



Silver Springs Master Association

Annual Membership Meeting Minutes

February 9, 2010 at St. Luke's Episcopal Church

Verify Quorum: 1) Quail Meadows II (Anthony Sands), 2) SouthShore (Steve LoRe, vice president of MA), 3) Meadow Wild (Rosemary Craighill), 4) Park Place (Jane Hamilton and Jeff Nielsen, both lake view), 5) SSSF (Bill Gunter), 6) NorthShore (Gaylynn Mooney, lake view), 7) Silver Meadows (Phil Tisovec)

[Currently there is no MA secretary, treasurer, or elected president.]

Not Present: 1) Willowbend West (Mark Rasmussen), 2) Meadow Springs (Whit Logan), 3) Willowbend East (Isa Wright).

SS Subdivisions, not MA Members: 1) The Springs, 2) Ptarmigan, 3) Quail Meadows Townhomes, 4) Four houses on Quail Meadows Road.

Guests: 1) Bill Noland (SSSF), 2) Ken Canada (NS), 3) Doug Porter (Park Place, lake view), 4) Julia Loughlin (SSSF, lake view), 5) Robyn Bailey (SSSF, stream), 6) Lyn Cier (SSSF), 7) Chester Chmeilewski (resigned- Ptarmigan), 8) Stephen Hamilton (Park Place, lake view), 9) Clay & Lucy Archer, 10) Jim Harsh (SSSF-Little Lake, lake view), 11) Michael J. West (SouthShore, lake view), 12) Kelly Snyder (Meadow Wild), 13) Bill Chamberlin (resigned subdivision- Ptarmigan), 14) Guy Sanderson (lake view), 15) Bonnie Adams (SSSF), 16) Richard Callahan (SSSF), 17) Grunter (SSSF), 18) Les Carriel (SSSF, lake view), 19) Stan Kanarowski (SOS, lake view), 20) Eric Fraleigh (NS, lake view), 21) Grant & Kathy Hedges (SSSF, lake view), 22) Alex & Carey Gross (SSSF), 23) Jan Zinn (SSSF, lake view), 24) Jim Flynn (SSSF, lake view), 25) Mark Seltenrich (NS), 26) Tom Minahan (QMV), 27) Ralph Stanislaw (PP, lake view), 28) Harry Fuller & Janet Goldstein (SSSF, lake view), 29) David Winegar (SOS), 30) Bruce Emerson (NS), 31) Brian Robinson (SSSF, lake view), 32) middle age woman wearing gray glasses, 33) lady in wool jacket, 34) man in orange down jacket.

Around forty-four Members in attendance, 20 or more are lake view owners, more than half were former and current MA and individual subdivision board trustees.

Meeting Called to Order: 6:40 p.m.

Meeting conducted by Steve Lo Re, Vice President of MA. Lo Re asked the question, "How many have served on the MA Board in the last twenty years?" It seemed that a majority of the audience raised their hands. "I see lots of pros, lots of experience. Not many people are here tonight (around 44 out of 512 properties). Tonight we want to speak to four items: where the MA is now going, the budget, the situation with the lakes, the legal status of the MA and its formation documents."

Association Update. By Bill Noland.

Power point presentation: “This is not an eye test. Lots of words there...” The MA is made up of 14 individual subdivisions, 10 are currently active. If you are a Member of a participating subdivision HOA then you are a member of the MA.

The MA was formed to acquire and maintain property. In the past it has gone out of its charter to replace the streetlights, repair drainage on individual property, etc. When Silver Springs Water Company went out of business some trustees thought the MA was the only group available to deal with these issues. [The SSSFHOA charter provides to this day that their board has the care of the Common Areas, etc. See [SSSFHOA Documents Index](#). The trustees’ twenty-year neglect to update the charter documents has not provided for a transfer of these responsibilities from the SSSFHOA to the SSMA.]

MA Board monthly meetings are at St. Luke’s Church across the street. Noland asked for more participation and feedback from Members. He feels the board does not receive enough feedback from individual board reps as much as he would like. [The Community Tea Party has been trying to give input and share the results form ballots of nearly half of the Community residents but the MA board secretary has not added the requested time to the agendas saying the MA board is too busy.]

Review of SSMA Purpose and Documents: “AND WHEREAS, it was intended by the original developer of the Subdivision and was provided certain of the initial master planning documents that a master homeowners association would be formed for the purpose of representing all property owners within the Subdivision with respect to maintenance, improvement and administration of Subdivision common areas;....with the intent and purpose of establishing a harmonious relationship between the parties...”
–[Dev-HOA Agreement 1989](#)

“The 1989 Developer-Homeowner agreement, to which I was indeed party, **did not establish the MA**. Clearly, this document obligated the developer to initiate the organization of the MA and provide **draft** documents to that end. The constituent HOAs were then obligated to form the MA which the trustees failed to do for twenty years, 1990 to 2010. This would have entailed creating specific documents from the draft provided by the developer, and final ratification (presentation to the Members, a vote, notarized signatures).” This was not done.

[Review of 1990 Articles of Incorporation](#) - Establishes corporate name - Silver Springs Master Homeowners Association; to hold title, lease and acquire rights to be used as common recreational areas for all Homeowner Associations which are members of SSMA; manage common recreational areas; provide forum for discussion; generate funds for maintenance of common properties. These purposes are also held by the SSSFHOA charter documents written in 1982, 1984, and 1994.

“The first step was to create Articles of Incorporation for the MA as a non-profit corporation. Even if this document was ever properly filed, in of itself, it does not establish the MA. Once the MA came into existence with the formation of the Bylaws it would simply be a non-profit property management organization.”

[SSMA Draft 1990 Bylaws](#) were never formalized signed, voted on. On April 20, 2009 the SSMA board voted unanimously to accept these Bylaws until they are amended.

“In 1990, Lynn Stevens, who was then president of the Willowbend HOA as well as manager of the Silver Springs Water Co acting in concert with the developer, created a draft of the Bylaws as it was obligated to do. However, the constituent HOAs never provided input nor ultimately ratified the draft. That’s why Article XIII Adoption is incomplete and there are no signatures. No meeting of the Board of Trustees was held and no vote of adoption was ever taken. [This was confirmed in conversations with the Developer and

the assisting attorney.] Aside from the difficulty of getting each HOA to provide specific language or organizational changes, the last step proves to be problematic due to failure of vesting the authority of each HOA trustee to bind its individual HOA to the MA. That is, there was never a vote to adopt the MA Bylaws.” (...until April 20, 2010, in Draft form, without signatures or a vote of the Membership.)

Condition of the Silver Willow Lake (large) – Review of maintenance by Gaylynn Mooney: Quite a few people work on the lakes, predominantly a dozen or so of the 54 lake view owners. She invited other non-lake front owners to rake milfoil and other water plants proliferating in the water and to help trap leeches. See 25 minutes presentation at : <http://www.silverspringscommunity.com/lakes-in-silver-springs/http://www.silverspringscommunity.com/lakes-in-silver-springs/> When on that web page scroll down to today's date (Feb 9, 2010) for her report.

Concluding that the local watershed group has spent \$8 million to remove excessive nutrients from the waterways. Success requires the support from upstream neighbors. Wes Schellenberger removed sludge from the golf course ponds using federal and state grants. The Water Shed group advises that wild grasses, wild flowers, and other large plantings are a better solution to rip rap areas instead of the use of gravel or rock. This advise coincides with the advise from Keith Clappier, Park City Arborist and landscape specialist. Last year's "pruning" of the Park vegetation along the south beach area was visually and environmentally disastrous.

Mooney stated that the Big Lake electrical needs (for the irrigation pump, aerator, etc.) are paid for by Mountain Regional. The MA pays for the Little Lake electrical for needs. [Marti Gee admitted to an attendee that Mountain Regional does not bill the SSMA for water used to irrigate the Park though they know that lake water is being pumped for this use. The MA is spending around \$4,000 to over \$6,000 a year for water, could that be only for the Tennis Parcel lawn area? There have been complaints by the condo owners that the sprinklers on that parcel are running too frequently and too long.]

Noland then explained that in January of 2010 the aerator that had been adjusted the previous summer was now not functioning properly. Les Carriel, a lake view owner called Cross Marine to stop the leak, divers were sent down to re-caulk the base of the aerator, it is now vertical again. The cost of \$8,000, was paid by the MA though it had not been pre-approved by the board.

Noland continued by explaining that the [lake dams](#) were man-made 30 years ago (dredged in 1979-1980). There has been minimal State supervision as these "ponds" are categorized "moderate" concern. There is no active water, other than spring run-off. There is no buffeting of the dams or shore by waves. No motorized vehicles are allowed. The perimeters of both lakes are developed with single family residences that do not allow access to non-lake front owners, with the exception of the 443' along the Park. Since 2004 the MA is responsible for maintenance of safety standards. The inundation area (NorthShore) is north of the lakes, lower in elevation than the lakes, and were originally a wetlands area. The waterways that were established to hold and direct overflow from the lakes are currently in a very clogged condition. Since these waterways are not a part of the MA it is the responsibility of the NorthShore board to keep these waterways clear of cattails, Indian grass, and other vegetation that has hampered the fish ladder used by trout in the 1980's and that may be a key factor if inundation does occur in NorthShore [photos to be posted]. The MA can keep the gates in prime condition but once the overflow water has passed this point the NorthShore

board and residents will be held accountable to have their waterways clear and bolstered.

SSMA Financial Report – by Steve Lo Re.

See 2010 Proposed Budget at: <http://www.silverspringscommunity.com/wp-content/uploads/2009-feb9-agenda-budget.pdf>

The annual SSMHOA assessment since 2004 has been \$175 per residential unit. The 2010 proposed Budget has attached an additional \$182 for Little Lake capital improvements to the gates and dam. Result is \$357. Richard Callahan responded that would create a 200% increase. Capital improvement assessments require a vote by all the General Association Members with 66 2/3% needed to pass. The MA board did not inform the Members regarding this year's Budget prior to this meeting; neither did they call for a vote by the General Members on the Budget at this Annual Meeting.

There was much discussion and dissension regarding the \$182 assessment by the Members in attendance. The Little Lake is viewed as essentially a private amenity accessible only by the 26 or so contiguous lake view homeowners. This was established in 1989 via an exclusive [Private Enjoyment Easement Agreement](#) and on the recorded [1991 SouthShore plat](#).

Lucy Archer asked Noland regarding the whereabouts of the \$80,000 CD for the Little Lake work that was discussed and recorded at the April 2008 MA board meeting by Ron Duyker and Jerry Romero. Flippantly, Noland responded that he had deposited the \$80,000 into his own account. No further explanation was provided.

[On April 12, 2010 Ron Duyker attended the SSSFHOA meeting to cast disparaging remarks. When he was finished, Lucy Archer stated, "This is Ron Duyker a SouthShore resident and former MA trustee, he is also the man who is recorded discussing the \$80,000 CD in 2008. Tell us Ron, where is that money?" Duyker made no further comments.]

Several Members voiced their protest of the increase and their disagreement. Noland stated that the Members cannot be individually sued by the MA for non-payment but if that they could get assessed for legal fees for settlement of the issue whether the court found the assessment legal or illegal. But since the Members did not get to vote on this capital improvement assessment perhaps the MA board members would be required to pay the legal and court fees for neglecting their fiduciary duty.

MA Bylaws state" Article III. Meeting of MEMBERS, Section 5A. Quorum. Fifty-percent (50%) or more of the Members, either present in person or by proxy, shall constitute a quorum for any and all purposes, except in special assessment circumstances, in which the express provisions require a sixty-six and two-thirds (66 2/3%) percent vote of the members present."

Discussion revolved to ownership of lakes. Noland reported that the MA owns from the back lot lines of the lake perimeter lots (also known as the dams on the north side of each lake), under the water, across to the back lot lines of the opposite side of the lakes. Except for [Parcel K](#) (belongs to PP-SOS-B-44), [Parcel I](#) (divided up and sold to SSSF lots 47, 48, 49), and another portion of the Enjoyment Easement along SSSF lots 197, 198, 199. [At the April 13, 2010 MA board meeting the owners of SSSF Lots 193, 194, 195, and 196 requested that they be allowed to purchase from their back lot line to the water line.] There are also questions regarding the ownership of the Enjoyment

Easement on the Little Lake. The original developers SSD, Inc. seem not to have transferred the title to the Silver Springs Water Co. Therefore the title was not transferred to Mountain Regional Water, and not to SSMA.

Further complicating matters is the [2004 Lake Conveyance Agreement](#). The Agreement was pursued by lake view owners Eric Fraleigh and Les Carriel with the assistance of County Commissioner Bob Richer. The Agreement was never presented to the General Association Members, there was never consensus among the subdivision boards (though there now seems to be an effort afoot to produce a document stating that there was consensus and in November 2009 the manager typed up an affidavit), some of the 2004 board members are reported to state that their subdivision was not invited to the discussion, neither were they in agreement. The Lake Conveyance Agreement was signed by one individual, the 2004 MA board president, Anthony Sands. He was reported as saying "Even if these ponds were two mud holes in the center of our Community we now have control of the land, though Mountain Regional still owns the water." These ponds have cost the Community a couple hundred thousand dollars for the benefit of 54 owners.

When Silver Springs Water Company owned the lakes there existed a full perimeter Enjoyment Easement trails around both lakes that were open and useable by all Members. As the property around the lakes became more and more developed, the new lake view residents became concerned that neighbors were walking past their back yards. The lake view owners formed a group headed by Bill Ligety. They hired an attorney to assist them in gaining full control of the [Enjoyment Easement](#) to the exclusion of the General Association Members. Ligety was able to purchase access [Parcel K](#) to be absorbed by his SLS Lot 193. [Parcel I](#) was absorbed by SLS Lots 47, 48, 49. [Parcel B](#) became part of Park Place Lot 44, etc.

Noland described the condition of the lakes in 1989 as "basically cesspools, represented by shallowness of water, man-made geography, insignificant flow through, and unmaintained...part of an irrigation system that was never hooked up." He continued that had the MA not taken control of the lakes in 2004 then the Water companies could have completed their plans to drain the large lake to build condominiums on the 20 acres. Weighing their options the lake front owners took matters into their own hands by pressing for Summit County's Mountain Regional to transfer the lakes to the MA, with the support of County Commissioner Bob Richer. The lake front owners have been very successful in getting their way and influencing the MA board to support their ideas, their ownership, all without the vote of the General Association Members. This was completed while distributing the costs for their privatized amenity among all the Members (after wresting away General Member use of the Enjoyment Easement and restricted the access of the lakes).

[Sweet deal for 54 Members. You have got to read their propoganda, "We are protecting a wonderful amenity in the heart of our community." "The lakes add value and curb appeal to our neighborhood." "We now have control of all of our Common Areas." Etc. The major complaint the General Members have regarding the boards is that they seize too much authority, do not adhere to charter documents, do not inform or consult the General Members, and they did not allow the General Members to vote on the formation of the MA, the Annual Budgets and capital improvement assessments, the conveyance of the lakes, etc.]

Meeting was opened up to questions from the Members.

Audience Question: If you are saying that the MA owns all the land from back lot line, under all the water to the opposing back lot line, except in instances where lake front owners own the land to the water line, then it seems that all the Members should have a right to access around the lakes.

Noland: All the rest of us have access at the Park, the berm, and west pocket park at Little Lake [the Ross Lloyd Pocket Park is within the recorded private Enjoyment Easement of the Little Lake].

Audience Question: Why don't we fill in the lake to make a larger park?

Noland: We would have to get the lower water users to agree to allow us to drain transition the lake again. We would need to put in a certain amount of fill. If you would put together a proposal we can look at it.

Lucy Archer: I have heard that you approached Snyderville Basin Recreation to buy or take over the lake(s). What was the outcome of that meeting?

Noland: The MA Board passed a motion to explore whether SBR would be interested in the lakes. We explained with maps and other data the state of the lakes, history, maintenance status, ins and outs, liability of water and dams. [all negatives] That discussion was over in 30 seconds. SBR is not interested, doesn't fit in their business plans. Ideas they gave to us were to shrink the large lake down. Other ideas about what Davis County had done with a similar situation.

[We also talked to SBR. They told us that if the MA transferred the lake's twenty acres to them they would convert the lake to a large Park that would be contiguous to the current Park (2.01 acres). Then they could further expand the Park to the [Parcel R Berm](#) 5+ acres, and possibly develop [Parcel J](#) into a dog park. They would run programs similar to the [programs they provide for the Willow Creek Park](#). SBR did not want a troublesome body of water to manage, they will accept the 20 acres if they are allowed to diminish the size of the body of water and provide playing fields, jogging path, etc.]

Lucy Archer: We have heard that two more individual HOAs have resigned from the MA because they feel they never were Members of the MA. Nothing in the charter documents prohibits them from withdrawing from the MA. What is the status on this?

Noland: The board is gathering information. The charter documents do not address how individual subdivisions become MA Members or how Membership is dealt with. The attorney feels that if a subdivision has been paying dues and attending meetings then that subdivision is a de facto MA Member. However, if the MA was never legally formed and there are no binding clauses then Membership appears to be voluntary.

Stan Kanarowski: Began yelling from his seat that a former Member of the board had recorded the 1990 MA Bylaws and thereby placed clouds on everybody's title. There were shouts that it had been two years since the recording with hundreds of title changes and sales closing without any problems. Also each individual HOA in Silver Springs except Park Place and every contiguous subdivision also had recorded their Bylaws and CCRs. It was a completely valid legal process that had been neglected by the

SSMA boards since 1990. Stan was told he was out of line and to stick to the agenda and topics at hand.

Audience Question: Who was the developer who prepared and signed the Articles of Incorporation and other forming documents?

Noland: Michael Barnes of SSD, Inc. owned properties in Silver Springs. Acted in his own interest to fulfill county requirements posed as a condition by the County before his company could obtain building permits he requested.

Indicating the map on the screen, Noland stated that the first of the MA properties were transferred in 1989, one was PP-91 a.k.a. the [Tennis Court Parcel](#): One tennis court in the Tennis Parcel was transferred from Willowbend East to Barnes in 1989 for the purpose of including it in the MA. The second tennis court was not transferred and belongs to Meadow Wild/Meadow Spring. This group has been dragging their feet on legally transferring the tennis court to the MA or signing a lease to formally allow the Members to use it. The MA has paid for all the upkeep of both courts since 1990 and in 2005 paid \$70,000 for refurbishing both courts. The Meadow Wild/Meadow Springs owners have contributed no more than the individual member dues for any of this work and maintenance.

The second parcel transferred in 1989 was the 2.01 acre [Parcel H](#), known as the Park. This parcel was the subject of much negotiating by the SSSFHOA board over more than a year. Also tied in with the [Enjoyment Easement](#) and other issues.

The third parcel transferred in 1989 was the [South Berm Parcel R](#). This parcel includes the top of the berm trail from the north entry at NorthShore to Silver Springs to the south entry at the Blue Roof. It also includes the peninsula which remains in the ownership of Mountain Regional Water who operates a well there with a 100' perimeter. The existence of this culinary well is one of the reasons that the west end of the lake will most likely not be developed for Association Member recreational purposes. In October of 2009 the MA [erected a metal gate](#) to prohibit access via Park Place Court to this Berm Parcel.

Noland continued to describe the MA Common Areas:

Review of SSMHOA Parcels - [Click here to see full Common Areas list](#)

- 1) [PP-91](#) Tennis Court parcel on Meadow Loop Road. 0.67 acre.
One court is [Recorded on Section plat SW 1/4 SE 1/4 Section 30 T 1 S, R 4 E](#) showing it is owned by Meadow Spring /Meadow Wild subdivision. The second court is owned by SSMHOA.
- 2) [SOS-A-Park Parcel "H"](#) - known as the Park along Silver Springs Dr and Silver Springs Road. Parcel "H" was owned by InSource, Inc. until the 1986 bankruptcy. Parcels B, Q were part of the "Enjoyment Easement" on the west and east side of this parcel. [West portion = 1.2981 acres and east portion = 0.7236 acre](#). 02.01 acres 1978, Oct. 25, 1989 –1990, Sept 23, 1991
- 3) [SOUTH BERM](#) South half of **Parcel "R"**; extends from main entry by Blue Roof, along 224 to north entry in North Shore. Formerly belonged to InSource, Inc. until 1986 bankruptcy, then foreclosed by American Savings. SS Associates transferred to SS Homeowners. Includes a 15' wide access easement from Silver Springs Road to the South

Berm. Access is located between Parcel 1-F lots 183 and 184 (a.k.a. Lots SOS-A13 and SOS-B12). [Dev-HOA Agreement Item 3](#). 6.80 acres Oct. 25, 1989

4) [SOS-A-Berm](#) North half of **Parcel “R”**; **berm** along SSR-224 from NorthShore entrance to Walker Ct.– SS-NS sign parcel - W259 x N46 x E 138 x S 28.59 Vesting Book 01371 Page 01389, 05.21 acres, May 21, 2001. It is unknown what the size of Parcel J

5) [NSS-B-WA](#) The [“Wetlands”](#) on the northwest corner of NorthShore are federally protected and are in need of cattail removal and clean-up. Indicated on the NSS-B-plat as 2.912 acres recorded on 12 June 1990. NW corner to Ranch Place. Between lots NSS-B 39 and 40, runs along SSR 224; has moose wading ponds. See [Quit Claim Deed](#). 02.912 acres April 18, 2002

6) [NSS-A-CA](#) S 30 T 1S R 4E COMMON AREA NORTHSORE SILVER SPRINGS SUBDIVISION NO 1-G PLAT A, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE COUNTY RECORDERS OFFICE CONT 10,615 SQ FT OR .24 AC 544-199-A 1445-612 is the NorthShore berm. See [Quit Claim Deed](#). 00.24 acre, April 18, 2002.

7) [PP-98-A-6](#) - **Parcel “G”**; small lake parcel; a.k.a. [Silver Willow Pond](#) aka Upper Pond aka Duck Pond, 05.24 acres, July 14, 2004.

8) [PP-98-A-1-A](#) - “Pump Station on Lower Pond” located on American .Savings map. [It is part of Park Parcel H](#), 00.02 acre, July 14, 2004.

9) [PP-98-A-10](#) - **Parcel “F”**; large lake parcel; a.k.a. [Silver Willow Lake](#) a.k.a. Lower Pond. In 1983 - HOA member big lake shore access = 4,221.71 linear feet X 15’ wide. Circa 1991 - HOA member big lake shore access reduced to 443 linear feet at Community Park.

Comment by Carrie Gross (SSSF): She senses that people are angry and disappointed to learn that the boards have not been performing their duties and have committed to a large assessment without Association Member votes. However, she loves Silver Springs, the nature and the neighborhood. She moved here from Prospector and enjoys it very much.

Website. Noland and Lo Re then suggested that if the Community Members wanted more information to look at the website. The one authorized by the SSMA in 2000 at [www.silverspringscommunity.com](#) is the most comprehensive and up to date. The one Anthony Sands started has very limited information.

[2010 SSMA Budget](#): Presented by Vice President Steve Lo Re.

Walk through and summarization of handout (see link) for \$209, 972 in expenditures. Total expected income: \$180,000.

Big item is maintenance on the Little Lake, \$135,000 for dams and gates.

Utilities projected to cost \$10,000.

Manager will receive a 58% pay increase.

The survey of the lake, etc. was \$5,000 for all MA Common Area Properties.

Legal Fees for document work on drainage easements; recovering of the modified dam structure done by lake view owners.

Liability Insurance for the dams (private), lakes (essentially private), and the Parks (one section of tennis park is private).

To balance the budget the MA will take money from the reserves (\$80,000 CD?). Most of budget revolves around expected expenses for the privatized lakes.

Next week the MA will hold a meeting to discuss how to bill the Community Members for all these lakes' expenses.

Richard Callahan: "If this is a one time assessment then it is a special assessment, and since it is for capital improvements on the little lake, it is a capital improvements special assessment. Wording is critical here as the SSSFHOA requires a vote of the total Membership for this type of assessment." The SSMA Bylaws also require a 66 2/3% vote of all the assessed property owners in order to pass this Budget."

Audience Question: "Is there another big expense coming up in the foreseeable future?"

Bill Noland: No. Not really. Only have owned lakes since 2004, doing maintenance is catch-up work. The MA re-did the big lake and the tennis courts, both have long-term warranties. Re-did gazebo for the tennis courts last year (2007-2008). MA does have minimal maintenance in the future. We don't own anything else (that is developed)."

LoRe: If MA had set aside \$20 times 504 residential units each year they could have over \$2,000 per year for maintenance instead of a large assessment jumping at us.

Audience Question: Can the MA publish long-term capital costs?

Noland: There is no continuity to this board; terms are one or two years each, therefore records are not clear on board resolutions, decisions, dates of repairs, etc.

(Not necessarily true. Website can be searched by terms and dates. If you look at the MA Minutes you will note that Anthony Sands and Whit Logan have been on the board off and on for over ten years, Tim Sattlemeier and Rosemary Craighill have attended for around that long, the lake view owners Gaylynn Mooney, Les Carriel, and Eric Fraleigh are multiple year attendees, Duyker has been attending for about a decade. The manager bookkeeper has been attending for twenty years, etc.)

Audience Questioner continued: Shouldn't the board be planning projected costs in any case for depreciation, wear and tear, obsolescence, etc. {Shouldn't the board have completed the Bylaws in 1990 and since then, and ratified them by a vote of the Members?]

Anthony Sands: "I am the one responsible for the 2004 Lakes Conveyance Agreement. I would love ideas and input. The board has functioned over the years just basically putting out fires. It would be nice to develop a five year plan."

Noland: "There has been no will by the MA board for many years to project costs. There are legal constraints about how much can be held in reserves. [Can this be why the \$80,000+ CD is being kept under the table?]

Ranch Place holds \$30,000.

Pinebrook has \$50,000

Sun Peak has \$200,00 because they have a swimming pool and clubhouse.

New legislation states the HOA doesn't have to hold reserves, only proof that a study was done.

Lucy Archer: I want to thank the board members that are trying to organize and formalize the SSMA. Much work has been done in the last two years that should have been done in 1990. There is still much to do and I hope that the board will update the charter documents, allow the Community Members to vote and approve them and all capital assessments, and that the MA board will then, and finally, adhere to established rules and laws of order.

The meeting was not formally adjourned. People began to mill around and leave and take down chairs, etc. two hours after it started according to our recorder counter.