

Regular SELOA Board of Directors Meeting minutes

July 16, 2020. 6 to 8 pm. Director's house for board members and Zoom teleconference for lot owners to adhere to Summit County gathering restrictions and no public meeting rooms available. Approved Sept 24, 2020.

1. Call to order and Roll. BOD present: President Scott McClellan (in person), VP Jackie Pender (remote), Secretary Lucy Jordan (in person), Directors Ralph Brown, Casey Brown, Rosie Moore (in person), Directors Steve Cuttita, Justin Bitner, Gary Auerbach (remote). Director Brian Tiley absent. ACC chair Kathy Borden (present). Lot owners on remote: Elke Touchette (lot 2), Drew Jordan (Fire Committee chair, lot 106), Julie Auerbach (lot 82), David and Brianna Allred (lot 78), Richins (lot 37), Cara Murphy (lot 70), two+ unidentified phone numbers.
2. Welcome new board members
 - a. Scott McClellan president: 1 year term
 - b. Ralph Brown Director 4: 3-year term last held by Roger Bitner
 - c. Rosie Moore Director 1: 2-year position vacated by resignation of Mike Gonzales
 - d. Justin Bitner Director 5: 1-year position remaining on director position vacated by Scott McClellan, who was elected to president at June annual meeting.
 - e. Steve Hall resigned as Treasurer. Board to fill with one of two candidates who submitted SOQ, Ralph Brown and James Ziter.
3. Secretary report Lucy Jordan
 - a. Rosie Moore moved to approve minutes from the last regular board meeting Feb 6, 2020. Ralph Brown second. All in favor. Motion carries.
 - b. Erica Cuttita has taken over website management. Website is down right now. Erica will investigate.
 - c. Board meeting minutes and financials back to May 2018 are now on the Stagecoach website in compliance with the Utah Community Associations Act. Thanks to Erica Cuttita for updating the website.
 - d. Fill treasurer position vacated by resignation of Steve Hall: two candidates: Ralph Brown (lot 85) and James Ziter (53). Scott McClellan: Ziter is an attorney and would like him to be engaged. Already have a board member (Ralph Brown) who is familiar with issues and is local. Rosie Moore, Lucy Jordan, Justin Bitner support Brown. Scott McClellan clarified that he was not thinking of officially engaging Ziter as an attorney, but rather for informal matters. Steve Cuttita: if we appoint Ralph Brown to treasurer, we have a director position to fill. Discussion on if we should fill the slot. Lucy Jordan voiced Rosie Moore's suggestion that we fill the short director term with Cara Murphy (lot 70), who had the next most votes after Justin Bitner and Roger Bitner. Rosie Moore moved to accept Ralph Brown as treasurer. Steve Cuttita second. Ralph Brown and Casey Brown (Ralph's daughter) abstain. All others in favor. Motion carries. Lucy Jordan moved to the remaining 8 months of one director position with Cara Murphy (lot 70), move Justin

Bitner to the 2-year position, and Rosie Moore to the 3-year position. Ralph Brown second. Discussion. Vote on motion as it was stated: 5 Aye, 4 Nay. Motion carries. Jordan will ask Cara Murphy to fill out remainder of 1-year director term.

4. Treasurer report: Ralph Brown is the new treasurer to make the report. Ralph needs to get on signature on checks. Ralph needs to get insurance agent content. Ralph needs to investigate Directors and Officers insurance policy and investigate.
 - a. Delinquent dues
 - i. lot 119
 - ii. lot 93. There is a lien already in place on the lot.
 - b. Steve Hall former treasurer said there were no changes in finances since the annual meeting except an \$11+K invoice from Ed Byer for work performed in 2019.
 - c. Scott McClellan takes the position to not spend any substantial money until we know where we stand.
5. 6:30 pm ACC Report Kathy Borden chair:
 - a. Fred Trujillo resigned from ACC. Committee member Jeremy Peterson has limited time. Lucy Jordan to put out a call for an ACC volunteer to membership to be engaged in email and site activities.
 - b. Mike Gonzales, former chair of the ACC, is still not relinquishing any ACC documents. Documents needed were outlined in June 2, 2020 email to BOD. Legal action requested by ACC in June 29, 2020 email from ACC to BOD. Mike Gonzales does have all the historical ACC documents. Scott McClellan: Must give a course of time to correct. If he doesn't correct in time, then you can lien the property. Start the process to go to lien. Scott McClellan will draft a letter with a 10-day limit to get the process started.
 - c. Out of compliance activities - lot 121 and lot 119 outlined in June 29, 2020 email from ACC to BOD
 - i. Lo1 121 - currently under construction but current ACC members question whether some of the plans approved by former ACC chair comply with ACC rules. Possible trespassing onto lot 2.
 - ii. Lot 119 - behind on dues and have not paid ACC building fees. ACC to draft a cease and desist letter and send to the board.
 - d. Pool amendment. Was sent around and can be adopted later in a revision to the ACC rules.
 - e. The ACC approval letters that are given to lot owners are not required by Summit County to get a building permit. Other HOAs (Colony, Promontory, Glenwild) do require that. Having our ACC approval letter a requirement for building permit would force lot owners to comply with our ACC rules. Stagecoach would need to have an agreement with the County. Another tool to gain compliance would be to pre-lien owners before construction. Jeremy Peterson to provide more info. Need to investigate both these options.

- f. Activity Report -
 - i. Lot 24 - new construction - pool, still pending.
 - ii. Lot 15 - new construction - in progress
 - iii. Lot 64 - new construction - in progress
 - iv. Lot 47 - new construction - in progress
 - v. Lot 46 - new addition - in progress
 - vi. Lot 30 - new construction - in progress projected completion Aug 1
 - vii. Lot 1 - new construction - complete (pending final Basin road repair).
Performance deposit requested back. Need confirmation of \$1500 funds returned (\$500 held to pay Ed Byer for repair work).
 - viii. Lot 121 - new construction - in progress - started without final permit; county says approved but not sure if issued, had to meet additional requirements and complied)
 - ix. Lot 119 - new construction - in progress, outstanding HOA dues and ACC fees
 - x. Lot 106 - new construction - near completion
 - xi. Lot 120 - new construction - in progress, completion for Sept/Oct 2020
 - xii. Lot 9 - proposed addition - site review/checklist approved; pending fees
- g. Some active lots don't have required contractor identification sign and permit number posted. Casey Marsh lot 47 pointed out that they are only supposed to have one sign so is it ok to have the permit number hand-written on the sign. Answer: yes.
- h. Gary Auerbach question: if the County does not require ACC approval to get the building permit, can we do a cease and desist? Kathy Borden - lot owners can get a permit from the County and not be compliant with our rules. Scott McClellan: we do have a procedure to fine, but leining has the most teeth. Steve Cuttitta suggests having a form letter of non-compliance.
- i. ACC to draft letter of non-compliance. Scott McClellan to draft letter to former ACC chair Gonzales.

6. Fire Committee Report: Drew Jordan.

- a. Lot 64 Natalie Shein building on Lower Cove donated \$1050 to the fire mitigation fund. That was the amount they saved in hauling fees by having other lot owners accept the material from their excavation.
- b. Emergency evacuation signs: Lot 99 (Fred Bacon) has an emergency egress easement through lot 99 to Pine Meadows/Tollgate Canyon. Drew Jordan called Jeff Bacon, Fred's son, and he is on board placing an evacuation sign. Lucy Jordan moved price out two 24 inch x 18 inch signs, one for lot 99 and one on the west end of North Church at the property boundary of the Preserve. Casey Brown second. All approved. Drew Jordan said it should be about \$75. Drew Jordan asked permission to explore installing a gate near lot 119. Scott McClellan: yes. Jackie Pender noted that we did have a gate there but it got destroyed when water system was put in. It was a crash gate but it was locked. Drew

Jordan: that gate has been removed and the sinkhole has been filled with gravel. Will talk to 119 about a gate there. Bacon lot 99 does have a crash gate with a chain but no lock.

- c. Park City Fire Department requires roads to be 20 feet wide and 13' 6" high, but they prefer 24 feet wide. Drew Jordan has been clearing branches to get to 20 feet wide. Drew Jordan removed the snow poles on lot 2 but the rocks on lot 2 are only 17 feet wide and we need it to be wider.

7. Road Committee Report

- a. 2020 road assessment as of June 22, 2020 email from Casey Brown to BOD
 - i. When committee did the road assessment they were being modest. They only identified bad potholes, where Basin was widened needs rotomill because it is muddy, up on the steepest part of Basin is really bad and needs to be graded. Basin steep spot was on last year's priority list and was not addressed so that should be top of priority this year. Kathy Borden of ACC has noted damage by lot 64 due to construction. Areas on North Church were bad when lot 119 moved dirt to lot 93 but has been graded by Ed Byer so it is OK now.
 - ii. Have a quote from Bison Excavation but it seems high. Need to get a "quote" from Ed Byer for our priorities and get invoices within 30 days.
- b. Action items for the Board from June 22 email:
 - i. Need to obtain Staker contact from Brian Bitner so we can coordinate availability and quantity of rotomill. Scott McClellan talked to Brian Bitner and there is a new Staker guy and McClellan will try to get a hand off from Brian Bitner.
 - ii. Designate a point person for Ed so that we have one person speaking with him about upcoming projects, scheduling, quoting, and invoicing. Need to get both invoices from him for last year's work and a quote for this year's work. He is not used to doing that but we need to work on that with him. Scott McClellan willing to be that point of contact for a while. Casey Brown would like to see Ralph Brown be involved because there are so many invoices.
 - iii. Approve a working budget for road work this year. Money will have to be moved from elsewhere in the SELOA budget. Recommend \$15K budget. Ralph Brown: need to get a rough number from Ed by showing Ed the areas we are most concerned about.
 - iv. Scott McClellan to Justin Bitner: Would like his input as someone that drives Lower Cove often. Rotomill is free and perhaps we could dump some of it on Lower Cove. Justin Bitner realizes the road is in bad shape. Brian Bitner had texted Justin that there are 600 tons of rotomill available by the end of July and 2500 tons by the end of August. Scott McClellan: we can't take much of it because we can't pay to spread it. Perhaps we can take it if we can dump it where it is needed but can't spread it this year. Justin Bitner will look into it.

8. Old Business

- a. Weed spraying done by Brian Tiley.
- b. Easements legal opinion
 - i. Scott McClellan explained that we want a small number of attorneys to give us opinion on what we can and cannot do on easements. Scott McClellan trying to pick attorneys who have not done work in Stagecoach. Fred Trujillo (lot 50) requests a time frame for the legal opinions.
- c. Basin Road Widening insurance claim:
 - i. At the annual meeting, Glen Davis (lot 86) offered to investigate whether SELOA can file an insurance claim on our Directors and Officers (D&O) insurance policy to cover the costs of the Basin Road widening. McClellan and Jordan have gone through 5 boxes of Stagecoach documents received from Brian Bitner and there was not a Directors and Officers (D&O) insurance policy in them. Question from lot 37 owner Richins via Zoom if the insurance claim could include their costs too. Scott McClellan: yes. Richins: Does that include damages costs? Scott McClellan: need Richins to itemize their expenses. Richins can provide to Scott McClellan.
- d. Plan to get rid of the concrete piled at the bottom of Lower Cove that has been there for at least 2 years. Director Brian Tiley is willing to take the lead to put something on Next Door if someone wants to buy it. Or we can just give it away as long as the person hauls it out. Dave Packham (lot 75) also has this request. Unanimous agreement to let Tiley do it.
- e. Chat from Elke Touchette (lot 2) to everyone on Zoom: 07:30 PM. She has been trying for 30 years to get the road moved to the platted right-of-way, which is east of where the road is. You can't widen the road. If someone attempts to widen it, she will get the sheriff's deputy out there. Encourages the Board to put Basin road in its proper location through her lot. Scott McClellan asked Touchette to do some research about where she wants the road to be and what costs are to move the road and then address the Board.

9. New Business

- a. Signs
 - i. A solicitor was in Stagecoach going around to houses and bothering people. Solicitors do have the right to go to your front door, unless you have a no solicitation or a no trespassing sign on your property. All property in Stagecoach is private so if we have no trespassing signs on the front gates we have the right to ask solicitors to leave. When you have a contractor, remind them they cannot solicit.
 - ii. One lane road signs on Basin curves: Scott McClellan delegated to the road committee.
 - iii. Scott McClellan to Drew Jordan: please price out no trespassing signs for the gates. Ralph Brown pointed out that the Division of Wildlife Resources officer that

investigated the hunting last year said the sign needs to say “No Trespassing” and need to be on all 4 access points to Stagecoach. Casey Brown asked Drew Jordan to please work with the road committee to make the same aesthetic on all the signs. Drew Jordan: \$25-\$30 per sign. Lucy Jordan brought up that Brian Tiley had requested signs stating a time limit on parking at the Kimball gate. Rosie Moore asked what authority we have to allow parking. Scott McClellan: we are bending the no signs rule, but some activities have been damaging our quality of life, so let’s table the no parking signs. Also wait on putting up two large “Firewise Community” signs. Rosie Moore moved to have Drew Jordan investigate 4 private property/no trespassing signs and 2 emergency evacuation signs. Ralph Brown second. All in favor. Motion carries.

10. 7:45 Open time for member comment

- a. Elke Touchette (lot 2) ACC needs to approve signs. Suggests ACC go around and look for signs and each lot owner needs written approval for a sign. Board needs to uniformly enforce Covenants and Bylaws. Kathy Borden suggests lot owners who have signs and want to keep them send a request to the ACC.
- b. Cara Murphy (lot 70) accepted director position
- c. Erica Cuttita says the website is back up.

11. Adjourn 19:58

September 24 next meeting.