



**37th Annual Home Owners' Association Meeting
Pinewoods Resort
Duck Creek, UT 84762
May 28, 2016
10:00 AM – 12:00 PM**

Attendees

Ken & Audrey Chupinsky	James & Marcia Day
Sheri DeMott	John Gresch
Donna Mooers	Paula Dudek
Dick Reed	Doug & Phyllis Schmiedt
Jerry & Judi Steffes	Dick Stephans
Michael Voegele	Walt & Kathleen Wegst

Call to Order

By Walt Wegst at 10:07 am Utah time.

Introduction of Board Members

Walt Wegst, Sheri DeMott, John Gresch, Paula Dudek, Donna Mooers,
(conference call)

Determination of Quorum Yes

Walt asked members to state their name and lot number when making comments. He also advised a large discussion issue will come up toward the end of the meeting, the changing of the annual meeting date. The board has received complaints and requests to change the meeting date. If changed it will involve a Bylaw change. There are suggestions toward the end of the agenda. More suggestions can be made. During the meeting the two highest voted on today will be sent out to all members for a vote. The Bylaws require a 51% of the membership vote in order to change the Bylaws.

Approval of Agenda

Motion to approve by Dick John Reed, second by Phyllis Schmiedt.

Guest Speakers

Each speaker has 15 minutes including time for Questions and Answers. Order of Speakers as available.

Bode Mecham, Fire Prevention Officer, Dixie National Forest

Always put camp fires out and put arresters on your ATV's. Have a dealer check to be sure the arrester is in good condition. Outlook for April and May is predicted normal fire season. We are still in a little bit of a drought.

Defensible space around each structure will aid in protecting your property and assist firefighters.

In Cedar City there are 2 type-4 engines (holds 700 gallons). Each engine has 6 firefighters on it. There is also a hot shot crew. There is a total of 44 firefighters for the National Forest Service available in the area. We have 1 helicopter also in Cedar City. Air tankers can be brought in along with smoke jumpers if needed.

Several questions were asked regarding repairs to areas after a fire or burn. Bode stated repairs are done only after all other work is done and costs allow.

More prescribed burning to be done near Panguitch Lake. Six hundred acres being logged near Navajo. Logging burnt stuff from the Shingle fire. Sixty thousand seedlings being planted in the burn scar. Ninety thousand more planned for 2017.

Working on trails and routes in recreational areas. Looking for a grant for a bridge in Swains Creek. Looking to pave the road to the lake. Cross country skiing will be open near Deer valley.

OLD BUSINESS

Review and Approval August 29, 2015 minutes

Bill Whitlow made the motion to approve. The motion was seconded by an unknown female and Kathleen Wegst. Approved.

State of the Corporation

Donna stated we are in great shape financially

Treasurer's Report

Checking	\$52,296.86	a/o 4-30-2016
CD 1016	\$26,430.57	3 month w/.40% interest rate a/o 4-02-16
CD 1080	\$26,021.61	6 month w/.35% interest rate a/o 1-2-16
CD 9050	\$61,599.51	24 month w/.65%interest rate a/o 2-14-16

Total: \$166,348.55 a/o 4-30-2016

Donna suggested we continue dues at same rate for at least one year, build our reserve to \$250,000.00 for possible area changes like incorporation or sewer system. Walt brought up incorporation done by other areas on the mountain. He has received information suggesting this is a possibility for our area. He briefly gave a background on what occurs with incorporation.

Outstanding debts: One lot is still outstanding on dues.

Lot Sales

Lot 39 sold 4 lots pending

Committee Reports

Roads

Mag Chloride 2016

Per Paula Dudek mag chloride will be placed on our roads on June 1 with watering of the roads on May 31. Roads will then be bad for driving on for at least two days. Someone questioned the type of covering on Paul Fulmer and the end of Henry. It appears they have a gravel and an oil. Paula, stating she is not an expert but her understanding is, those roads are newer than ours and ours may have looked this way at first. Other new subdivisions look the same.

Last year there was so much dust. Paula explained the water last year did not have a chance to really soak in. Then the rains came and effected the outcome. She told members in the Paul Fulmer/Henry area that she would make sure their area received a heavier cover this year.

A member stated concerns of losing trees. Michael Voegele said his loss of trees was partially due to the road in his area not being crowned. Thus the runoff goes directly into his lot. He further explained that although we have this discussion every year, and every year the homeowners vote to use Mag Chloride. Walt Wegst stated it's a trade-off: trees or dust. Michael stated the Boards have looked into other options but there is no way the association can afford it. We are

talking about a million dollars a mile type of coverings. Walt suggested members petition to have the association stop using the chloride.

Kathleen recommended a good type 2, but as Michael stated Kane County is the deciding factor.

Signs

Walt opened the discussion stating there are several types of signs: home address signs, association entrance sign, road, and rule signs. The board did a fair amount of work on the home address signs. Not so much on the other two types. We talked about several examples. The big issue was home address signs. Last year members approved home address signs, mounted on wooden poles, five foot high. At the time, Walt was opposed to it due to snow. A five foot high pole does not take the sign high enough off the ground.

Home Address Sign

Sheri DeMott and Paula Dudek talked about signs attached to trees. Presently at Meadow View Heights address signs are installed on trees. They are above snow line, near the driveway and easy to find. Snow removal will not hit the sign, knock it over/destroy it. They are installed on the closest tree to the property. They can be seen from the road in either direction. They can be seen at night. If the signs are all same, first responders will know what to look for. Sheri showed a picture of the sign being used in Meadow View Heights.

Paula said we are trying to conform to county ordinance.

Walt reviewed the sign ordinance. There was a question as to height of the signs. Last year the discussion dealt with buying posts, digging holes, and a different type of sign. This sign is more cost effective, quicker to install, and fits what is already being done. By using the Meadow View design we will match what already exists.

The motion was made to override last year's decision and replace it with this year's proposal. Lot 253, Steffes made the motion. It was seconded by lot 254, Schmiedt. The motion carried with no opposition.

Walt stated the time frame should be as quick as possible. However 3 new board members will be elected and they will have to come up to speed

before they can determine a time frame. The suggestion can be made to the new Board to urge them to do it this year.

Association Entrance Sign

Motion to table. Bill Whitlow made the motion to table. Was seconded by Paula Dudek. Approved with no opposition.

Road/Rules Sign

Walt gave several examples: Children at play, slow down dust area. He further stated we could not put up speed limit signs. It was tried years ago and the county took them down saying it was up to them.

Marcia Day asked about speed bumps. Once again they are county roads and it is their option. Jerry Steffes suggested hiring deputies for high activity times. Jerry questioned an officer who advised he would need a hand held speed gun which he did not have. He stated it might cost more money but in the long run may be more effective and speeders will eventually catch on.

Walt said it would have to be a law enforcement officer who carried his shield. Was not sure if they could enforce the law when off duty. Donna will check into it.

Paula made motion to purchase several road information signs when buying address signs. Seconded by an unidentified member. Three members opposed the motion. The motion carried.

A member asked, since we pay taxes, if anyone had ever talked to the county about speed limit signs and speed bumps. Walt explained the Boards had talked to the county in the past about speed limit signs. There are some signs around the area. He was unsure if anyone had discussed speed bumps. But, Walt explained with snow removal, speed bumps may hinder removal. Also, it was brought up that laying Mag Chloride, grading the roads would cause the destruction of the bumps. Michael Voegele stated that though we as property owners pay taxes, unless you are a Utah resident, you have no vote.

Jerry Steffes made a motion the Board be authorized to find out if we can hire additional off duty officers to patrol the association roads on July 4th and Labor day weekend and we can spend up to \$1,000.00 on each

weekend. Walt said Donna already said she would find out and the motion was dropped.

The conversation then questioned why the county does nothing to stop the negative road activity. One member brought up the fact that there are too few officers to patrol the large area they must cover. Also, we were told in the past, the officers need more than a phone call. By the time they reach the area of concern the activity is ended. It was suggested to members in the past that videos or photographs of the law breakers be made to the officers have something to work with.

Once again Walt stated the Board will find out if we can legally hire off duty police officers and what legally they can and cannot do.

Lot Cleaning

Walt stated lot clearing comes up every year. The Board has come to the conclusion we need to start doing something, not just talk about it. Lots where there are dead trees, fallen trees, safety hazards. Not thinning vegetation. In some cases the lots are so congested a fireman could not walk across the lot without climbing over or under trees to fight a fire. This represents hazards to other lots around. The Association has every right to go in and clear the lot and bill the owner. If they fail to pay the bill, we can put a lien on their lot.

Photos have been taken of these lots and letters have gone out. Walt recommended to Bill Whitlow (ARCOM) recent photos be taken.

Bill stated between 20 - 25 empty lots are involved each running about \$3500.00 depending on density of debris. Certified letters will go out to the owner giving notice.

Originally we started with about 72 lots several years ago. Those members who have done their part were thanked. Now the board will go after those who choose to ignore the request. We will select a couple of lots to begin with. If we have to place liens on lots to get our expense back, the action of lot clearing may slow until payments are caught up. But, the Board will keep pushing forward as finances allow. We have verified with the Attorney everything is done legally.

Donna reminded members of up-coming chip feast, June 17 to August 28. Contact the Fire Department to get on the list.

Rentals

Walt advised our Attorney checked Utah codes. An association may prohibit rentals within an association but there are restrictions. C, C, &R's would have to

be changed and all properties at the time of the change are automatically grandfathered. There are also rules regarding military personnel.

Walt questioned the strength of feelings from members for or against. Members voiced concern about renters / owners not being held accountable rather than rentals in general.

Donna said the Attorney suggested we contact all members and make a list of owners who do rent. Owners would list would be the primary contact when there is a problem.

Annual Meeting Date

Will require an amendment to the Bylaws via vote of membership at the annual meeting.

Suggested dates

First of year: First, second, or third weekend in May

Middle of season: Last weekend in July

End of year: Second, or third weekend in September

Fiscal year: June 1 to May 31.

Discussions included: Bylaws allow for decision making at the annual meeting. Those who do not attend have no voice. Holiday weekends are difficult for members who have family/friends who come up on those weekends. Mountain activities get priority.

Several days were suggested and rejected until Judy Steffes made the motion for the last weekend in June. The motion was seconded by Bill Whitlow. Final count was 100% of voting members agreed. There was no opposition. The motion carried.

NEW BUSINESS

Member Issues/Comments or Concerns

There were no comments.

Budget 2016 – 2017

The budget was presented. There were no questions.

Dues 2016

Dues will remain the same: \$190.00 per lot, per year.

Magnesium Chloride 2017

Kathleen Wegst suggested a road committee to explore other options that may or may not cost more but be more preferable to Mag Chloride. Michael Voegele asked if prior road committees missed something during their investigations over the years. Is there something new? Kathleen stated she feels we all need to be educated on road compaction, type 2. Michael questioned if we were talking about reconfiguring the roads. Walt West stated we could not do that as the roads belong to the county.

Michael clarified the issue by stating if we don't vote this year to put mag chloride down for next year, then nothing will be done to the roads next year. An unidentified member added that one year we did nothing and the roads were too dusty.

Paula said we must call by the first of March to schedule mag. If we do research and choose something else we must vote on by March.

Jerry Steffes made the motion to authorize the Board to put in Mag Chloride for 2017. If the Board comes up with a more prudent method that is better than the mag chloride, the Board has authorization from members to use their discretion. A 2nd as made (unidentified female). Motion carried with no opposition.

Kathleen Wegst agreed to do research on other options.

Tiny Houses

Tiny houses do not meet C, C, &R requirements and cannot be built or moved on to a lot.

ELECTIONS

Nominations

Board of Directors:

Three Seats: Each seat is a two-year term (Bylaws page 2 Article II Section 1)

Board is required to meet 4 times per year. In order to maintain Board Member seat, a member must attend at least ½ scheduled meetings. Meeting may be held in person or by conference call.

(Bylaws Article II Section 2)

Nominated: Tom Strong and Kathleen Peterson Wegst were nominated by Walt Wegst. Kathleen nominated Bill Whitlow and Michael Voegele. Donna Mooers was asked to nominate members Ken Chupinsky and Lance Griffin. Michael withdrew his name stating he was glad to see members stepping up and he wanted to give them a chance. The number of persons running requires a ballot vote. Donna will prepare the ballot. Ballots to be counted, per the Bylaws by an outside agency.

Volunteers for ARCOM Committee

Three openings 1-year term (Bylaws page 7 Article VI Section 1)
 Chairperson to attend Board Meetings
 Attendance optional for other members
 Reviews construction plans, (Bylaws Article VI Section 1)

Walt and Donna talked about making the ARCOM a two or three year term, citing the potential loss each year of knowledgeable members. In order to change the term a Bylaw change is required.

The motion was made to change the Bylaws to have ARCOM members serve a two year term, alternating. The motion was made and seconded by Monica Evans and Judy Steffes. The motion passed unopposed.

ARCOM volunteers are Michael Voegele, Kathleen Peterson Wegst, and Bill Whitlow. Diane Adams, former member, did not want to run again, per Donna. Bill stated he would serve one year to begin the new process.

Members, by vote, approved the volunteers.

Board members Paula Dudek, John Gresch and Walt Wegst were thanked for their work and time on the Board.

Jerry Steffes questioned where the audits were for the past few years. Donna apologized citing medical issues prevented her from getting the audits organized and done. At the next annual meeting

Adjournment

Donna made a motion to adjourn. Motion was 2nd by Phyllis Schmiedt. The motion carried. With no further business, Walt called the adjournment at 11:55 am.