

SILVER SPRINGS SINGLE FAMILY HOME OWNERS  
ASSOCIATION RECONVENED ANNUAL MEETING  
MONDAY, NOVEMBER 4, 2013  
St. Luke's Episcopal Church, 4595 Silver Springs Dr.

## MINUTES

**Call to Order: 7:02 p.m.**

**Quorum:** According to Bylaw, at the reconvened annual meeting any number of members in good standing present in person, or by proxy shall constitute a quorum.

**Nomination and Election of Trustees:**

Nominations by the Nominating Committee: Lucy Archer, Paul Stangeland.  
Added later: Rose Carriel, Mari Dougherty, Bill Gunter, Rick Hovey, Bill Noland.

Nominations from the Floor: No nominees were named.

Approximately a dozen proxies plus 27 were delivered to the trustees by the deadline.

**Number of Ballots received by Board Trustees by the 5:00 p.m. deadline: 23**

**Number of Secret ballots collected from meeting attendees: 6.**

**Maximum possible votes per candidate: 29**

1-2 minute verbal bio from nominees: Paul Stangeland, Bill Noland, Bill Gunter, Lucy Archer. The other candidates were not present.

**Counting of the Legal Ballots/Proxies:** Lucy Archer 24, Rick Hovey 15, Paul Stangeland 04, Bill Gunter 08, Mari Dougherty 01, Bill Noland 01.

Sue Pollard arrived after the meeting was called to order. Pollard delivered an additional bundle of approximately 40 delinquent and invalid ballots of questionable origin to Sanderson and Cier who then commenced counting the legitimate ballots along with the delinquent and invalid ballots together.

**Fraudulent Count of the Ballots/Proxies:** Rick Hovey 61, Bill Gunter 50, Rose Carriel 46, Paul Stangeland 44, Mari Dougherty 40, Bill Noland 40, Lucy Archer 24. Without the 40+ falsified ballots, Lucy Archer would have had the largest number of votes. Bill Noland removed himself from consideration. [Hibdon recognized the 40 +/- illegitimate proxy ballots submitted by Sue Pollard after the deadline was an illegitimate plot to install crony candidates rather than homeowner choice.] There are seven nominees/candidates listed for election on the proxy/ballot. (The original ballot had fewer nominees.) However, the ballots delivered after the deadline by Sue Pollard had all the nominee names circled except the name of Lucy Archer. That means that the 40 fraudulent ballots voted for six nominees. The ballot instructions state to "VOTE FOR NO MORE THAN FIVE (5) CANDIDATES. Circle a nominee(s), or write in candidates, as you desire, but no more than five (5) total." Trustee and Election Committee member Shirlee Sanderson (2nd meeting attended this year) and Lyn Cier commenced counting ballots.

At this same meeting the board confirmed the change in number of trustees from seven to five. So voting for six candidates was definitely in violation of the election. Each of the delinquent ballots with six votes are void and invalid.

[I worked as a Summit County Election Judge for seventeen years. I am sure that voting for too many candidates on one ballot invalidates the entire ballot and all these votes are nullified. Outgoing SSSF President Dwight Hibdon became aware of this fraud after the meeting was adjourned when he was able to more closely review the ballot count. Lyn Cier witnessed Hibdon reviewing the election ballots with Clay and Lucy Archer. It was decided that the election would be challenged and the ballots would be individually reviewed by the Board.

Hibdon took the ballots home. The December board meeting would be to elect a new board from tonight's elected trustees. The newly elected officers postponed the review of tonight's fraudulent election until the following spring. It appears Hibdon conspired with the new board members to hide the ballots, and ignore the request to investigate the election.]

#### **Reports of Officers/Committees:**

**Board of Trustee Member Status:** Dwight Hibdon suggested that the board meet less often. Dwight stated that he has found that during the spring and summer months the board runs better if they meet once a month. He also stated that the board has been actively working to engage a property management company.

**HOA Property Manager Committee:** The board has been actively looking at hiring a consistent manager. They would take the minutes, monitor the CC&R's / Rules and Regulations and keep all the records in one location. It would be best to have a property management company. A management company would take some of the emotion out of the neighbors. It would also help with recruiting more volunteers in the future. The board has spoken with three management companies, one dropped out another company wasn't really suited for our needs, PMA seemed like our best fit though SSSF will be their first residential subdivision. PMA has 28 years of experience. They have a builder on staff. They have a conference room that we can meet in. Their approach is to talk with the homeowner first then follow up with a letter. They have a realistic approach to helping neighbors comply with the CC&R's. They will maintain our website at no additional cost. There is a two-year contract and the board and members should review this annually.

**Architecture Committee:** Ed Cody explained that there should be three people on the architecture committee. Steve Fassett is a professional architect. He got up and explained that our rules were written many years ago, 1982. Ten years ago solar panels were ruled out now there are many types of panels Utah deems acceptable. There are issues with paint colors we have a lot of greys in our neighborhood and grey is not or is an earth tone. Roofing materials have changed and wood shingles are not allowed due to the new fire code. A member suggested that the architectural guidelines be updated to include metal roofs and solar panels.

**Underground Committee:** Bill Noland explained that rotor rooter cleans the few clogged sections of the system every two years. He asked that we watch and understand where the system is in our own yards and that we not plant plants near the system. As a retired engineer Bill Noland has taken this system on as his personal hobby, he has generated and is holding most of the information available for this mostly defunct system. Several members are concerned because the underdrain has never been dedicated to the HOA since it was installed by the developer c. 1979. Since the system has been abandoned for thirty years, many homeowners are wondering how many homes are actually affected or benefit from this system. Summit County officials have not addressed the underdrains or requested an update since 1982. There is a great deal of secrecy regarding which and how many homes are truly at risk (more cronyism?) and how much liability is involved for trenching through private property and destruction of landscaping, fencing, decking, etc. Lucy Archer motioned to make all this information available to all the property owners who are concerned about costs, clouds on titles, and legal entanglements within our subdivision, Lisa Kirchenheiter seconded the motion. It was voted down by Harry Fuller, Chris Butler, James Larson, Bill Gunter, Bill Noland.

**For more information on the underdrain and the liability issues some trustees want our HOA to become responsible for Go To :**

**<http://www.silverspringscommunity.com/utilities/water/underdrain-system/>**

**Change in By-Laws:** (five vs seven member Board of Trustees): There have been two changes recently; one is to allow the board when needed to go from a 7-member board of

trustees to a 5 member board. We now have a new document that will allow us to run with 5 trustees. The other document change was the architectural rule changes for the under drain system. Every property owner that has the under drain running through it were given a letter

**Masters HOA Update:** The Master HOA has been working on lake maintenance, and on completing the MA 1989 Draft Bylaws. There is much dissatisfaction with the quantity of trees and shrubs that have been removed from the Park.

There are no expected changes in the dues next year since the MA is holding approximately a quarter of a million dollars and \$35,000 in reserve, as well as a mysterious \$80,000 CD somewhere (It took the manager five years to come up with an explanation, she calls it a joke).

**Budget Report for 2013:** We are under budget this year. There is \$35,000.00 in savings. SSSFHOA does not need a reserve study since they own no property.

**New Business:** Chris Butler asked that we continue to keep our domain name for our web site. The domains for Silver Springs are: [www.silverspringshoa.org](http://www.silverspringshoa.org); [www.silverspringscommunity.com](http://www.silverspringscommunity.com); [www.silverspringshomeowners.com](http://www.silverspringshomeowners.com).

this summer showing them where it is and giving them guide lines as to what they can do around this questionable system.

**CC&R Compliance Committee:** Dwight is the chair of this committee; he said that they had three yards that had poor maintenance this summer. A few homes need painting. We notified owners that left their garbage cans out (365 days each year for over 15 years -Heinz on Silver Springs Road). Most owners when told about being out of compliance complied. We learned that one of the problems of having a volunteer board is that it requires consistent trustee compliance to the bylaws particularly when the board frequently changes trustees and when the board runs bogus crony elections and supports secretive potentially libelous projects.

Meeting was adjourned without discussion on last month's election rigging.

NOTE: Both Pollard and Gunter placed their Silver Springs homes for sale online, FSBO, c. May2014. I have heard that Pollard moved out of the neighborhood last week, June 2014. Gunter followed.