



**Stagecoach Estates Lot Owners Association
(SELOA)**

December 01, 2022 Board Meeting Minutes

6:02PM-7:50PM Meeting hosted online via Zoom

- 1) 6:02PM Call to order by the President. Board members present attended via Zoom digital link. President gave a welcoming address.

President: Roger Bitner	Vice President: Naomi Williams	Secretary / Fire Committee: Andrew Jordan	Director: Megan Robinson Attended for 45 minutes
Director: Brian Tiley	Director: Casey Marsh	Director / ACC Committee: Rosie Moore	Director / ACC Committee: Kathy Borden

- 2) 6:05PM Drew Jordan records that all Board members voted via email earlier and unanimously to approve the October 26, 2022, meeting minutes. Minutes are posted on the Stagecoach website.
- 3) 6:06PM Secretary's report:
 - a) SELOA Bylaws filed with the Recorders Office of both Summit County and Morgan County.
 - b) Sea to Ski Property management provided financial summary statement (expenditures to date) and (actual expenditures to date vs budgeted). Reference addendum #1
- 4) SELOA currently has no Treasurer and Sea to Ski has requested financial budget input from our association.
- 5) Ms. Casey Marsh: Update Stagecoach Estates Lot 59 Mr. Matt Wilken.
 - a) Mr. Wilken owns 2 lots within the Stagecoach Estates (Stagecoach) property boundary. 1 lot is platted as Lot 59 of Stagecoach Estates and the other lot is platted independently of Stagecoach Estates.
 - b) Mr. Wilken would like to develop the lot that is independent of Stagecoach. Requirements:
 - i) Permission from SELOA to access water from Mountain Regional Water through the Stagecoach Estates water supply infrastructure.
 - ii) Get the lot annexed into the water service district.
 - c) SELOA explored the option of allowing Mr. Wilken to incorporate his "non-Stagecoach" lot into the association but SELOA legal counsel advised that the lot size (3.5 acres) does not meet the

minimum acreage size in accordance with the SELOA Covenants (7 acres) and cannot be incorporated.

- d) Mr. Wilken has 2 options:
 - i) Combine the “non-Stagecoach lot” into Stagecoach Estates Lot 59.
 - ii) Pursue the approval process with Mountain Regional, Summit County, and the State of Utah to gain water access through the Stagecoach water infrastructure. If approved the “non-Stagecoach” lot would enter into a recorded agreement with SELOA mutually agreed upon by both parties defining architectural, CC&R, and Bylaws guidelines.
- e) Mr. Wilken will pursue option ii.
- f) SELOA and Mr. Wilken will work together to achieve option ii. The onus to start this process is on Mr. Wilken. Once he is granted water access from Mountain Regional after fulfilling their requirements, SELOA will work together with Mr. Wilken to draft mutually agreed upon documents.
- g) Comments:
 - i) Mr. Roger Bitner: There are other lots in Stagecoach that are less than 7 acres (Lot 39 owned by the Bitners) that are platted and pay association dues. We should be able to incorporate Mr. Wilken’s “non-Stagecoach” lot into Stagecoach.
 - ii) Ms. Casey Marsh: The SELOA Board was in favor of incorporating the “non-Stagecoach” lot, but legal counsel has informed us that unless we change the SELOA Covenants we cannot perform this action.
 - iii) Ms. Rosie Moore: We should ask SELOA legal if our Association has the legal right to draft documents regarding the oversight on a “non-Stagecoach” property within the property boundaries of Stagecoach. The action SELOA takes with Mr. Wilken would set a precedent with several other lots adjacent to platted Stagecoach property that are not part of the SELOA Association.
 - iv) Ms. Casey Marsh will follow up with SELOA legal to answer this question.
- 6) Mr. Roger Bitner addressing the topic of possibly incorporating Cry Baby Rd (currently a private road) into the Stagecoach road easement structure.
 - a) Cry Baby Road provides 3 lots access to the current Stagecoach Estates road easement infrastructure.
 - b) There is a waterline easement underneath Cry Baby Road.
 - c) 3 lot owners would like to improve Cry Baby Road with asphalt. The road would be 20 feet wide. The 3 lot owners would contribute monetarily to improve the road but are inquiring if SELOA would contribute financial assistance of \$10,000.
 - d) Ms. Casey Marsh: This will set a precedent for other lot owners to make the same request for financial assistance from SELOA to improve their private roads. Once a private road is incorporated into the Stagecoach’s road easement structure SELOA will maintain responsibility for the road and assume liability for it.
 - e) Mr. Roger Bitner: Within Stagecoach most of the road funding has been on Kimball Canyon Rd, Basin Rd, Upper Cove Rd, and Lower Cove Rd. 3 lot owners that utilize Cry Baby Road would like to have some funding put towards their private road that allows them access to the Stagecoach road easement infrastructure.
 - f) Mr. Drew Jordan: I am worried about the liability on the Cry Baby Road if we incorporate it into the Stagecoach road easement infrastructure. The road is very steep and hard to navigate. In the winter months Mr. Dave Packham must personally drive his short-term renters up Cry Baby Road to his lot. The same road conditions exist on Upper Cove Rd down to the junction of Basin Canyon Rd.

- g) Ms. Rosie Moore: I do not believe that the county would issue SELOA a permit to approve these as roads (Cry Baby Road & Upper Cove Rd section that connects the ridge with Basin Canyon Rd). Both roads are excessively steep and there is too much liability. I am in favor of SELOA contributing some monetary funding towards the improvement of Cry Baby Road, but I am against incorporating Cry Baby Road in to the Stagecoach road easement infrastructure.
 - h) Ms. Kathy Borden: I am in favor of SELOA providing monetary assistance for Cry Baby Road but we have other roads within Stagecoach that have a greater number of owners utilizing which need improvements. This is a budgetary issue. We need the Road Committee to put forth a proposal to the Board.
 - i) Mr. Brian Tiley: The last time SELOA attempted to widen a road, the Association faced lawsuits, incurred legal fees, had to restore the original road condition, and file an insurance claim for monetary damages. The county needs to be involved and the county needs to bring out an engineer. Let a third party provide guidance to the 3 lot owners and to SELOA.
- 7) Mr. Drew Jordan addressing the issue of the termination of the contract between SELOA and Peak Wireless Services (antenna tower on Lot 107).
- a) Peak Wireless Services (Peak) has a radio communication tower located on Lot 107.
 - b) They pay SELOA \$345/month fee to SELOA.
 - c) The 5-year contract expired July 31, 2021. Neither party sent notification to the other of the desire to terminate the contract and it auto renewed for a 1-year period that expired 31 July 2022. At the end of the 1-year extension period Peak had 90 days to remove their equipment from Lot 107.
 - d) The owner of Lot 107 sent notification to the SELOA Board on 3 March 2022 requesting a timeline action plan for the removal of the communication tower and an outline of the restoration plan of the tower site infrastructure.
 - e) Mr. Vince Heyd (owner Lot 107) via phone call has indicated that he has not had a reply from the SELOA Board.
 - f) Mr. Heyd's stance is that the contract between SELOA and Peak and the erection of the tower on Lot 107 is illegal since SELOA is not the landowner and does not have the right to enter such an agreement.
 - g) To date Peak has removed some of the personal communication systems equipment and partially removed upper sections of the tower. 4 antennas remain in place and are active.
 - h) The contract has expired but Peak continues to pay SELOA \$345/month.
 - i) Peak has been unable remove the remaining antennas, the tower structure, the propane tank, and the electronics building due to weather conditions (snow on the ground) and post pandemic staffing issues with third party vendors. The bottom section of the tower will require a crane to remove it. Roads will need to be passable with heavy equipment and the best guess is a June 2023 timeframe for the complete cleanup of the tower site.
 - j) Mr. Drew Jordan question to the SELOA Board: With no contract, the tower infrastructure not removed, and the tower operational does SELOA keep depositing the vendors funds (\$345/month) or do we transfer the funds to the owner of Lot 107?
 - i) Ms. Rosie Moore: SELOA is the signatory on the contract, the tower was in place on Lot 107 before the current owner built a home on it. The funds should continue to be deposited in to the SELOA account.
 - ii) Drew Jordan: Discussions with Mr. Roger Mickelson, owner of Peak implied that payments to SELOA would continue until the antennas were no longer functional and the tower site equipment was removed. Currently there is no active contract between SELOA and Peak. SELOA is receiving quarterly payments based on the parameters of the expired contract.

Once the tower site is removed and cleaned up there will be no further action required between the two parties to finalize the termination of the contract.

- iii) Rosie Moore: We should draft up a document to Mr. Roger Mickelson outlining the termination parameters between SELOA and Peak.
- 8) Ms. Naomi Williams addressing the issue of existing open SELOA Board positions (Treasurer & Director).
 - a) There was a possibility that Mr. Matt Wilken or Mr. Jackson Sterling would be willing to step forward to fill vacant SELOA Board positions.
 - b) Follow up requests for biographies from any interested SELOA members and further confirmation that these members intend to assume board positions have gone unanswered.
 - c) With no replies from SELOA membership the SELOA Board will continue to operate with 2 vacant board positions.
 - 9) Mr. Drew Jordan addressing issue of meeting formats. Do Board members prefer in person or virtual meetings.
 - a) A mix of both is preferred. If we do host an in-person meeting, there should be an option for membership to attend virtually.
 - b) SELOA does not have a volunteer to run the virtual meeting portal during the in-person meetings.
 - c) SELOA Board members are task saturated during in person meetings. If we are to offer a virtual portal during in-person meetings, then a SELOA member needs to volunteer to perform this function.
 - 10) Mr. Drew Jordan opens the floor to the general membership for and comments or questions.
 - a) No input from the general membership.
 - 11) Mr. Brian Tiley addressing issues with the entrance gates.
 - a) The volunteers monitoring the status of the entrance gates and ensuring they remain in an operational status are Mr. Brian Tiley for the Kimball Canyon Rd gate and Mr. Mark Robinson for the Basin Canyon Rd gate. Additional task with the gates now involves the monitoring of the security camera systems.
 - b) Mr. Brian Tiley has reached out to the association's property manager (Sea to Ski) to inquire if they would be willing to monitor the camera systems. If camera data needs to be reviewed, a third party with no bias would be better for association members' privacy. The fee for the property manager to assume the duty of reviewing security footage would be a flat rate of \$60/hour.
 - c) Mr. Tiley suggests that if the gates have an issue and are no longer operational, the membership should contact the property manager to initiate a fix. The volunteer duties of overseeing the gate entry systems have become burdensome and should be delegated to the Sea to Ski.
 - 12) Ms. Casey Marsh addressing issues of locks on the trash/recycling dumpsters.
 - a) During the winter months it has been observed by several lot owners that the locks are frozen, and the digit tumblers will not move to allow the locks to be opened.
 - b) It appears that most of our issues with illegal use of the dumpsters occurs in the summer months.
 - c) Ms. Casey Marsh put forth the proposal that we remove the dumpster locks during the winter months and to reinstall them during the summer months.
 - d) Mr. Brian Tiley stated that we do have dumpster issues during the winter holidays and that we not remove the locks until 1 January.
 - 13) 7:17 Adjournment of general meeting by Roger Bitner.
 - 14) 7:20 SELOA Board enters an Executive meeting to discuss issues on Lot 93.

Addendum #1

1:33 PM
11/30/22
Accrual Basis

SELOA
Balance Sheet
As of October 31, 2022

	<u>Oct 31, 22</u>
ASSETS	
Current Assets	
Checking/Savings	
Operating - 4145	95,611.85
Reserve - 9704	51,843.30
Performance Deposit - 3642	40,600.08
Impact Fees - 8151	5,001.53
Total Checking/Savings	<u>193,056.76</u>
Accounts Receivable	
Accounts Receivable	25,965.63
Total Accounts Receivable	<u>25,965.63</u>
Other Current Assets	
Prepaid Expenses	
PO Box Rental	148.50
Total Prepaid Expenses	<u>148.50</u>
Prepaid Insurance	
General Liability	450.00
Umbrella	262.00
Total Prepaid Insurance	<u>732.00</u>
Undeposited Funds	<u>141.00</u>
Total Other Current Assets	<u>1,021.50</u>
Total Current Assets	<u>220,043.89</u>
TOTAL ASSETS	<u>220,043.89</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	8,287.38
Total Accounts Payable	<u>8,287.38</u>
Other Current Liabilities	
Prepaid Dues	17,167.00
Reserve Liability	51,837.14
Impact Fees	
SELOA > Impact Fee	5,000.00
Total Impact Fees	<u>5,000.00</u>
Performance Deposit	<u>38,600.08</u>
Total Other Current Liabilities	<u>112,604.22</u>
Total Current Liabilities	<u>120,891.60</u>
Total Liabilities	<u>120,891.60</u>
Equity	
Unrestricted Net Assets	80,199.65
Net Income	18,952.64
Total Equity	<u>99,152.29</u>
TOTAL LIABILITIES & EQUITY	<u>220,043.89</u>

1:33 PM

11/30/22

Accrual Basis

SELOA
Profit & Loss Budget vs. Actual
January through October 2022

	Jan - Oct 22	Budget
Income		
Assessments / Dues	91,833.00	90,000.00
BRR Winter Maintenance	5,640.00	0.00
Church Maintenance Contribution	2,800.00	0.00
Gate Remotes	325.00	250.00
Impact Fees from Construction	0.00	0.00
Interest	28.97	
Peak Cell Tower Lease	4,140.00	
Total Income	104,766.97	90,250.00
Expense		
Merchant deposit fees	85.82	
Administration		
Bank Fees	296.99	250.00
Contribution to Reserve Fund	5,000.00	5,000.00
Entity Renewal	10.00	0.00
Meetings	178.98	250.00
Miscellaneous	150.00	2,201.70
Postage / Box Rental	49.50	150.00
Insurance		
Umbrella	845.00	940.00
General Liability	1,368.00	1,520.00
Total Insurance	2,213.00	2,460.00
Total Administration	7,898.47	10,311.70
Professional Expense		
Legal	12,195.25	8,350.00
Property Management		
Base Fee	5,872.00	
Hourly	1,237.50	
Total Property Management	7,109.50	
Total Professional Expense	19,304.75	8,350.00
Maintenance / Repairs		
Fire Mitigation	1,361.85	4,000.00
Garbage Enclosure	608.94	
Gate Maintenance		
Electricity - Gates	292.91	550.00
Remotes	402.19	250.00
Cameras	9,018.76	800.00
Repairs / Maintenance	2,074.03	4,150.00
Total Gate Maintenance	11,787.89	5,750.00
Roads		
BRR - Annual Maintenance	27,540.00	27,540.00
Snow Removal - Gate Areas	5,000.00	3,340.00
BRR - Winter Maintenance	5,780.00	5,780.00
Water Valve Extenders	0.00	2,000.00
Weed Spraying	1,320.00	2,000.00
Road Maintenance / Repairs	5,126.61	77,850.00
Total Roads	44,766.61	118,510.00
Total Maintenance / Repairs	58,525.29	128,260.00
Total Expense	85,814.33	146,921.70
Net Income	18,952.64	-56,671.70

1:33 PM

11/30/22

Accrual Basis

SELOA
Profit & Loss Budget vs. Actual
 January through October 2022

	\$ Over Budget	% of Budget
Income		
Assessments / Dues	1,833.00	102.0%
BRR Winter Maintenance	5,640.00	100.0%
Church Maintenance Contribution	2,800.00	100.0%
Gate Remotes	75.00	130.0%
Impact Fees from Construction	0.00	0.0%
Interest		
Peak Cell Tower Lease		
Total Income	14,516.97	116.1%
Expense		
Merchant deposit fees		
Administration		
Bank Fees	46.99	118.8%
Contribution to Reserve Fund	0.00	100.0%
Entity Renewal	10.00	100.0%
Meetings	-71.02	71.6%
Miscellaneous	-2,051.70	6.8%
Postage / Box Rental	-100.50	33.0%
Insurance		
Umbrella	-95.00	89.9%
General Liability	-152.00	90.0%
Total Insurance	-247.00	90.0%
Total Administration	-2,413.23	76.6%
Professional Expense		
Legal	3,845.25	146.1%
Property Management		
Base Fee		
Hourly		
Total Property Management		
Total Professional Expense	10,954.75	231.2%
Maintenance / Repairs		
Fire Mitigation	-2,638.15	34.0%
Garbage Enclosure		
Gate Maintenance		
Electricity - Gates	-257.09	53.3%
Remotes	152.19	160.9%
Cameras	8,218.76	1,127.3%
Repairs / Maintenance	-2,075.97	50.0%
Total Gate Maintenance	6,037.89	205.0%
Roads		
BRR - Annual Maintenance	0.00	100.0%
Snow Removal - Gate Areas	1,860.00	149.7%
BRR - Winter Maintenance	0.00	100.0%
Water Valve Extenders	-2,000.00	0.0%
Weed Spraying	-680.00	66.0%
Road Maintenance / Repairs	-72,723.39	6.6%
Total Roads	-73,743.39	37.8%
Total Maintenance / Repairs	-69,734.71	45.6%
Total Expense	-61,107.37	58.4%
Net Income	75,624.34	-33.4%