

These are minutes of the Board meeting held Thursday, May 5, 2022, by Zoom

Present at the meeting were the following:

Farrel Lewis [President]	Ron James [Board]	Nate Arrioti [Board]
Roger McFarland [Board]	Rick Patterson [Board]	Dennis Kendrick [Board]
Russ Ridges [Board]	Clint Gailey, Chair Roads Committee	Mike Gailey [Secretary]
		Absent were:
	Mike Schmidt, [Board]	Gary Nuffer, Treasurer

Welcome—Farrel welcomed the group to the Board meeting at 7:05 PM stating that a quorum was present. Farrel welcomed Ron James and Roger McFarland as new members of the Board. He also welcomed Clint Gailey to the meeting who will be serving and the chair of the Roads and Maintenance Committee.

Communications—Farrel asked Mike Gailey to begin his report. Approval of the minutes January 13, 2022—The minutes had been sent to the Board before the meeting for review. Mike asked the Board if there were any corrections to those minutes. Nate made a motion to accept the minutes. Dennis made a second to the motion. The vote was unanimous.

Mike reported that the website still functions for the members, but nothing can be changed at the current time. Troy Moyes, the website developer is working on correcting this problem. The issue is that some of the plug-in applications are now not working. The website is currently being rebuilt by Troy. This may take a couple of weeks to resolve.

Mike reported on the efforts of Farrel, Gary add himself to create a common directory of members. The new directory has parcel numbers and keys issued listed. There was a discussion on whether this directory should be shared on the website. It was determined that only the Board should have this listing to preserve privacy. Mike sent a copy of that directory to the current board members via email during the meeting.

Finances—Gary asked to be excused from the meeting. Farrel led the group in a discussion of the current financial statement provided by Gary. The group discussed the costs of the planned road work to be undertaken this year. Rick made a motion to accept the financial report provided by Gary. Russ made a second. The vote was unanimous.

A copy of that report is provided here for completeness.

Hardware Park Mountain Estates
Financial Statement
for fiscal Year 04/01/2022 thru 03/31/2023

	Combined Total	Membership Fees	Road Maintena nce Fees	Rainy Day Fund
Beginning Balance 04/01/2021	\$52,959	\$0	\$30,833	\$22,126
Annual Assessments 2022-2023	\$ 22,500		\$20,025	\$2,475
Keys	\$575	\$ 575		
Maps				
Interest & Penalties				
Recovery				
Sub-total 2021-2022	\$ 23,075	\$ 575	\$20,025	\$2,475
Funds Available 04/30/2022	\$76,034	\$575	\$50,858	\$24,601
Funds Disbursed:				
Board Meetings				
Annual Picnic (8-7-2021)				
Roads:				
Grading				
Roads (gravel, shell & etc)				
Repairs				
Fuel				
Rental Equipment Insurance				
Misc. Weed Abatement				
Total Roads	\$0	\$0	\$0	
Security:				
Deer Hunt				
Gates & Fences				
Landing Zone Markers				
Keys				
Total Security	\$0	\$0	\$0	
Springs:				
Testing				
Bucks Springs				
East Springs				
South Springs				
West Springs				
Total Springs	\$0	\$0	\$0	
Taxes:				
State Franchise Fee				
Corp. Registration				
Total Taxes	\$0	\$0	\$0	
Bank Charges				
Postage				
Printing				
Flowers				
Supplies				
D & O Insurance				
Website				
Filing Fees				
Total Funds Disbursements	\$0	\$0	\$0	\$0
Ending Balance as of April 30, 2022	\$76,034	\$575	\$50,858	\$24,601

Roger made a motion to approve the moneys that will be required to contract with Clair and Brett. Dennis made a second. The vote was unanimous. Various members of the leadership agreed to be present through that week. Assignments will be made at a later date.

There was discussion on the role of the road maintainers. Farrel is frustrated with those that claim the work credit but do nothing. After some discussion it was determined that some video or photographic evidence be provided by those claiming work credit be required showing before and after evidence of work performed. Russ will get with Ruby Vernon and get the list of Road Maintainers and be working on a solution to the work credit issue.

Hunting—Rick mentioned that all the information currently on the website concerning hunting is correct. He asked that on the first of June the website announce that applications will be taken between June and July for hunting permits. No permits will be issued after the 31st of July.

Water and Health—Nate stated that Cache County will be on the property on June 7th to spray for noxious weeds. This announcement has been placed on the Facebook page. It will be placed on the website when it is again functioning. Landowners can have their properties sprayed for \$50 a lot.

The West Spring has been heavily chlorinated. Nate will get Stephan Wilson to test that spring as soon as weather will allow.

Miscellaneous Discussions—Farrel asked the Board to respond to the petition that has been circulated by Roger Howell. Roger has sent a couple of draft of a petition to base membership fees on property value. Roger would like his petition to be posted to the website. Mike has informed Roger that the website is currently down and that is not possible for at least two weeks.

Farrel asked the Board how they felt about Roger's petition that had been sent to each of them. A lengthy discussion ensued. Finally, Farrel asked for a roll-call vote of the Board on whether the petition should be placed on the website or not. That roll-call vote determined that there was no support for placing the petition on the website.

The requirement to amend the Bylaws are placed here for completeness:

ARTICLE XVII – AMMENDMENTS

17.1 Proposition to Amend: Amendments to these bylaws may be proposed by any group representing five percent (5%) of the member landowners in good standing or by the Board.

17.1.1 **Notice of Desire to Amend:** Notice of a proposed change or amendment to these bylaws is to be submitted to the Board in writing listing the names and signatures of those from the memberships seeking that change.

17.1.2 **Notice of Reason for Change:** The request to amend shall contain a statement explaining the need for amendment.

17.1.3 **Notice of Proposed Text Changes:** As part of any submission for change, those proposing the change are charged with a first draft of any text to be altered, omitted or added to these bylaws.

17.2 Adoption of Amendments to These Bylaws: Adoption of any amendment to these bylaws shall require a majority vote of the entire Board at a previously held meeting of the Board of Trustees, followed by a majority of the vote cast at the March general meeting, either by proxy or by those being present at said meeting.

Reserved

Currently there are 110 landowners that have the right to vote. Besides himself, Roger would have to find 5 addition landowners to support his petition in order to bring it to the Board for placement on the agenda at the next General Meeting of Landowners in March of 2023. The question was asked: Should the petition be placed on the website. A roll-call vote showed there was no support for that action. Roger must do this on his own to make the petition valid.

This is the practice in municipal government. Voters may petition to overturn the actions of the governing body in a referendum vote. The State of Utah requires nearly 30% of the registered voters to sign the petition. The Association Bylaws require only 5%.

Mike Gailey will advise Roger Howell that the Board will not assist him by placing the petition on the website.

Farrel led the group in a discussion of the MOU that is proposed between the Association and Richard Oldham who has purchased the Fulmer property on the East side of HPME. A copy of the MOU was sent to each Board member. Farrel and Mike will work with Richard to preserve the MOU that was signed by Ellis Fulmer.

Farrel asked that the Chairman of the Board be revised. With Bruce leaving the Board there is not a vacancy in that role. After some discussion, Dennis Kendrick accepted the Role of Chairman of the Board.

Farrel mentioned that Roger Howell has a digital copy of the parcel map of the Association. He said that the survey lines have been corrected and updated. Roger McFarland agreed to have the Development Committee investigate obtaining this map to be placed on the website. He will discuss this with them at their reorganizational meeting.

Farrel mentioned that a few property owners be rebilled for non-adjacent lots they own. He will get with Gary and have them rebilled. This action was approved prior to April 2022.

Russ Ridges mentioned that he will not be here for the July Board meeting.

A motion was made to adjourn at 9:00 PM by Dennis. Rick seconded that motion. The meeting was adjourned without a vote.