



**Silver Springs Master Homeowner's Association
Board of Trustees
Meeting, June 8, 2010 Minutes St. Luke's Church, 6:30 p.m.**

1) Confirm Quorum: Rosemary Craighill (Meadow Wild), Jeff Neilson (Park Place), Whit Logan (Meadow Springs), Tim Sattlemeier (Silver Meadows), Anthony Sands (Quail Meadows Condos), Steve Lo Re (South Shore), Gaylynn Mooney (North Shore), Bill Gunter (SSSFHOA),

Not Present: Willowbend West (Mark Rasmussen, Ptarmigan (Bill Chambers), Willowbend East (Ray MacKown or Isa Wright) - (only elected trustees can hold proxies)

Not Present non-members: Tracy Phillips (Quail Meadows II), Bill Rusconi (The Springs), and the four Quail Meadows Road homeowners

Guests: Robyn Bailey- "Manager", Bill Noland (non-elected acting President),

2) Meeting to Order: 6:40p.m.

3) Approve April 13, 2010 Minutes: Steve Lo Re motioned to approve April's minutes, Whit Logan seconded the motion. All voted to approve the April minutes.

VOTE TALLY		
1-Meadow Spring 19 SF	S	Y
2-Meadow Wild 14 Condos		Y
3-NorthShore 90 SF		Y
4-Park Place 13 SF		Y
5- Ptarmigan 20 Condos	A	
6- Quail Meadows 18 Condos		Y
7-Silver Meadows 18 Townhomes		Y
8-Silver Springs 189 SF		Y
9-SouthShore 67 SF	M	Y
10- Willowbend East 22 Condos	A	
11-Willowbend West 26 Condos	A	

Bill Noland asked to delete the repeated 6)i) a few items with outside. Rosemary motioned to approve the May 11, 2010 minutes with Bills suggested deletions. Gaylynn seconded the motion. Motion passed.

VOTE TALLY	
1-Meadow Spring 19 SF	Y
2-Meadow Wild 14 Condos	Y
3-NorthShore 90 SF	S Y
4-Park Place 13 SF	Y
5- Ptarmigan 20 Condos	A
6- Quail Meadows 18 Condos	Y
7-Silver Meadows 18 Townhomes	Y
8-Silver Springs 189 SF	Y
9-SouthShore 67 SF	M Y
10- Willowbend East 22 Condos	A
11-Willowbend West 26 Condos	A

4) **Member Comments to Board:** No comments but a guest, Clay Archer, asked that he be able to speak later regarding the Community Group Survey ballot tally.

5) Standing Committee Reports

a) **Treasurer – Dues collection status – Next Steps** Jeff reported that all HOA's had paid the first installment in full with the exception of the non-member subdivisions. Jeff suggested that we append the next invoice to QM II with the statement *“Your first installment is now PAST DUE. If first and second installments are not paid in full by July 15, 2010, interest will begin to accrue at 10% per annum”* Bill Noland explained that according to state law the legal rate of interest is 10% per annum unless documents state differently. Bill Noland entertained a motion to go forward with Jeff’s proposal Tim seconded the motion. Discussion: Anthony was concerned about attorney fees. The motion passed.

VOTE TALLY	
1-Meadow Spring 19 SF	Y
2-Meadow Wild 14 Condos	Y
3-NorthShore 90 SF	Y
4-Park Place 13 SF	M Y
5- Ptarmigan 20 Condos	A
6- Quail Meadows 18 Condos	Y
7-Silver Meadows 18 Townhomes	Y
8-Silver Springs 189 SF	S Y
9-SouthShore 67 SF	Y
10- Willowbend East 22 Condos	A
11-Willowbend West 26 Condos	A

b) Big Lake –dock condition Gaylynn thinks that the dock looks reasonable but she will check again to confirm its condition. Gaylynn has applied for more fish. The drains have been cleaned a few times and they need it again. Gaylynn has started treatment of the lake with her cocktail. The increase in phosphates from upstream land users will be an ever-increasing problem and cost.

c) Little Lake – Private Dam project update – Mt Regional help – Re-survey Acre ft?

It has come to our attention that the water acre feet might need to be resurveyed. It is probable that the silt build up in both lakes has, and will continually change the actual amount of water the lakes have in them. The survey would cost about \$1,800.00 to do. If Mountain Regional's water storage volume in the private little lake would not have to be monitored by the state. Some vegetation could possibly be saved but the private lake view homeowners may find it necessary to hire a dam inspector every two years.

Mtn. Regional met with Bill Noland and Kristian Mulholland regarding private little lake project. They have offered to provide labor at cost to help us with repairs.

Dam vegetation: Jim Harsh and Bill Noland have met with all but three owners who have trees or shrubs growing on the dam property contiguous with their back lot line. The three have received letters in their door and also through the mail. Decks were a little tricky but every homeowner they met with understood the necessity of the work. If the private little lake was deeded to SouthShore subdivision or the 24 or so lake front property owners then the SSMA would not have the liability or cost of managing or repairing the private little lake.

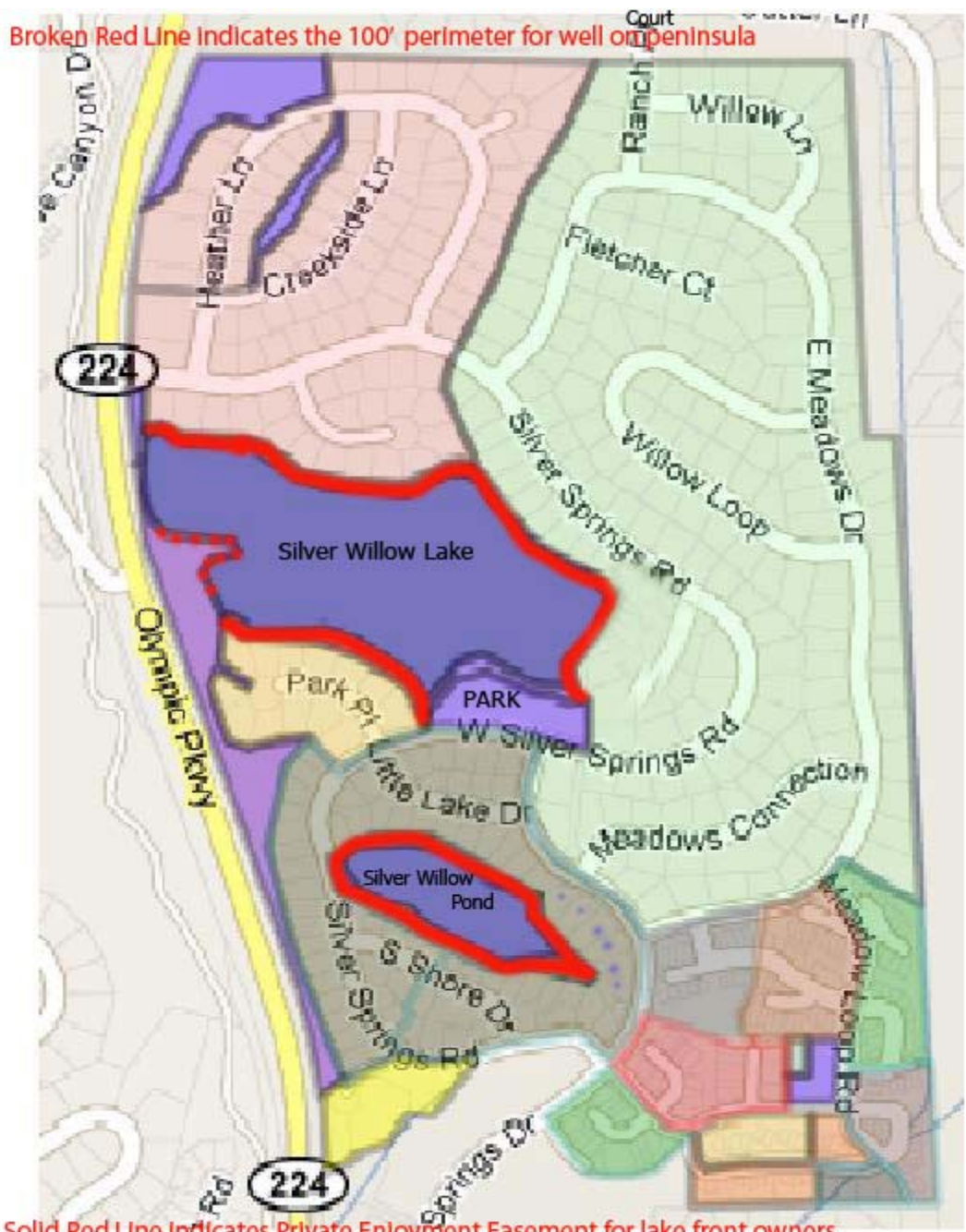
Robyn Bailey will let both Bill N. and Jim know before the project begins. There is one swing set that has blocked the easement this will impede construction. Steve said he would talk to the homeowner about moving the swing set. Jim is going to meet with Richard Krebs about alternate methods of repair for the drains.

d) Other Properties – Street Lights: Robyn reported that she has spoken with our electrician and he is working on the lights.

6) Unfinished Business

a) Rules & Regulations Resolution -- Trial Web site property page: Anthony has worked with Bill Noland to get all of the Silver Springs subdivisions defined on our website. Anthony has used Google maps with the aerial view that has lot lines with a color overlay. Since 2008 the Silver Springs Community Common Areas have been posted at <http://www.silverspringscommunity.com/master-association/ma-common-area-parcels/>

The Subdivisions and Private Enjoyment Easements are on the following map.



Broken Red Line Indicates the 100' perimeter for well on peninsula
Solid Red Line Indicates Private Enjoyment Easement for lake front owners and is Private Property though the SSMA may claim ownership.

Anthony's map also contains some descriptions that are not totally accurate. It has been posted on the "board only" section. [It is curious that the board thinks it needs a "board only" section of their website. What are they hiding on a map? Why so secretive about the location of the Common Areas?] So much for transparency.

Tim, Gaylynn and Jeff have not seen this because they have not been to the "board only" section. Robyn will make sure to set them up.

The board went through the rules and regulations set forth by the lake front owners committee for the use of the Common Areas. The lengthy discussion was close to ludicrous and accomplished little more than to change some sentence structure.

There are still a few situations that will require outside help, for example: On the Private Enjoyment easements -- will fires be allowed? Can and should the property for safety reasons be available from dawn to dusk? There are seven property owners that have had

access for over 20 years. The seven owners have hired a lawyer to help them assert or maintain their private property rights. There is also some concern among NorthShore residents that their CC&Rs language is in conflict with some of the Common Area Rules & Regulations document. Gaylynn asked that we put the paragraphs into the minutes: According to the Northshore CC&Rs, Article I Section 2: **“Common area” and “Common facilities” shall mean all real property owned by the Association for the common use and enjoyment of the members of the association. Common areas and common facilities expressly do not include the Shoreline Property located in front of the lake view lots.”**

The Silver Springs Masters’ owned shoreline property between lake view lots in Northshore and the ponds expressly cannot be designated “Common Area” or “Common Facilities”. Therefore, these properties cannot be included in the Masters’ Rules and Regulations resolutions, as this designation would be in direct conflict with language in Northshore CC&Rs. We will ask our lawyer, Ted Barnes, about these issues and possibly have him meet with the seven lake front homeowner’s lawyer to resolve the problem.

b) Dues Working Group: Bill Chambers is recovering from another operation and there have been some emails that people are confused that this group has not been forthcoming with information and have not commented on the Community Group proposals or outcome of the Community Survey Ballot. Anthony Sands explained that the group is looking into every possibility [NOT] and that every member is familiar with the history. Whit motioned that we keep the charter and the group continue their assignment. Tim seconded the motion

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7-Silver Meadows 18 Townhomes	S	Y
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c) Tennis Court Title: Whit Logan is still stonewalling, failing to make a decision on the ownership or lease use by the Community property owners of the north side tennis court owned by Meadow Spring. Item Continued

d) Internal Audit – 2003-2009 : Steve Lo Re reported that he and Tracy Phillips should have it done by the July meeting. They have done most of it and now they are focusing on specific projects. There is no way to know if they have been provided with all the documents.

e) Legal Expenditure Guidelines: Bill Noland will have it in resolution form by next meeting. The Community Survey Ballot states: “Item 9- I vote individual board members can consult an attorney at their own expense. Only in cases of 100% quorum of the MA board can an attorney be hired and only to perform

extenuating legal requirements. Any other use of an attorney requires a 50% vote of General Members.” **98%** in affirmative.

“Item 6- I vote that expenditures greater than \$1000 must comply with the [Article III, Section 5A](#) rule being approved by the vote of 66 2/3% of the property owners at the Annual Meeting.” **93%** in affirmative.

f) Assessment Procedures Resolution: Addressed during Treasurer’s report

....[The SSMA trustees should be preparing a ballot for a vote on the Special Capital Improvement assessment for the private little lake work as required in their Bylaws.]

g) Northshore Entrance Landscaping: [Work should not commence until a meeting has been held with UDOT and with the Snyderville Basin Recreation and Trails Department. There is a procedure and forms online. There have been voiced concerns that a trail entrance there is dangerous due to the speed with which cars are turning on this blind corner.]

h) Reserve Study: Les Carriel reported that the firm he has contacted has given us a bid for \$950.00. Carriel is not a member of the board but is an ever present influence on the board’s decisions and expenditures.

i) Committee on West berm development. There are three people that have volunteered so far, Whit & Karen Reid on Creek Side Lane in NorthShore, and Michael J. West from SouthShore. Bill Noland asked that we go back to our communities and find more of our members to help with this committee. See [Parcel R](#) information at: <http://www.silverspringscommunity.com/master-association/ma-common-area-parcels/>

7) New Business

a) Water Rights vs. Maintenance of Infrastructure: Bill Noland stated that he has a document from the State of Utah stating that the drainages are the responsibility of the water rights owner (Mountain Regional Water). When we received the lakes from Mtn. Regional our agreement stated that we are responsible for the “drainages” without further definition. If this is the case it is obvious that a clarification needs to be recorded and the term “drainages” needs to be defined so that the SSMA knows their responsibilities. Tim Motioned that we give Craig Smith (the attorney who wrote the agreement) a quick call then a call to the State to determine what we are in charge of. Gaylynn seconded the motion. All were in favor motion carried.
[The 1990 water attorney Craig Smith who was involved with the Lake Conveyance Agreement stated his opinion that the drainages the Association is responsible for are for the water coming from Spring Creek Springs past the Blue Roof, down through the west side of SouthShore. The drainage that comes into the little lake from the Willow Creek diversion on the east side of SouthShore is not the Association’s responsibility. Can we count on his opinion or should the State Water Division be petitioned for a written statement.]

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b) SSSFHOA requested \$800.00 for an annual party that they will host for the entire community. Bill Gunter, the requestor of this amount, motioned to accept his own request. Jeff Nielsen seconded the motion. The party will be July 31, 2010 at the big lake park. All were in favor. [Providing funds for individual HOA parties is an action outside of the SSMA charter authority fiduciary responsibility.] [Fewer than twenty attendees on July 31st, partially due to rain.]

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8) Confirm Next Meeting: July 13, 2010

9) Adjourn 9:40 p.m.