

June 26, 2010, minutes of Board Meeting
Of Swains Creek Pines Lot Owners Association

Meeting called to order at 10:06 AM. Bill Moser, Bob Runkle, Jayne Alcorn, Spike Fuson, Tanya Garreaud, and Dale Gardner present. Bill Rodreick, Manager, also present. Cathy Jones, Paul Hicks, and Janelle Pearce were unable to attend. Proxies were received from all those not in attendance.

Secretary's report: Dale Gardner – Spike moved to accept the May 29, 2010 minutes. Seconded by Bob. Motion carried. May 29, 2010 minutes accepted.

Treasurer's report: Irene Briggs - Currently \$160,157 in the bank. To date we have \$55,723.26 positive cash flow. This amount does not include payment for the road treatment. Spike made a motion to approve the report. Jayne seconded. Motion carried.

Manager's report: Bill Rodreick –

1. **The horse pasture is up and running. We've moved the** AED box to the front of the barn.
2. We have a working 911 phone in front of barn. Spike donated a weather proof box for it.
3. Jeff Hoyt has been clearing **out both wells. They're getting a lot of sediment out of the new well, so they've been running it to clear it out. Concrete has not yet been poured.** It is over a month late.
4. Jesus Reynaso sent samples for the screen. The cost is \$3,700 plus tax. He wants 50% up front, and then he will order the material. It would take about 1 week to 10 days to make up the panels for the screen.
5. Burt Harris sent a \$500 water bill for watering the road prior to treatment. We used 275,000 gallons of water.
6. Rudy has asked if SCPLOA would allow him to host a band at the pavilion. Rudy would ask for donations from attendees to pay the band costs. Extra money would come back to the association. **The board's decision:** We will allow him to rent the facility from 5 to 9 pm one time this summer. We will decide after that if we want to make this an annual event. We will not allow fishing during this event. There will be no sale of alcoholic beverages. Rudy will abide by all the rules & regulations for use of the pavilion. This event will be open to everyone to attend. We discussed formally writing down rules & regulations for pavilion renters.
7. The fish order will be here before July 4th weekend. Another supplier approached Bill with a better price. Our supplier reduced his price to \$4 per pound. We might have a lot owner purchase fish for the pond. An additional lot owner approached Bill to make a donation to the fish budget.
8. Stop Shop & Swap will be next weekend – there are 3 tables left for rent.
9. Bill said many lot owners with multiple lots received notices from Horizon Engineering regarding lot joining. Bill suggested we discuss this in the future.
10. Bill also suggested that we throw a barbecue for the county road department workers and their families for all they have done.
11. Bill has 2 more refurbished fire extinguishers if anyone needs them.

Committee reports:

A. Finance Committee – Cathy Jones, Chairman. Janelle Pearce, Vice-Chairman. Report presented by Irene Briggs:

1. We have 47 lots with unpaid dues. Two different property owners asked to begin making payments rather than receive liens. We discussed making this option available to everyone, with an added fee. Some were averse to doing this since lot owners had **ample opportunity to pay the dues. We don't have rules** in our bylaws to add a penalty for this. Decision: we will not allow these lot owners to make payments over time.
2. We discussed the possibility of charging a fee for reissuing lost fishing permits.
3. Irene suggested that we begin accepting credit cards. We would have to pay \$4.95 per month plus about 3% to 5% per credit card. This percentage would be added to the dues. Spike made a motion that we not take time payments and we do provide credit card service with an added flat 5% fee. Dale seconded. Motion passed.
4. Reserve to preserve: Cathy is working on getting data from contractors for replacement costs.

B. Legal Issues Committee – Bob Runkle, Chairman. Paul Hicks, Vice- Chairman. Spike Fuson to assist.

Security – the 3rd set of people who were breaking into cabins this winter have been caught. Spike has an 80 hour DVR. It will record only when there is motion in a certain area. It has a 4-camera input. Full color, infrared cameras (day & night) would need to be purchased. Spike would donate the DVR to the community. We will need to check companies from which to purchase the cameras. Cameras start at about \$129. The cameras would record license plates, etc of vehicles passing by the barn. Cameras act as a deterrent. If we had internet service, we could check **what's happening at Swain's from a** computer. Cheryl will contact a professional to get his cost for this system. We will pursue this.

C. Property & Facilities Committee – Jayne Alcorn, Chairman. Dale Gardner, Vice-Chairman & Tanya Gaurreaud to assist.

1. Water & Pond – no report
2. Roads, Parking, Runway & Facilities – Jayne thanked all the volunteers who helped during the second road application. We discussed increasing dues by \$40 each year to pay for the biannual road applications, instead of voting on a special road assessment every couple of years. Tanya made a motion that we put this to a vote **on this year's ballot** in September: To increase dues \$40 per year to cover dust abatement. This would cover the cost of applying the dust abatement product every other year. Spike seconded. Motion approved.
3. Bob made a motion to purchase pavilion screening and hardware, not to exceed \$4,500. Jayne seconded. Motion approved.
4. New tables: We have 25 new tables for the pavilion. Bill picked them up in Las Vegas. The total cost was a little over \$2,000. Some old tables are for sale at \$20 per table.
5. Tanya discussed CC&Rs.

D. Community Relations Committee – Paul Hicks, Chairman. Janelle Pearce, Vice-Chairman, Jayne Alcorn, Spike Fuson & Tanya to assist.

1. Newsletter – No news
2. Fire & E.M.S. – There was one cabin fire Easter Sunday morning in Meadowview Heights. The cabin was a total loss. We are going to be short fire & EMS personnel.
3. Personnel – Bob Runkle will continue being the liaison with personnel.
4. CC & R – Tanya suggests that we make the rules understandable for the lot owners and that the rules be enforced.
5. Call the Kane County **sheriff's office if a neighbor is breaking the 10 pm noise ordinance. Provide the sheriff's office with your physical address**, not your lot number. His telephone # is 877-644-2349 or 435-644-2349. The sheriff requests that complainants call when needed. The more calls that are received, the more likelihood that he can hire more deputies.
6. Dale reported about the presence of bark beetles in parts of Unit 3 (including Comanche and Skyline). She and a neighbor had many of their trees injected with a pesticide by Kevan Jorgensen, an arborist. They will have trees that have been attacked cut down and chipped. Dale will write up a statement about the bark beetle to be posted on our board, our website and on facebook. We will try to get someone from the forest service to speak with the board about this. It is important that lot owners be made aware of what is happening to our trees.
7. The agriculture dept. said that the Africanized bee is in Southern Utah. If you have a beehive, call the building inspector at 435-644-4985 and they will contact the dept. Or you can call Mr. Jeremy Peterson, the compliance specialist, at 435-634-5708.
8. Everything needs to be to Irene by July 20 for news in our newsletter.
9. **The fire dept's pancake breakfast** will be July 3, from 8:00 to 10:30 am.
10. If your child is under 18 years of age, a child riding an ATV must be within sight of the child driving the ATV. Children under 15 have to have a training license in their possession when operating an ATV. We are trying to get classes set up for the children to get their training licenses.

E. Events Committee – Bill Moser, Chairman. Bob Runkle, Vice-Chairman, & assist Paul Hicks.

1. Labor Day: We need to contact Theresa Zoelhoeffer to see if she will be assisting this year. We need volunteers this weekend.
2. Elections: we need bios before July 20.
3. Stop Shop & Swap: 3 tables remaining to rent at \$5 per table. Be here 9 am to set up.
4. Bulletin Board: we got the ok from Jeff Hoyt to put the bulletin board in front of the berm. Bill has put together a price list for the materials he will need to build the bulletin board. One half will be the **association's side, including** events, rules & regulations, etc. The other half could be for lot owners (no ads). Spike made a motion to build the sign, not to exceed \$500. Jayne seconded. Motion passed.

F. Architectural Committee – Bob Runkle, Chairman. Paul Hicks, Vice-Chairman.

1. Architectural Review – We have no new requests. Some sheds are being put in. A lot owner with a roll-off container is not in compliance with CC&Rs. The board will send him a letter requesting that he move the container or he can make it in compliance with the CC&Rs.
2. **Lot Owner's Complaints** – none
3. Playground area: the Clark County School District is sending Kathy information on equipment. We will probably start purchasing equipment a little at a time. We will put

a fence around the playground area. We have less than \$500 in the account from last year. **We also have over \$100 more from rental of the tables for this year's Stop Shop & Swap.** Bill suggested that we post a notice on our new bulletin board requesting donations for the playground fund.

G. Old business:

1. JB Investment: we have not received a response to our email.
2. One piece of property on Harris Ranch has sold. We will need a signed consent from the new owner dedicating the road to the county.
3. Rental Legal Issues: Irene met with the attorney after he read our CC&Rs. This is what he told Irene: **We can't restrict rentals, other than** in Unit 1A. He recommended that since it is so difficult to deal with enforcement, **that we don't** collect any money from the renter/guest, or impose an additional fish permit fee or pavilion fee. Rather, we should have a surcharge, or a fee, imposed on the **property owner. The association's amenities must be available to renters.** An impact fee, or a fine is not a lienable issue. However, if there is a violation, you can do a judgment against them, and if the judge rules in your favor, then the judgment is a lienable event.

What we would like included in the rental policy: anyone who rents their cabin should pay an annual impact fee of between \$500 and \$1000. There should be a fine equal to the impact fee if a lot owner does not disclose that they are renting. This will be effective February, 2011. We can require that a rental book should be left in the cabin with our rules & regulations. We can have an additional assessment on lot owners for **'failure to disclose' if lot owners don't** inform us that they are renting. The attorney suggests we write a rental policy. The attorney will charge from \$350 to \$500. Dale made a motion that no more than \$500 be spent by our attorney in writing a rental policy. Tanya seconded. Motion approved.

4. Irene is investigating changing the paper that our fishing permits are printed on (if **photocopied, the word 'INVALID' appears**) and having them laminated. This would prevent people from photocopying their permits.
5. Rules & regulations: These are the changes we wish to make:
 - a. Change the wording to: Please be reminded that quiet time is between 10 pm and 9 am.
 - b. #3 and #14 should be moved to the bottom with a note/asterisk that these are in your CC&Rs.
 - c. #5: there is no fine imposed upon the property owner. Leave this out. We will discuss this at the next board meeting.

We will put in our August mailer that there will be an impact fee for renters.

H. New business: none

I. Open meeting: lot owners to address the board:

Thank you to lot owner Gregg S. for work on the fence.

Bob moved to adjourn. Tanya seconded. Motion carried. Meeting adjourned at 1:11 PM.

Respectfully submitted,

Dale Gardner, Secretary