These are minutes of the HPME Development Committee Meeting held October 24, 2018

#### Hardware Park Mt Estates Development Committee Meeting October 24, 2018

Attending: Mike Jones, Roger McFarland – committee chair, Kevin Higley, Neil Christensen.

- 1. Talked about the moose kill
- 2. Talked about the permits and possibility of having them available at the gate?
  - a. But will somebody be at the gate at all times?
  - b. Time frame of getting information associated with the permits.
- 3. Mike worked gate security and shared with us some of the concerns.
- 4. Bounce dryer sheets help keep mice out of the cabin.
- 5. Mike (old Weaver cabin) wants to fix up that cabin. Roger and Kevin went and checked it out.
- Anderson's want to build a cabin. Going through the process according to bylaws. Septic tank approval getting easement situated so they can move on. Fabricated metal cabin
- 7. We talked about making sure the easement is secure and filed with the county and state to secure our entrance into Hardware Park Estates, across Byram's property.
- 8. Harrop's and Christensen's are having a road issue. Harrop's have closed access to the Christensen family. Has it been resolved or does the board need to get involved?

These are minutes of the Board Meeting of HPME held:

At the home of: Michael and Jayne Gailey 3333 S 1000 W Syracuse, Utah 84075

Thursday November 8, 2018 7:00 PM

Notice of this meeting had been sent to all board members ten days prior to the meeting. Present at the meeting were the following:

Farrel Lewis [President]	Bruce Peterson [Board]	Mike Schmidt [Board]		
Kevin Higley [Board]	Rubylyn Vernon [Board]	Dennis Kendrick [Board]		
Nate Arrioti [Board]	Kevin Higley [Board]	Gary Nuffer [Treasurer]		
Mike Gailey [Secretary]	Absent:	Rick Patterson [Board]		
		(excused for medical issue)		

**7:00 PM Call to order** – Farrel called the session to order stating that a quorum was present with a prepared agenda. The group expressed condolences to Rubylyn at the death of her father-in-law Stew Vernon. He was one of the original landowners within the Association and had been active on the Board in the past. His fingerprints can be found associated with the progress of HPME over many years. He will be missed.

**Communications** — Farrel requested that Mike Gailey conduct the business of the Communications Committee. Mike asked the Board for an approval of the minutes of the Board meeting held Thursday, September 8, 2018. Ruby placed a motion before the Board to accept the minutes as prepared. Nate placed a second. The vote was unanimous. Mike reported that he had not been successful in contacting the Beishlines concerning continued harvesting of shale on their property. Mike has made multiple attempts by phone and two emails that have not been responded to. Mike will continue to try and make contact with them.

Gary shared a letter from his wife, Dorothy, concerning the harvesting of shale and the trade of water outside of the Association. The letter was read by Bruce Peterson. The letter is placed here for preservation.

	11-8-18
0	Dear HPME Board,
	Though dome ablight that an same
	proposals from the last court mixing. If they move forward 2 will compaign against them at the march meeting.
	will comparent against them at
	() Faint object to bearing to more
	Shell from the gravel set by our Calin. When you do you will be
	Excrashing on our property line. I do so object to use the shell
0	to fix rasels for awners of property
	(2) We allolady Maintane he road from
	Continue. But I am against practing,
	Dicting shell + Maintaning other roads
	Sutside of our association.  3 2 object a trade for our road anguling in exchange for water.
	Low Could at be montered who was
	Dourbater rights are previous
0	for service. Once you start bartering
	with people outside of the association, when
	unter is especially valuable in dry
	water is especially valuable in dry years like this summer , we have new property owners in our association
	water is especially valuable in dry years like this summer , we have new property owners in our association who might we more water than prior
	water is especially valuable in dry years like this summer , we have new property owners in our association who might we more water than prior owners.  (5) I pote to have "cove construction"
	water is especially valuable in dry years like this summer we have her property owners in our association who might we more water than prior owners.  5 I yote to have "cove construction" grades our roads for a fee of 4 to 5 thousand dollars of Jell know
	unter is especially valuable in dry years like this summer , we have here property owners in our association who might was more water than prior owners.  Typote to have "cove construction" Association of the owner of those and addless of They know Shows to Dut shell back on the
	unter is especially valuable in dry years like this summer , we have here property owners in our association who might we more water than prior owners.  5 I yote to have "cove construction" grades our roads for a fee of 4 to 5 thousand dollars of July know whom to put a shell proved drawings a we pay for social or or of sering in whateroo, be water not being
	water is especially valuable in dry years like this summer , we have how property owners in our association who might he more water than prior owners.  (5) I yote to have "cove construction" grades our roads for a fee of 4 to o thouse our dollars of July know brow to put a help know brow to put a help for correct drawnage a we pay for social only a not in systemas for water not being monitored.
	uster is especially balvable in dry years like this summer we have here properly owners in our association who might we more water than prior owners  T pote to have "cove construction" grave our roads for a fee of 4 to 5 thousand dollars of they know know to put shell back on the roads + grade for correct drawage we pay for social only i not in explange, for water not being prontoiled.  O please, please, use our recourses of water 4 shell for our associations
	uster is especially babable in dry years like this summer , we have here property owners in our association who might we more water than prior owners.  T pote to have "cove construction" Arise our roads for a fee of 4 to 5 Ithousand ables of The know Arow to put shell back on the roads + grade for correct drawages we pay for social only i not in exchange, for water not being provided.  Please, please, use our recourses of water & shell for our association only, not out sidiko, when your stant making deals for water
	unter is especially balvable in dry years like this summer , we have hew property owners in our association who might we more water than prior owners.  (5) I pote to have "cove construction" Apace our roads for a fee of 4 to 5 thousand ables of July know whom it she have been on the woods + grade for cornet channege + we pay for social only i not in explange for water not being monitored.  (6) Please, please, use our recourses of water + whele for our association and, not out vides, when you when the water of the owners proved in the state of who
	unter is especially balvable in dry years like this summer , be have hew property owners in our association who might to move water than prior owners.  5 I yote to have "cove construction" grades our roads for a fee of 4 to 5 thousand dollars of July know whom to put shell be conet drainings to me any for social ordy i not in explance for covered drainings we pay for social ordy i not in explance for water not being monitored.  6 please, please, use over recourses of water + whell for our association only, not out sides, when you when the making duals for seconds more influentialises frost of who the Board is responsible for
	unter is especially balvable in dry years like this summer , we have hew property owners in our association who might we more water than prior owners.  5 I pote to have "cove construction" grade our roads for a fee of 4 to 5 thousand ables of they know whow to put shell back on the roads + grade for covert drainage 4 we pay for social only 4 not in explaince for water not being monitored.  6 Please, please, use over recourses of water + whell for our association when, not out riddes, when you slant making deals for response more reflicitles frost of who the Board is responsible for our association only;
	uster is especially babable in dry years like this summer we have here properly owners in our association who might we more water than prior owners.  I pote to have "cove construction" apage our roads for a fee of 4 to 5 Ithousand dollars of they know how to put shell back on the roads + grade for correct drawings we pay for social only i not in whatever, for water not being monitored.  O please, please, use our recovered of water + whell for our association when, not out sides, when you when, the water the comes more afficient when you water the free that of who the float is responsible for our association only; The floated is responsible for our association will have to
	unter is especially valuable in dry years like this summer , we have how property owners in our association who might the more water than prior owners.  (5) I yote to have "cove construction" grades our roads for a fee of 4 to 5 thousand dollars of July know whow to put a shell for our the roads + grade for social on the roads + grade for social on the in explayer for water not being proprited.  (6) Please, please, use over recourses of water + whell for our association only, not out sides, when you sloot making deals for recovers more right entitlessop tract of who the scard is responsible for our association only; (7) Property awners audicide The

The Board discussed the content of Dorothy's letter. After much discussion of the supply of shale, the maintenance of the North Gate Road, and our limited water supply, Ruby placed a motion before the Board to restrict the use of shale from the North Gate Road because it services few members and these members prefer the road "as is", and is the sole access for River Birch and

other non-association landowners who do not participate with the Association in good faith, and to limit the use of our water supply to the needs of Association members with the exception of Steven Thomas, the owner of the property at the first gate, and the Byrum family who has been granted grazing and water access rights that predate this action. No other trades for water are authorized at this time. This motion was seconded by Kevin. The vote was unanimous.

**Finances** — Farrel asked Gary for a current financial report. Gary distributed the financial statement to the Board. He also had prepared a listing of HPME assets and a listing of Association members in default with the payment of fees. The deadline for voucher submittal for the Work Credit program was also reviewed. That deadline in December 31, 2018 with voucher submission to be made to the responsible board member. Ruby commented that she had a lot of maintainers that had not kept their commitments.

	Park Moun	ement			Assets: October 1, 2015	MESCO	Rock Screen		\$ 10,
TOT IISCCAL FEAT	1 04/01/2010	T 1114 03/3	Road						
	Combined Total	Membership Fees	Maintenance Fees	Rainy Day Fund	Hardwar	e Park Mou	ntain Estat	es	
Beginning Balance 04/01/2018	\$49,152	\$2,011	\$31,278	\$15,863	Memberel	hip Assessn	nont Pact I	2110	
Annual Assessments 2018-2019	\$6,850	\$900	\$5,350	\$600				,ue	
Special Assessment Roads					as	of October :	31, 2018		
Keys	\$25	\$25							
Maps					MATERIAL PROPERTY AND ARREST AND ARREST				Balanc
Work Credits					Lot No.'s	Last Name	First Nan	nes	06/30/20
Interest & Penalties				1000000	25-28	Crowther	Travis	0.00	\$
	100000			Control Control Control	25-14, 25-15, 25-16	Ekstrom	Dennis		\$
Sub-total 2016-2017	\$6,875	\$925	\$5,350		25-53	Hooper	Nickolas		\$
Funds Available	\$56,027	\$2,936	\$36,628	\$16,463	36-57	Hill Huckleberry	Larry Pete Del		\$
Funds Disbursed:					25-8 25-33	Jones	Pete Det		\$
Board Meetings (03/14/2019)	\$ 180	\$ 180	Maria and a series	Processor and the second	36-37	May	Quin		\$
Annual Picnic (08/11/2018)	\$ 595	\$ 595	N. T. S. T.		25-11; 25-12; 25-13	Moore	Brett		\$
Spring Clean-up		100000000000000000000000000000000000000	1000		36-8	North	Gordon	43	\$
Roads:		E. P.	AND STREET		25-54	Salaz	Robert		\$
Grading	\$ -	ALL SERVICE	\$ -	100 100 100 100 100 100 100 100 100 100	36-61	Tremea	Gary		\$ 1,
Roads (gravel, shell & etc)	\$ 21,627		\$ 21,627	(C) (S) (S) (S)				THE REAL PROPERTY.	
Repairs	\$ -								
Fuel	\$ -		A Section 1975	The second	Balance Due			-	\$ 5
Rental Equipment Insurance	\$ 2,063	E STATE OF	\$ 2,063	200000000000000000000000000000000000000		0.00			
Misc. Weed Abatement	\$ 1,950		\$ 1,950			are an alphabeter of			in all aline
Total Roads	\$ 25,640	\$ -	\$ 25,640						
Security:	et I mensy.		61	13 (01-03 (41-0)					
Deer Hunt	10000			60-63					
Gates & Fences	73.			10-70					
Keys	inskladary i rei			8-85					
Total Security	\$ -	\$ -							
Springs:	uf l			16-30					
Testing	enociae enocia		13	25-12: 25-12: 25					
Bucks Springs	por III			-8-86					
East Springs	\$ 49	\$ 49		25.54					
South Springs	and a correction			18.80					
West Springs		1							
Total Springs	\$ 49	\$ 49							
Taxes:									
State Franchise Fee				A CONTRACTOR OF THE PARTY OF					
Corp. Registration	\$ 13		Production St.						
Total Taxes	\$ 13	\$ 13							
Bank Charges									
Newsletter									
Postage	\$ 4	\$ 4							
Printing									
Flowers									
Supplies		\$ 1,347							
Supplies D & O Insurance	\$ 1,347								
Supplies D & O Insurance Website	\$ 1,347 \$ 60	\$ 60							
Supplies D & O Insurance Website Filing Fees	\$ 60	\$ 60							
Supplies D & O Insurance Website			\$ 25,640	\$ -					

Dennis placed a motion before the Board to accept the current financial statement as delivered by Gary. Bruce placed a second. The vote was unanimous.

**Security and Fire** – Farrel mentioned to the Board, that the locks need to be removed from the gates and serviced during the winter months. He reported that Hal Jones is in New York for the next 6 months and will not be available. He mentioned that Russ Ridges had offered to retrieve the locks. Dennis also agreed that he would see that the locks are removed. Farrel assigned himself to touch base with Russ and would get back with Dennis. There were no other action items from this committee discussed.

**Emergency Preparedness --** Mike Schmidt reported to the group that his committee was currently seeking permission from members where monuments calling out GPS helicopter-landing sites would be placed at the Association. He had no other action items at this time.

**Activities** – Bruce reported that the attendance at the Summer Picnic was down from the last year. Attendance was estimated to be over 200 the prior year. This year's attendance was about 80. There was a brief discussion concerning why it may have been so. Historically the activity has occurred on the 1<sup>st</sup> weekend of August to avoid the Weber County fair. There was also a brief discussion concerning the scheduled general meeting of the membership in March 2019. The date for that meeting is March 14, 2019. The Board meeting will be moved to the first Thursday in March [March 7, 2019]. Mike Gailey reported to the Board that he will not be able to attend the Board meeting that month because of a Syracuse City commitment. Someone else will need to be assigned to record minutes of the Board meeting. This will be discussed in January.

**Development** — Kevin reported to the Board that the law suit levied against the Byrum family over an access easement with a party seeking to develop west of the Association has been dropped. He had little additional information at this time. There ensued a discussion concerning formalizing the easement that we currently enjoy across Byrum's property. It was determined that we ought to seek a MOU [memorandum of understanding] between the Byrum family and the Association as their property will be changing generational hands soon. Kevin recommended to the Board that his committee be assigned to develop the MOU with the Byrums. A second to the motion was made by Dennis. The vote was unanimous. Kevin shared with the Board the minutes of the Development Committee that met on October 24, 2018. Those minutes have been inserted into this minute at its proper sequence.

**Roads and Maintenance --** Ruby reported that several maintainers had not performed as committed. The Board was unified in the resolution that credit for work this year not be granted. There was some discussion concerning Clint Gailey being asked to join the Roads and Maintenance Committee as the road's superintendent. Farrel mention that he had spoken casually to Clint about making that assignment and he seemed open to it. Ruby indicated that she would be speaking with Clyde Hinderliter, the current chair of that committee, and seek his input. Mike Gailey was asked to see if Clint were willing to serve.<sup>1</sup> Ruby reported no other items for discussion.

**Hunting** — With the absence of Rick discussion on this topic was limited. It was the general observation of the Board, that there was a great deal of time this year during the hunts when no security was provided. It was also the general feeling of the Board that there needs to be more policing inside the Association boundaries during hunts, checking to see who is actually hunting and if the party is justified. It was the general feeling that we had many outsiders again hunting this year. The Board requested that Rick be prepared to discuss options at the January meeting.

Farrel asked that the Board discuss the legal moose harvested at Buck's Pond. DWR has confirmed that the kill was a legal kill, however, the leaving of the discarded carcass in the drainage leading to Buck's Pond was deemed unacceptable practice by the Board. The moose was reportedly harvested by members of the Judkin's family. The Board discussed this issue and its concern for the water supply at that location. Hunting etiquette would have demanded that the remains not be simply abandoned in that drainage along the roadside. After some discussion, Ruby made a motion that a letter be sent to Rick Judkins from the Board censuring this activity. Bruce placed a second before the group. The vote was unanimous. Mike Gailey was assigned to draft a letter to Rick Judkins formally stating the unacceptable nature of the actions taken by those granted hunting

\_

<sup>&</sup>lt;sup>1</sup> Accordingly, Mike contacted Clint and he is more than willing to serve as of November 10, 2018. His phone number is:

access by him. Mike accepted this assignment. Mike was also tasked with writing an amendment to the hunting CCRs concerning the abandonment of animal remains on property not owned by the hunter. This amendment to CCRs can be adopted without approval of the general membership since it is regulatory in nature and not legislative.

**Water and Health** — Nate reported on the flow rates at all springs. It was noted that very little flow is occurring at the East Spring. That is very common at this time of year at the East Spring, but we have been in extreme draught conditions. The Board asked that the general membership be surveyed concerning water use at the March meeting. Ruby shared with Mike Gailey a copy of a former survey that might be used. Mike will have a survey prepared for the March meeting and will add an agenda item to discuss mosquito abatement at the property as requested by Blaine Oakeson.

Other Business – Farrel drew attention to a written letter of complaint drafted by Bruce Judd concerning the activities of a non-member land owner east of the Association concerning destruction of his property within the Association. For historical purposed that letter has been placed in this minute.

October 2, 2018 To: Hardware Park Mountain Estates Board From: Bruce Judd I am writing to you so that the Board can address an issue concerning a trespassing on Association Property on the weekend of May 11th, 2018. I witnessed Jeff Morrell and his several Jeep buddies trashing the roads in their Jeeps and other 4x4 vehicles. It had been raining and the road were indeed very wet and muddy. The damage to our personal property road and association roads was extensive in some parts. Jeff saw me at the top of my driveway and just kept going knowing full well he was on private property! (I did take some pictures of the damage) The money he pays for dues does NOT cover the damages to our driveway and certainly does not give him access to the rest of the properties and roads in the association since his property is outside of the association boundaries. My wife and I have also seen him getting water from The East Springs in the past. We did not know at the time he was not supposed to be doing this, as we were brand new to the association. If we see this again, we will take pictures! Please let me know if I can be of further help in resolving this situation. I sincerely hope this is brought to his attention so that this will come to an end as none of us Should have to tolerate his trespassing and damage to our roadways! Bruce Judd

Mike Gailey reviewed with the Board Article XIII – Claims of Nuisance or Failure to Comply with Association Bylaws and Restrictive Convents stating that the complaint issued by Mr. Judd against Mr. Jeff Morrell was outside of Association bylaws because Mr. Morrell is not a member of the Association. A discussion ensued among the Board. It was reported that there was an issue this year with Jeff Morrell seeking hunting permits. No one was quite sure if that issue had been resolved with Rick absent. After some discussion Mike Schmidt made a motion that a letter be drafted to Mr. Morrell confronting him with these charges. A second was made by Bruce. The motion passed unanimously. Mike Gailey was assigned by Farrel to draft that letter. Mike accepted that assignment.

Adjournment – Kevin made a motion to adjourn. The motion was seconded by Nate. The motion was passed unanimously. The meeting adjourned at 9:25 PM

Next scheduled Board Meeting: January 10, 2019