

**SWAINS CREEK PINES LOT OWNERS' ASSOCIATION
BOARD OF DIRECTORS MEETING
May 14, 2022**

Minutes of the Board of Directors Meeting of the Swains Creek Pines Lot Owners Association held at the Swains Creek Pines Pavilion on the 14th Day of May, 2022.

**EXECUTIVE SESSION – 8:30 a.m. MT (Closed Meeting)
Collections, Enforcement, Personnel and Legal Issues**

OPEN MEETING – 10:00 a.m. MT

I. CALL TO ORDER Chairman Gina Chapman called the meeting to order at 10:18 a.m.

II. ROLL CALL OF OFFICERS

Present: Gina Chapman (Chairman), Mike Lucero (Vice Chairman) Cynthia Holland (Secretary), Chris Schlaffman (Treasurer);

Alan Zellhoefer (Board Member) Janelle Pierce (Board Member), Ryan Phillips (Board Member), Lisa Lattimore (Board Member) and McKenzie Johnson of CAM.

NOT PRESENT – Bill Rotroff (Board Member) (Joined by Phone halfway through meeting)

III. APPROVAL OF THE MINUTES OF THE REGULAR MEETING

January 8, 2022, Minutes, motion to approve the minutes from Chris Schlaffman, second Mike Lucero. Motion Carried/Motion Approved.

IV. TREASURER'S REPORT

Treasurer's Report provided by Chris Schlaffman as of April 30, 2022

\$ 77,343.40 in the General Account	\$ 5,199.66 in the Playground Account
\$ 1,832.91 in the Pond Restoration Account	\$ 74,836.65 in the MM Operating Account
\$ 1,000.00 in Petty Cash-Debit Card Account	\$142,349.67 in the MM Reserve to Preserve Account

There is \$93,168.07 in revenue with \$90,870.00 coming from dues; \$530.00 coming from Lot Joining Fees; \$800.00 coming from fines; \$18.07 coming from Interest Earned; \$960.00 coming from late fees and (\$10.00) coming from an NSF fee.

Motion to approve the Treasurers report from Cynthia Holland, second by Lisa Lattimore. Motion Carried/Motion Approved.

V. MANAGERS REPORT – Mike Lucero read the Manager's report on behalf of Bill Rodreick. The pond is full and fish have been ordered. The runway has been rolled and weeds will be sprayed soon. Picnic tables have been placed around the pond. The playground equipment has been checked and secured. We hope to start work on the front porch of the barn and putting the siding on the pavilion gables soon. We have not had horses for the last two seasons, so we are not going to put the electrical tape around the horse pasture until there is a request to do so. Please give two weeks notice if you plan to bring in horses. The County has been preparing the roads and mag chloride will be applied on May 18 and 19. Please contact the Manager to reserve the Pavilion for any upcoming events/functions as we are getting requests already.

VI. COMMITTEE REPORTS

Finance Committee – Chris Schlaffman – Chairman; Janelle Pearce, Vice Chairman; Ryan Phillips and Bill Rotroff to assist.

We will be doing a reserve study on June 3, 2022. Chris explained the process. There are some updates needed such as some assets have been renovated recently and the tennis courts need to be removed from the list.

Legal Committee – Gina Chapman, Chairman; Janelle Pearce – Vice Chairman; Alan Zellhoefer to assist.

General Update – Janelle Pearce. The Cocks lawsuit was appealed due to the District Court ruling being unclear. The Appellate Court heard oral arguments in March and we are awaiting their decision.

The board is proposing to have Jenkins Bagley & Sperry law firm update our Bylaws meet the current Utah State Statutes. The cost is estimated to be under \$1000.

Motion to approve hiring the law firm to update the Bylaws from Janelle Pearce, second by Ryan Phillips. Motion Carried/Motion Approved.

Facilities & Architectural Committee – Lisa Lattimore, Chairman; Bill Rotroff, Vice Chairman; Gina Chapman, Bill Rodereick and Mike Lucero to assist.

Approximately two weeks ago members may have noticed water being pulled from the pond by the CMFPD. This is often done for training purposes. The water is sprayed right back. Also, the Water Conservatory District gave the county permission to pull water for use in preparing the roads in Swains Creek Pines for dust abatement. The Swains Creek Pines LOA does not have authority to prevent them from granting permission.

Report on Architectural Requests (Lisa Lattimore) – There have been no new reports of neglected properties. There have been eleven new architectural applications since January 2022.

Community Relations & Events Committee – Mike Lucero, Chairman; Lisa Lattimore, Vice Chairman; Steven and Gina Blackburn and Jessica Russo will assist as lot owners.

Upcoming Events – Claudette Dunning, for the Arts & Crafts show, we currently have 20-22 tables reserved. This will be held on Saturday, May 28, 2022 @ 9:00 a.m.

The Highway Clean-Up will be held on June 18th after the board meeting.

Stop, Shop & Swap will be held on Saturday, July 2 from 9am to 3pm. Contact Bill Rodreick to reserve a table.

Swains Creek Fire Council – Alan Zellhoefer, Chairman; Bill Rotroff, Vice Chairman; Cynthia Holland to assist.

Update – Alan Zellhoefer: Station 3 is now staffed.

New Slash Pit – the slash burn pit is for refuse from lot clean ups/items that can cause fires near your cabin. The new pit will be located off Mammoth Creek Road near Fire Station 1. Western Kane County Special Service District (trash) is in charge of the slash burn pit.

Fire Danger is no better than last year. Currently there are no restrictions but please be careful. Arizona has already put Stage 1 restrictions in place. The Fire Warden will decide when we go under restrictions.

The new ISO rating is coming out in a month, and we are hoping to drop a few points.

VI. OLD BUSINESS –

Gina Chapman – The manager’s contract has been approved and we are currently interviewing for the Asistant Manager.

Barn Patio Cover – New bid for \$27K, the bid from last year was \$22K. Increase is due to higher engineering and material costs. Motion to approve proceeding with the Patio Cover was made by Janelle Pearce, seconded by Lisa Lattimore. Motion Carried/Motion Approved.

Gables/Install Siding on Pavilion – The bid for this work was \$1K. Motion to approve proceeding with hanging the sides on the Pavilion was made by Janelle Pearce, seconded by Lisa Lattimore. Motion Carried/Motion Approved.

Discussions of moving the front door of the barn to the center so it is under the awning and accessible. The bid for this work is \$3K. There were no additional bids received. Suggestions to leave the door and just add another. Due to only having one bid, this item is tabled until the next meeting and more bids are obtained.

Gina Chapman/Janelle Pearce – Update on BIDR, LLC for “The Reserve at Swains Creek” (formerly Swains Creek Heights). There were over 300 letters received by the county commission from lot owners and we would like to thank all of you and all that participated in the Zoom Meeting. The representative for BIDR requested a meeting with our LOA in January and we asked them to provide plans and maps prior to the meeting which were never provided. We then found out by chance that they requested a zone change adjacent to our development for 3 multi-residential and 5 commercial zones, including a helipad. We are doing the best we can to persuade the County Commission to deny these requests. The board decided it would not be prudent to spend association funds on a legal fight without bringing it to the members for a vote. Thanks to Lisa and Marc Bolduc for stepping up to organize lot owners and retain an attorney to assist in the fight. As of now, we are on hold until they provide a firm plan to the county planning and zoning commission. It was suggested that an online survey be conducted to gather the opinions and wishes of all members on this issue.

Question: The AED that was located on the barn was taken down when the siding was redone and there were questions on whether it will be put back. There will be a 911 phone mounted. They have gone away from people using the AED's however we will look into whether we can put it back.

Question: regarding whether the Fire Department has an ambulance, and it was confirmed that the Fire Department is now staffed with paramedics.

What are the plans in the event we need an evacuation? The CWPP (Community Wildland Preparation Plan) recommends the route for evacuation and fire personnel will direct you. You should take pictures of your belongings, gather your essentials and get out. Don't load ATVs and trailers.

The Reserve at Swains Creek should be required to have new egress.

During the 2012 Shingles Fire the Fire Department/Sheriff sent people door to door to give you a red ribbon and tell you that you must evacuate within 2 hours. Fire is real up here, please be careful.

VII. NEW BUSINESS

Gina Chapman – The Pavilion concrete needs to be redone. The 2017 reserve study noted that it would need to be done. The estimate in 2017 was \$30K and now it is closer to \$50K.

The BBQ at the Pavilion needs upgrading. Lisa Lattimore's family built the BBQ and they will be looking into what it needs to be upgraded.

It was discussed that we purchase ATVs for the managers. Gina Chapman has an ATV she is willing to sell to the HOA for a discounted price. She has had the ATV checked by a mechanic. Cost of the ATV is \$800.00.

Motion to approve purchasing the ATV made by Janelle Pearce, seconded by Lisa Lattimore. Motion Carried/Motion Approved. (It is noted that Gina Chapman abstained from the vote)

VIII. OPEN FORUM:

Claudette Dunning – The craft fair will be from 9:00 a.m. to 5:00 p.m. on 5/28/2022. Requirements are that you must own property on the mountain, and you must make the product you are selling. We have 22 paid artists to include woodworkers, pottery, quilts, jewelry, etc. We will have the ability to take credit cards.

IX. MEETING SCHEDULE:

June 18, July 16, August 13, September 4 at 1pm, October 1 and January 14, 2023 Location/Time TBD

X. ADJOURN:

Meeting Adjourned at 12:15 p.m.