued.

b) Dams: The dam advisory committee is working on the information program for lake view lot owners who will see dam renovation work beginning in the spring. Item Continued.

3) **Unfinished Business**

a) Tennis Court: Kate Sattlemier is working with Meadow Wild and Meadow Springs. Item Continued.

b) Audit: Steve passed out a detailed list of what they purpose to do for the audit. Steve motioned to proceed with the audit as outlined. All present were in favor.

Meadow					
Springs	у	Meadow Wild	у	Northshore	у
Park Place	у	Ptarmigan		Quail Meadows	
Quail Meadows		Silver			
II		Meadows	у	Single Family	у
		Willowbend		Willowbend	
Southshore	M - Y	East		West	у

c) Budget/Reserves: This was looked at and the discussion was to table the budget until more firm numbers were available. Item Continued.

d) Member meeting/voting criteria: The verbal legal opinion on the voting structure of the Master Association is there is one voting class comprised of the 12 Trustees as voting members. One from each member HOA. The individual lot owner members have voting rights through their representative on the Board. Our Bylaws are in conflict with our senior document, the Developers Agreement. Steve explained that members are trustees and they are entrusted with there HOA'S votes. Awaiting written legal opinion. Item Continued.

e) Drainages: The previously assumed responsibility for the Master Association to keep the drainages in the

community maintained was reconsidered. More definition of responsibility is needed. Concern for Association liability for work on private property. Gaylynn will ask Northshore residents to do the work themselves. Lynn and Bill said they would bring it up with the SSSFHOA. Item Continued.

f) North Shore Entrance/Berm Trail: There was concern expressed over the slick conditions of the trail at the North shore entrance along the berm. Robyn will have the black tarp cut back for now. Alternative bids for landscaping will be considered at the next meeting. Item Continued.

g) Park Place drain: This project is almost complete. An easement document and release of liability documents are being coordinated with the owners. Item Continued.

h) MA Document Resolution: Resolution discussed then approved. Bill made the motion to accept the document, Steve seconded the motion.

Meadow					
Springs	Y	Meadow Wild	A	Northshore	А
Park Place	А	Ptarmigan		Quail Meadows	
Quail Meadows		Silver			
II		Meadows	Y	Single Family	M - Y
		Willowbend		Willowbend	
Southshore	S - Y	East		West	Y

Les will write a letter to invite members to the website.

i) MA property use guidelines: Gaylynn asked what the number of committee members was. Steve said it would be best if each HOA had a part. Jeff said that we might have 10. Then Les stated that the Bylaws state that the President sets up the committees. Bill is coordinating constituting the committee. Item Continued.

j) Sale of MA property to Basin Rec: Bill and Tracey met with the Rec. dept. and Bill stated that at this time they are not interested. Item Closed.

4) New Business:

 a) Guest Comments: Gaylynn asked to have guest members comment on issues before a vote is taken, and that they be limited to 5 minutes a comment. Les seconded the motion. Jeff asked to amend the motion to 3 minutes per comment.

Meadow					
Springs	N	Meadow Wild	S - Y	Northshore	M - Y
Park Place	Y	Ptarmigan		Quail Meadows	
Quail Meadows		Silver			
II		Meadows	Α	Single Family	Y
		Willowbend		Willowbend	
Southshore	Ν	East		West	А

5) Member Comments to Board:

Rick Catoni: Expressed concern about closed meetings. He reminded the board that the members are paying the attorneys fees. The response from the board is this is a normal procedure for things that could lead to litigation. As an informal meeting it allows board members to interact with counsel in a lawyer/client relationship.

Eric Fraliegh: Lights on entrance signs are out. He wondered who gets to speak with the lawyer. He is concerned with the legal fees going up. Bill stated that we have many issues that need legal advice to preclude potentially very expensive legal challenges in the future.

Ron Duyker: A trustee represents the community and that they have the responsibility to make people aware of what is going on.

Harry Fuller: Asked that if a person is concerned on a particular item then they should be allowed to comment at a Board meeting on the item.

Julia Loughlin: Suggested that a sign-up sheet be used to help the Board anticipate who wants to comment on given issues at the beginning of the meeting.

6) Confirm next meeting: Dec. 8, 2009 6:30p.m. 7) Adjourn 10:15p.m.

Silver Springs Master Homeowners Association Meeting Minutes Dec. 8, 2009 St Lukes Episcopal Church, 6:30 p.m.

Started: 6:45 p.m.

1) Verify Quorum: SSSFHOA(Bill Gunter), Silver Meadows(Phil Tosevic), North Shore(Gaylynn Mooney), Park Place(Jeff Nielsen), Meadow Springs(Whit Logan), Meadow Wild(Les Carriel) and Willowbend West (Robyn Bailey) Proxy: South shore (Steve LoRe) given to Bill Noland Not Present: Quial Meadows(Anthony Sands), Quail Meadows II(Tracey Phillips), Ptarmigan(Alan Durfee), Willowbend East (Isa Wright) Guests: Rosemary Craighill(Meadow Wild), Julia Loughlin (SSSFHOA), Eric Fraliegh(Northshore), and Ron Duyker (South shore)

Meadow				
Springs	у	Meadow Wild	у	Northshore
Park Place	S	Ptarmigan		Quail Meadows
Quail Meadows		Silver		
II		Meadows	у	Single Family
		Willowbend		Willowbend
Southshore	у	East		West

2) Approve past minutes: Oct. Minutes passed after making the changes Brenda Lake requested. Nov. approved as recored.

3) Member Comments to Board: No Comments were made at this time. Bill asked if there were any objection to the few visitors being allowed to participate in discussing the agenda items. There were no objections.

4) Committee Reports

a) Lakes: No Report

b) Dams:

1)Les reported that the east drain in the big lake was running faster than the west. Ice had lifted the top section allowing a leak to occur. Cross Marine inspected the drain today with Bill Noland and Les Carriel. Les put ice melt around the drain in hope of it settling on its own. If the salt does not work then Cross Marine can repair it. Item Continued

2) There is a maintenance on the dams meeting tomorrow night. Cross Marine has not forwarded the supplementary bid for the little lake dam earthwork yet, but they will soon. Bill

Gunter asked if we have reminded them that we have the HDPE pipe left over from the big lake drain project. Item Continued

3) Gaylynn reported that she has marked the damaged aeration box at the big lake for Mtn. Regional, and that we will look into fixing it next spring. Item Continued

5) Unfinished Business

a) Management Contract: Bill Noland asked if anyone wanted to volunteer for the office of secretary. If no one volunteers then we will leave the office vacant until it can be filled. Jeff Nielsen presented a contract that is very similar to the Sun Peak management contract. This document seems very straight forward about the scope of work. Gaylynn said she had done some research regarding manager's compensation. She said she found that management companies charge between 15 - 45 dollars a member but that for comparable work it is about 15. Gaylynn asked that the board consider raising the monthly payment from 300 to 420. Bill Gunter asked what it would be if we were charged an hourly rate plus expenses. Les said that expenses should be turned in and we should have a base rate. Les made the motion for the management job to be paid \$500.00 per month not including expenses. Gaylynn seconded the motion. Jeff verified that the contract is for the work not expenses, material can be expensed. Item Closed

Meadow					
Springs	Y	Meadow Wild	ΜY	Northshore	SY
Park Place	Y	Ptarmigan		Quail Meadows	
Quail Meadows		Silver			
II		Meadows	Y	Single Family	Y
		Willowbend		Willowbend	
Southshore	Y	East		West	А

Bill Noland asked that we think about a change to the Board composition with reference to the office of President. He suggested that it might be more effective to have an independent president who did not directly represent a member HOA. The President would only vote in a case of a tie. Les was not sure if the Bylaws or our other documents allow for this. Bill said that the Bylaws would have to be changed to reflect this option.

b) Tennis Court: Still looking at it. Whit said they thought the long term lease would be the best option right now. 1. Leasing to the Masters has no tax change. 2. Based on the lakes and the horizon it is the easiest. Lease incorporates the liability. Bill Gunter asked do we want to gain control for the long run. How do we want to resolve this long or short term. Gunter reminded us that the Masters paid for them both to be redone, we should own both too. Jeff said he would like to see at least a 99 year lease not a 10 year. Ron Duyker cautioned us to really look at the transfer when involving the county because of the extra taxes that could be assessed. Bill Noland said that he would send out the report that Kate Sattlemier worked on with her recommendations. Item Continued

c) Internal Audit: Steve could not come tonight but he is working on this project and has contacted the bank. Bill asked Robyn to look into the savings account to confirm who has access to this. Item Continued

d) Budget: This will be looked at next month when we have real numbers. Bill Noland asked to propose to add \$12,000.00 to the park area to have a retaining wall and add grass. Julia commentated that a wall could be dangerous and maybe we should consider junipers. Les said that many people use that area to view the lake so maybe we should consider steps or timbers.

It was asked that the board members start thinking about whether they want a dues increase or a special assessment. Bill Noland asked that once we have the figures for Jan. 12 meeting that everyone be ready to vote. Les asked when the special assessment would be done. We have no document saying when we assess and who it goes to and how the fees are implemented. Bill said he will work on a resolution to define the assessment process. Gaylynn said that her HOA is sending out two bills this year one for there own HOA and the other for the Masters. Item Continued

e) Northshore Entrance/Trail Access: Since we might have too much on our plate to do this major project right now, we should split this into two, the trail being one, and the entrance the other. It was agreed to postpone assigning these items plus the big lake park completion until our budged costs were better defined. Item Continued.

f) Park Place drain: This is all but done. The drain is complete. We are looking for the new owners to sign the agreement which give us an easement outside of the plated easement, and release from liability. Item Continued.

g) Property Use Guidelines Committee Formation: Bill Noland has been collecting the names from each president that will represent each HOA. Please contact Bill with your representative. Les made the motion to not start until April 2010. Gaylynn seconded the motion. Discussion was that this is an emotional topic. Les amended the motion to have a document ready by June. Eric said that having 12 people is a lot it may take more than two months. Phil said we have a draft already so that should speed up the process. Julia commented that there are state and county laws and rights of property owners so there could be many issues.

Meadow	А	Meadow Wild	ΜY	Northshore	SY

Springs					
Park Place	Y	Ptarmigan		Quail Meadows	
Quail Meadows		Silver			
II		Meadows	Y	Single Family	Y
		Willowbend		Willowbend	
Southshore	А	East		West	Y

Gaylynn asked that the committee members attend the Master Meeting closest to the April 16 meeting before they begin. Item Continued

h) Membership Meeting Planning: We will discuss the format at the Jan. meeting and the Annual meeting will be informational only, no votes will be taken. It was suggested that we have a form to help people get more involved. Gaylynn and Julia said that they have this type of format at the school board meetings. Item Continued

6) New Business

a) Annual Assessment Procedures Resolution: Bill will work on a resolution so we have a procedure adopted by the time assessments go out. Item Continued

b) New Check Signer: Jeff volunteered to have his name added to the bank as a signer. Item Closed

c) Other:

1)Les asked when we could expect to have any answers for what or who is in membership. Gaylynn commented that she is uncomfortable with the board ignoring the vote of not having a lawyer look into the membership. In the future she would like to the board to inform members of changes before they act. Attorneys fees seem open ended. Gaylynn proposes we have a vote on the subject and the amount. Bill Gunter said maybe we should have a set amount that is reasonable like \$500.00 Whit commented that this is not a big problem. Phil doesn't think that the issues the lawyer is working on will recur once the issues are settled. Bill Gunter said he thinks it all about money so if it is going to happen again we should vote on it if it is to be over \$500.00 or XX amount of money. Bill Noland said that we can establish a resolution guiding the management of legal opinions and the amount and when a vote is needed. Gaylynn will look into this. Item Continued

2)Les wrote a letter to try to get more people to access our web site and register. This letter will be sent out to the SSSFHOA, which is our largest member and we have the least amount of emails for. Item Closed

Comment [rb1]:

7) Confirm Next Meeting: Jan. 12, 2010 at 6:30 p.m. at ST Lukes

8) Adjourn 9:40p.m.