

July 13, 2010

We all want to live in a Community that is hospitable and equitable to all property owners; where charter documents, deeds and easements have been legally formed and finalized and are openly in agreement; and where all board members adhere to and uphold with accountability and transparency all the terms of the Community charter.

The Community Group made their request to present their proposals and ballots on April 12, 2010 at the SSSFHOA Board meeting. Again on May 10, 2010 via an email to Bill Chambers, SSMA board member and chair of the tiered assessments committee, and again on June 11, 2010 through an extensive email to all the SSMA board members

On June 15, 2010 the Silver Springs Community Group was told by acting SSMA board President Bill Noland,

"Should you wish to make a presentation to the Master Association Board of Trustees, you may either have your presentation sponsored through the auspices of your HOA, or **make a request through the Association Secretary, Jeff Nielsen (jeff@nielsenutah.com)**, that **you be placed on the New Business agenda** of an Association Board meeting. Your request should include the subject [**Building Our Community - Legally**] and the **approximate length of your presentation (not to exceed 15 minutes) [15 minutes]**. The next meeting is **July 13, 2010**, at St. Luke's Church. Please **advise the Secretary of your intentions not later than July 12 [request made June/18/2010]**, when the agenda for that meeting will be finalized."

Our response was: "Thank you for your invitation to present our Building Our Community Legally Proposals on July 13, 2010 at St. Luke's Church. As I wrote in my original email letter, our proposals were presented to the SSSFHOA board on April 12, 2010. We were told that our "thoughts" would be delivered to the SSMA. The sponsored auspices of our HOA did not materialize therefore we welcome the opportunity to personally present the proposals that have been voted upon by nearing a majority of the Community property owners."

The Silver Springs Community Group made their fourth request via e-mail to Jeff Nielsen, SSMA Secretary-Treasurer on June 15, 2010 to be included in the SSMA Board Meeting Agenda. Mr. Nielsen responded, "If you are asking for time for a presentation how much time do you anticipate needing? This month is shaping up to have a very full schedule so we would need to know how much time you need before we could commit to this new business." We replied with clarifications. We did not hear back from Mr. Nielsen whether or not we were confirmed on the July 13, 2010 agenda and were never listed on the published agenda for that date.

Upon arriving at St. Luke's on July 13th, the entry doors were all locked yet there were a dozen cars in the parking lot. Walking around the building a single side door was located unlocked. The SSMA board meeting began around 6:30 p.m. After spending far too much time discussing the proposed Rules & Regulations for Common Area use, at 10:20 p.m. our group representative was called upon to present the ballot results and proposals. It was agreed that due to the late hour these items would be postponed until the August board meeting. The MA Board seems to be rather disingenuous toward our efforts.

****On August 10, 2010 Clay Archer, spokesperson for our Community group was finally given the opportunity to present our position and survey ballot results to the few SSMA board members in attendance. The board made no comment nor responded in any way. See MA Board meeting minutes for details.**



PROXY BALLOT

2010 - The Community has had the opportunity to visit the websites, to read emails and fliers, and to attend the MA meetings and ask questions of the board and their attorney. We now are collecting the Community Members votes for issues affecting the Silver Springs Community.

[] 1- I vote to recognize the Master Association as the Property Management Non-Profit Corporation recorded in the 1990 Articles of Incorporation, to be updated without Bylaws. **60%** in the affirmative

[] 2- I vote that my subdivision should resign from participation in the MA. **76%** in affirmative.

[] 3- I vote the Master Association should be restructured into three parts: Part 1- Condos/Townhomes (w/tennis court), Part 2- General Homeowners (w/park), and Part 3- Lake view property owners (w/lakes). Each Part shall be assessed only for the Common Areas under their jurisdiction, without conflicting with existing individual subdivisions' Bylaws or CCRs. **89%** in the affirmative.

[] 4- I vote the MA shall cease to bill the non-lake view owners for lake expenses. The MA is a property management entity only. I do not authorize the MA to raise the annual fees above \$75 per year per lot without 66 2/3% General Member vote approval. **91%** in the affirmative.

[] 5- I vote all Boards' Minutes and Budgets are the property of the property owners, are to be posted promptly, and exhibit fiduciary duty and transparency of all issues. **100%** in affirmative.

[] 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 the affirmative.

[] 7- I vote my board shall re-write all existing HOA doc Sections that allow the board to act without 50% majority vote of property owners, whether present or by proxy. (Delete "any number of") **87%** in the affirmative.

[] 8- I vote my HOA board cannot sue or foreclose against any homeowner. An arbitrator or mediator shall handle disputes not resolved between the board and the homeowner. The maximum action against an owner shall be non-interest liens against title to be collected when the property is sold by the owner(s). **93%** in the affirmative.

[] 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 the affirmative.

There are 512 residential units in the Silver Springs Community. Not all of them are members of the SSMA. There are 4 houses on Walker Court a.k.a. The Springs, another 4 houses on the south end of W. Quail Meadows Road, and there are 9 townhomes known as Quail Meadows II, for a total of 17 residential units that are not in the SSMA. That leaves 495 SSMA members. Two hundred and twelve submitted survey ballots.