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 fisccal Year 04/01/2022 thru 03/31/2023

	С	ombined Total	Ме	mbership 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 Availabe 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	

Assets:			
MESCO	1-Oct-15	Rock Screen	\$10,127
Hard	ware Park Mountai	n Estates	
Membe	ership Assessment	s Past Due	
	as of April 30, 20	22	
Lot No.'s	Last Name	First Names	Balance
25-08	Huckelberry	Pete	\$400
25-11	Moore	Brett	\$225
		D-1	\$1,100
25-54	Salaz	Robert	\$1,100
25-54 36-61	Salaz Tremea	Gary	\$2,420

**Security and Fire**—Dennis reported that he had nothing new to discuss. Farrel mentioned that he still had the locks in his truck and had not given them to Jay Omsbach to change the tumblers until recently. He has spoken with Jay and that process is now underway. Mike Gailey reported that he had told a new landowner, Anna McNammer that the locks won't be installed, and the gates secured until May 15<sup>th</sup>. Russ is acting for Hall Jones and will place the locks on the gate after that date. Hall is out of the county at the present time.

**Emergency Preparedness**—With Mike Schmidt not present not present. There was no discussion.

**Activities**—Farrel asked Ron James if he would accept an assignment as liaison to the Activities Committee. Ron accepted that assignment. Bruce's family had been very active in the this committee in the past. Farrel asked Ron to create a budget for both the Summer Picnic and the March 2023 General Meeting of Landowners and submit it to the Board for approval. Ron will begin reorganizing this committee. The Summer Picnic is Saturday, August 6, 2022.

**Development**—Farrel asked Roger McFarland to accept an assignment as liaison to the Development Committee. Roger has served as the chairman of this committee in the past. Roger accepted that assignment. Roger will call the committee together and they will elect a new chair. Roger sought the counsel of the entire board on the buildings that have been constructed on lot 25-38 owned by Lance Gardner. The County is aware of this construction and has visited the site. There has been no land use permit or building permit issued by the County. The County is reluctant to share too much with Roger, but they state they are working on the issue. The question was concerning what the actions of the Board ought to be since the structures are not supported by the current Bylaws and CCRs. After some discussion it was determined that Roger would draft a letter to be sent to Mr. Gardner inviting him to come and discuss the issues at hand with the Board. The majority of the Board felt that this discussion should happen in an inperson setting rather than by Zoom.

Roger will draft the letter and send it to the Board for approval. Once approved, the letter will be sent to Mr. Gardner. The date of the meeting will then be determined.

**Roads and Maintenance**—Farrel asked Russ to move to the Roads Committee. This he accepted. Clint Gailey was welcomed to the meeting as the new chairman of the Roads Committee. Russ and Clint already know each other and have worked together before. Rick Patterson thanked Clint for his willingness to serve. He felt that Clint's knowledge of heavy equipment operations and road construction would be a tremendous asset to the Association. He is particularly well-versed in the costs involved. Farrel reported that he has already contacted Clair Cole and Brett Christensen, last year's contractors. They have set the week of June 20<sup>th</sup> to begin road repairs this year. Darrel Fowers has mentioned that he has topsoil he'd like to grant Bryan Patterson to help retore the vegetation on Byan's property. Brett Christensen will also bring two loads of topsoil to the property during the week of June 20<sup>th</sup> in the trucks being rented that week.

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 7<sup>th</sup> 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 <u>Notice of Desire to Amend</u>: 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 <u>Notice of Reason for Change</u>: The request to amend shall contain a statement explaining the need for amendment.
- 17.1.3 <u>Notice of Proposed Text Changes</u>: 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 he 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 then 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.