

DAMMERON VALLEY LANDOWNERS ASSOCIATION, INC.

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Minutes of the DVLA Board Meeting

June 28, 2016

ACTION ITEMS

President, Brian Taylor called the meeting to order at 7:00 PM. Also present were: Don Wallace, AB Johnson, Joyce Gaufin and Lou Echols.

Brian Taylor asked to make a few comments on the distrust of landowners for members of the Board. He reminded the audience that there were only three people willing to fill the vacancies on the Board and all three were sitting at the table. He also reminded folks that none of the sitting Board members were being paid to serve, they were all volunteering their time, and a lot of time is being spent by each Board member on behalf of every landowner in Dammeron Valley, even those who terminated themselves from the Association. Brian said that there were no doubt some people attending this evening who would be embarrassed or ashamed for believing some of the inaccurate and downright false statements going around on a certain "facebook" page. He said that the ONLY official website for information from the DVLA is the dammeronvalley.org website. If folks want the facts they need to look there. Brian also said that they would get the facts here at this meeting as well. He said that there were good things happening in the valley and he hoped that those attending wanted to be a part of those good things.

Brian asked if the Board had a chance to review the agenda and the minutes from the May meeting. Joyce Gaufin **made a motion** to approve the agenda and the minutes which was **seconded** by AB Johnson and unanimously **passed**. Brian Taylor said that the Board is here to conduct business at this meeting not to hold an open forum. There would be time set aside at two times during business for comments but that time would be kept to no more than 10 minutes per session. He pointed out that the "house rules" were printed on the back side of each agenda and that these rules would be adhered to during every future meeting.

REPORTS

Fire Report – Don Wallace

Don Wallace said that he would be giving a report regarding fire department issues as needed and that the Fire Chief would be giving his full report at the monthly SSD meetings. Don stated that there were 7 EMS calls and 1 fire call this past month. There is NO outside burning allowed except in designated camping areas with a permit.

Financial Report - Joyce Gaufin

Joyce Gaufin gave the account balances for each bank account. She then gave a list of the expenses for June totaling \$4461.76, the last expenses for the fiscal year 2015/2016 which will leave a balance of \$3769.67 in the operating account. Two thousand of that balance is dues deposited for the new fiscal year so the current fiscal year budget closed with \$1769.67 left in the operating account. Joyce **made a motion** to approve the expense checks as listed. The motion was **seconded** by Lou Echols and unanimously **passed**.

Architectural Report – AB Johnson

AB reported that his committee would be meeting tomorrow to review new plans for approval. There was also two projects, a tool shed on the Raby property and a barn on the Adamson property that would require an approved variance by the Board and asked the Board members to set aside some time to go look at each of the two projects prior to discussion and/or approval. Brian Taylor commented that granting variances could set an unwanted precedent and that proper procedures would be followed.

Government Liaison/Facilities Report – Lou Echols

Lou Echols commented on a notice posted on the DVLA bulletin board that was not an official posting from the DVLA. He said that he had received permission from Brooks Pace to dig up and rotate the covered bulletin board area across from the mailboxes so that one could drive right next to it to read notices posted there. He asked for volunteers who had an auger and front bucket tractor to help complete moving that area to make it more user friendly. Two audience members volunteered.

Lou then commented that the resurfacing of the Highway in the Winchester area would be finished by Friday. The bridge in Veyo will be undergoing months of repair work that could slow traffic in that area. Lou reported that the Pine Mountain fire is only 5% contained and is closed to traffic and the Baker Reservoir is also closed. He also reported that the county crew who are spraying tar and spreading rock on the roads on the West side of the valley have asked that on July 11th all trash cans be moved 5 feet in from the roadway to keep them from being run over by their workmen. Lou also reported that he spoke with the county road department about placing our “horsemen traffic” signs on the existing speed limit sign posts and was denied. So he is getting prices on purchasing posts for that purpose. He is also getting prices for new lightweight folding tables and chairs for the Community Center.

Brian Taylor asked about the Highway 18 roadside clean-up sign with our name on it as volunteers. He was told by Karen Sharkey that no one has been out doing cleanup along the highway in a long time. Brian said that we either needed to start doing that cleanup again or remove the sign. He would like to see the community resume that project at least two times a year.

OLD BUSINESS

The only item remaining in old business is whether or not to hire an outside licensed architect to review building plans for a fee. AB Johnson said that the Architectural Committee does not recommend hiring an outside person and ***made a motion*** to put that decision aside. The motion was ***seconded*** by Lou Echols and unanimously ***passed***.

PUBLIC COMMENTS - On New Business

There were several comments regarding reporting eyesores, such as weeds growing up around real estate signs and other nuisances on properties in the valley. Joyce commented that the Board has more authority to do something about cleaning up a vacant lot than they do for properties that have homes on them. The Board reminds everyone to fill out a community concern form so the Board has a paper trail regarding complaints. There was discussion about adding non-compliance fines to the CC&R's that are being rewritten and hopefully adopted so that the Board has some authority to enforce violations. Joyce commented that during the DVLA Café meetings last year, there was a wide variety of opinions on how strictly the Board should enforce violations. Adopting a new set of blanket CC&R's will require a majority vote from the landowners prior to recording. Bob Allan suggested reducing the setback in the greenbelt areas from 300 feet to 200 feet so that those owners along the greenbelt have more area to beautify their properties.

NEW BUSINESS

1. **Reserve Study.** The study is completed and has been reviewed. The Board feels that the recommended \$50,000 initial reserve fund is too high as the items that will need replacement in the next ten years only totals about \$7500. If \$5 of the annual dues per landowner is set aside as reserve funds (\$2000 a year) by the sixth year when the study needs to be redone there would be approximately \$16,000 in reserve funds. After discussing the difference between a “reserve fund” and “reserve operating funds” Joyce Gaufin **made a motion** to approve the study with the revision removing \$50,000 as reserve funds and substituting that for setting aside \$5 of the annual dues for the next six years as reserve funds. AB Johnson **seconded** the motion which was unanimously **passed**.
2. **CC&R review process.** Brian Taylor stated that there are 11 subdivisions in the valley and all of them have different requirements. Don Wallace has been tasked with identifying common CC&R’s which can be used to write a blanket set of CC&R’s for the entire valley (except Pinion Hills) including new subdivisions and that will also have sub-catagories for individual differences within a specific subdivision. The new CC&R’s will also have a schedule of fines for violations. A draft of the CC&R’s for the Juniper Ridge development were also reviewed. Brooks has agreed to negotiate the approval of the Board who will then share with all landowners before finalizing any new subdivisions. Rewriting, voting approval of and recording CC&R’s is a lengthy process and one this Board is committed to doing with good speed.
3. **Trails Report.** Mike Duvall displayed a map of trails and access points that are currently open and those to be opened in the future. He reported on the progress the committee had gotten from their meetings with the County, the BLM and Dammeron Corporation. The County has agreed to survey and record easements along roadways in perpetuity for the future enjoyment of all. Joyce Gaufin **made a motion** that once those easements are recorded the DVLA will fund the committee ½ of the cost (maximum of \$350.) of fence posts and wire along the first easement mentioned (near Juniper Road.) The motion was **seconded** by AB Johnson and unanimously **passed**. The Dammeron Corp will fund the other half. The DVLA Board thanked the Duvalls and their committee for all of their efforts in getting this work accomplished.
4. **Volunteer of the Month.** There is no volunteer for this month. The Board asked the audience for suggestions for future nominees.
5. **D&O Insurance Discussion.** Brian reported that a letter of denial from our D&O insurance carrier had been received. The denial was based on a party involved being a “builder”. Our attorney has responded to that denial. The lawsuit against the DVLA is a grudge suit with no substance filed by a disgruntled builder who was denied being able to build a home where he wanted by the Dammeron Corporation, who has the final approval on building site placement in Pinion Hills. The person filing the suit wants to get the amount of money he would have made had he built a home on the lot. The property has since sold. The DVLA was named in the suit, along with 100 other potential John Does, even though the DVLA had no involvement in this dispute. Those are the facts of this suit. The DVLA has an obligation to defend Board Members so that is why our attorney is involved. Contrary to recent “facebook” postings, there are no guilty board members there is no \$500,000 judgement against the DVLA, there is no potential assessment to the landowners. Our agreement with Brooks Pace is that he has provided the DVLA with written indemnification from any financial loss beyond \$5000. And that a counter suit will be filed to recover ANY cost to the DVLA to defend its Board members. Settlement is currently being negotiated. The range of the amount of settlement is somewhere in the \$5000-20,000 range, not the originally asked for \$250,000. There has been no money paid out to date on this case. The board has held executive sessions, as is their legal right, to discuss legal options. Those are the facts on this lawsuit.

PUBLIC COMMENTS

Karen Sharkey stated that it is not her “facebook” page that is being used as she would not allow such comments as has been posted on the offending page.

Mac Thomson told the Board he had found the septic tank as requested.

Gary Jensen said that variances from the developer have no history and it might be a good idea to track any that have been or will be given.

Joyce Gaufin stated that the Board members have all been given assignments to review all legal documents and asked for volunteers to help with this reviewing process. Jan Adamson volunteered to review the OLD FARMS CC&R's. Rose Marie Milne and Rosalie Henriod also volunteered. Thank you volunteers!

TRAINING SESSION

There being no further Business to discuss, a training session was opened. Members of the audience were invited to attend. The Community Association Act was read and discussed. The Non-Profit Corporation Act was then read and discussed.

Recorded By:
Lynda Charlton, Secretary