



## **BOARD OF DIRECTOR MEETING MINUTES**

**June 11, 2022**

**Mammoth Creek Road**

**Fire Department**

### **CALL TO ORDER:**

The meeting was called to order by President Sheri DeMott at 9:04 AM

**ATTENDING MEMBERS:** Sheri DeMott, Lynn Larson, Leo Basch, Rosann Krausch, Donna Mooers ARCOM members Jared Alvey, Steve Weidner, Ross Greco

**DETERMINATION OF QUORUM:** Yes

### **OLD BUSINESS:**

**APPROVAL MINUTES:** February 24, 2022 minutes approved

#### **TREASURER'S REPORT: DONNA**

Checking \$19,698.70 a/o 5-20-22

#### **CD'S**

0079	<b>\$27,862.54</b>	a/o 4-14-2022	3-month CD
0061	<b>\$26,765.25</b>	a/o 4-14-2022	6-month CD
9050	<b>\$65,184.45</b>	a/o 5-14-2022	24-month CD

**Sub Total: \$119,812.24 CD'S**

**Total: \$139,510.94** Approved

1 member has not paid dues since last year. Certifies not being picked up per the post office. Donna asked to place a lien and not wait the normal 2 years. The lien can always be removed. Leo added a lien allows us to collect even if the lot sells. The members agreed to go forward with the lien after checking to see if the county tax is paid.

A second lot changed hands within the family. The new family owner has failed to respond to letters regarding a \$52.00 processing fee/warranty deed purchase. Donna to continue to monitor.

Working from 2016 to 2023, Leo reviewed the financials, showing a continual loss as we have failed to raise dues to cover rising costs. He will present same to members. Some members have expressed concern about reducing dues now that Kane County is taking over the Mag Chloride on the roads.

Leo showed where in 2016, even with dues at \$190 per lot, we only had about \$8500.00 to carry over into 2017. In 2017 we had a bigger amount but we did not have any road maintenance. If we had road maintenance, we would have had roughly \$10,000 left over. In 2018 dues were reduced by \$50.00 per. We have had continual losses since. We can not continue to have losses and maintain operating costs.

Even with dues increase it will reflect in the fiscal year 2022 and yet costs have continued to rise: legal, management, insurance. Leo is going to recommend dues not be reduced. If we have a capital expenditure that can be required by the State, we can not meet it.

Several questions were asked regarding reduction of dues, reserve studies, member knowledge of HOA costs and state requirements.

In every case, members balked at raising dues and the Board would comply. A reserve study is money set aside to cover costs for situations such as drainage that the HOA would be responsible for financially. Someone asked if there a formula that the State uses to determine what the reserve should be? It is unknown.

Other HOA dues are unknown. When looking at homes for sale in the area one can figure out what the dues are for that HOA. If they say \$13.00 per month, it is probably \$15.00 actually. If it shows \$8.00 per month, it's probably \$10.00 per month. Jared will work on finding out other HOA dues.

Leo stated if we were paying a management company it would cost no less than \$4,000.00 a month or \$48 thousand a year, along with other fees they would require. If we have a management secretary it might cost almost \$400.00 per lot.

Lynn, Donna talked about their Vegas Property Management companies and the problems with Property Management.

Donna thanked Leo for doing a great job in reviewing and presenting the issue to the Board and eventually to the members.

**Web site update:** During the annual meeting, Jared will review updates on the "new" web site.

**Lot clearing updates:** As done in the past, an approved generic letter would be sent to all members regarding lot clean-up. The letter will explain what to look for, what needs should be meet, a time line, and the fact that the lots will be reviewed by "Board/ARCOM members. Board & ARCOM will divide the subdivision, each one reviewing a section. Those lots that are not cleared will be advised along

with info on what needs to be done, FD/Forest Service requirements & recommendations, location of burn pile etc., along with a date for completion. Members who do not comply will be cited accordingly.

Sheri said she would walk with anyone to review lots, take pictures, discuss problem areas like she did in the past with Bill Whitlow and then Fire Chief Casey. Jared questioned the process for determining a problem tree. Donna said, per the Fire Department, we would be looking for dead, dying standing trees or downed trees, piles of debris, and ladders, trees with visible dead branches that run from near ground up the trunk of a tree, commonly called a "ladder". (A Fireman happened to be in the room during the meeting confirmed the problems as described).

Lynn asked if the FD could be involved. Donna advised paperwork from the FD will be included in the letter where possible.

Lot cleanup was done in years past with great results. After much discussion the members agreed this would be appropriate.

### **ARCOM updates:**

Leo asked about a shed issue. No permits were needed.

**Plat F Donna Mooers** Gave the Board/ARCOM a map showing where all commercial lots are located in the subdivision.

### **NEW BUSINESS:**

#### **Other issues, concerns, discussions**

**LOT LINES:** Donna reviewed the property line dispute. Members involved talked with the HOA Attorney and both the Attorney and the members indicated all was reconciled. A recent phone call from one of those members indicates it is not resolved.

Jared said he could check with the county to see if new lines were recorded.

**YARD SALE:** Sheri was contacted by a non-member asking to have a yard sale and a few food trucks on lot 113. They are interested in making it a yearly event so Donna advised we would not charge rent for the lot this year and see how it goes. Sheri asked if anyone had a problem with the idea. There was a question about parking. Lot 114 is wide where the office is and then tapers back. The back area could be used for some parking. Rosann asked about liability. Donna will check with the Attorney. They are not an organization, just various people who have done this in the past. This year they have been unable to use locations they used before. The date given is July 23. The general going rental rate on the mountain is \$50.00. The lot is a commercial lot. The food trucks are there for one day. The Village has multiple food places so there should be no problem having the food trucks across from Pinewoods. If nothing else it brings people's attention

to our area and Pinewoods. Sheri advised if they do not leave the lot the way they find it, they will not be able to use it next year. A list of requirements will be made to cover this year and future years.

The NO Parking signs on the lot are in good shape so no new signs will be ordered.

Sheri questioned RV rules. If the primary residence is not in Duck Creek, why should a member be required during season to remove their RV, Trailer, etc. every 2 weeks? For example, say from Memorial Day to September 1<sup>st</sup> members would be allowed to leave their trailers, etc. on property. It makes no sense for a member to have to use their property as their home base during season and have to take their trailer back and forth to their primary residence every two weeks.

Leo recommended presenting to members for approval, a temporary rule for this season only, and with appropriate written authorization allowing a trailer on the lot with restrictions: no more than one trailer on the lot, no one living in the trailer unless the lot is approved for construction; lot must have a living space unless under construction, RV must be removed by end of season, (120 days).

Ross expressed concern about members using this time to rent or have someone living in the trailer. Who would police this?

It is up to members to report these situations and Board/ARCOM members to be vigilant and deal with each reported incident. Jared recommended there be something in writing so we can keep track. There could be a contract between members and HOA spelling out what is and is not acceptable.

Sheri will present the idea at the annual meeting. Extending amount of time for trailers on lots for this year only: Memorial Day to Labor Day. Must notify secretary that it is being done. Permanent residence is allowed to maintain RV, trailer on lot. CC&R's need to reflect changes.

#### **Destruction 2016 Board Member election ballots**

Donna asked the Board to approve the destruction of these ballots. Sheri called for a vote. Approved.

**ADJOURNMENT:** Sheri called for adjournment. The meeting was adjourned at 10:15 AM.