

Minutes of SELOA Board of Directors regular meeting. Approved Jan 29, 2019.

Tuesday Nov 13, 2018 6 pm

Richins library Kimball Junction small conference room

Action items highlighted in yellow.

18:05 Call to order by President Brian Biter

Roll call: president Brian Bitner, vice president Jackie Pender, secretary Lucy Jordan, treasurer Steve Hall, directors Brent Bryan, Brian Tiley. Scott McClellan arrive 18:15.

Nine lots represented by owners or designated representatives: lots 84, 85, 90, 4, 34, 5, 106, 88, 70.

Old business

- 1) Current status of Basin Canyon road work issue
  - a) Attorneys have been involved. After repeated tries to get owners of lot 37 to communicate via their attorney, Stagecoach Estates attorney Daniel Dansie has finally heard back from lot 37 this week. Their attorney presented to our attorney that they would like the road to be no wider than 24 feet as it passes through their lot. The fill that we placed in August is wider than 24 feet in some places.
  - b) Bitner presented a letter from Park City Fire Department stating that because we practice wildfire prevention and we have limited traffic on our private roads, the department would be OK with our road surface width being 24 feet as opposed to the typical 32 feet they normally want. (See email text at end of this document.)
  - c) Lucy Jordan moved that the SELOA Board accept Lot 37's proposed 24-foot road surface width. Brian Tiley second. All six board members in attendance in favor. Motion passed. This allows us to have an agreed upon road width when or if we remove part of the fill that was placed in August.
  - d) The Notice of Violation issued by Summit County in Brian Bitner's name was changed to Stagecoach Estates. The deadline for removal was extended from Oct 12 to Oct 22 and then to Nov 22.
  - e) Bitner will continue to work with Dansie through Lot 37's attorney to find a solution acceptable to Lot 37 owners and the SELOA Board. Winter is coming and if fill is to be removed we need to come to an agreement very soon.
  
- 2) Plan for addressing HOA communications. Jackie Pender went over some of the problems we have in communicating with lot owners and a plan for how we can be more responsive.
  - a) Bi-monthly board meetings held on the same date every other month would: (1) allow board business to be done quicker before issues become large, (2) allow members to be more involved because they would know when meetings are, (3) allow for time for members to bring concerns up at meetings, allow more board members to attend regularly.
    - i) Pender moved to have regularly scheduled meetings starting January 2019 on the fourth Wednesday of every other month. Bitner second. All in favor,

none opposed. Motion passed. The date proposed is the 4th Wednesday of every other month but Tuesdays and Thursdays could also work. Jordan will check with the libraries to find out when the most appropriately sized rooms are available and email the board to get input from members that were not in attendance tonight.

- b) We will be better at board notifications about upcoming activities. Board will communicate via email and website to members for all substantial activities that would affect members, e.g., road work that is more involved than filling potholes.
- c) Submission of issues from lot owners can happen three ways: Phone call, email to one or more board members, or at board meeting.
  - i) If someone submits a question about a settled fact, any board member can answer and reply all. Examples of routine issues are: how to deal with a tree across a Stagecoach road, how much are HOA dues, can an owner put up a fence.
  - ii) If the issue does not have a straightforward answer and requires discussion by the board, Pender proposed that the secretary be put into the loop via email and the secretary will send an email acknowledging receipt of the issue within 5 days. The secretary will put the item on a running agenda for the next board meeting. Agendas for board meetings will be closed a week before the meeting and published to the membership. McClellan asked for feedback from the membership if 5 days is fast enough and the lot owners in attendance agreed. If Bitner or another board member gets a phone call raising an issue he/she should send an email to secretary detailing the request so that it can go into the record and onto the agenda.
  - iii) Some requests are for an issue that is outside of the board's responsibility as defined by our governing documents (Protective Covenants, Bylaws, Architectural Controls) and the board does not have the power to manage the request. These items might take a community discussion to resolve. The answer to some requests may be that the issue is not within the board's duty or power.

3) Treasurer report by Steve Hall.

- a) The extra engineering evaluation, legal counsel, and erosion control product required because some lot owners were not happy with widening a section of Basin Canyon road work is now projected to cost \$15,000. We did not budget for those expenses. Hall projects we might be 13% over budget.
- b) Still waiting on winter maintenance dues to come in. If all 31 full-time lot owners pay as invoiced, we will have the \$4500 to pay Bitner Ranch Road Association (BRRA) the 2018-2019 winter maintenance fee. This money goes to BRRA to plow from the Y to our gates.
- c) End of year will be tight. Budget is Jan 1 to Dec 31. Moore (Lot 4) owner asked if we have a contingency fund. We do not. Pender and Bitner agreed that we could add that as a budget item in next year's budget.

- d) Jack Smith is supposed to be conducting an audit of BRRRA books. Each lot owner pays \$250 per year into the BRRRA for road maintenance (not winter plowing) as part of the BRRRA settlement. After 7 years BRRRA can reevaluate their costs and decide if we need to pay more. **Hall will contact Smith to see if he has finished his audit.**
  - e) Garbett (lot 5) pointed out that the \$4500 winter maintenance should not be a line item in the budget. It should be “pass through” because we can’t spend it on Stagecoach Estates expenditures.
  - f) Ed Byer has not submitted a bill for the work he did on Basin Canyon Road.
- 4) Gates
- a) Grosvenor reported that the counters are broken.
  - b) D Jordan (lot 106) stated that the estimate he gave Pender at the August board meeting was about \$3000 per counter and we would need 3 counters. That was for a mid-level design which would give speed and number of vehicles. While Stagecoach might not need speed data, this was the only model he found that would work. One drawback was that it had only a 7 day battery life. We would have to install solar panels and batteries.
  - c) Mike Garbett said Peter Behn used to collect really good and detailed data that Garbett used to make the reports that showed the percentage of LDS Church camp traffic in Stagecoach. We used these reports to get more money from the LDS Church.
  - d) Bitner said one year church was 58% of traffic on Basin Canyon road.
  - e) **Drew Jordan offered to get another estimate for counters.**
  - f) Mike Garbett said they used to take the counters out during the winter and they had a lot of trouble with porcupines eating the cables.
- 5) Charlwood (Lot 34) pressed Bitner that he needs to resolve the Notice of Violation by removing the fill that was placed on Basin Canyon Road. Bitner said that we don’t want to speak openly about this issue because we, only this week, after multiple requests through our lawyer to Lot 37’s lawyer have finally been able to communicate with Lot 37 owners. Bitner assured Charlwood that if the County requires us to remove the fill we will.
- 6) At the August meeting, **Knotts was going to check to see if speed flashers were available from the County to place on Stagecoach roads** during the busy summer traffic season. Knotts was not present to report what she found out.
- 7) Fire evacuation plan: Wilson, Pender, and Tiley were put on committee to make a fire preparedness plan.
- a) Mike Garbett said Tim Hawker had put together a good plan. Jordan has received that from Hawker and had sent along to Wilson in August, along with some information from Silver Creek that Lot 70 owner had sent to Jordan. **Jordan will send to Pender, Wilson, and Tiley.**

- b) Bitner suggested that Mike Owens with PC Fire Department be invited to do a presentation for all lot owners.
- 8) Lot 22 under contract to sell. Owner has paid past-due dues. We have the engineering report that was done for the completed slope stabilization between the house and Lower Cove Road. We need to decide if we want to pay an engineer to analyze the report to see if we need to do anything extra or hold Lot 22 responsible for fixing Lower Cove Road above the slope failure. Pender wants to ask lawyer if the responsibility goes to the owner or stays with the lot. Bitner has shown he report to Dansie but he is not an engineer. We don't have the budget this year to pay an engineer to evaluate the report. Tiley says we need to address the huge pile of concrete. Bitner says Ed Byer says we could get rid of it. One option is to get a lien on lot 22 for the cost of removal. Tiley says we should approach her to say we want to help her to remove it and sell it if we can. Bitner will call Lot 22 owner to tell her of our intentions and then get her response in writing via the secretary. If she is amenable, Bitner will empower Ed Byer to get rid of concrete.
- 9) Lot 59 has a lot across from lot 59 that is not 10 acres and is not a part of Stagecoach Estates. Owner had indicated earlier in the year that he may want to develop it. There has been no news on this issue.
- 10) Garbage and recycling dumpsters were moved by Ed Byer to the other side of the turn around area, but the garbage pick-up company (Republic Services) moved them back.

#### New business

1. Bitner wants to do another survey asking owners about their concerns and opinions on what the board should be doing since it has been since 2007 since we had the last survey. Lot owner and former board member Tim Hawker has connections with a company that does this kind of thing. Jordan to ask Tim Hawker if he will do again. If not, board to form a committee to put together an online anonymous survey, such as is available through Survey Monkey. The questions should be targeted to see why people are not voting on the revised Covenants. At the last vote of the amended Covenants, less than 50% of lot owners voted. Board had previously discussed formulating a summary of the changes between the old Covenants and the proposed.

From the floor. With no further agenda items to discuss, at 19:25 Bitner opened the remaining time for questions from the floor.

1. D Jordan (lot 106) asked about work that was done several years ago on the fire hazard mitigation plan. Mike Garbett replied that owners kept track of hours and expenses put into fire mitigation, and we got credit for those hours. State of Utah gave us a \$125,000 grant for fire fuel mitigation work. Drew Jordan to look into getting another grant and talk to Mike Owens, PC Fire District.

2. Murphy (Lot 70): Is board going to answer our questions from the Oct 3 meeting? Jordan explained that many of the questions were specific to the Basin Canyon Road work, and since we are currently negotiating with Lot 37 via attorneys, we can't specifically speak to those questions right now. We can address questions of how Lot Owners can be assured similar road work won't happen to them. Jordan went over the slides from the October 3 meeting detailing how the board will follow Robert Rules of Order on issues that affect lot owners, get significant road work plans approved in writing with lot owners, and referred to Pender's earlier plan to keep the membership informed of board decisions, especially as they pertain to actions that will affect a substantial number of lot owners, and the mechanism for lot owners to get their issues addressed by the board. With respect to the Road Committee that was formed at the 2018 annual meeting, the board is committed to working with the committee to get help on issues the Board feels need additional work. The President is obligated by the Bylaws to appoint a chair, and he has not done that yet because the Basin Canyon Road work issue has been taking priority. **President will appoint a chair of the Road Committee.**
3. Moore (lot 4) said Ed Byer may not have a place to live after next May because the new owners of the lot he has been renting may or may not let him stay.
4. Charlwood (lot 34) asked about no parking signs at Basin Canyon Gate put there by Lot 30. Some discussion on if those signs are allowable. Our covenants do not permit owners to put up signs, but this area is a turn around so at the August board meeting the board agreed to let Lot 30 put up the signs to try to keep that area clear for vehicles to be able to turn around if they come up Basin without gate access. C Brown (lot 84) and a few people below will be paying into the Basin Canyon Road plowing so there should not be as much of a parking issue on Basin Canyon Road this winter as there has been in the past.
5. D Jordan (lot 106) asked if we should change gate code now that hunting season is over Bitner replied we usually change it twice per year.
6. Murphy (lot 70) asked if anyone else has access to property through Stagecoach because she confronted a group that was driving very fast and covered in mud and they said they were not part of Stagecoach and that they were driving on their road. Bitner replied there is one lot owned by Evans that is not in Stagecoach.

19:45 Bitner adjourned the meeting

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**Email from Park City Fire District regarding road widths**

**From:** Mike Owens <[mowens@pcfd.org](mailto:mowens@pcfd.org)>

**Date:** October 23, 2018 at 3:22:36 PM MDT

**To:** ""[briankbitner@gmail.com](mailto:briankbitner@gmail.com)"" <[briankbitner@gmail.com](mailto:briankbitner@gmail.com)>

**Subject: Stage Coach Estates Road Widths**

Brian,

Thanks for meeting with me today. As we discussed, the minimum road width for communities with more than one entrance and exit would be 20 feet as measured from edge of curb to edge of curb. As your community is considered a dead end over 750 feet long, our preferred width is 32 feet. As we discussed, your roads are private and not heavily traveled. You do not generally see parking on both sides of the road. Your HOA is also active in fuel mitigation efforts. With these facts in mind, PCFD will approve a reduction from a width of 32 feet to 24 feet as measured from the edge of curb to edge of curb. The purpose of this width is to allow fire vehicles and private to pass without running each other off of the road.

PCFD understands that this is not something that will happen overnight and that it will be an on-going project. Access is something that PCFD takes very seriously and we appreciate your efforts to improve your community. Wider roads will not only make access easier and more reliable, it will also decrease our response times.

If you have any other questions. Feel free to contact me.

Captain Mike Owens

District Fire Marshal

Fire Prevention Bureau

(435) 940-2520