

Cottages Community Association
Board of Trustees Meeting Minutes
July 14, 2019
Thompson Home
5:00 PM

Attendance:

David Seaborn, President
Dion Barron, Board of Trustees
Steve Thompson, Board of Trustees
Jacquelin Rasmussen, Treasurer
Carol Ferguson, Secretary

President David Seaborn presided and called the meeting to order. Secretary Carol Ferguson was tasked to document proceedings of the meeting. All members of the Board of Trustees were in attendance, hence the meeting was duly convened and legitimately conducted. Steve made a motion to approve the 12 June 2019 Board Meeting Minutes. Motion was seconded by Dion. Vote to approve meeting minutes was unanimous.

Discussion on Utah HOA Laws Primer for Board Members by Curtis G. Kimble.

- Need to conduct a reserve analysis for road maintenance for next 10 years and for road replacement. **Steve** will contact Dave Coiner for analysis to determine cost for 10-year maintenance and cost to replace roads.
- **Steve** waiting for a copy of insurance contracts; need to ensure HOA has required insurance and insurance to indemnify board members from any liability.
- The controlling/governing documents form a contract between the homeowners themselves and between the homeowners and the association. The binding contracts must be followed strictly and precisely.
- CC&Rs are live documents that should reflect changes in the law and best practice standards for HOA operation and management.
- Communication and transparency are vital. Board should share information and issues that face the association with owners. Board should share information that impacts the association and notify owners of Board meetings.

- Board discussed having a website with updated information including reasoning behind board decisions.
- Dave has discussed website with Jessa; Jessa reports she is underutilized by our association compared with other associations.
- **Dave** will follow-up with Jessa re website.
- Board members owe a fiduciary duty to owners to manage, operate the association and make decisions according to three standards:
 - In good faith.
 - With the care that an ordinarily prudent person in a like position would exercise under similar circumstances.
 - In a manner the member reasonably believes to be in the best interests of the association.
- Board must practice consistent application of rules. Board cannot ignore violations of any owner.

Dave displayed map showing legal description verifies that The Cottages Community Association owns the full width of both Cottage and Whittemore Road up to the very North East corner of the proposed Back Country Estates. **Dave** will contact Ken Wood to discuss Whittemore Road maintenance and snow removal. Association has a duty to maintain the paved portion of Whittemore Road – Cottage Drive. Cottage Drive has been damaged by large equipment with chains used by Upper Whittemore. Julie Ladle from Tyler LaMarr's office sent letter to County Attorneys David Leavitt and Robert Moore on July 10 stating the Association cannot keep being delayed by the County's non-responsiveness and that if the Association does not hear from the County Attorney's office by Friday, July 19, 2019, the Association will interpret lack of response as approval of the revised CC&Rs. LaMarr's office sent the revised set of the new CC&Rs to the County Attorney's office on June 3, 2019, addressing the 1999 Maintenance and Open Space Preservation Agreement with the County which the County had requested.

Upon the County approval of the CC&R's or the 19th of July, Dave will ask Jessa to email a copy of updated proposed CC&Rs along with letter from the Board to all owners. **Dave** will draft a letter for Board approval that will include:

1. Rationale and reasoning behind need for new CC&Rs.
2. Rules related to parking vehicles.
3. Introduce Board of Trustees and Board President.
4. Notice of upcoming special meeting for owners to vote on CC&Rs.

Mike Hyde has managed gate entrance clickers. The board would like an inventory of how many clickers each owner has. Dave will request owners to verify the number of clickers via Jessa.

Discussion on front and back gates. Board would like to consider making back gate off Cottage Drive the main gate; landscape back entrance; install solar light at back gate. Two options discussed for back gate. **Dave** will ask Mike Hyde if he will research the two options:

1. Determine cost of having telephone box (controls) at both gates.
2. Determine cost of moving telephone box from front gate to back gate.

Dave will also talk with Mike about spraying plants growing in cracks in the roads.

Dion made a motion to form a Landscape Committee. Dave seconded the motion. Vote to form a Landscape Committee was unanimous. It was suggested to ask Mary Seaborn, Kirk and Jacquelin Rasmussen to be on the committee. **Jacquelin** will talk with Mary and Kirk about being on the committee. Main function of the committee is to design landscape for selected open spaces identified at Board meeting.

Jacquelin will ask Mike if he can identify where water lines are.

Carol emailed Board a copy of the proposed Architectural Design Standards written by Kirk Rasmussen. Kirk will chair the Architectural Committee.

Owners of lot 28 have contacted Kirk about design standards. Kirk hasn't heard from owner of lot 9. **Dion** will check with owner of lot 9 re status of plans to build.

Dion will contact Mark Mabry about facilitating a meeting with Maxfields to discuss internet in the Canyon.

Dave reported that Mike Stout will contact Richard White's attorney to see what's going on.

Meeting adjourned at 7:45 PM.

Respectfully submitted,
Carol Ferguson

ACTION ITEMS:

Your name is printed in red for any action item for your follow-up. Please report back by email to Dave, Dion, Steve, Jacquelin and Carol the outcome of your action item.