

Cottages Community Association
Board of Trustees
Meeting Minutes
Barron Home
February 11, 2020

Attendees:

Dave Seaborn

Dion Barron

Jacquelin Rasmussen

Carol Ferguson

Dave called the meeting to order. Discussion items for meeting:

- Gate
- Roads
- Landscaping & Trees
- Architectural Committee & Guidelines

Update on back gate. Back gate functioning. Sensor at Hillside needs to be repositioned. Dave will bury phone line in the spring. Dave put solar lights on two posts.

Dave and Jacquelin had a discussion on financial sheets. The Board agrees that Jessica needs to provide 2019 final actuals for the Board to review before the 2020 budget is established. Jacquelin will request Profit & Loss format and Pro Forma from Jessica.

Jacquelin will ask Jessica to send a \$900 check to Dale Gifford for the Reserve Study Complex Solutions did for The Cottages Community. The Reserve Study is a crucial element for maintaining a properly funded reserve balance for repairs and maintenance of all roads, common areas and components. However, it appears that the road estimates were not accurate; thus, Dave is trying to get Eccles up here to give an estimate on sealing the roads; give an accurate estimate on major road rehab; and evaluate the useful life expectancy of roads in The Cottages.

There was a discussion on a special assessment of \$1,000 per lot in 2020. Board agrees an HOA meeting needs to be scheduled to discuss:

- Finances.
- The Reserve Study.
- A Reserve Fund for pending projects – major road rehab.
- What efforts need to be taken to accrue and maintain a reserve fund needed for maintenance.

- At this point in time, we are in a weak financial position which subjects owners to special assessments and deferred maintenance which could lead to lower property values.

Ideally, County needs to approve new CC&Rs so they can be discussed and voted on at the HOA meeting. The County has had the new CC&Rs for two years; the community is being harmed by the County's negligent inaction. Owners want to build but the old architectural guidelines are outdated and the new architectural guidelines cannot be used until the new CC&Rs are approved by the County.

Dion brought it to the Board's attention that Kyle Hall may not do snow removal next year. Snow removal contractor and volunteers are covered under our HOA insurance.

Jacquelin reminded Board that Kirk prepared a 36-page Architectural Guideline. Kirk is still willing to be in charge of the Architectural Committee but can't do anything until the new CC&Rs and guidelines are approved. Page 32 addresses requirement/deadline for construction commencement. Jacquelin will email Board a copy of the Architectural Guidelines with a one-page checklist. Carol will bind a copy of the guidelines for Kirk.

Dion and Dave conversed and the difference in Zombie and Arrested Development. Both depress the values of everyone's properties. Having a time limit for building after a lot is purchased may be a solution to stimulate building homes on the vacant lots.

Kirk met with Stephanie and Brandon, owners of lot #28, regarding guidelines. Kirk will not meet with owners until Architectural Guidelines are legal.

Dave recommended using do-it-yourself legal forms from NoLo for contracts. Dave has access to free NoLo forms.

Dion suggested leaving front gate open during the day in winter because of ice. Dave thinks he can program the front gate to be open during the day and closed during the evening. Dion also thinks leaving the front gate open would make a huge difference in real estate traffic.

Discussion on "for sale" signs:

- Dion – Suggested one weatherproof sign outside the gate with slots in place of each REALTOR having their sign outside the gate. Sign overreach outside the gate is unsightly. Dion will research options for one sign with slots and present an action plan.
- Dave advised that the sign outside the gate would require maintenance.

- Dion also recommended the Architectural Guidelines require for sale signs on lots be the same size and assigning someone to call REALTORS when their signs are down.

Jacquelin recommended having a written job description to clarify the purpose and objectives of each position on the board or committee. The job description should detail specific duties, tasks, responsibilities and who will follow through until assigned task is completed. Dave will follow through with defining and clarifying responsibilities of seeing a task through to its completion.

Dion reminded Board that they need to make a decision on landscaping soon since the trees have already been dug and are ready for transplant. Nate Walkingshaw who purchased Mabry's two homes will give us a good price on large trees. The trees are local, native trees; native trees have a higher chance of surviving transplant.

Board discussed preparing for landscaping suggesting leaving some areas natural and some with landscaping fabric as a weed barrier covered by stone. The landscaping fabric also prevents the stone from sinking and disappearing into the soil below. Board members would like some common areas to have benches to create a nice place to sit and welcome neighbors to visit.

Water for new landscaping is a costly issue. Dave reported there is already a valve near the common area at the back gate. A water meter is costly. Dave would be willing to water the landscaping.

Dave talked with Tyler LaMarr about changing bylaws. David Leavitt does not return Tyler's calls. Tyler once hung up on Robert Moore; they made up. Moore reports County Commissioners are not willing to approve new CC&Rs without Tracy Tanner's approval. Moore refuses to put anything in writing.

Dave needs to ask Tyler to give a scenario regarding filing a suit to take to owners at an HOA meeting.

Dion suggested reminding Richard White that the community has the right to sue him for liens on each lot. Richard has already told us he will never sue us and has stated publicly at a County Commission meeting that he would not sue the County. Get a written statement from Richard White that he will not sue us or the County. The Commissioners are fearful Richard will sue the County; the County cannot use that excuse if we have a signed statement from Richard that he will not sue the County.

Richard is considering changing his application to three 20-acre lots; perhaps due to new changes in the UCLO:

- Paved Road Access requirements are still the same (Ch. 6 Sec. 6-4 MHD Pg. 10) which is good for deeding the paved portion of Whittemore Road to the County.
- Maximum number of dwelling units permitted are determined by percentage of slope based on a detailed slope analysis. UCLUO allows one dwelling per twenty (20) acres having a slope of more than thirty (30) percent. Not sure if that has anything to do with Richard's change in application plans.
- Irrigation water requirement is still 1.5 acre-feet per acre per year for the entire area of each lot and parcel of the development beyond the first 10,000 square feet of area of each lot and parcel, which quantity of water must be available from April 30 to October 1 annually. However, at the applicant's request, the County Commission may adjust the required quantity of irrigation water. Hidden Creek Water Company did not include any irrigation water in the 1 March 2018 "Willing to Serve Letter." (Ch. 6 Sec. 6-4 MHD Pg. 11 – 12)

Board agreed to deed the paved portion of Whittemore Road to the County. Dave recommends deeding only the width of the asphalt of the paved portion of Whittemore Road to the County so people can't park their cars on the side of the road. Will ask County to install "no parking" signs when deeding the paved portion of Whittemore Road to the County.

Tyler will draw up a "Warranty Deed" giving the road to Utah County and an agreement for Richard White and the HOA to sign. March 12 target for both documents. Can the Warranty Deed limit the number of lots on the parcel no matter who owns the parcel? Does the UCLUO "maximum number" of dwelling units determined by the detailed slope analysis already limit the number of lots?

Dave reported that Hidden Creek Water Company has requested another 5- year extension on usage. Is Hidden Creek Water Company in compliance with requirements?

Respectfully submitted,
 Carol Ferguson, Secretary
 Cottages Community Association