



**Silver Springs HOA Board Meeting  
August 14 , 2008 at 6:30-8:00 PM at the Park**

Notice of this meeting was on the SS website calendar for more than a month and notice was sent twice via e-mail to the Board and to some volunteers.

Board members in attendance: Michael Winer, Lucy Archer, Dave Coehlo.

Board Members not in attendance: Bill Gunter, Sue Pollard

Proxies collected: 0

General Members: Clay Archer, Bill Noland

Michael Winer called the meeting to order.

**AGENDA AS FOLLOWS:**

**1) Approval of July 10, 2008 minutes.**

New resolution – Meeting minutes to be approved by all Board members, present or not, at the minute's meeting. Board can only vote on items that are on the published agenda. Secretary to prepare minutes within ten days of meeting, then email them to all Board members, while the meeting discussion is somewhat fresh in their minds. Members will have until ten days prior to the next Board meeting to send comments and corrections to the secretary who will incorporate this input into the minutes. The final draft of the minutes will then be e-mailed to the Board members prior to the next meeting for approval. Meeting minutes will then be approved at the following meeting and posted. Only approved minutes are to be posted on website. Approvals not to go on infinitum but should be finalized at next meeting, or a month from the meeting they are reporting.

It was decided not to use Google Groups for meeting notification, etc. It is too much work keeping up the parameters of the twelve recipients, and no one except Lucy has been using it. From now on Lucy will send notifications, minutes, and etc. via our G-mail account which shows the list of all the people that received the e-mail.

In the past, minutes have not been approved by the Board and they are not posted as approved minutes. Michael is concerned that someone will cut and paste contents of unapproved minutes and hold the Board to the text. However, this can be done whether approved or not. Clay added that MS Word has an editing history and can be used to show what was on the original and what has been altered.

Bill Noland took exception to the addition of the post meeting agenda item discussion of the underdrain system after last month's meeting. Bill said as secretary and webmaster I am to record what happens, facts, and approved facts. Lucy said it was a fact that the discussion occurred. Bill said the discussion included speculation and opinions therefore was not a fact. Michael added that the minutes of the meeting should end when the meeting ends even though the minutes did indicate that the underdrain discussion took place after the meeting was adjourned. The underdrain/drainage system was on the agenda provided by Michael as item 7. The reason that the underdrain system discussion

occurred after the meeting adjourned was because Michael had to leave. Lucy said she included the discussion because it was a meeting with several board members present and a topic that is of high importance to the General Membership. Lucy added that the intent of the Silver Springs website is to inform the General Membership of the workings, topics, and concerns the Board is addressing. Bill told Lucy to remove this underdrain information until the Board makes a decision on what to do. Michael agreed with Bill. Lucy feels that the General Membership should be informed of what is going on, especially on a topic that potentially could cost hundreds of thousands of dollars and impose on personal property.

Bill continued that Michael is president and he determines what goes on the website and the minutes, and makes the final decision what to allow to be included on the site. Lucy's work is to be censored by Michael according to his opinion. Lucy said she would think about this. The HOA docs do not address this issue. Michael tells Lucy one thing privately then tells her something else publicly. Michael said that he said things to her on the walk home and putting them on the website would not be very nice. Lucy said she did not put them on the website, "yeah I know" he responded, "I'm just saying if you did" Lucy said that she has been told by other board members that he told them things she had told him privately during this same talk. Michael then said that if Lucy would just send him information he would be more informed. Lucy responded that she sent to him an email with lots of information and he responded to her very negatively saying to her that he wrote to her about our SSSFHOA minutes and she responded with 7 full paragraphs of information. Does that make any sense at all? Does he want information or not?

Michael then finished by saying that minutes are to be what happened, boom, boom, boom, that's it. There shouldn't be so much detail. Hold off until have more Board members present.

Lucy tries to perform her duties fully and does not think Michael and Bill realize what her duties are. See Docs - Secretary.

## **2) Compliance to CCR's.**

Committee members: Clay and Paul Stangeland. Need to add more members to this committee.

John Coursen also supplied

### [2003 CCRs Rules:](#)

"The following schedule of violations and subsequent fines will apply. Please be advised that it is not the desire of the Architecture Rules Committee or the Board of Trustees to impose fines. The intent is that these fines will act as a deterrent to violations of our CC&R's or AC Rules.

- Any violation of CC&R's or AC Rules immediately invokes a \$25 fine.
- Homeowners will be granted 10 days to correct the violation or an additional \$25 will be assessed.

- Failure to comply within 10 days or failure to respond with the appropriate documentation and properly completed application will result in the violation being transferred to legal council for appropriate legal action.
- Failure to pay any assessed fine within 30 days will result in legal action for collection of fine."

### **Procedure for Violations Resolution :**

- Identify violation and document with photograph, record on Architecture Committee Rules form within five days of reported violation.
- Within five days contact homeowner via phone, e-mail, or personally to discuss. Give time limit for correction and \$25 fine [per CCRs].
- Follow-up with letter and quotation of CCR section, and ten (10) day response deadline date for correction.
- Follow-up with certified letter, inviting homeowner to meet with Board.
- At deadline date without compliance and non-payment of fine, send lien action letter to property owner..
- No response from homeowner within seven days of lien action letter, file lien on property.

[I don't know if I got this straight. Send me the procedure list you were reading from.]  
Lucy to post compliance procedure on website. Board going through and establishing procedures and getting our processes in order so if we have to go after someone we able to show our paper trail.

### **3) ARC Committee.**

Committee members: Dave, Bill, Sue

Dave wants to put the work in process on a plat map and mark where they are working on an overlay.

Bill Noland has a laminated aerial photo from north of interstate 80 to ----church.

Procedure for approvals:

--Initial contact and follow-up forms are to be presented at each Board meeting for files.

Lucy gave Dave copies of forms used by past AC members. Dave said he and Sue were thinking of using a map to keep track of lots where work was being performed. Lucy showed Dave and the other attendees the maps she had of the Silver Springs Community. Dave selected the color aerial photomap, the color map with the phases A thru LL, and the map with the lot numbers and addresses on each lot. [Lucy made copies of the maps, laminated the 20X30 aerial photomap and delivered them to Dave on 8/15]

Dave reported that Lot 1 is grading their yard and making progress on the remodel work.

**Mailbox prototype** decision: No prototype submissions were received from the general membership. It appears that the homeowners have approved a post-and-cross-member style mailbox to replace the Hardman mailboxes. Lucy took photos of twelve or fourteen

mailboxes of this style already in place in our neighborhood. Some of the photos of these mailboxes and a note are to be placed in our August newsletter. [Only four photos appeared in the newsletter because adding a dozen photos made them too small and it was difficult to see the detail of the mailboxes] It was agreed by Board members present that this post-and-cross-beam style mailbox would be our prototype. HOA members may still use other styles as long as they are pre-approved by the ARC committee.

**Firepits**- Deputy Fire Marshall Dave Berg, 649-6706, explained that anyone installing or using a fire pit must first have a Park City Fire Department **permit** and supply it to ARC within ten days of request to see it. Bill commented that our HOA is within the Summit County Fire District not the Park City Fire District. Michael said he was told we still go by the PCFD rules. The State rules indicate something else. Lucy to put this info on website. See website at <http://www.silverspringshoa.org/wp-content/uploads/firepits.htm> and <http://www.rules.utah.gov/publicat/code/r307/r307-202.htm> Wait for more members to be present to vote on this.

Stucco – resolved last time. AC will allow use on remodels.

#### 4) Website.

- The SSSFHOA website is to contain only approved materials by the Board. Michael posed the question of how to do that since “the site already has around 300 pages”. Bill and two other people have called Michael about what Lucy puts on the website. What should be on the website and what should not? How can each sentence and edit be approved? The website contains [Terms of Use](#) which are the standard for Internet websites, online communications, and information. Most pages on the website contain requests for members to send comments, input, or corrections to the [sssfhoa@gmail.com](mailto:sssfhoa@gmail.com) e-mail address. Lucy will move the [Terms of Use](#) to the middle of the homepage for easier viewing. [Done 8/17/2008]

Bill remarked that the HOA could be at risk for posting the HOA docs. If someone uses our site for their source we could be liable. The HOA docs are posted in .PDF, also typed for searchability onto WP, and directions are provided on how to find the recorded HOA docs on the Summit County website, including Entry and Book numbers are on the Chart page. Anyone quoting our HOA docs for legal reasons would obtain a copy from the County and not from our site. Again, see [Terms of Use](#). Maybe add disclaimer to doc pages.

Lucy replied that she would think about Bill and Michael’s concerns. She feels comfortable that what is being posted on the website is in concert with The Utah Condominium & Homeowners Association, The Utah Chapter of Community Associations Institute, and website development sites like [HOA-sites.com](http://HOA-sites.com) and [HOASpace.com](http://HOASpace.com), etc. that provide lists of items to include in a HOA website. They all include the HOA docs, Meeting Minutes, Roster of Members, Calendar of events, newsletter, maps, photos, classified ads, etc.

Definition: “Webmaster – the person with primary responsibility for a website, who creates, adds and maintains the content and administers a website for a corporation or an organization. Webmasters are involved with design and development of new content and also with business issues, network topology design, and any other issue related to the development and Internet presence of a website.”

From Wikipedia:

“The web master (feminine: web mistress), also called the web architect, the web developer, the site author, or the website administrator, is the person responsible for designing, developing, marketing, or maintaining a website. On community websites, webmasters are able to change and manipulate any comment that the users make.”

### **5) Rules and Regulations Draft.**

Review after download 8 page draft from email. Lucy forwarded John Coursen’s email with the draft link to the Board members. Commentary will take place at next meeting after Board members review John’s draft. Certain items in red indicate things to discuss with Board and include fine schedule. Everything is pulled out of our CCRs except the items in red. Go through these as a Board. Discuss next month. John’s email was forwarded to all Board members for comment. Move to next meeting and more Board members present to vote.

- Lucy asked if the Board would pay for her attendance on November 1, 2008 in Ogden for a Utah Condo & HOA Seminar. The fee is \$45 for a single registration, \$20 for each additional registrant, or \$95 for up to five members of the HOA board. Who else wants to attend? October’s newly elected Board members? It could be useful to hear the discussions about what is legal, what is not. What works, how to build a bigger board and more interest, etc.

- 2nd warning to Lucy – “DO NOT publish personal information regarding” Michael Winer. No phone number, no personal e-mail address. Clay set up [info@silverspringshoa.org](mailto:info@silverspringshoa.org) for Michael’s use.

Lucy complied to this request last month, if she missed anything let her know specifically where the offending item is located and she will remove it. He does not want any allusions to things he considers private or personal.

- Upcoming agenda information is not the same as what Michael brings to the Board meeting. Michael and Lucy agreed on July 14th that she would place all potential and current agenda items on the Homepage Calendar page. Michael would then select the items he thought suitable to be included in the present meeting agenda for our monthly board meetings. Now Michael wants Lucy to send to him all agenda items before placing topics on calendar. She is to send the information for items to Michael as he does not want to have to look at the Calendar page.. He will look over items and get back to her about which items to place on the agenda which he has now taken to producing himself.

-Remove John Coursen’s phone number from website. [Done 8/15/2008]

- The question was asked: who has access to enter information or edit the website. Lucy reminded those present that she has announced on a number of occasions that if they wanted to publish their own web page they could by requesting a page, approved by the Board, then learn to use WordPress, (difficulty depends on computer literacy and experience), then get a password for the page they publish.

Most of the pages, including the homepage, have the Webmaster email address, if anyone has comments, information, or corrections they should be upfront and contact Lucy instead of, or in addition to, telling other members of the board. We can't make progress or be as accurate as possible if there is no direct communication nor some collaboration. It would be mayhem if there were a number of people adding and deleting website info.

-Michael said other HOA's have contacted him regarding postings on the SSSFHOA website. Lucy has talked to all the presidents or their board members and has received information and enthusiastic responses to the website and its content. There is only one MA subdivision board member who may have issue due to an HTML code error involving the way WP displays concealment code. The issue has to do with the report that a board member has for years excluded himself from paying the \$225 monthly condo dues because he serves on the board. There were several other complaints from those residents. Michael said he would check the MA records to see if dues from that subdivision were paid for the full count of condos or were one short. Information about the MA boards are from public sources and the board members themselves.

Michael wants to be sure there are no liability issues. To ease his mind he needs to read the [Terms of Use](#). Lucy said Bill Noland is the only person who has given her specific corrections on the minutes and the website. If people have a comment or specific correction they should contact her directly otherwise how can she make corrections?

6) **August Newsletter** to be sent out mid-month so that the September newsletter can be sent out giving HOA members' 30 days notice for the Annual General Meeting on Monday, October 13<sup>th</sup>, plus information regarding what will be discussed at the meeting and ballot proxies. Reserve PPES for meeting. He wants to introduce the new Rules and Regulations and get more people behind it. Lucy had proposed that we invite our Silver Springs resident Olympians and award-winning athletes for a short introduction (and snacks?) That idea was dropped. Michael said that he would like to make it more business and state what we are up to. Focus of meeting to be compliance of CCRs, they have always been there. He doesn't want to add anything to the ballot. Dave suggested that we tell members that we are going to discuss the lakes assessments, which potentially could bring out a lot of members interested in the fairness of the MA assessments.

Bill Noland questioned why the General Membership meeting is in October. Lucy quoted from the By-Laws:

Article III Meetings of Members:

Section 2. Annual Meetings. The annual meeting of the members shall be held on the second Monday in October, at the hour of 7:00 o'clock p.m."

When a majority does not show in October then the General Meeting is rescheduled in November.

Michael wants to continue to highlight that the General Membership is invited to the Board meetings. “ If CCRs need to be changed then someone has to go 190 houses to get signatures to make the changes.” He does not want to add anything to the ballot. He doesn’t want to his name on the ballot, he just told Skip that he would step in to help for a while until the elections. Just wants to emphasize that the Board is holding members to comply to the CCRs, that the Board did not recently make them up.

7) **Drainage Issue/Underdrain System.** Bill Noland is still waiting for Lincoln Hobbs, our HOA attorney, to respond to his requests to define the SSSFHOA responsibility for the underdrain system. Bill has talked to Lincoln on the telephone and via emails for seven weeks and is frustrated with the lack of response. Lincoln told him it will take time because it is such a complicated situation. Michael said to give Lincoln until August 30<sup>th</sup> for a response otherwise we may need to look for another attorney. It was suggested that Scott Welling be contacted as he was the HOA attorney from around 1982 until around 1990. Bill again requested that Lucy remove from last month’s meeting the last paragraphs of the Minutes referring to the after meeting agenda discussion with some Board members regarding the underdrain system. Bill said the comments made by the Board members during the July 10th discussion were only conjecture and speculation by the Board members but did not give any specific examples of what he meant.  
[Done. Removed on the night of 8/14/2008]

8) **Lakes expenses proposal** from SSSFHOA members to present at the MA meeting on Monday August 18, 2008. Michael would like Board members to present a budget of expenses for the maintenance of the Silver Willow Lake and the Park that can be presented as the SSSFHOA input at the next MA meeting on September 15th. This should also include specific proposals of how to increase access to the lake. The MAHOA should be looking at developing Parcels “R” and “J” and also seeing if the homeowners of Lots 47, 48, and 49 would sell back to the MA Parcel “I” for a beach area with a view of the length of the lake. A bridge might need to be added for access since access Parcel “K” is now part of Lot 193 within their fence.

9) **Comments** from Community members to be limited to 5 minutes per person/per issue. That goes for the MA meetings also.

Meeting adjourned around 8 PM. Next meeting will be on September 4<sup>th</sup> at 6:30 PM at the Park.