

SELOA regular board of directors meeting minutes

Thursday, Aug 22, 2019, 6-8 pm, rm. 133 Kimball Junction Summit Co branch library

APPROVED OCT 24, 2019

18:08 Call to order by President Brian Bitner

Board members present: Pres Brian Bitner, VP Jackie Pender, Treasurer Steve Hall, Secretary Lucy Jordan, directors Scott McClellan, Mike Gonzales, Casey Brown, Steve Cuttita, Roger Bitner. Absent Gary Auerbach, Brian Tiley. 4 other lot owners in attendance.

#### OFFICER AND COMMITTEE REPORTS

Approve minutes from June 25, 2019 regular board meeting. Jordan paraphrased the minutes. Pender motioned to approve, McClellan second, all in favor, motion carried. Gonzales arrived mid reading.

Treasurer's report by Steve Hall (see attached report)

Income: The LDS church paid us \$2800 for use of roads. The quarterly payment for the Peak radio tower was received for \$1035. Have received annual dues from all but 2 lots. These are chronic no-pays and we have liens on those lots.

Expenses: Ed Byer's bill recently received and will take almost all of our remaining road budget. We are under budget by about \$5000 for legal expenses but will have incoming bills related to the Basin road widening so will probably use all budgeted funds. Probably won't use the rest of the funds budgeted for engineering on that project. We have been spending more on gates than we normally do, especially for Kimball gate because it has had more issues. In 2018, we were under budget for the gates but 2019 has been over budget due to large snowfall this winter. Comment from lot owner in attendance Jeremy Peterson lot 13 that the gate needs to stay open longer because it closes before a pickup and trailer can get through. Cuttita asked what happens when we lien properties for non-payment of dues. Hall said the lien stays on their property and they have to pay when the property is refinanced or sold. Recap: Have spent \$4377 of the \$10,000 legal budget and all but about \$300 of that was for the Basin widening. Have spent \$7600 of the engineering budget and all but \$300 was for the Basin widening.

Architectural Control Committee report by Mike Gonzales. Quite a bit going on.

Lot 1 DeJager is finished. Performance deposit refund requested but we won't refund until after next spring because they cut across road for utilities access. Road is not back to pre-construction shape. **Gonzales to check on lot 1 road cut situation.**

Lot 15 Fabian is close to getting approval of their application and will mail \$2000 impact fee income to SE but needs the PO Box address, which was not on the website. **Jordan to ask Nicole Knotts to put PO box address on website.**

Lot 42 Cuttita started a home addition without approval and has put up a shed and painted it a non-approved color without ACC approval. Cuttita responded detailing emails he sent to ACC with no response. B. Bitner pointed out that the ACC is completely new and deserves some time

to get their feet under them. Bitner suggested that if Cuttita and Gonzales can agree on a building plan and pay the impact fees now that we should just move on. Gonzales wants Cuttita to follow the ACC rules. Cuttita is willing to pay the impact fee and performance deposit right now but doesn't know the amount. Gonzales points out that he does not have ACC approval yet because there is a study shed outside the 1-acre building envelope and it is red. The ACC has no record of application for approval for the shed. Discussion on whether the shed needed to be approved by ACC. Jordan asked if the shed was within the 1-acre building envelope. Cuttita claims it is and will get it surveyed but Gonzales claims it is not. Jordan pointed out that it looks like Cuttita is grading a much larger area and Cuttita agreed that they probably are and would need a variance for that. Bitner wants to have an approval from the ACC CCed to the board. Gonzales is reviewing the application but he is not getting enough help from the rest of the ACC. Pender stated that the Board should recruit new ACC members. Drew Jordan lot 106 and Jeremy Peterson lot 13 from the floor volunteered to replace Wallis Winegar on the ACC. Steve Cuttita also volunteered. Jordan checked the Bylaws and the committee is to be made of 3 lot owners that serve for 5 years. **Gonzales to contact Winegar to see if he will become engaged on the ACC. If Gonzales can't reach him Bitner will try.**

Lot 53 Ziter: on Lower Cove is starting the discussion about building.

Lot 64 Muscovitz/Shein: on Lower Cove dues are paid but waiting to start construction and probably won't build until next year.

Lot 106 Jordan: Gonzales visited the site to review driveway drainage options.

Lot 119 Stevenson: working on permits. Approved and paid in May 2017 but they increased square footage by adding basement walkout so Stagecoach should get more money.

Lot 121 Ron Quinton has been excavating quite far into the mountain. Gonzales walked the property and excavation has gone 200 yards back into property and built a dam blocking runoff. Utah Division of Water Rights says he did not have approval to do so. ACC told him to stop and take it out but he has not yet. Gonzales asked what fines we have. Excavation probably ok but dam is not. Can we fine him? The Board had passed a \$5000 fine for building in the off season without ACC approval. Lot owner did not have County or ACC approval and the excavation is outside 1-acre building envelope. **Bitner will review how to impose fines for non-compliance with ACC rules and talk to Dansie.** Gonzales would like to fine.

Question from the floor about the house on lot 30 that has not been worked on all year. It was for sale and Hall has not received notice that it sold.

Jeremy Peterson lot 13 from the floor asked how the HOA would like his old driveway reclaimed. ACC told him to reseed and make look natural.

Gonzales noted that there is a lot of work with the ACC and he could use some help. Wallis Winegar has not done anything so could the board replace him. Jordan checked the Bylaws and the board can simply appoint members. Pender points out that even though the Bylaws say the

ACC is only 3 members it doesn't mean the committee can't have helpers. We can also amend the Bylaws if they are not serving the community. Jordan points out that the Bylaws allow for the board to create a new committee so we could make a ACC subcommittee to help take some of the workload off Gonzales and Borden. Bitner to talk to Winegar and see if he is still interested in serving on the ACC and if not we have two volunteers.

Bitner brought up the idea of a property transfer fee when properties change hands. Pender and Gonzales to investigate how to add a property transfer fee.

Jeremy Peterson lot 13 suggested we should raise the HOA dues to get better services.

Fire committee report by Drew Jordan lot 106: We are having Red Flag days so danger is high. There are many piles of branches and wood throughout the community. Park City Fire Department won't do HOA wood chipping days anymore; each individual lot owner has to sign up independently. Can still put in new requests. Piles must be no larger than 6 feet by 6 feet with large ends facing the road.

Community Wildfire Prevention Plan (CWPP) is almost done. Wildland Urban Interface (WUI) officer said won't get a grant until we clean up what we did in 2007. D. Jordan would like to see a budget item in next year's budget to hire a crew to clear back branches from the roads to improve fire apparatus access. Hall asked if what we did this summer on North Church is sufficient. D. Jordan said it was but we need to maintain what the hot shots did in 2007. The fire officials would like to see a 200-foot wide fire break along North Church between the Bitner Ranch and Stagecoach property.

Evacuation route: There is an emergency evacuation easement through Lot 99 Fred Bacon's lot. The agreement grants Pine Meadows and Stagecoach Estates residents and guests a vehicular and pedestrian emergency access route through a specific route on the property. The other end of North Church emergency evacuation is down the road through the Preserve. Gonzales says there is a sign from Pine Meadows saying emergency evacuation route. On the Stagecoach Estates side there is a no trespassing sign. Jordan would like to do a survey of how many water tanks are still in use on individual lots, as these are an asset that should be listed in the CWPP. We could do a Survey Monkey to find out who still has fire-suppression water tanks with water in them.

## OLD BUSINESS

1. Basin Road widening/lot 37 remediation update: Pender, Bitner, SELOA attorney Dansie, Summit County Engineer, and members of the Richins family and their lawyer met on site in early July. Had a good meeting. Walked the area. Went through what family wanted removed, remediation, what stretch of road can be wider and what the County requires. Richins wants an agreement that would indemnify them for the work Ed Byer would do. Agreed that about 60 feet of the road would leave somewhat wide but the rest of it they want down to 2:1 slope. We said we want 20 feet plus a shoulder on July 29 and now agreement has been sent to Richins. County is not fining us. All parties (County, SE, Richins) will be on site to find where original slope was and all parties will

have to agree before anything removed. Still waiting for Richins to approve the proposal. Wider roads increase property values Fire Marshall wants 20 feet plus shoulder.

2. Roads

- a. Road Committee members Garner, Ralph Brown, Roger Bitner, Casey Brown, Julie Auerbach met at 5 pm today. Ralph Brown reported: Areas needing the most attention are the steep section by Auerbach's and the spot on Lower Cove by the guardrail area and potholes. Could use 10-15 loads of rotomil to fill potholes on Basin. Julie Auerbach pointed out the steep section on Basin can't wait until next year. She floated the idea that owners on Basin each put in a few hundred dollars and pay Ed Byer to spread it.
  - b. Bitner says we have received 750 loads. Ed's cost is \$40 per load to put down. Ed's bill is \$29,605 to spread the rotomil. We have received \$225,000 worth of rotomil for free thanks to Bitner's connections. Bitner was also able to get the trucks to dump up on Kimball so that reduced our cost. It is difficult to get the trucks to haul anywhere so when they were willing to do that, we took the opportunity, but this did cost most of our budget. There are about 50-60 loads left to use. Ed could do the rough section by Auebach's for about \$2500. He could spread all the remaining rotomil for about \$4000. Ed charges \$60 per hour with his dump truck to move the rotomil around which is about \$40 less than commercial drivers. Priorities are: 1. Potholes on Basin, 2. Lower Cove by the guard rail, 3. Kimball gap. Ed may be able to just regrade and roll the potholes by Auerbach's instead of adding more rotomil there. Jordan asked if we could sell the rotomil if we don't have money to spread it. Our road budget has been spent, but we are expecting some impact fees for new building which should come to \$4000-\$5000 that we could use to spread the rest of the rotomil. Because we got such a large amount of free rotomil, we spent all of the budget spreading it so far and we will need to figure out how to pay for removal of the Basin road widening fill. Hall say we do have a savings account. Look at finances to see how much money we have left to spread.
  - c. Lot 66 fill disposal to improve Lower Cove mentioned last meeting did not happen.
  - d. Final resolution on culvert clogging on lot 13 was resolved.
  - e. D. Jordan from the floor mentioned Mountain Regional is starting some work on the lot down from the water tanks.
  - f. Concrete at intersection of Kimball and Lower Cove. Roger Bitner asked around and there are people that would take it if we would haul it off. Jeremy Peterson mentioned that Patrick Fabian might want it. Casey Brown said Fabian wouldn't want concrete. Jordan twice contacted Jeremy Peterson, who had expressed interest in taking some of it. No response. Cara Murphy has offered to advertise it on KSL. **Jordan to ask Todd Skrypek if he would be willing to take some of the concrete at intersection of L Cove and Kimball.**
3. Covenant revision plan for moving forward: Not much has been done. Work on this this winter.
  4. Weed spraying: Tiley has yet to do one more spraying.

NEW BUSINESS

1. ACC issues
  - a. Poultry concerns by Gonzales. There have been complaints from lot owners that others are raising chickens and our covenants do not allow. Revised covenants do allow so this could be one source of confusion.
  - b. Removal of signs at Basin Canyon gate and throughout Stagecoach. With lot 30 at the Basin Canyon gate under contract to sell, this would be a good time to remove the signs if we don't think they are consistent with the Stagecoach feel.
2. How to mitigate speeding on Basin and Kimball? Auerbach's daughter was run off the road by a Crandall Crushing contractor. Tiley researched temporary speed bumps for summer. Bitner wants to get the speed flashing signs from the county. **Jordan to send email reminding people that the speed limit is 20 mph and to use 4wd, remind contractors.** Price out what speed bumps would cost. Suggestion from the floor to put up cow silhouette.
3. Parking guidance for winter. One area that could be used is where the pile of concrete is at the intersection of Kimball and Lower Cove but we need to get rid of the pile. Have to remove the rotomil at the Kimball gate. Budget discussion how to pay for moving it. We have almost a zero balance in the checking account but we do have money in Reserve. What is required to dip into Reserve or savings? Would need a board vote via email. Plan of action is for Hall to figure out how much we have or will have from impact fees. If that is not enough to spread the rotomil pile at Kimball gate we can try to sell it. Peterson lot 13 offered to pay his impact fee before it is due to help us out.
4. Clearing around fire hydrants in winter. Gonzales contacted Marty Gee at Mountain Regional Water and she admitted it is MRW's responsibility to keep them clear, but they don't have the manpower to do it and we don't plow to all the hydrants so they can't access all of them. Gonzales points out that if you want your home to survive a fire, it is up to you to clear your hydrant.
5. Gonzales asked MRW about the pump house at Lower Cove. MRW says they are using it to move water over to Pine Meadows, but Bitner and Pender think they must be mistaken on the location because it has a diesel pump and no one ever hears the pump or sees workers there.

Next meeting: 4th Thursday in 2 months would be Oct 24. **Jordan to book room 6 weeks ahead.**  
Adjourn 19:45