

June 10, 2006, Minutes of Board Meeting
Swain's Creek Pines Lot Owners' Association

Meeting called to order at 10:02 AM. Alan Zellhoefer, Andy Osterhout, Irene Briggs, John Ewing, Robert Storie, Frank Pearce, and Cheryl Case were present. Manager Bill Rodreick was also present. Gayle Cromer and Gary Decker were not present. Gayle submitted her proxy to Alan.

Secretary's Report – provided by Cheryl Case who stated minutes should be amended on page 1 to reflect Dave “Braucher” instead of Dave “Roberts”. Motion by Irene Briggs to accept the Secretary's report. Seconded by Robert Storie. Motion carried. May 13, 2006, minutes accepted as amended.

Treasurer's Report – provided by Irene Briggs who stated the total balance is \$171,383.17. A check for \$40,000.00 will be issued to the Kane County Water Conservancy District (KCWCD) today. The positive cash flow is \$53,130.39. Motion by Cheryl Case to accept the Treasurer's report. Seconded by Frank Pearce. Motion carried.

Manager's Report – provided by Bill Rodreick who stated the final report on the second portion of the water test was negative. Bill requested another fish plant while the water level is high. A contractor wants to lower the level of the pond to trench across the dam; Bill requests this be postponed until after July 4. The road will be closed at least one day. The contractor is concerned about the stability of the dam. Contractors will work at least ten hours Monday-Thursday and will work a short day on Friday; contractors will not work Saturday/Sunday unless it is warranted toward the end of the project. Work must be completed by November 6. Roads are being watered in Units 1 & 2; other roads will be watered. Some roads will be closed for limited times. The runway was rolled again as an ATV and a backhoe were on the runway. One contractor started work last week; the other will start this Monday. Some roads are being widened. There is a potluck tonight. There is a dumpster issue and they may need to be moved. There was discussion regarding installing some playground equipment near Camp Golden Eagle. Irene Briggs provided prior and current Manager's Agreements to be retained with the records. Bill stated P.C.I. used the creek water for the water trucks; a truck can be filled in fifteen minutes. A water tank will be at the barn for other trucks to use. The Adopt-A-Highway was scheduled for June 24, at 9:00 AM at the barn. Motion by Robert Storie to accept the Manager's report. Seconded by Irene Briggs. Motion carried.

Committee Reports –

Budget – Irene Briggs stated we are within budget and on target to deposit \$11,147 into the Reserve to Preserve account. Motion by Frank Pearce to accept the Budget report. Seconded by Cheryl Case. Motion carried.

Liens – Irene Briggs stated 23 properties are unpaid. One is a change of owner and information was recently provided. Liens will be filed the first weeks of July on the remaining 22 properties if dues are not paid.

Reserve to Preserve – Irene Briggs stated she will re-work the worksheet to reflect the assets turned over to KCWCD.

Labor Day – Andy Osterhout stated he will be out of town; Alan Zellhoefer volunteered to take over. Andy stated he would help while he is here. Irene Briggs stated she talked with Dustyn Shaffer; the Camp Golden Eagle will be the first area to be done. Teresa Zellhoefer volunteered to help coordinate the activities; additional volunteers are still needed.

Water and Pond – John Ewing stated there is a lot of water, but not many fish. Bill Rodreick will order more fish.

Insurance – Irene Briggs stated policies are in place on everything.

Environmental & Fence – Paul Hicks stated he spoke with Cline Esplin's wife yesterday; cows will be brought in to the north end June 15; fence repair is needed. Irene Briggs stated Don Christensen emailed her to report relatively new forest service fence has been cut to ribbons; she contacted the Forest Service, who will send enforcement out to check for vandalism. Don Christensen stated he checked again this morning; all four boundary markers are gone and the fence is cut from lot 168 to 172. A couple of places were broke; most look like they were cut. There were no signs of ATV tracks until he drove his ATV there today. Paul requested anyone who could work on the fence on Thursday contact him at 682-2009. Norm Case, Andy Osterhout, and Dee Ewing may be available to work on the fence.

Roads, Parking & Facilities – Frank Pearce stated he spoke with Dustyn Shaffer; Harris Springs roads are not designed on the engineering maps for the Conservancy. Water pipes will go through existing dedicated rights of way and the county will field construct the roads behind the pipe installation. Harris Springs lot owners need to dedicate roads and participate in the cost. Most roads will be 28 feet, some will be less. The County would remediate roads but would not build roads unless homeowners meet with the County and reach an agreement. Original estimate of cost to develop roads for Harris Springs is \$30,000 - \$35,000. If lot owners choose not to dedicate the roads, they would improve the roads but would not maintain them. Irene Briggs stated Gregg Jolley is attempting to get a group together to meet with the Commissioners. Dave Braucher stated he has not been contacted. Irene stated there are fifteen property owners; a group should meet with Commissioner Mark Habeshaw, who previously stated the County would participate but not absorb the entire cost. Following discussion, Irene clarified that Harris Springs lot owners are members of Swains Creek Pines Lot Owners Association. Alan Zellhoefer stated the reference in the May 26, 2006, letter from KCWCD regarding paying an additional \$2,500 did not apply to the Harris Springs lot owners. Leslie Creel requested help from the Board. Irene volunteered to assist the Harris Springs lot owners. Dave Braucher requested a list of the Harris Springs lot owners. Frank suggested the Roads committee be a joint committee with the Water Conservancy until the project is done.

Fire & EMS – Irene Briggs stated two weeks ago a defibrillator was installed at the barn; power is needed to keep the gel on the pads from freezing. Alan Zellhoefer suggested a dusk to dawn light be installed. Bill Rodreick stated the box containing the defibrillator is locked. Irene will make sure the box is unlocked.

Newsletter – Cheryl Case stated information to be included in the next newsletter should be provided to Karen Kegley by June 30. Karen is doing a great job. Irene Briggs stated the last newsletter included a mistake; Labor Day is not in August.

Elections – Cheryl Case stated there are four openings and only two candidates so far. Anyone interested in running for the Board should contact Cheryl.

Personnel Supervisor – Irene Briggs stated Bill is doing a good job; she met with Bill and Dave Alcorn and prepared an “Are you aware?” sheet which is being posted on doors when water is delivered. The sheet reminds people the runway is no trespassing, dogs are to be on leashes, ATV riders aged 18 and under are to wear helmets, and also that other people’s properties are private property.

CC&Rs- Irene Briggs all CCRs have been re-typed and will be posted on the website with a disclaimer approved by our attorney as accuracy is not guaranteed. The CCRs need to be changed to address the pending obsolescence of water delivery.

Nominations – This was covered under ‘Elections’.

Architectural – Bill Rodreick stated Rudy De La Paz will submit an application. Irene Briggs stated Jason Burbe contacted her regarding putting a ‘park model’ on his lot in Unit 3 during construction. Andy Osterhout explained what a park model is. Paul Hicks stated a contractor knocked over trees on the Forest Service fence near the Cromer’s cabin; the fence needs to be repaired. Irene stated she has no additional information on the issue of requiring a completion bond. Irene suggested we get a copy of the contractor’s license with the application. Bill Rodreick stated he spoke with two contractors who are willing to submit a copy. Andy asked about a policy for RV parking at the pond. Irene stated Bill coordinates RV parking. Bill stated there is a three day limit. Bill has notified contractors not to leave equipment near the barn.

Land Donation - Irene Briggs read a letter dated May 17, 2006, to Alan Zellhoefer and the Association from Barbara Christensen. Barbara does not intend to deed the property to the Association. Alan Zellhoefer stated this committee is no longer needed. Irene provided copies of the subdivision to Board members; the map was obtained from Sunrise Engineering.

Water Conservancy – Frank Pearce stated he spoke with Dustyn Shaffer who intends to post at the barn weekly road maps related to any road closures. Frank requested this information be posted on the website; Dustyn will check on this. Irene stated the information should be on the KCWCD website, not the Sunrise Engineering website. Alan suggested a link on Karen’s website. Bill Rodreick stated people could contact him regarding road closures. Frank stated water lines should be located ten feet upslope from any septic system. Bill Rodreick stated blue flexible pipe is recommended; Dustyn will offer training and Jeff Hoyt would like to hold informative seminars on August 19, August 26, and September 9, at 10:00 AM at the barn. Jeff has also requested fifteen minutes toward the end of the Labor Day meeting. John Ewing stated he paid the water fees on May 13 and has been billed again. Irene suggested John contact Kathy Brock. Buddy Madden asked about the three contractors listed in the KCWCD letter. Alan Zellhoefer stated they are not employees of KCWCD. Bill Rodreick stated KCWCD contractors will leave a pigtail section of blue pipe exposed so other contractors will know where to dig to; this should avoid damage to the barrels. Irene Briggs provided copies of the signed warranty deeds to be retained with our records. The deeds were signed during the May 13 Board meeting.

Security – Bob Runkle stated there have been two major burglaries. Doors were kicked in and tools, cash, and a bicycle were taken. Bob requested lot owners keep a list of serial numbers and the type of tools. Alan Zellhoefer suggested lot owners take pictures of their items. There was discussion regarding lot owners installing audible alarms. John Ewing suggested we consider hiring security at some point.

Old Business –

Letter to Dean Corcoran – Alan Zellhoefer stated he spoke with Dean for about an hour and a half this morning. Alan stated he told Dean about the letter written regarding the quonset hut/shed. Alan summarized his background in law enforcement and stated he hopes to come to an agreement to resolve this issue. Alan read the letter which states the silver colored shed does not comply with the CCRs; it must be in compliance within sixty days or the Board will pursue all legal remedies to enforce the CCRs. Alan stated Dean has agreed to paint it if he has help with the cost, and Dean wants the Board to maintain the paint. Alan further stated he invited Dean to be present at this meeting, but Dean declined. Alan volunteered to help paint. Annette McCarthy stated Dean had approval to build from the Architectural Committee, and there is a statute of limitations. Alan stated complaints were received and there is a fiduciary responsibility. Annette disagreed with the Board pursuing this matter. Frank Pearce stated he would like a resolution without going to court. There was discussion regarding “aesthetically pleasing” which is required by our CCRs. Paul Hicks stated John Philson was the Architectural Committee; he told the Board Dean would paint the quonset hut an acceptable color. Barbara Christensen stated Dean and Carol called her yesterday; she advised them to contact Alan. Alan stated our attorney will clarify the Board’s authority on this issue. Motion by Frank Pearce to approve Alan sending letter as written. Seconded by Cheryl Case. Motion carried.

Dumpsters - Irene Briggs stated the dumpsters have not been fenced yet and the dumpster closest to the horse corral will be moved.

New Business

Rudy De La Paz (SCUTA & Garkane) – Irene Briggs stated Rudy has requested permission to allow SCUTA and Garkane to store trailers containing equipment and additional equipment on some of his property during construction. Bill Rodreick stated the equipment would be on lot 145, at Apollo and Pinetree. Barbara Christensen stated she allowed Larry Reidhead to store slash on several lots; he provided proof of liability insurance and was a gentleman and business-like. Barbara further stated the pipe people are not doing work in business-like way. There was discussion regarding storage of equipment. Motion by Irene Briggs to allow Rudy to let utility companies store their equipment on his pieces of property. Seconded by Robert Storie. Irene amended her Motion to include if the property becomes an eyesore or a concern to the community at large, and if a complaint is filed, the Board would address the issue. Robert Storie seconded the amendment. Amended motion carried.

Open meeting – Buddy Madden asked about airplanes flying out toward the south. Barbara Christensen stated airplane rules depend on the wind strength and direction; the direction they fly is at the pilot’s discretion. John Ewing stated the airstrip was designed for planes to take off to the north. Alan Zellhoefer stated pilots determine which direction to fly. Janelle Pearce asked if the Board had any opinion on the recent letter regarding private garbage pickup. Irene Briggs, Bob Runkle, Alan Zellhoefer, and Frank

Pearce did not support private garbage pickup. John Ewing stated he appreciates all efforts by Alan Zellhoefer.

Meeting schedule – Meetings are scheduled for July 15, August 26, (September 3 annual meeting) and October 7. The January meeting is scheduled for January 20, 2007.

Motion to adjourn by Robert Storie. Seconded by Frank Pearce. Motion carried.
Meeting adjourned at 12:32 PM.

Respectfully submitted,

Cheryl Case, Secretary