

**SWAINS CREEK PINES LOT OWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
JANUARY 11, 2020**

Minutes of the Board of Directors Meeting of the Swains Creek Pines Lot Owners Association, held at the Los Prado Clubhouse in Las Vegas, NV at 10:00 a.m. on the 11<sup>th</sup> day of January, 2020.

**I. CALL TO ORDER**

Chairman Paul Placek called the meeting to order at 10:03 am.

**II. ROLL CALL OF OFFICERS**

Present: Mike Mumford (Board Member), Chuck Harvey (Board Member), Lauren Patt-Kirby (Treasurer) via Phone, John Colman (Board Member), Paul Placek (Chairman), David Pugh (Board Member), Dan Theisen (Secretary), and Cynthia Holland (Board Member)

Absent: Charlie Duvall

Also Present: Clint Malburg (Manager) and McKenzie Johnson (CAM)

**III. APPROVAL OF THE MINUTES OF THE REGULAR MEETING October 5, 2019**

Motion by Cynthia Holland seconded by Dave Pugh to approve the minutes. Motion Carried

**IV. TREASURER'S REPORT**

Dan Theisen read the Treasurer's Report provided by Lauren Patt-Kirby

As of December 31, there was \$69,273.93 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 Dept account, \$1,000.00 in the Petty Cash-Debit Card account, \$500.00 in Cash on Hand and \$157,118.96 in the Reserve to Preserve account. There was \$160,706.21 in revenue, \$145,690.50 coming from dues and \$15,015.71 coming from other income. Expenses for Dec were \$7,693.05, this included funding the reserve with \$5,000.00

Motion by David Pugh seconded by Paul Placek to approve the Treasurer's Report. Motion Carried

Reserve to Preserve:

We were able to fund the reserve \$5,000.00 which is more than the 2019 budgeted contribution of \$3,675.00.

Collections:

There are 5 lots (4 lot owners) on the Aging Delinquency, 2 lots are past due for 2019 only and 3 are past due from prior years. The total aging is \$7,798.00. One lot owner did pay their past due balance after the first of the year.

**V. NOMINATE TEMPORARY CHAIRMAN**

Motion by Dan Theisen seconded by Mike Mumford to nominate David Pugh as Temporary Chairman. Motion carried.

**VI. ADJOURN 10:14 a.m. PST**

The meeting was adjourned for the New Board to discuss board positions and committee assignments.

VII. **WELCOME BACK**

David Pugh, Temporary Chairman reconvened the meeting at 10:24 a.m. PST

VIII. **NEW BOARD MEMBERS**

The 2020 Board was presented. Lauren Patt-Kirby, Dan Theisen, David Pugh, Mike Mumford, Chuck Harvey, Cynthia Holland, Travis Cottam, Trent Keenan, and Dan Crowther.

IX. **NOMINATION OF OFFICERS**

Dan Theisen nominated David Pugh as Chairman. Mike Mumford seconded the motion, no other nominations presented. Nominations closed. David Pugh was elected Chairman.

Mike Mumford nominated Dan Theisen as Vice Chairman. Chuck Harvey seconded the motion, no other nominations presented. Nominations closed. Dan Theisen was elected as Vice Chairman.

Dan Theisen nominated Lauren Patt-Kirby as Treasurer. David Pugh seconded the motion, no other nominations presented. Nominations closed. Lauren Patt-Kirby was elected as Treasurer.

Dan Theisen nominated Cynthia Holland as Secretary. David Pugh seconded the motion, no other nominations presented. Nominations closed. Cynthia Holland was elected as Secretary.

X. **COMMITTEE ASSIGNMENTS**

Finance Committee – David Pugh nominated Lauren Patt-Kirby as Chairman, no objections. David Pugh nominated Trent Keenan as Vice Chairman, no objections.

Legal Committee – Dan Theisen nominated David Pugh as Chairman, no objections. David Pugh nominated Dan Theisen as Vice Chairman, no objections.

Facilities and Architectural Committee – Dan Theisen nominated Chuck Harvey as Chairman, no objections. Dan Theisen nominated Dan Crowther as Vice Chairman, no objections.

Community Relations Committee – David Pugh nominated Mike Mumford as Chairman, no objections. Dan Theisen nominated Trent Keenan as Vice chairman, no objections.

Fire Council Committee – Dan Theisen nominated Travis Cottam as Chairman, no objections. Dan Theisen nominated David Pugh as Vice Chairman, no objections.

XI. **COMMITTEE REPORTS**

1. Dan Theisen read the Finance Committee reports provided by Lauren Patt-Kirby.

Budget Report: I'm glad to say that the Board will not be increasing dues for 2020. I sent all board members a copy of the proposed budget for 2020. Mike Mumford motioned to approve the report, David Pugh seconded. Motion carried.

Reserve to Preserve Report: We were able to fund the reserve \$5,000.00 which is more than the 2019 budgeted contribution of \$3,675.00. There are 5 lots (4 lot owners) on the

Aging Delinquency, 2 lots are past due for 2019 only and 3 are past due from prior years. The total aging is \$7,798.00. One lot owner did pay their past due balance after the first of the year.

2. Dan Theisen provided the Legal Committee report.

Mediation was held, nothing was concluded. A trial date has been set as January 24-29 in Kanab, UT.

3. Chuck Harvey and Clint Malburg provided the Facilities and Architectural Committee reports.

General Facilities: Clint – In November, Kane County put a culvert in on Harris Springs road, added 2 ft of grade. On Primrose path there is a sinkhole and a leach field should be installed by the UT Roads Dept. New picnic tables will be installed. If anyone wants an old table, grab it. Approximately 6 planes landed last year. Please stay off the runway. Bathroom locks seemed to have worked well and they really cut down on vandalism. Mag chloride – scheduled for tentatively May 11. Please stay off the roads for 4 days after installation. Water was let out of the pond all year. Put about 2300 pounds of fish in last year.

Architectural Requests: Chuck 1 shed applied for and approved

Neglected Properties: Chuck – No update

Bob Chapman added if anyone sees any cattle fencing down please report to the managers, they will address.

4. Mike Mumford provided the Community Relations and Events Committee reports.

2020 Events – Chili Cookoff May 23, Stop/Shop/Swap July 4, Family Fun Day Date TBD, Spaghetti Dinner Aug 8, Camp Golden Eagle Sept 5, Annual Lot Owners Meeting and Potluck Sept 6, Highway Cleanup Oct 3. We had a great turnout at the last event-Highway cleanup. Need volunteers for all events.

5. Janelle Pearce provided the Fire Council/Committee report.

Fire Council Activities – Janelle Pearce – Charlie has stepped back from the committee. Janelle will be assisting Travis Cottam. Logging the lot cleanup hours and dollars spent is important. This gets reported to the county for potential grants. Working on the means to get the word out to all lot owners. Please get lot numbers/address signs up. Volunteers in our community help decrease response time, always looking for new volunteers.

Gina Chapman – Thanked all lot owners. In kind went from \$35K to \$40k within Swains year to year.

Janelle – New fire captain Chris Reefer may have a different direction than our fire station. Had additional discussions, we have been reassured that our station will be moving forward. Lot owners are encouraged to attend the CMFD meetings and hearings. Meetings are 2nd Saturday of each month at 10am.

**XII. NEW BUSINESS**

- a. David Pugh - Swains Creek Heights is moving forward. They have reached out about using our facilities. We have approx. 700 lots, they have 50 lots. They are looking to use our facilities; if we are more than covered monetarily, we will be working with them to come to some sort of agreement.
- b. Potential mountain-wide dust abatement – Cheryl Case. Cedar Mountain Coalition is considering billing for dust abatement on property taxes.  
Shirley Burke – Would our dues be decreased if we go with this?  
Cheryl, yes, we will not double pay.
- c. Resolution to form Litigation Committee for the upcoming litigation. Dan Theisen read proposed to form the Litigation Committee which requires only one (1) of the current Board Members to be present at the litigation. If this committee was not formed, every current Board Member would be required to be present during the entire trial. David Pugh motioned to approve the resolution Travis Cottam seconded, motion approved.

**XIII. MEETING SCHEDULE**

May 9, June 6, July 11, August 8, September 6, October 3, January 9

**XIV. OPEN FORUM**

Sheryl Case – Need a newsletter, normally by the beginning of February.

Clint Malburg – Can we change what we raise money for?

Dave Pugh – We may be ready to reallocate funds with the fire station now being built in the near future.

Kathy Cox – What is the money in the reserve to preserve for?

Dave Pugh – We will review how the reserve is setup to utilize the funds.

Gina Chapman – Would like to find out what the fire station is utilizing on the exterior.

Gina Blackburn – Donations are more receptive to be had if it is known exactly what the money is being raised for.

Shirley Burke – In the newsletter, some homeowners might want to donate for raffles.

Dave Pugh – DNR has a website with specific laws concerning retrieving animals that have been shot. If an animal has strayed onto private property DNR must be notified in order to accompany the hunter onto private property.

Alan Zohellfer – There is an island of public property within Swains. Be aware of the 600' law, cannot discharge a firearm/weapon within 600' of a building/dwelling. Be careful confronting hunters.

Gina Chapman – The DNR biologist would like to attend our May meeting to discuss Chronic Wasting Disease which is now in Southern Utah.

Dave Pugh – Be very cautious of feeding deer any quantity of corn. DNR website has great information on this.

Alan Zohellfer – The fire station may cause taxes go up but insurance rates will go down. Address numbers are important, not only for fires but for EMS response.

David Pugh made a motion to adjourn the meeting at 11:23 am. Seconded by Dan Theisen.  
Motion Carried.