

SWAINS CREEK PINES LOT OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
October 3, 2020

Minutes of the Board of Directors Meeting of the Swains Creek Pines Lot Owners Association held at the Swains Creek Pines Pavilion at 10:00 a.m. on the 3rd day of October 2020.

EXECUTIVE SESSION – 9:00 a.m. MDT (Closed Meeting)
Collections, Enforcement, Personnel and Legal Issues

OPEN MEETING – 10:00 a.m. MDT

A. CALL TO ORDER

Vice Chairman Dan Theisen called the meeting to order at 10:08 am.

ROLL CALL OF OFFICERS

Present: Dan Theisen (Vice Chairman), Cynthia Holland (Secretary), Mike Mumford (Board Member), Trent Keenan (Board Member) Bob Chapman (Assistant Manager), Travis Cottam (Board Member), Trent Keenan (Board Member) Alan Zellhoefer and Paul Placek (Board Member)

B. APPROVAL OF THE MINUTES OF THE REGULAR MEETING

August 8, 2020 Minutes, Dan Theisen made motion to approve minutes, 2nd by Paul Placek, motion carried.

C. TREASURER’S REPORT

Treasurer’s Report provided by Trent Keenan from CAM Utah

As of August 31, 2020, there was \$113,461.45 in the General Account; \$5,199.66 in the Playground Account; \$1,832.91 in the Pond Restoration Account; \$9,122.33 in the Fire Department Account; \$1,000.00 in the Petty Cash – Debit Card Account; \$482.91 in Cash on Hand; and \$148,831.92 in the Reserve to Preserve Account.

There was \$138,460.00 in revenue from dues. Operating Expenses for August were \$8,947.50. Total operating expenses year-to-date are \$106,888.07.

I. FINANCE COMMITTEE

Budget Report:

We are slightly over budget at this time. The dust abatement went over budget due to an increase in material costs. Fish costs have also gone up adding to the overage.

Reserve to Preserve:

Reserve to Preserve expenses total \$9,333.98 to date which includes new picnic tables and the barn renovation project.

Collections:

To date we have 10 Lot owners in a delinquent status. All delinquencies total \$8,084.00 which consist of \$1,764.00 in assessments, \$5,160.00 in fines, \$1,060 in late fees and \$100.00 in process server fees. Eight (8) lots are past due for 2020 and 2 lots are past due from prior years.

Total aging is down \$20,202.00 from this time in 2018.

**Motion to approve the Treasurers report by Dan Theisen, seconded by Paul Placek.
Motion carried.**

II. LEGAL COMMITTEE

Dan Theisen. No updates to report.

III. FACILITIES & ARCHITECTURE

Bob Chapman – Cattle will be around for 2 more weeks. Please keep gates closed and there is still fish in the pond.

Dan Crowther – Arc status. 4 cabins came in, in the last month. A lot of building. Two of them have been denied until they make changes.

IV. COMMUNITY RELATIONS

Mike Mumford: Events – Highway Clean Up today and help rolling up shades at the pavilion. This will be the last event for the year. Next Meeting - Tentatively January 9th.

V. FIRE COUNSEL

Travis Cottam – I am hoping everyone has turned in all their stuff for the chip fest. Please be sure to log your hours so they can apply them to the in-kind dollars.

Alan Zellhoefer - Station 3 is still on line. The hold-up is trying to get the infrastructure in; however, we can pour in the winter. We sent a crew of 4 to the “Zogg Fire” and they will be gone for a month, please keep them in your thoughts and prayers. We have not had a fire in our area since the Strawberry fire. Please beware and be careful and no burning in anything but an approved firepit. If you see someone camping without an approved pit, please call the sheriff. We are not playing around with this. On the Highway clean up, be aware and watch your 6. Keep safe.

VI. OLD BUSINESS

Dan Theisen - Janelle and Gina met with DWR on the hunting issues.

Janelle – Gina and I met with Department of Wildlife and they it needs to be noted that hunting is allowed everywhere unless you post a sign. There is no such thing as hunters knowing where private property is. If you do not want hunting on your property you must post a sign. There are guidelines on size, colors, etc. so please research prior to purchasing and installing signs. I would urge anyone that owns property bordering forest service land post bright orange or yellow no trespassing signs. You have to do it at every corner. As far as common areas go, the association would have to post signs around the common areas. The state of Utah feels like we would need to get permission from each of our lot owners to do that. We are going to get some clarification from legal on that. We are also going to do a survey to see if anyone objects to posting signs in our common areas. We should have an answer by the next meeting in January. It will be up to the individual lot owners to post their own signs. You can call the department of wildlife if someone enters your property. Don't try and engage. If they have been given permission by a lot owner it must be written permission. That is all we know for now.

Cheryl Case: Should the sign say no trespassing and no hunting.

Larry Magley – How close can you be to shoot from a structure.

Janelle – 600 ft. There are rules such as can't you shoot from the street or a vehicle.

Travis - 100 feet from any road and rifle should be 600 feet from any structure.

VII. NEW BUSINESS

No new business to report.

VIII. OPEN FORUM:

Linda Whitney - Lot# 599 – What happened to the buckets for the trash. Who is going to put them out?

Bob - We have the buckets.

Linda Whitney – What are the manager's job description.

Bob - We maintain the pond, we roll the airstrip, maintain the signs on the road, clean up facilities

around the barn, assist the people that come down and vent.

Linda Whitney – When only one person is working what is the other one doing? Are you salaried? Hourly?

Bob - Salary

Linda Whitney - How long have we had the managers?

Bob - 3 years. Hours are from 8 – 4.

Linda Whitney - After 4pm who checks fishing licenses. Do you guys do security? Do you drive by?

Bob - Yes, I drove by your place twice yesterday. Right now, we are working on the barn. We are chasing cattle because people continue to cut the fence.

Paul Placek - Give us your email and we will get you job description.

Linda Whitney - If these are county roads why are we paying for snow removal?

Gina Chapman - The special service district section on the bottom, that extra \$300 dollars is for emergency services and snow removal. County collects the money and gives it to Cedar Mountain Fire. They separate by two contractors. One does Swains and Strawberry and the other does Duck Creek. Amount charged on taxes are based on the amount of the snow removal contract.

Unknown - We live in Cedar city and it is not on our taxes. It should be handled by Kane County they should be maintaining them. I have a suggestion, you are our board, when we have a concern, we come to you. Shouldn't you be looking into this?

Paul Placek - Your concerns on not valid because we cannot dictate the taxes.

Gina Chapman - Back when we had the roads taken over by the county, when we went to hook up to the water/county water that is when we opted into the snow removal. Elk Ridge is the only one who does not take part in the snow removal but they have paved roads. If you have concern through the county, I can give you a name and you can contact them with your concerns.

Shirley Burke - Lot#652 – Last meeting, several bi-laws were referenced changing bylaws?

Gina Chapman - Rotroff was the one who said if you want changes vote for me. I only said we would work together to get things done.

Shirley Burke - So there is no agenda to change bi-laws?

Dan Theisen - No

Cheryl Case - Barn is looking good, renovation is coming along.

Owner - Lot#582 - Pine needles where do we take them?

Alan Zellhoefer – You can take them to the burn pit, it is free. It will probably be open until December.

Owner - Lot#582 - Maybe the board can check that for me?

Alan Zellhoefer - We go by snow every year to close it. It is still open, if you have any concerns call the station. You go to Duck Creek Pond, make a left. Go down by ranger station, don't make a left towards ice caves. It is on the right. Please dump the bags, do not leave the bags.

IX. MEETING SCHEDULE

Next meeting will be January 9, 2021 – Location TBD and likely by video/call in.

Motion to adjourn made by Dan Theisen and 10:34 2nd by Paul Placek. Meeting adjourned at 10:37a.m.