

Cottages Community Association  
Board of Trustees Conference Call Minutes  
March 27, 2020

On Call:

Dave Seaborn

Dion Barron

Steve Thompson

Jacquelin Rasmussen

Carol Ferguson

Dave watched and took notes on the video of the County Commissioners March 25 worksession that discussed the Development Agreement between the County, Richard White/Route66 and the Cottages Association.

Dion reported:

1. She texted concerns to Richard White.
2. Richard called Dion and explained his application will have only three lots and that since the BackCountry Estates application has 3 driveways onto Cottage Drive, BackCountry is not classified as a Mountain Home Development.
3. Richard told Dion that Shadow Mountain is not part of Upper Whittemore HOA.
  - a. Shadow Mountain does not contribute money to anyone but they use Whittemore Road.
  - b. That's a big issue for a road we maintain.
4. Discussion on the necessity of enforcing no parking on UW for safety concerns and require signs noting:
  - a. **No parking** and
  - b. Cars will be towed at owner's expense. County Sheriff enforces these codes.

Dion also asked Richard White what he was talking about when Richard agreed with Commissioner Ainge that there is an "easy solution." Dion remarked she was glad Janice made comments at the Commissioners' meeting.

Dave reported he asked Richard if the three driveways will be required to have only one access abutting Canyon Road if the County does not accept ownership of the paved portion of Whittemore Road.

Dion stressed Cottages goal is to not have sole responsibility to maintain the paved portion of Whittemore Road since Nebo School District, Upper Whittemore, Springwood Plats A & B and BackCountry Estates all use the road. Dave suggested perhaps there can be a compromise on

maintenance. Dave said there is case law to support anyone using the road should help with maintenance.

Dion doesn't like the Development Agreement, especially:

1. Number 1.4 Developer agrees to subordinate his "water shares" in Hidden Creek Water Company to Cottages Association if water shares are reduced in Case No. 365729804.
2. Number 13 stating County has no liability for any default or breach County by the County.
3. Number 14 stating Developer and County have legal remedies available but does not include a remedy or injunctive relief for the Cottages Association.

Dave held that the Development Agreement is the beginning of negotiating; they just threw in everything they wanted.

Dave's deductions from March 27 Commissioners' worksession:

1. Commissioners Ivie and Ainge a firm no on County ownership of Whittemore Road. Ivie made remark about an "appropriate way to move forward." What appropriate way is he referencing?
2. Neither Ivie or Lee challenged Ainge's positions at worksession.
3. Richard Neilson supported Utah County ownership of Whittemore Road at 3 December 2019 meeting; when Commissioner Lee was Chairman. With change of leadership to Ainge and Ivie, Richard Neilson does not support Utah County ownership of Whittemore Road.
4. Still don't know if scopt of Oakwooe Drive is for emergency use only.
5. No reason for a written agreement to have an emergency only easement through Cottages since no one would complain about BackCountry owners using roads in a life threatening scenerio.
6. Dave never wanted to give up ownership of Cottage Drive because the Association has more control over growth if they maintain ownership.
7. County can make an exception for BackCountry to have only one paved access road abutting Canyon Road.
8. If County makes an exception for road access, Richard White will still be required to pave the portion of Whittemore Road in question and the apron.
9. Dave's take away from the March 27 Commissioners' worksession is that the County doesn't care about water.

Jacquelin stated Oakwood is an emergency second easement.

Steve commented Board should keep focus on ownership of paved portion of Whittemore Road. What options are available if Ivie and Ainge do not support County ownership of Whittemore Road?

Both Dion and Steve recommended Board meet with Richard White. Dave will contact Richard.

Board discussion on 2020 Budget:

- Dave: For 2020 Budget Jessa put 4 months at current \$81 and 8 months at \$120 for HOA monthly fee. An increase in monthly fees of about \$39 per month.
  - The Reserve Study suggests a monthly reserve amount per lot of \$66.14.
  - Jacquelin reported that the final bill for Platinum Lawn Service, recommended by Sage Management, charged \$14,155 the winter of 2016/2017 ...double Kyle's fee.
  - Board decided to have \$120 monthly fee begin in January 2021 because \$1,000 special assessment of \$1,000 per lot will be due July 15 to fund road seal coat in August.
  - Road needs 2 coats of seal coat with polymer.
    - Bonneville bid is \$31,411.68.
    - Eccles bid is \$33,000.
    - Steve will see if Eccles will match Bonneville bid.

Dion reminded Board a HOA meeting needs to be scheduled for 2020 and recommended May.

- Dave asked Jacquelin and Carol to draft a sample letter for Jessa to mail to all owners re annual HOA meeting.

Dion expressed concern about the culvert that caused flooding damage in 2017; culvert cannot be found on any map. Recommends notifying owner of land to improve drainage to prevent future flooding; need to be pro-active to prevent future flooding.

- Jacquelin recommended waiting until new CC&Rs are passed before picking a battle with Tracy Tanner.
- Dion will follow through with Mike Hyde next week after Mike has had time to recover from his back procedure. Mike spoke with Ken Wood about flooding in 2017.

Call adjourned at 1:00 PM.

Respectfully submitted,

Carol Ferguson, Secretary

Cottages Community Association