

Meeting Minutes
Loma Vista HOA
September 24, 2019

Roll Call

Laura Burdine, President: Present
David Gibby, Vice President: Present
Charlie Sturges, Treasurer: Present
Rebecca Bracken, Secretary: Present
Ryan Evans, Board member: Present

Review and approval of minutes from August 6, 2019

Motion to approve with Amendments by Ryan Evans
2nd Charlie Sturgess
Laura Burdine Aye
Rebecca Bracken Aya
David Gibby Abstained from voting because he did not present at last meeting

Financial Overview

Charlie Sturges updated the Board on the HOA financials. All bills are paid and up to date. The Board reviewed the 2019 financial costs and the budget is on track.

Update on Common Area Maintenance and Goals

One fence post has been damaged in the last wind storm. Laura Burdine has contacted Jason Barker to see if the post is under warranty or get an estimate to replace it. She will also pay for the fence replacement along Droubay and will schedule that to happen as well.

There is a flowering pear tree on Skyline that has died and will need to be replaced. The cost to replace it is \$325.00.

On Droubay, the cost to place rock between the fence and the sidewalk between 270 S and Upland will be \$1200.00. That includes landscaping the small monument area with rock and shrubs.

Motion to approve David Gibby
Second Charlie Sturges
All Aye

Charlie Sturges has spent the past 3 months adjusting over 50 sprinklers that have been placed too low along Skyline and Droubay. He also discovered a sprinkler leak and repaired it. The Board is very appreciative of the volunteer labor he has provided to make the common area look beautiful but also saving hundreds of dollars.

It has been proposed to hire Charlie Sturges maintenance company to continue providing sprinkler maintenance for the 2020 year.
Motion to approve David Gibby
Second Rebecca Bracken
All Aya

Laura Burdine will contact Tooele City to have the water turned off.

David Gibby reminded the Board that solenoids and battery operated sprinkler timer were previously purchased to run the sprinklers in the old section of Droubay Rd. If a test reveals that a battery powered signal can travel the full length of the sprinkler system, the electrical box on 1230 E can be removed saving the HOA \$12.00 per month.

CCR Compliance Goals

Beginning in June, initial warning letters were mailed out to residents in violation of the CCRs. Some residents have not responded within 14 calendar days as requested. Laura Burdine drafted a second letter to be mailed. The Board's goal with letters is to have 100% of residents contact the Board so we know their plans.

The Board has researched options to assist with CCR compliance, including consulting an attorney to discuss options for a fine schedule. The proposed fine schedule was reviewed and corrected by John Richards Law. The corrected proposed fine schedule was provided to each Board member. Each member was asked to review it and share opinions to add, modify, or remove items in advance of this meeting.

A proposed fine schedule was reviewed and discussed. The current governing documents and Utah Code 57-8a-208 allows the Board to implement a fine schedule. The intentions to introduce a fine schedule is to assure compliance with CCRs. The current governing documents also allows for letters to be sent and a maintenance lien to be charged when the Board hires and pays a third party to correct the violation.

Currently, approximately half of the letters were responded to by residents. 10 of the 49 are now compliant. We would like to see more communication by residents. Attorney John Richard advised the Board it is legally obligated to enforce CCR compliance. Even a compliant resident can choose to sue the HOA board for not enforcing CCR compliance. David Gibby expressed a concern that fines could possibly cause contention and division in the neighborhood. Laura Burdine agrees that none of the Board members want to issue fines their neighbors and friends and communication and compliance would prevent that. Laura Burdine proposed an option to not implement the 2nd part of the fine schedule (yard violations) until October 2020 or another date agreed to, allowing people to have more time to complete work. The Board has a desire to get input from Board members and residents and consider appropriate modifications. The Board has a desire to unify the neighborhood and find a compromise everyone can live with.

Utah Law is very specific how fines must be levied and how new rules need to be proposed. All residents must be notified of the proposed new rule and a public comment period must be given during the meeting. The Board desires to hear suggestions from the residents and is willing to modify the fine schedule based on suggestions from the Board and residents. If residents have an issue with how the Board is dealing with CCR violations, a 3rd party maintenance company could be used. Laura Burdine has been in contact with two companies. The monthly charge would increase the annual dues but it could be an option. This will be presented to the residents during the meeting.

All Board members agree that all Residents need to be treated fairly and equally. To treat each resident fairly, it was discussed granting variances to individuals would not be considered.

Motion to mail out Proposed Fine Schedule to Residents to be discussed at the next Board meeting by Rebecca Bracken
Second Charlie Sturges
Laura Burdine Yes
David Gibby No
Ryan Evans No

Official forms were proposed: Communication preference, Landscape (with time extension), and Exterior Change Form. They will be available for residents at the upcoming meeting.

Candidates committed to run for the Board is Laura Burdine and David Gibby

Next HOA Board meeting will be scheduled for October 22, 2019 at 7:00 pm at Tooele City Hall at 90 N Main Street. This will be our annual meeting with all Residents invited.

ADDENDUM

10/4/19 Houston Jones expressed his desire to run and was added to the proxy letter before they were mailed.

10/5/19 All Residents were mailed the Notice of Meeting, ballot information, and proposed fine schedule.

10/9/19 Charlie Sturges shut the water off to the sprinklers and opened the backflow. Turf It will be contacted to have the common area winterized.

10/11/19 Rock will be placed along the fence line and the sidewalk on Droubay between 270 S. and Upland.

10/15/19 Proposal was made via email by Rebecca Bracken to have the attorney present at the meeting on October 22.
Second Charlie Sturgess
Laura Burdine Yes
David Gibby No
Ryan Evans Unresponsive

10/17/19 Jason Barker will start the fence replacement on Monday 10/21/19.

10/21/19 Rock was placed along the fence line and sidewalk between 270 S. and Upland.