

Agenda SELOA regular board of directors meeting
Thursday, Oct 24, 2019, 6-8 pm, rm. 133 Kimball branch library

18:10 Call to order by Brian Bitner

Board members present: Pres Brian Bitner, Treasurer Steve Hall, Secretary Lucy Jordan, directors Scott McClellan, Mike Gonzales, Steve Cuttita, Roger Bitner, Gary Auerbach, Brian Tiley. Absent. VP Jackie Pender, director Casey Brown, 7 other lots represented in attendance.

OFFICER AND COMMITTEE REPORTS

1. Secretary review and approve last meeting minutes by Lucy Jordan. Bitner and Gonzales had corrections. Gonzales moved to accept. McClellan second. All in favor. Motion carried.
2. Treasurer's report - Steve Hall
 - a. BRR assessment due by Nov 15. Still have two delinquent lot owners. Peak radio tower income has been received in full for the year.
 - b. Expenses: outgoing Bitner Ranch Road maintenance payment due in December. Other expenses left in fiscal year: Kimball gate snow removal, legal, gates, admin. If we average same spending as last year then we might have \$14,000 left for remaining expenses but have outstanding road bills. Might have \$600 from Lot 119 extra impact fee due from Stevenson. Lot 13 Peterson offer to pay impact fees before plan approval at last meeting but have not received.
3. Architectural Control Committee report - Mike Gonzales
 - a. Lot 13 Peterson driveway done. Not going to be ready to build.
 - b. Lot 15 Fabian checks are in and they are ready to build. Tiley commented he has seen an RV there, but this is allowed on ACC rules as long as the lot is actively under construction. If they get a roof on they want to live there this winter and it is a small build so could happen.
 - c. Lot 46 Cuttita is squared up and dues are paid and is ready to build.
 - d. Lot 47 Marsh moved in. Added a solar panel that is quite visible. Are there any guidelines for aesthetics?
 - e. Lot 119 Stevenson is building. Roads have been impacted. He wants to repair himself but is ok if we want to keep his road deposit. B Bitner says Rocky Mountain Power needs to move one of the transformers because big semi-trucks threaten to take it out. **Mike Gonzales will call RMP to see if they can move the transformers.**
 - f. Lot 121 Quinton wants a 4600 sq ft barn and 2000 sq ft addition and 800 sq ft garage. Still below 10,000 sq ft ACC rule. Short term just wants to put in 800 sq ft garage addition. Tiley mentioned he is a contractor and we don't want a business run out of there. Did additional excavation to a drainage and made a dam. Gonzales checked with the County on grading and Utah Division of Water Rights on water right. County advised him to level the ground and reseed. The lot has a valid water right. Gonzales pointed out that nothing he is doing violates our ACC rules but we would have liked it if he would have come to ACC before beginning.

Lot 2 Elke Touchette owns adjacent lot and would like to see the plans. Gonzales states that the ACC rules say the neighbors should be able to review plans.

- g. Steve Hall: Lot 16, 29A, 30 will close within a few months.
- 4. Fire committee report by Drew Jordan read by Lucy Jordan. See end of minutes for report.

OLD BUSINESS

1. Basin Road widening/lot 37 remediation update - Brian Bitner. Most all of the material was removed. Shane Richins representing lot 37 was on site and worked with Bitner and Ed Byer. Brian and Brandon Bitner, Lucy and Drew Jordan, and Jackie Pender helped to seed and lay waddle blankets over the top. Bought a load of large rocks for \$800. Shane Richins, sister Jo Richins, and mother Coleen Richins were in discussion on where to place the large retaining boulders. South end and north end were eased into existing grade. No fines have been imposed by Summit County. A \$30,000 bond is posted and will stay in place until County releases it after we have shown the revegetation efforts are working, probably 2-3 years until we get that \$300 back. Have not received the bill from Byer for removal. Tim Charlwood lot 34 interjected that we are getting fines. Bitner called out of order. Auerbach suggested signs or mirrors to prevent an accident around the blind corners. Roger Bitner suggests Basin folks survey their lots and get together to widen. Brian Bitner pointed out that Basin is difficult because the road doesn't follow the platted property boundaries. Auerback suggested forming their own HOA for Basin. Bitner noted we need to have any road widening plans in writing with each lot owner. Auerback claims Basin gets only a fraction of the road maintenance Kimball gets. Brian Bitner pointed out that Byer spread 68 loads on Basin.. Kathy Borden from the floor stated that the road committee had priorities but those items didn't happen. Only priority #2 from last meeting happened. McClellan suggested to move forward that next year the road committee make recommendations, board vote, write it out. Brian Bitner stated that the reason the road committee's priorities were not done is because it is hard to get the Staker trucks to go anywhere difficult. Next year focus on the steep section by Auerbachs. Steve Hall asked how do we address the immediate safety issue. Cuttita pointed out that next year Basin cannot handle LDS Church camp traffic. Last summer church traffic was not that much because the church liaison really pushed to carpool.
Auerback to cost out and propose signs or mirror for S-turns on Basin.
2. Roads
 - a. Concrete at intersection of Kimball and Lower Cove - Jordan contacted Skrypek and he said he would take 2 loads but doesn't want to pay to load or haul. **Jordan to add to next email to lot owners advertising the availability of free concrete - U haul.**
 - b. Temporary speed bumps information - Brian Tiley investigated temporary speed bumps. \$79 per speed bump. They are 6 feet long so would need two to span the road. Plus pipe so may be \$150 for one section. Would have to be summer only. Brian T. offered to work with Ed to install. **Tiley to talk to Ed to see where speed**

bumps are needed to come up with number needed. Potentially include temporary speed bumps as a budget item for next year.

3. ACC issues
 - a. New members of ACC to help Gonzales? Kathy Borden asked to reach out to her and she is willing to help. Suggest meeting once per month. Wallis Winegar was in attendance and will talk to Mike G. after meeting.

NEW BUSINESS

1. Website manager: Knotts is moving out of Stagecoach. Need to find another webmaster. Steve Cuttitta offered his wife Erica's service. Jordan to put Nicole Knotts and Erica Cuttitta in touch to explain what is involved in being webmaster.
2. Wilkin lot across from lot 59 is for sale and not part of Stagecoach Estates but is a Lot of Record. Wilkin addressed the Board to discuss access to his lot.
 - a. Matt Wilkin lot 59 and the lot adjacent to it across the road that is 3.5 acre lot not part of HOA but is a lot of record of with Summit County. If HOA is concerned that allowing smaller lots would crowd too many houses in, but the lay of the land is such that only 2 houses could be built on that side of the road. Options: Combine lots into one 13 acre lot. Come to a legal agreement that allows access but not officially annex into Stagecoach. Go to county and combine the lots and then split to 7 acres each. Or officially annex the 3.5 acre lot into Stagecoach and amend the plat. Brian Bitner points out that we need to figure out the correct procedure. Wilkin offer to pay to have attorney Dansie look at it. Wilkin phone number 801-597-7707.
3. Gate code enforcement. A contractor was recently caught with owner code. One way to stop owners from giving out the owner code is to give all owners remotes and only have contractor codes that we change often.
4. Gate options for limiting trespassers: Steve Cuttitta talked to the Utah Division of Wildlife DNR officer and they said they couldn't do anything because we do not have signs. Tiley notes the number and spacing and wording of signs are very specific. Basin gate had a sign but it was ripped off. Elke Touchette lot 2 suggested we institute a \$10,000 fine if owners are caught hunting. Tiley to talk to DNR officer and Sheriff's office about what signs are required. Cuttitta to give Tiley number. Brian Bitner suggest we make better metal signs instead of plastic signs and maybe change code once per month during hunting season. Tiley talked to a realtor recently and realtors are sending people in with wrong code and without being escorted. Jordan to send reminder email about realtors having to accompany clients to lot.
5. Letter from lot 70 attorney regarding parking on easements. Lot 70 Cara Murphy requests board members that park there to recuse themselves. Cuttitta's has concerns with the letter from our attorney Daniel Dansie giving his opinion on parking: the opinion essentially states anyone can park anywhere anytime and leave their vehicle. Do we want that kind of community? Mike Gonzales points out that the CCRs are only what we have to go on and what we can legally defend. Cuttitta points out that the CCRs don't allow or forbid so perhaps this is the time that the Board make some guidelines on that.

McClellan points out that CCRs and ACC are vague. Either we take these documents at face value or we put some structure around them. Now have 2-3 attorney opinions and they differ. Still in favor of having another attorney give opinion. Roger Bitner and Brian Bitner have pointed out that what has been happening the last 50 years is that parking allowed. Roger points out that people have been parking on the Bitner property at the Y for years. Wallis Winegar lot 116 presented a survey. Brian Bitner suggested this winter we go back to the attorneys and get the easements and parking figured out but to let this issue between the Holidays and lot 70 be handled by the parties. Cara Murphy pointed out that the board is supposed to help lot owners by putting into place rules and guidelines to help owners get along and go after lot owners that don't pay dues. Holidays are claiming a prescriptive easement because they claim they have been parking there for 20 years. Elke Touchette lot 2: we have two attorney's opinions now and she has an opinion from 2006 saying there is no parking on the right of way. She says a simple solution is to not allow parking on right of way. Touchette accuses people that don't plow of riding on the coattails of those that do pay to plow. Tiley asked if there are other areas for parking. Touchette upset and out of order. Tiley pointed out that Ed plowed the top of Kimball way deep last year so he would have somewhere to put snow. Tiley has asked Ed to stop plowing there so issue may go away. Touchette stated she was the first to plow. Touchette angry that part timers are using the full timers' plowing. McClellan: get easement cleared up then buy some acres for parking. Disorder and raised voices. Cara Murphy stated that long ago she offered some part of their property for parking. Brian Bitner stated he had not heard of that. Murphy has brought up before. **If people would like to be on the easement committee contact Scott McClellan. Will get attorney this year and hopefully go onto next year's billing and try to keep it less than \$5000.**

6. Silver Creek–Bitner Ranch Road connection options and survey. Earlier this month there was a County meeting about putting in a connecting county road from Silver Creek to Bitner Ranch Road. There is 3.5 miles of BRR paid for through the BRR Association. Stagecoach Estates pays \$31,500 per year plus \$4500 for winter maintenance. There were four options considered by the County but have been narrowed by the county to either the Frontage Road or Church Street. Church Street is farther north which would make more of BRR a county road, which would lower the maintenance fee for all of us in BRR Assoc. County wants frontage road, second choice Church road. Church road option would come in 1 mile from freeway. County doesn't want either of the 2 options farther north because that would cost them more and there are more HOAs to deal with. Survey sent by a Silver Creek lot owner was a small group and they are pushing the Frontage road. Gonzales wants to reintroduce the Wasatch Way. Took a straw poll. Frontage road 3 votes. Option 2 (next farther north) 4 votes. Wasatch Way: 6 votes. Farthest north option 0 votes. No plans to write an official letter from HOA to county. **We should encourage people to go to the public meetings about BRR connection to Silver Ck Rd.**
7. Lot 2 Elke Touchette concerns: Holiday agreement, plowing at Basin turn around, culverts, signs.

- a. Holiday. Touchette wants board to take action to collect overdue HOA dues from Holiday lot. Touchette had provided documents to Board earlier today regarding the agreement to allow Holiday into the HOA. Bitner explained some of the background of how Holiday's lot was not platted into Stagecoach. Jordan reminded everyone in attendance that we previously have discussed as a board and have decided not to legally pursue to collect overdue dues. Murphy lot 70 wants support from the board for her stance on parking based on the fact that she pays dues and Holidays do not. There is a county noise ordinance to not have loud noises after 9 pm.
- b. Wallis Winegar doesn't have a problem with temporary parking on their lot 116 but don't like the big snow cat. They are ok with increased parking on holiday weekends to allow other Stagecoach residents to enjoy but don't like people using their lot for construction storage or long term parking. There is an emergency easement for helicopter landing on Winegar's lot.
- c. Tiley said he got a message from Todd Skrypek letting him know he is working with Ed to clear culverts.
- d. Touchette lot 2 wants the association to plow a turn around at the Basin gate. Wants a sign that says there is a turn around ahead so people don't park in her driveway. Brian Bitner stated that the turnaround at Kimball is plowed because garbage is there. Charwood plows it now and claims he has done so much for the association. Auerbach thinks because all lot owners pay HOA dues we should plow to the Basin Gate. Gonzales suggests people do it themselves. Bitner points out that a plow truck can't turn around there. Tiley could talk to Ed to see if the money for plowing could be used to go the 1700 feet from the Y to the Basin gate.

CONCLUSION

1. Schedule next meeting: 4th Thursday in January is Jan 23.
2. Adjourn 20:29

SELOA Fire Committee update 24 Oct 2019

24 October 2019

From: Drew Jordan
To: SELOA Board

Subj: SELOA FIRE COMMITTEE UPDATE

- 1) The summer wood chipping program cleared 46 piles of brush from individual lots within SELOA.
- 2) Guidelines for the wood chipping highlighted that all wood chips would not be removed by the county and would be the responsibility of the lot owner. SELOA has made one previous request that lot owners remove these piles from the easements to allow for uninhibited vehicular traffic. A second notification to the membership asking them to comply with this request is recommended.
- 3) The Summit County Fire Mitigation Blue Ribbon Committee hosted their final meeting on 10/23/2019. The Committee had two goals in mind when formed:
 - a. Bring HOA's together to share information on reducing fire risks within their communities.
 - b. Receive community input to help the fire district develop ordinances within Summit County to protect and enforce wildland fire standards.
- 4) FY 2019 Summit County will vote to adopt these ordinances. The ordinances will go in to effect FY 2021.
- 5) Inspections of HOA's will be conducted by PCFD or a 3rd party certified by PCFD. Another option being considered would be self-inspection certification under penalty of perjury if falsified. This option will include random inspections of HOA's by PCFD.
- 6) Monetary fines yet to be approved by Summit County will be issued for non-compliance.
- 7) The ordinances are designed to reduce fire risk and focus on the vegetative ignition zones around a structure.
 - a. Immediate 0'-5'
 - b. Intermediate 5'-30'
 - c. Extended 30'-100'
- 8) All HOA's are being strongly encouraged by PCFD to start implementing action plans to comply with these new ordinances
- 9) Summit County will promulgate new ordinances as soon as they are approved. Until Summit County ordinances are published citizens can refer to the National Fire Protection Association (NFPA.org) guidelines for preparing your home for a wildfire.

<https://www.nfpa.org/Public-Education/Fire-causes-and-risks/Wildfire/Preparing-homes-for-wildfire>

Additional support information provided by director Brian Tiley via email on Oct 28 regarding some of the items discussed at the board meeting on Oct 24.

1. Summit County Noise ordinance. This is located in Title 5, Chapter 3. Specifically under Noise Levels 5-3-11, Part C: Hours of restriction are as follows: nine o'clock (9:00) P.M. to seven o'clock (7:00) A.M., Monday through Saturday, not before nine o'clock (9:00) A.M. Sunday. (Ord. 316-B, 4-6-2011)

2. Hunting: Tiley spoke with Utah Division of Wildlife Resources officer Wilcox.. Hunting can ONLY be regulated by the Wildlife Board, which is regulated by the State of Utah. You can not trespass on someone's property, but if that property is not posted properly, there is nothing the DNR can do as long as the hunter is not poaching. A person has to be only 600 feet away from a building using a deadly weapon (gun) or doesn't have to be any distance from a home with a non-deadly weapon (bow). These are rules for if a person is on a non posted piece of property. If a homeowner is on their own property, less than 600 feet, say their deck, they could shoot a deer as long as they had a license. This means that criminally an officer can not do anything if a person is following these rules, and is not on a properly posted piece of land. If Stagecoach wanted to go after a person, they would have to do so in a civil trial.