

DAMMERON VALLEY LANDOWNERS ASSOCIATION, INC.

1137 Dammeron Valley Drive East
Dammeron Valley, UT 84783

Telephone: (435) 574-6397
E-Mail: dvla.sec.lc@gmail.com

Minutes of the DVLA Board Meeting February 28, 2017

President, Brian Taylor called the meeting to order at 7:00 PM. Also in attendance were: Joyce Gaufin and Lou Echols making a quorum.

Craig Meyocks asked if would be permitted to record the meeting, which was granted.

ACTION ITEMS

Lou Echols ***made a motion*** to approve the agenda for this meeting and the minutes from the January meeting. The motion was ***seconded*** by Joyce Gaufin and unanimously ***passed***.

REPORTS

Financial Report – Joyce Gaufin, Treasurer

Joyce reviewed the deposits and the checks written since the last board meeting and reviewed the account balances. Joyce also indicated she and the Administrative Assistant had reviewed the bank statements and provided a written, step by step audit trail of the \$15,000 payment made to the SSD which was mistakenly debited from the operating account by the bank. Joyce ***made a motion*** to approve the expenses as listed and the motion was ***seconded*** by Lou Echols and unanimously ***passed***.

Architectural Report

No Report due to AB Johnson's absence.

Social/Insurance and Public Properties Reports

Lou Echols reported that the old Red Dog had been purchased and the new owner, who is not a chef, would still like to open it as a restaurant hoping to hire a chef to run it.

There is an upcoming meeting given by the Forest Service regarding the many marijuana groves planted in the Dixie National Forest and the possible dangers hikers or riders could find themselves in if they wandered into one of them. This meeting will be at the St. George Community Building.

Brian asked Lou to shop for an appropriate glass bulletin board similar to the one at the old mailbox area that can be placed at the new mailbox area for folks on the west side of the valley. Lou said that he would research that and report back at next meeting. Lou will also put together a price for new tables and chairs in the community center, along with the cost of a counter and refrigerator to be added to the budget for next year.

PUBLIC COMMENTS ON NEW BUSINESS

Craig Meyocks expressed his opinion regarding the \$15,000 transfer to the SSD. He said that the Board took money from our savings account and moved it to our operating account and it should not have been put there. Treasurer Joyce Gaufin responded with the explanation regarding the audit trial discussed earlier in the meeting.

NEW BUSINESS

a. Review the Architectural Plan Approval Process and Procedure

Joyce Gaufin **made a motion** to approve the Architectural Plan Approval Process and Procedures as outlined in the document the Architectural Chairman presented for the Boards review at the January meeting. Lou Echols **seconded** the motion and the motion was **unanimously passed**. This document will be posted on our website. A question was asked, did we not already have Architectural Guidelines? It was clarified that the guidelines are already in place, but there was no set procedure to administer the guidelines already established. This procedure describes the process by which the ARB reviews and approves requests for new construction on property within the DVLA. It was further explained that this process and outlined procedures can be used by future ARB members to follow to ensure continuity in the future.

b. Review Accounting Policies and Procedures

Joyce Gaufin **made a motion** to approve the Accounting Procedures. There were some questions as to what these procedures are and the need for them. Joyce explained that when she was chosen to be the Treasurer two years ago she was not given anything in writing to guide her in doing her job. These policies and procedures are detailed as to how and by whom our accounting practices are to be done. Again these documents are to help oncoming board members do their jobs in a consistent manner now and in the future. Joyce stated that she had not had the time to go over these with Lynda, as she is currently doing most all of the things outlined. Together we will review and rework some duties and give it a month trial run. Joyce **re-stated her motion** that the accounting policies be approved after a test month and have a final approval in March, Lou Echols **seconded** the motion and it was **unanimously passed**. Again there were questions from Mr. Meyocks and Mrs. Yergensen. Joyce stated that these were detailed procedures recommended by our CPA. These policies will help all new board members coming on and will give them policies and procedures for consistency into the future.

c. Approve Late Fee Amount

Brian Taylor stated that several landowners were referred to our attorney for collection due to their past due status. We realized that we had no set procedure for dealing with the collection of delinquent HOA fees. After some discussion, it was decided that a month after the initial invoice for dues was sent out the Admin Assistant would send a second invoice with a note reminding the landowner that a \$5.00 monthly late fee would be added for each month of non-payment and that if they needed help in setting up a payment plan to call the AA at 435-574-6397 and make arrangements. After the third month, a list would be given to the Board and someone would make a phone call or a personal contact with the landowner and the AA would send the landowner a certified letter warning them that if payment was not received within 30 days, from the date of the letter, they could be turned over to our attorney for collection. Lou Echols **made a motion** to approve the above process, that this process would be outlined in writing along with a fee schedule and posted on our website. The motion was **seconded** by Joyce Gaufin and **unanimously passed**.

d. Discuss the DVLA Website

Contact names of the Board Members and phone numbers have been added to the website, so that anyone wanting to inquire about the DVLA, the information was available. We also now have a live Facebook page. We thought a DVLA Facebook page would be a new, more effective way for the Board to communicate with the landowners as most folks seem to be already communicating this way. This is a closed group landowners only. There are rules and guidelines for participation. Larry Carlon stated that there is a need for rules because there have been slanderous remarks frequently posted on other Facebook sites in the valley and those making them should be sued, in his opinion, and it needs to stop. The Board will not post comments that are not in compliance with the guidelines established and communicated on the Facebook group page. The Board will respond to comments and requests within 24/48 hours of posting. There will be a note on our website to direct folks to the page and a calendar posted as well as other events.

Lisa Chauvin commented that there was talk on the other Facebook pages in the valley about Old Farms subdivision wanting to leave the DVLA due to the current lawsuit. Brian stated that he had just received a new signed agreement from our attorney that carefully and clearly states that Dammeron Corp would hold harmless the DVLA from ANY and ALL claims from this suit, including judgements beyond the \$5000 already paid in full by the DVLA. Brian read aloud the paragraph in the revised agreement that modifies the indemnity agreement paragraph that only indemnified the DVLA for attorney fees and costs. The agreement was signed by the DVLA, Brooks Pace individually and Dammeron Corp. This agreement may be posted on the website, if approved by legal counsel. Craig Meyocks pointed out that this only protects us from the Streeter lawsuit. Craig commented that landowners cannot be assessed for legal expenses or judgment unless named in the suit. Jan Yergensen said there will be another lawsuit soon. Craig Meyocks commented on the over budget expense for legal fees. Joyce Gaufin stated that was due to attorney fees for the Meadows and Ranches that was not billed until after the new budget was approved at the Annual Meeting.

e. Discuss Annual Meeting Agenda Item to add member vote how to use excess funds

Brian Taylor stated that the DVLA has only one asset which is the community center and about 6 feet surrounding the building. The reserve requirements have been met. A member of the board of the SSD has requested that we transfer any excess funds to the SSD to help offset their reserve requirements. Brian commented on options for the use of the DVLA's excess funds, those being the funds outside of the operating budget, savings account and reserve account. He started to suggest possible choices the landowners may want to use this money for, such as a pickleball court, etc and that the decision should be left to a vote of the members. Craig Meyocks objected to any other use of the funds than for the SSD and produced a petition to call a special meeting of owners to have them vote on the transfer of the excess funds to the SSD. It was later determined that the required number of signatures was not sufficient on the petition and it was rescinded by Mr., Meyocks. The Board had discussed this subject at last month's meeting and they did not feel there was enough urgency to warrant the expense of a Special Meeting just two months from the Annual Meeting. The item will be scheduled on the Annual Meeting Agenda.

f. Spring Cleanup Dumpsters

Two dumpsters will be provided to landowners beginning April 1, 2017 for use in getting rid of yard cleanup refuse. They will be available for approximately two weeks. Joyce Gaufin stated that the cost of these dumpsters was about \$1200 last year and there are funds available in the current budget to pay for them again this year.

g. Position Statement of the DVLA Board of Trustees

In response to some discussion taking place among landowners in the valley regarding the possibility of incorporation. Brian Taylor stated that the current Board of Trustees is unanimously NOT in favor of incorporation. This was not to suggest anything otherwise but to state for the record the position of the board on this matter.

OPEN DISCUSSION

Questions were asked about the need for formal Architectural and Accounting Policies and Procedures. Brian stated that these procedures establish continuity from board to board. They will be posted on the website and on the DVLA Facebook page.

Jan Yergensen asked why the board meetings were no longer recorded. Craig Meyocks said that the minutes of the meetings were “sketchy.” Brian stated that the DVLA is not required to post an audio recording as the SSD is required to do by state regulation. Joyce Gaufin said that we could ask the website administrator if there is even a way to post audio recordings on our website.

There being no other business, President, Brian Taylor declared this meeting adjourned. The next meeting will be March 28th at 7pm.

Recorded By:
Lynda Charlton
DVLA Administrative Assistant