



## Silver Springs Masters HOA June 15, 2009 Minutes

**Board Members in Attendance:** 1) Bill Noland -SSSFHOA, 2) Steve Lo Re -South Shore, 3) Rosemary Craighill –Meadow Wild, 4) Jane Hamilton –Park Place, 5) Linda Bowman – NorthShore.

**Board Members Absent:** 1) Karen Williams -Willowbend West, 2) Tracey Phillips –Quail Meadows II, 3) Phil Tisovec - Silver Meadows, 4) Allen Durfee- Ptarmigan, 5) Isa Wright – WillowBend East, 6) Whit Logan-Meadow Springs, 7) Anthony Sands – Quail Meadows, 8) Bill Rusconi –The Springs.

**Proxies:** 1) Karen Williams -Willowbend West (Robyn Bailey), 2) Phil Tisovec - Silver Meadows (Robyn Bailey).

[“1990 Silver Springs Master Homeowners Association Bylaws:

Article V. Section 3. Quorum. A majority of the Board of Trustees shall constitute a quorum for the transaction of business. In the event a Trustee is not available for a Board Meeting, his written proxy sent to any **trustee** will establish his vote.” ---The above Proxies given to Robyn Bailey are therefore not valid proxies as Bailey is a hired manager without a contract and not an elected trustee. See Section 4. Compensation.]

**Committee Members and Visitors:** Les Carriel (Lake and Waterways Committee), Robyn Bailey, Bill Gunter

### Meeting Called to Order at 7:10 p.m.

**Approval of Minutes:** Rosemary Craighill motioned to approve the minutes. Steve LoRe seconded the motion. All were in favor of approving the May 2009 minutes.

### Committee Reports:

Lakes: Les reported that the bid for the little lake outlet renovation was now reasonable. The total amount will be around \$101,000 dollars. \$76,000 dollars for Cross Marine and \$25,265 dollars 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.

[Jim Harsch, Little Lake property owner will be replacing Les Carriel as chair of Lakes Committee.]

### Master Association Properties:

- 1) [Tennis Court](#): Needs to have the railroad tie level.
- 2) [NorthShore Wet Lands Parcel J](#) – or [Parcel D Wetland Tract A](#): The Army Corp of Engineers said the wetlands were okay as they stood [though they are clogged with cattails and Indian grass so the fish cannot swim up the fish ladders to the lakes]. Any changes noticed or proposed [that would alter the size or location of the wetlands] must be sent to them. Item closed.
- 3) [NorthShore Entrance Parcel R](#): Repair sprinkler damage; and the people at NorthShore want more plants at the entrance. [Silver Springs Community residents, especially the ones who use the north entrance, would like to see the manager take better care of this entry area.]
- 4) [Main Entrance Parcel R](#) and the [Flag Pole Parcel](#): [Silver Springs residents would like the maintenance company monument sign weeded and quack grass removed, the aspen tree shoots around the flag poles to be thinned out. Also for the manager to gain the cooperation of Blue Roof management to clean up their area and weed, fertilize and water their lawn.]
- 5) [SouthShore Berm Parcel R](#) : Mountain Regional removed the debris dumped by unknown persons. Bob Radke, from Basin Recreation, will design a swing gate that will prevent unapproved vehicles on the peninsula.
- 6) [Ross Lloyd Pocket Park](#) : no report. This parcel is within the “Private Enjoyment Easement” belonging to SouthShore.
- 7) [Big Lake Park](#) : The MA 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 should stay and they should be trimmed up for the maintenance crew. The smaller trees and the willow brush are to be removed. [See photos of Lake Park on July 25, 2009](#) before trees were “trimmed”. [See photos of Lake Park on August 2, 2009 after trees were “trimmed.”](#)

### **Unfinished Business:**

#### **---Insurance-Liability**

-----**Risk Report:** Four items need to be addressed. 1) The Park Place [actually Parcel J] retaining pond collector culvert needs a cover.



[Parcel J culvert](#). View from outside



View into inside of culvert – estimated to be less than 34 inches high

2) **Olympic Liability Penalty and 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.

#### **INSURANCE:**

---[MA Documents](#) and “MA Charter”: The developers draft [Bylaws](#) and [Articles of Incorporation](#) and “the Declaration” are all being looked at. Each Association is being asked to ask their Members what they assume the MA should or are doing. Currently we are chartered to take care of common open space properties and to provide discussion of common issues. The homework assignment is to bring back a responsible wish list.

#### ---**MA Property Maintenance Projects:**

-----**Park Furniture:** The picnic tables and benches are being worked on now.

-----**Street Lights:** There are three lights and electrical work at the large park that is being worked on.

-----**Tennis Park Pavilion Roof:** Robyn reported that the wood shingles run about \$7,000 dollars and that asphalt shingles are a little under half that price, at \$3,300 dollars. The MA board asked for more bids. Robyn will get them for the next meeting.

---**Tennis Park Trees:** This item is closed until there is a motion.

---**Big Park Shoreline Vegetation:** The board members discussed and looked this matter over and decided to cut down most bushes and volunteer trees. We will keep the large trees. [This decision was made without gaining input from the Silver Springs residents and Park users. There were no environmental or aesthetic considerations. No one called an expert, such as Keith Clapier, a specialist in park and wetland issues, who recommends that 100% of the shoreline be planted with vegetation. [See article about Clapier on Parks page.](#)]

**---MA Property Verification:**

-----**West Tennis Court:** Kate Sattelmeier is looking into the MHOA's best possibilities for claiming this property. [Willowbend West former president Eichner has stated that WBW owned the tennis courts until he used "Plan L" to get Michael Barnes, the SouthShore developer, to take the property then transfer it via Special Warranty Deed named within the [1989 Developer-Homeowner Agreement](#), to the newly being formed MHOA. Summit County Recorder has stated that the Tennis Parcel in its entirety already is recorded as belonging to the Silver Springs Master HOA. Surmising that the comment on the Developer-Homeowner document was incorrect. The recorded parcel size includes the two courts plus the area on the south street side for the third court. See recorded dimensions. The section map shows one court as belonging to Meadow Springs SF subdivision.]

-----**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. [The properties that the MA has stewardship over have recorded titles. The expense of a title search is unwarranted because the titles are not being contested.] Bill Gunter, a visitor, seconded the motion. The five board members present were in favor.

-----**Lakes Acquisition Affidavit:** Robyn will draft her affidavit stating that she saw a copy of the lake conveyance agreement that had been signed by all the subdivision presidents. [At a later meeting Robyn admitted that she really had not seen such a document and that in fact she had been unable to reach all of the subdivision presidents to attend the meeting where the [Lakes Conveyance Agreement](#) was to be discussed. Anthony responded that if he had known that the presidents were not in agreement he would never have signed that document.]

-----**Lakes Private Enjoyment Easement:** This issue has been beat to a pulp for years, still no resolution. See at <http://www.silverspringscommunity.com/master-association/ma-common-area-parcels/parcel-w/> and on other [Silver Springs Lakes, Private Enjoyment Easement](#) document, and [Waterways](#) website pages.

**ALTERNATIVE BOARD MEETING LOCATION:** We have been looking for a new location for the MA board meetings. Jane Hamilton reported that [St. Luke's](#) has offered the MA board a room to meet in. Tuesday works best for the board members present so the board will try to meet each third Tuesday at 7:00 p.m. [changed to 6:30 p.m.].

**New Business:**

---**Gate to Berm access road:** Bob Radke is working on a plan.

---**Dam Inspection:** Bill Noland met with Matt Lindon and a new inspector [Everett Taylor]. The State Water Rights Division has several guidelines for dam maintenance, and a schedule to inspect the dams every two years. There are several structural safety matters that need to be addressed. Noland researched the **private enjoyment easement** that was the original design and intent of the developer that the Silver Springs property owners would have use and access to the full perimeter of both of the larger lakes. Noland feels that the MA board needs to be better versed on where the property lines are located. Once the board has a better legal picture of what the MA owns then the board can address owner concerns more intelligently within a judicious and defensible process. [Reading the past documents, agreements, minutes, surveys, etc. would also help the board to be better informed. All listed items are available online at [www.silverspringscommunity.com](http://www.silverspringscommunity.com).]

## ARTICLE IV PROPERTY RIGHTS IN THE COMMON AREAS

Section 1. Members Easements of Enjoyment. Every member shall have a right and easement of enjoyment in and to the common area, if any, and such easement shall be appurtenant to and shall pass with the title to every assessed lot, subject to the following provisions:

(a) The right of the Association to establish uniform rules and regulations pertaining to the use of the common area including but not limited to private streets and recreational facilities thereof.

**---MA Check Signing Authority Transfer:** Since Nancy Samson has resigned; she has turned over her responsibilities to Tracey Phillips, her replacement from Quail Meadows II. Steve LoRe has decided to replace Nancy as the check signer for the MA board.

**---Property Encroachment Issue:** The Tim & Holly Hanson property in Park Place that is adjacent to the collective pond has been surveyed and their back fence is 24 feet on the east and 9.5 feet on the west into our common property. The five board members present decided to adhere to the property lines, no exceptions. Sprinklers and fence are to be moved unto their property. Steve LoRe volunteered to write a formal letter. [Give the Hanson's or the new owners the opportunity to purchase the ground; the MHOA has no need or use for it. This sale would reduce MA property taxes and insurance costs and bring in new revenue. The way it is fenced now makes perfect sense. See [photos of Parcel J and the Hanson's back fence.](#)]

**---Late ? Payments:** Robyn will send a reminder to the Member Subdivisions who have not yet paid their annual dues to the MA. There is no rule that states a date by which the 13 Member subdivisions must pay their dues to the MA. SSSFHOA, who contributes over \$33,075 to the MHOA annual budget of \$88,200, has repeatedly stated they want to transfer dues to the MHOA on a quarterly basis. This allows SSSF to collect late dues from their Members and to not leave their resources depleted during the majority of the year. Additionally, the MA has yet to roll back the **temporary increase** in dues from the Association Members that were for the repair of the lakes beginning in 2004-2005.

**Comments:** Bill Gunter said the SSSFHOA will be having their annual party at the Park on July 25, 2009. They have invited all the other 12 community subdivisions to attend (508 property owners). A local teen band, "Stoked by Coconuts", will play, and a potluck dinner will be shared. Gunter asked if the MA would consider paying \$400 dollars to help cover the cost. Gunter, a member visitor, made a motion for the MA to donate \$400 to the SSSF picnic. Rosemary Craighill seconded the motion. The picnic is from 4:00 pm until dusk. [See [Picnic photos](#). Approximately 32 members and a passel of children attended out of 508 families. SSSF spent an additional \$1,000. See the [SSSF Budget](#)]

**Confirm Next Meeting:** July 21, 2009 at St. Luke's at 7:00 pm [changed to 6:30 pm]

**Meeting adjourned at 9:55 p.m.**

**Next Meeting July 21, 2009 7:00p.m. [Changed to July 8]**

Original Minutes written by Robyn Bailey with links, pictures, and comments in brackets added by Lucy Archer.

Silver Springs Master Homeowners Association Board Meeting Minutes are the property of the Association Members. In this manner the Board is held accountable for their actions. The Association Members hold the right of free access, perusal, and use of these documents and chose to do so at the Member website at [www.silverspringscommunity.com](http://www.silverspringscommunity.com).