

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

April 26, 2016

ACTION ITEMS

Bob Allan called the meeting to order and declared all were in attendance. Joel Burnham led the pledge to the flag. Before business Robyn Jensen and Laurie Barker asked to present a signed card from the yoga and exercise ladies in thanks for the improvements the board recently had completed on the Community Center. AB Johnson asked to have a motion on a variance to be added to his report and with that change **made a motion** to approve the Agenda which was **seconded** by Lou Echols and passed by all. Joel Burnham made a motion to approve the minutes from the March meeting which was seconded by AB Johnson and **passed**.

REPORTS

No Fire Department Report

Financial Report – Joyce Gaufin/Lynda Charlton

Joyce Gaufin **made a motion** to approve checks totaling 959.72 for utilities and the Secretary salary and also two invoices totaling 10,138.21 for legal fees by Vial Fotheringham for issues related to the Ranches and Meadows. Joyce also gave the balances for all of the other accounts. It was noted that the approval of checks totaling 11,097.93 would leave only about \$3800. in the operating budget and that a transfer of funds from the savings account may have to be made before year end. The motion to approve payments was **seconded** by AB Johnson and unanimously **passed**.

Architectural report

AB Johnson reported that 11 new projects had been approved by the committee including four new homes, two garages, a garage door refinish, two fences, a shed and a patio awning. AB Johnson then **made a motion** to approve a variance to a previously approved color on the Drake property due to a color change done to better match the roof material color. Several board members viewed the new color and approved the change. The motion to grant the variance was **seconded** by Joel Burnham **and passed** by all. AB Johnson then stated he could refund the Drake deposit for completing their build.

Social /Insurance Report – Lou Echols

Lou Echols stated that now the community center is finished and fresh he would like to make a motion to approve hiring a bonded cleaning crew to come in twice a month to keep the inside clean. After interviewing a few bids, Lou felt that Razzle Dazzle was the best choice. They will be given a 90

day trial period and will start the first week in May. The motion to hire this company was seconded by AB Johnson and passed by all.

PUBLIC COMMENTS ON NEW BUSINESS

Karen Sharkey asked if the cleaning crew would be given a key to the building and Lou Echols responded that yes they would and that is why he chose a bonded company.

Mac Tompson reported that he had spoken to the State Forester about the burn piles behind Pinion Hills and was told that burning may recommence soon. Signs should be posted on the highway to alert folks of the control burn.

Lou Echols commented that the County road crews would be dumping rock on both sides of the highway in preparation for chip and seal repairs to local roads in the near future. Reminds everyone to drive slowly so as not to fling small rocks causing windshield damage to cars.

Bruce Jacoway asked if the erosion into the drainage areas would be repaired as well, but no one seemed to know about that.

Larry Carlon asked about if there was a provision in the CC&R's that allowed for a temporary placement of an RV housing guests. It was noted that if there was not a provision in the specific subdivisions CC&R's that the County ordinance on that issue would prevail.

Sam Raby stated that the CC&R's in Pinion Hills say there can be trailers parked "out of site" from the main roadway.

NEW BUSINESS

- a. Dammeron Valley Volunteer of the month. Joyce Gaufin said that she had two suggestions and would like to honor them both at the May meeting.
- b. Discuss overtime pay to the Secretary. Bob Allan stated that the Secretary was asked to put in many extra hours of work a few times a year, such as in preparation for the Annual Meeting and recently for extra meetings and mailings and that extra time should be compensated for. Joyce Gaufin stated that the proposed budget for next year had built in extra funds for this purpose but that overtime for the past year was not budgeted. Joel Burnham made a motion to pay the Secretary for overtime spent in March and April. The motion was seconded by Lou Echols and unanimously passed.
- c. There was a report by the Trails Committee. Mike Duvall and Michelle Clonts reported on progress being made in defining trail access and a 10 foot easement granted by the developer. Michelle reported her conversation with county about signage. She presented a few options on sign shape, size and cost. She requested funds from the DVLA to pay for 4-5 signs alerting drivers at the entrances that horseman were about. She was hoping to attach these signs to the existing speed limit sign posts to save money, but was encouraged to get permission from the county to do that before receiving any funds from the DVLA.

Mike Duvall stated that an approximate length of 660 feet of wire should be strung along the easement next to the roadway and requested funds from the DVLA and volunteers from the

community to install the posts and wire where needed. Joyce Gaufin stated that funds had been set aside in the coming year budget for community projects and could be used for the projects discussed by this committee. A vote on this matter can be taken up after July 1. The Trails committee is also working with the BLM to improve existing trails especially in the Bonnie Springs area. Joyce noted that this subject should be part of the communities Strategic Plan. Kathy Duvall stated that Washington County is in full cooperation with the Trail Committee and feels their plans fit perfectly with the counties vision of development for this area.

Gary Jensen suggested filing for RAP funds to help fund these trail projects and Mike Duvall agreed to put together a request. Mike also commented that conversations with the developer suggested all new development in this area would include trail access not just for horses but also for hikers, bikers and atv usage. The Board thanked the committee for all of their work on this project

- d. Bringing in two large dumpsters for a Spring Yard Cleanup was discussed. It was decided to bring them in the week after the Annual Meeting, May 18th through May 31st and to place them in the same locations as the last time, one by the Community Center and the other near the community garden.

There was some discussion as to who was overseeing the use of the community garden as it did not belong to the DVLA but was given to the community to use by the developer. It was suggested this be brought up at the annual meeting to possibly get names of volunteers to oversee the garden,

- e. Bob Allan asked for volunteers to help with the Annual Meeting. A sign-up sheet was passed around. Bob and Lou would be in charge of getting refreshments.
- f. There was discussion of the proposed 2016-2017 budget and an explanation regarding the transfer of funds from the Performance Bond Account to the Operating Account. Barbara Hjelle commented that there should be an accounting trail that supports this transfer and Joyce Gaufin answered that, yes there would be and there would also be an outside audit and financials prepared by the Accounting firm of Savage Esplin & Radmall, CPA's.
- g. There was a review of the procedure for getting a Reserve Fund Analysis prepared. Joyce Gaufin wanted to go on record stating that the last time this subject came up in a prior board meeting there was objection from the attendants that paying \$500 to get this done was a waste of money as it could be done by the DVLA Board at no charge. Now comments were being made that it should be done by an outside firm. That is why getting the analysis is being discussed again. AB Johnson made a motion to contract with the Association Reserve Consultants, Inc in the amount of \$500 to prepare this study. The motion was seconded by Joel Burnham and unanimously passed.
- h. Review of ballot issues for rescinding Article 13. The actual Article was read and its meaning and history was discussed. Removal of this Article will require a majority vote of all those landowners present at the Annual Meeting.

- i. Status of DVLA Board review of the CC&R's of any new subdivisions. Bob Allan stated that the Dammeron Corp has agreed to allow the DVLA and the entire community to review proposed CC&R's for any new subdivisions. The end plan could be the development of a single umbrella of CC&R's for ALL subdivisions that will have subsections pertinent to specific subdivisions regarding architectural guidelines and other covenants desired by the landowners within those subdivisions. This will be a long but very necessary process.

Barbara Hjelle stated that CC&R's in one subdivision does not control the votes of any other subdivision.

- j. Discussion on the current status of the Meadows and Ranches termination from the DVLA. Bob Allan stated that there are meetings scheduled on May 11, 2106 for members of the Meadows and Ranches to vote for or against termination. The votes will be counted at the conclusion of each subdivisions meeting.

OLD BUSINESS

Rose Henriod asked if there would be a new roster printed for this year. The Board apologized for the exclusion of their name from the most current roster and stated that a new one would probably be done next year. It is very hard to keep a roster current with so many move in and outs.

OPEN DISCUSSION

Barbara Hjelle stated that the new East Meadows development has only one entrance planned for and stated that the County clearly requires two entrances for safety concerns and that the Board could make a comment to the developer regarding this oversight.

Barbara comment that the DVLA has done a lot in the past few months to be transparent and open with their decision making process but feels that actions taken beginning with several meetings, the filing of wrongful termination against the Meadows and Ranches and the first mailing sent to those subdivisions were done in secret.

Joyce Gaufin stated that the expiration of the CC&R's for the Meadows and Ranches subdivisions was discussed for at least the past 4 or 5 board meetings and that the Board had openly invited residents in those subdivisions to get together and help rewrite the CC&R's for their respective subdivisions. Joyce also clarified that once the termination petitions had been filed with the County Recorder's office without a notice to the DVLA, the Board held a few Executive Sessions for legal discussion, as is their right, to figure out what to do next. Joel Burnham stated that the Board is doing what they are entreated to do according to the By-Laws, to protect the interests of ALL of the member landowners.

Barbara Hjelle stated that the Board did not get a majority consent to spend \$10,000 on legal fees. Joel Burnham responded that the Board sought out legal advice on how to proceed quickly as part of the negotiation from the other party was to complete the voting prior to the Annual meeting and the Board must give twenty days written notice of said meetings. The cost for legal fees was voted on by

the Board during an Executive Session. The amount came from funds currently budgeted for that purpose, plus a transfer of other funds from unencumbered lint items. The Board has insisted that the process to terminate be accomplished in the right way according to Association governing documents and that ALL landowners that are effected by the termination be allowed a vote for or against termination and should the vote come back in favor of termination, that will be the final decision.

Additional discussion included the need for training for new incoming board members, revisions to current CC&R's as well as By-Laws and Articles of Incorporation. Barbara Hjelle said she had been a part of that process many times in the past and the Board her to be a part of that process again in the future. Joel Burnham stated that this Board is not responsible for the actions of previous boards and Joyce Gaufin stated that this board is trying to rectify issues in these processes by inviting the community to help in rewriting governing documents. Barbara Hjelle stated that the Board had made a comment about members of the Ranches and Meadows being invited back into the DVLA and that there were other avenues to accomplish this, and the Board invited further discussion with her on that subject.

Bruce Jacoway commented on moths and fungus that is sickening his pinion pines. Others present gave him some advice on some combative measures such as watering more and deep root feeding or also to continue to use an arborist's expertise in the process of eliminating the boring insects.

There being no further business, Joyce made a motion to adjourn the meeting which was seconded by AB Johnson and the meeting was adjourned.

Recorded By:

Lynda Charlton, Secretary