

**SWAINS CREEK PINES LOT OWNERS' ASSOCIATION
BOARD OF DIRECTORS MEETING**

October 1, 2022

ACCEPTED 1.21.2023

Minutes of the Board of Directors Meeting of the Swains Creek Pines Lot Owners Association held at the Swains Creek Pines Pavilion on the 1st Day of October, 2022.

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

OPEN MEETING – 10:00 a.m. MT

- a. **Welcome & Introductions:** Chairwoman Gina Chapman called the meeting to order at 10:06 a.m.

Present: Gina Chapman, Chairwoman; Michael Lucero, Vice Chairman; Chris Schlaffman, Treasurer; Lisa Lattimore, Board Member; Janelle Pearce, Board Member; Dan Crowther, Board Member; Crystal Rock, Board Member; Bill Rodreick, Manager; Lucas Jorgensen, Assistant Manager; and McKenzie Johnson of CAM.

NOT PRESENT – Cynthia Holland, Secretary and Alan Zellhoefer, Board Member.

- b. **Ratify Appointment:** A motion was made and seconded to ratify the appointment of Crystal Rock to fill the remaining term of Bill Rotroff. Motion carried. Crystal Rock accepted the appointment.

- c. **Secretary's Report & Approval of Minutes:**

Janelle Pearce presented the minutes on behalf of Secretary Cynthia Holland. A motion was made and seconded to approve the meeting minutes for August 13, 2022. Motion carried.

- d. **Treasurer's Report:**

Treasurer's Report provided by Chris Schlaffman as of August 31, 2022

General checking	\$38,944.89	Playground fund	\$5,202.72
Fire Fund	\$999.62	Petty cash	\$ 976.69
Pond Fund	\$1,833.99	Reserve	\$140,645.50

Year to date, there is \$98,437.76 in revenue with \$90,870.00 coming from dues; \$300.00 from Lot Joining Fees; \$2100.00 from fines; \$2,225.00 in donations; \$87.76 from Interest Earned; \$4350.00 from late fees and (\$1485.00) from Collections and (\$10.00) from an NSF fee. Savings account balance is \$75,530.00.

A motion made and seconded to accept the Treasurer's Reports for October 1, 2022. Motion carried.

- e. **Manager's Report:**

Bill Rodreick reported he has left messages for the Kane County Road Dept regarding damage to roads in Swains Creek, but they have not returned his calls. He encouraged lot owners to contact Burt Harris at (435) 644-5312 or <https://kane.utah.gov/dept/roads> to report a problem with roads. Road maintenance is funded by gas taxes paid within Kane County. Western Kane County Special Service District has agreed to keep dumpsters where they are for the winter. We need help to roll up the screens around the

pavilion after the meeting. Bill is retiring from Swains Creek Pines at the end of October and he passed the traditional toilet brush “torch” to Lucas Jorgensen who will be serving as manager next year. We are extremely grateful to Bill for his hard work and years of service to Swains Creek Pines.

COMMITTEE REPORTS:

I. Finance Committee – Chris Schlaffman – Chairman; Janelle Pearce, Vice Chairman; Lisa Lattimore to assist.

Chris Schlaffman reported he has been working on the budget for 2023 and he explained that costs are going up for everything including CAM management, utilities, insurance, fuel, salaries etc. The Reserve is only 63% funded and we should be contributing at least \$25,000 per year. The Board will be reviewing options prior to adopting a budget at the January meeting. SCPLOA dues are very low compared to other Associations on the mountain. Lot owners spoke in favor of not reducing dues next year to give the Association enough funds to meet needs.

Chris presented the 2023 Reserve Study. A motion was made and seconded to accept the Reserve Study performed by Complex Solutions, LLC, with one correction to be made to the pavilion concrete projection

II. Legal Committee – Gina Chapman, Chairman; Janelle Pearce, Vice Chairman; Alan Zellhoefer and Cheryl Case 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 still awaiting their decision.

An update of our Bylaws to meet the current Utah State Statutes is being performed by the Jenkins Bagley & Sperry law firm. The proposed changes will be presented at a future meeting and will be subject to lot owner review and approval.

The Collections of Assessments and the Reinvestment Fee policies need to be amended in order to meet state code and perform collections. The board will need to consider these at a special meeting via zoom on October 24, 2022 at 6pm mountain time.

Janelle gave an update on the BIDR, LLC “Reserve at Swains Creek” project. The Kane County Planning & Zoning Commission recommended denial of the multi-residential zoning, but a motion to deny the commercial zoning failed. The developer presented the same plan to the County Commission at their September 27, 2022 meeting and they voted to accept the recommendation of the Planning & Zoning Commission and suggested that an alternative site be found for the helipad. The site plan and development agreement were tabled to give the developer more time to make changes. The previous site plan included 70 multi-residential units, 90 single family units and 5 commercial zones that do not adhere to the Kane County General Plan nor are they compatible with the surrounding zoning in Swains Creek Pines. Everyone is encouraged to write to the Commissioners. The Bolducs have retained an attorney to assist lot owners in challenging the requested zone changes. Anyone who would like to participate and/or donate should contact Lisa or Marc Bolduc.

III. Facilities & Architectural Committee – Lisa Lattimore, Chairman; Michael Lucero, Vice-Chairman; Gina Chapman, Dan Crowther, Bill Rodreick and Lucas Jorgensen to assist.

Lisa Lattimore explained the ARC procedures. Please include the site plan and design criteria and sign the application before submitting. All applications need to be approved prior to starting your project and please notify CAM when your project is completed. You are advised to report any neglected properties to CAM.

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

Michael Lucero thanked all of the volunteers who worked so hard on Labor Day activities. There will be more discussion about events at the January meeting and it will depend on whether we have enough volunteers. There will be another Arts & Craft fair on Memorial Day weekend. Some Camp Golden Eagle alumni have expressed an interest in leading camp next year.

V. Swains Creek Fire Council – Alan Zellhoefer, Chairman; Janelle Pearce, Vice-Chairman; Cynthia Holland and Teresa Zellhoefer to assist.

The Burn/Slash Pit is closing today, October 1. Please call 911 in emergencies. Local dispatchers will answer and send response teams. Do not call the fire station in an emergency. The Kane County non-emergency number is 435-644-2668. Or you can also call toll free at 877-644-2349.

VI. OLD BUSINESS:

Janelle Pearce said permits have been issued and work on the barn slab & roof cover should be starting in about 2 weeks. A new door and window were also ordered.

Two other bids were received for the pavilion concrete. A motion was made and seconded to approve the lowest bid from McEwan-Owens Fixall to demo, haul away and replace the concrete slab. Motion carried. Weather permitting, work could begin in late October.

A second bid is needed for the BBQ renovation. This project will likely be delayed until next spring.

VII. NEW BUSINESS:

Rental Activity – Michael Lucero reported that he and the managers have been monitoring the location reported to be operating a short-term rental and there has only been a monthly rental occupying the cabin. A committee has been formed to work on this issue and activities will continue to be monitored and enforced.

Assistant Manager Recruitment – the board will be hiring a new Assistant Manager for 2023. For more information contact McKenzie Johnson at CAM.

VIII. OPEN FORUM:

Suggestions were made regarding raising dues, changes to bylaws to include electronic voting and zoom meetings.

IX. MEETING SCHEDULE:

The January meeting date was changed to January 21, 2023

This will be a ZOOM meeting. The time and login information will be posted.

X. ADJOURN: Meeting Adjourned at 11:48 a.m.