

Hardware Park Mountain Estates Minutes

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 January 9, 2019
7:00 PM

This meeting was a joint meeting with the HPME Development Committee. 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]	Nate Arrioti [Board]
Mike Schmidt [Board]	Rubylyn Vernon [Board]	Russ Ridges [Board]
Dennis Kendrick [Board]	Rick Patterson [Board]	Kevin Higley [Development]
Roger McFarland [Development]	Doug Justensen [Development]	Neal Christensen [Development]
	Gary Nuffer [Treasurer]	Mike Gailey [Secretary]

Welcome—Farrel welcomed the group to the January Board meeting at 7:00 PM stating that a quorum was present. He welcomed the HPME Development Committee to this meeting knowing that the major discussions that night would involve that committee and the governing documents of the Association.

Communication—Farrel asked Mike Gailey to lead the group through discussions and approvals needed by the Committee. Mike reminded the Board that he had forwarded them copies of the minutes of the November 14, 2019 Board meeting. He asked if there were any questions or corrections of those minutes. There were none suggested. Farrel asked for a motion to accept and approve those minutes. Dennis made a motion to approve. A second was offered by Rubylynn. There was no discussion and the motion passed 7-0.

Mike reported that he had received back from USPS the materials sent to Jeff Morrell containing the signed MOU that was negotiated last fall. Mike is not sure why it was not delivered. Jeff said he'd gone to the post office and the letter could not be found. Mike has sent a PDF copy to Jeff and will get the returned original in Jeff's hands personally.

Finances—Gary presented a financial statement to the Board. After reviewing that statement Farrel asked for a motion to accept the financial statement as delivered by Gary. Rubylyn made the motion to accept the financial statement. A second was offered by Russ. There was no further discussion. The vote was 7-0 to accept.

Gary shared the current financial default list with the Board. He stated that Mike Lucas's property is for sale. He also indicated that he is working with Jay Omsbach to get ready for rekeying the Association's locks this spring. The March general meeting will also be used to redistribute keys. Farrel asked Gary to get with Hal Jones seeing that Hal, our gate keeper, is part of the Security Committee. Russ mentioned that he would be with Hal the next few weeks on assignment in Alaska. He will make sure that Hal is aware.

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Hardware Park Mountain Estates Financial Statement for fiscal Year 04/01/2019 thru 03/31/2020				
	Total Assessments & Expenditures	Membership Fees	Road Maintenance Fees	Rainy Day Fund
Beginning Balance 04/01/2019	\$ 44,329	\$ 2,068	\$ 23,308	\$ 18,953
Annual Assessments 2019-2020	\$ 5,456	\$ 570	\$ 4,221	\$ 665
Keys	\$ 175	\$ 175		
Maps				
Interest & Penalties				
	\$ 9	\$ 9		
Sub-total 2018-2019	\$ 5,640	\$ 754	\$ 4,221	\$ 665
Funds Available	\$ 49,969	\$ 2,822	\$ 27,529	\$ 19,618
Funds Disbursed:				
Board Meetings (03/13/2020)	\$ 270	\$ 270		
Annual Picnic (08/03/2019)	\$ 586	\$ 586		
Roads:				
Grading	\$ 4,590		\$ 4,590	
Roads (gravel, shell, Equipment & etc)	\$ 2,099		\$ 2,099	
Repairs				
Fuel				
Rental Equipment Insurance				
Misc. Weed Abatement				
Total Roads	\$ 6,689		\$ 6,689	
Security:				
Deer Hunt				
Gates & Fences				
Keys				
Landing Zone Markers	\$ 173	\$ 173		
Total Security	\$ 173	\$ 173		
Springs:				
Testing				
Bucks Springs				
East Springs	\$ 31	\$ 31		
South Springs	\$ 31	\$ 31		
West Springs	\$ 12	\$ 12		
Total Springs	\$ 74	\$ 74		
Taxes:				
State Franchise Fee	\$ 121	\$ 121		
Corp. Registration	\$ 13	\$ 13		
Total Taxes	\$ 134	\$ 134		
Bank Charges				
Newsletter				
Postage	\$ 56	\$ 56		
Printing				
Flowers				
Supplies				
D & O Insurance	\$ 1,247	\$ 1,247		
Website				
Lien Filing Fees				
Total Disbursements (Expenditures)	\$ 9,229	\$ 2,540	\$ 6,689	\$ -
Ending Balance as of December 31, 2019	\$ 40,740	\$ 282	\$ 20,840	\$ 19,618

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Assets:				
Roads (Equipment)		Rock Screen		\$ 10,127
Hardware Park Mountain Estates Membership Assessment Past Due as of December 31, 2019				
Lot No.'s	Last Name	First Names		Past Due Balance
25-8	Huckleberry	Pete	Debi	\$ 822
25-11; 25-12; 25-13	Moore	Brett		\$ 450
25-54	Salaz	Robert		\$ 1,200
36-61	Tremea	Gary		\$ 2,020
36-48	Harrop	Blake		\$ 300
36-57	Hill	Larry		\$ 460
25-3	Hill	Russell		\$ 300
25-54	Sacket	Barry		\$ 300
25-35	Tidewell	Ray		\$ 300
36-41	Turek	Rick		\$ 300
Balance Due				\$ 6,452

Security and Fire—Farrel asked that Dennis Kendrick get with Gary and see what assistance can be given to Gary with Key reissue on March 19, 2019. Rick Patterson mentioned that the Jersey barriers have done their job in eliminating access at the south end of the property.

Emergency Preparedness—Rick Patterson thanked Mike Schmidt for the landing site markers. He now knows where they all are. There was no further discussion concerning this committee.

Activities—Farrel asked Bruce if he was good with the upcoming general meeting to be held on March 19, 2020. Bruce said they are working and will be ready.

Development—Farrel asked if that committee would like to report before we get into a discussion on CCRs. Roger has been appointed chair. He asked if the issue with Hal Jones and water had been resolved. The Board affirmed that Hal has removed his collection station placed below Buck's spring. He now understands that that action jeopardizes our water right with the Division of Water Rights. Roger led a discussion relating to the frustration of the Development Committee that development was going on without the prevue of that committee. The question was asked why we exist if no one is following the mandate. The points of that discussion rested primarily on the fact that no one wants to be the "traffic cop". A lengthy discussion ensued. In that discussion assessor buildings, number and size, was discussed. After considerable discussion it was determined that the Development Committee would be charged with conducting a hearing of the members of the Association at the next general meeting with proposed changes to the CCRs related to development. Russ from the Board and Roger from the Committee both accepted this charge.

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A discussion was had concerning producing hard copies of the governing documents for each property owner. The group was reminded that these documents are readily available online. It was recognized that some still are not computer literate. It was mentioned that ignorance of the law is not the accepted standard. After some discussion it was determined that when keys are issued landowners be required to sign a statement affirming that they are aware of the existence of HPME governing documents. That assignment was accepted by Russ.

After some discussion it was determined that all interpretations of the governing documents should be sent to the Board.

Roads and Maintenance—Rubylyn asked Farrel if he'd had success in contacting the blasting company in Pocatello. He reported that he's discussed such over the phone with the company but has not received any follow-up from those he needs to speak with. Farrel rehearsed the plans for also blasting on the Pearson's property for the benefit of the Development Committee members.

The body discussed parking on Association rights-of-way that precludes travel and how to enforce it. It appears to be particularly a problem at what was referred to as the "Palate Cabin". Mike Gailey was tasked with adding to the governing documents a statement about obstructing traffic along Association-maintained roadways.

Hunting—Rick led the group through the proposed changes that were heard at the last general meeting. Mike was asked to add a restriction to ammunition of armor-piercing rounds.

- 4.1** **Hunting:** Hunting of game is permitted by Association-issued permit only. [see www.hpme.org for application]
- 4.1.1 **Title 23 - State Statute:** The following acts, among others are unlawful [see Title 23 Utah State Code – <http://le.utah.gov>]:
- The discharge of any firearm 30 minutes after sundown or 30 minutes before sunrise.
 - The discharge of any firearm within 600 feet of any cabin or out building without written permission of the owner.
 - The discharge of any firearm over any roadway.
 - The discharge of any firearm from a vehicle or ATV.
 - Having a round chambered while traveling in any vehicle or ATV.
- 4.1.2 **The Right to Restrict Hunting:** Each member lot owner reserves the right to give notice and post his/her land to hunting. **By doing so he/she opts out of the Association Hunting Coop and is denied hunting rights on all other Association-managed properties. Changed 3.2020**
- 4.1.3 **The Right to Hunt on Association Property:** Hunting on all Association managed properties is limited to:
- Member lot owner(s)
 - Immediate family
 - **No Guests. [Security gate keys are to be lent to immediately family only for hunting purposes.] Changed 3.2020**
- 4.1.4 **Liability of Member Lot Owner during a hunt:** The Association assumes no liability for personal injury or property damage as a result of hunting. Each member lot owner is liable for personal injury, property damage and actions stemming from trespass caused by immediate family or any and all guests during any legal hunt.
- 4.1.5 **Once in a Lifetime Hunts:** **Only member lot owners and their immediate family may have access to HPME for these hunts. [changed 3.2020]**
- 4.2** **Recreational Shooting:** The member lot owner or nonmember lot owner shall insure that any firearm or other weapon's projectile begins and end within the boundaries of his/her property with no chance of ricochet.
- 4.2.1 **Quiet Time Hours Amended for Recreational Shooting:** For recreational shooting, quiet time shall be extended to one hour before sundown in the evening until one hour after sunrise the next morning.
- 4.2.2 **Exploding targets:** **The use of exploding targets is not a permitted use on Association-managed properties at any time. [Changed 3.2020]**

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- 4.2.3 Ammunition: The use of tracer or armor-piercing ammunition is not a permitted use on Association-managed properties. [changed 3.2020]
- 4.2.4 Liability of Member Lot Owner and Nonmember Lot Owner for Recreational Shooting: The Association assumes no liability for personal injury or property damage as a result of recreational shooting. The member lot owner or nonmember lot owner is liable for the actions of immediate family and all guests.

Rick was charged with the presentation of the CCR-changes at the March general meeting. Mike Gailey asked Gary if he could include an insert with the billing statement Gary will mail in February, 30 days before the March general meeting.

There was discussion about variances being granted to landowners not having family who themselves hunt and would like to hunt with a guest partner. The decision was made to not make that a public announcement but to treat those cases one-on-one as they occur at the Board level.

Water and Health—Nate reported that he had nothing, but he was concerned about the Yurt operation at the western boundary of the Association. It would appear that that group is promising access to HPME properties. Kevin reported the Byrums have denied them access. Mike Gailey reported that he'd been in contact with Steve Thomas who granted an easement across his property for the yurt owner. Steve will underscore with the yurt owner that he has no right-of-way access into or through HPME managed properties. The group reviewed the website of the Monte Yurt business. The group was reminded that HPME landowners are not allowed to engage in business practices on HPME managed lands.

https://www.airbnb.com/rooms/40185166?source_impression_id=p3_1578669705_QKaECMF2QtWWuzlV

Adjournment—Dennis made a motion to adjourn. Ruby placed a second before the group. Vote was 7-0. The meeting was adjourned until March 12, 2010