

**These are minutes of the General Meeting of HPME held March 17, 2022 at the Syracuse Community Center located at:**

**1912 W 1900 S  
Syracuse, Utah.**

The meeting began with a key exchange and payment of fees at 6:00 PM. Gary Nuffer collected fees and Dennis Kendrick and the Security Committee distributed keys. Landowners were also given the opportunity to update information with the Association. Jay Omsbach provides the Association with keys and locks.

The general meeting of landowners began at 7:00 PM. The general meeting was also broadcast via zoom. There were some technical difficulties the first 17 minutes of the broadcast with sound, but it was eventually discovered and corrected. Five members attended via Zoom

All members of the Board of Trustees attended the base location. Rick Patterson was not present this evening. Seventy-three landowners were present at the base location.

**Call to Order and the Major Questions of the Evening**—Farrel Lewis called the group to order at 7:00 PM. He immediately asked three questions of the group asking one individual representing each property assessment to stand. There were 73 representatives in the room. He asked those standing to sit if they could not answer “yes” to the questions he would propose. He proposed these three questions:

1. Do you as a HPME landowner wish to be governed by the Bylaws and Restrictive Covenants of the Hardware Park Mountain Estates Association?
2. Do you as a landowner recognize the HPME Board of Trustee's as your representatives in matters of government?
3. Do you accept the decisions of the HPME Board of Trustee's to act in your behalf?

Four members of the Board and staff watched and counted as each question was read. Seventy-three were present and all seventy-three remained standing after each question.

Farrel thank the group for this vote of confidence. More will be discussed later concerning the governing documents of the Association.

**Welcome New Members**—Farrel asked those that were new to the Association to come forward and introduce themselves. There were four new to the Association.

**Nominations, Introductions, and Elections of New Officers**—Farrel had appointed Roger Howell as the chair of the nominating committee of HPME. Roger was asked to serve as the election official. He reported that Ruby Vernon and Bruce Peterson would not be candidates this year. He and Linda Barnes had sought out candidates from the Association and have nominated the following:

Nate Ariotti  
Ron James  
Joseph Martinez  
Bryan Patterson

Nominated from the floor that evening were:

TJ Ereckson  
Roger McFarland

Each candidate was given time to introduce themselves. Ron James was not able to attend but was represented by his daughter.

Ballots were distributed to landowners and they were allowed a few minutes to vote. Roger Howell, Ruby Vernon, Russ Ridges, Bruce Peterson, Mike Schmidt, Dennis Kendrick gathered the ballots and give them to Mike Gailey, HPME Secretary to tabulate. The results were announced later in the meeting.

Finance—Gary Nuffer presented the financial statement to the Association. It was accepted by common consent.

**Hardware Park Mountain Estates**  
**Financial Statement**  
**for fiscal Year 04/01/2021 thru 03/31/2022**

	Combined Total	Membership Fees	Road Maintenance Fees	Rainy Day Fund
<b>Beginning Balance 04/01/2021</b>	\$52,021	\$0	\$29,895	\$22,126
Annual Assessments 2021-2022	\$ 29,347	\$ 2,112	\$24,007	\$3,228
Annual Assessments 2022-2023	\$ 2,740		\$2,466	\$274
Keys	\$605	\$ 605		
Maps				
Interest & Penalties				
Recovery				
Sub-total 2021-2022	\$32,692	\$ 7	\$26,473	\$3,502
<b>Funds Available (02/28/2022)</b>	<b>\$84,713</b>	<b>\$2,717</b>	<b>\$56,368</b>	<b>\$25,354</b>
<b>Funds Disbursed:</b>				
Board Meetings	\$504	\$504		
Annual Picnic (8-7-2021)	\$660	\$660		
<b>Roads:</b>				
Grading	\$9,975		\$9,975	
Roads (gravel, shell & etc)	\$15,500		\$15,500	
Repairs				
Fuel				
Rental Equipment Insurance				
Misc. Weed Abatement	\$100		\$100	
<b>Total Roads</b>	<b>\$25,575</b>		<b>\$25,575</b>	
<b>Security:</b>				
Deer Hunt				
Gates & Fences	\$13	\$13		
Landing Zone Markers				
Keys				
<b>Total Security</b>	<b>\$13</b>	<b>\$13</b>		
<b>Springs:</b>				
Testing				
Bucks Springs				
East Springs				
South Springs				
West Springs				
<b>Total Springs</b>				
<b>Taxes:</b>				
State Franchise Fee	\$122	\$122		
Corp. Registration	\$10	\$10		
<b>Total Taxes</b>	<b>\$132</b>	<b>\$132</b>		
Bank Charges	\$12	\$12		
Postage	\$49	\$49		
Printing				
Flowers				
Supplies				
D & O Insurance	\$1,347	\$1,347		
Website				
Filing Fees				
<b>Total Funds Disbursements</b>	<b>\$28,292</b>	<b>\$2,717</b>	<b>\$25,575</b>	<b>\$0</b>
<b>Ending Balance as of February 28, 2022</b>	<b>\$56,421</b>	<b>\$0</b>	<b>\$30,793</b>	<b>\$25,354</b>

**Hardware Park Mountain Estates  
Membership Assessments Past Due  
as of February 28, 2022**

<i>Lot No.'s</i>	<i>Last Name</i>	<i>First Names</i>	<i>Balance</i>
24-13	Hawks	Heston	\$300
25-33	Jones	Hal	\$300
36-48	Harrop	Brett	\$300
25-51	Erekson	TJ	\$300
36-45	Bruekner	Robert	\$300
25-08	Huckelberry	Pete	\$400
25-11	Moore	Brett	\$375
25-54	Salaz	Robert	\$1,800
36-61	Tremea	Gary	\$2,520
<b>Balance Due</b>			<b>\$5,095</b>

**First Door Prize**—Bruce Peterson and the Activities Committee held the first drawing for three door prizes. Bruce and his committee have been great, serving the Association for many years. His and Julies leadership with the Weber County Fair has increased and he will not continue after this evening. Farrel thank Bruce and Julie for their service on part of the Association.

**Roads and Maintenance**—Ruby reported on the work that was done last year. She discussed the nature of road maintenance; often work spans a couple of years. She reported on what is proposed for this year. Sadly, Ruby will be stepping down from the Board after many years of service. She was thanked by Farrel.

**Development**—Russ reported on the need for landowners to use the Development Committee. As proposed by Farrel earlier, it is evident that those present do not favor a “Wild, Wild West” approach to development. The Board has given power to this committee to investigate non-compliant landowners, and the Board is looking into fines that can be leaved to those that do not comply. Farrel asked Russ to introduce the Development Committee.

**Emergency Preparedness**—Mike Schmidt reviewed the Association’s Emergency plans. He asked that folks call 911 and then go all the way out to Ant Flat to wave down emergency vehicles. Helicopter landing sites are posted at the property, and there are cards on the key exchange table for GPS coordinates for those landing sites. A discussion was had at the meeting about posting family members at all gates so they might be left open for emergency vehicles. Members were cautioned about leaving gates open, but it was recognized that life mattered more at this point than security.

**Security**—Dennis Kendrick thanked Jay Omsbach for his help that night. He reviewed the procedure for obtaining keys after that night. Those seeking new or replacement keys should contact Gary Nuffer, Treasurer of the Association.

**Second Door Prize**—Bruce and Julie awarded three more door prizes.

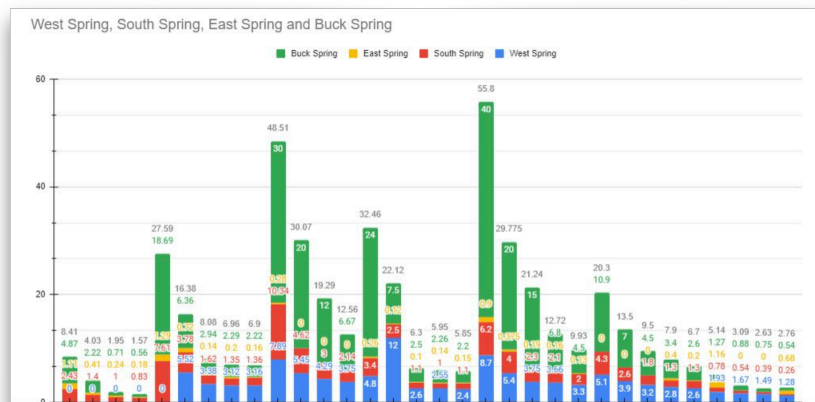
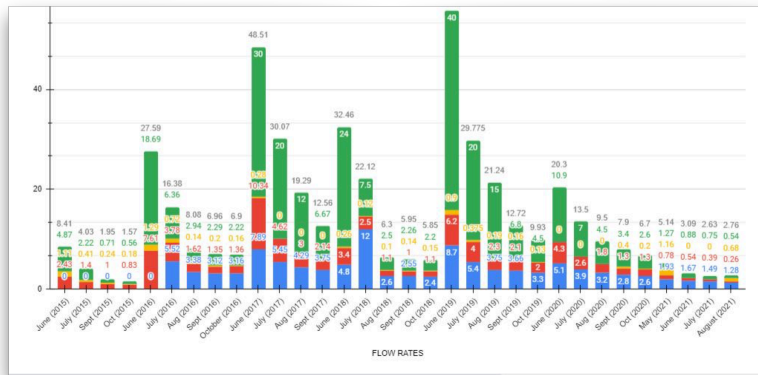
**Hunting**—Rick Patterson was away this evening. His son Bryan led the discussion. About 45 permits were issued last year. Permits are required for any state game hunt. Permits must be applied for before July 31,2022. Permit requests may be downloaded from the website: HPME.org. They should be sent to [hpmepermits@gmail.com](mailto:hpmepermits@gmail.com).

Election Results—Roger Howell reported the following results of the election:

Nate Ariotti  
Ron James  
Roger McFarland

These will serve a two-year term beginning April 1, 2022.

Water and Health—Nate discussed mosquito abatement, noxious weeds spraying from USU [June 6<sup>th</sup>-\$50/Lot] and water flow rates. Flow rates follow:



Final Door Prize—Bruce and Julie awarded the final three door prizes.

**Governing Documents' Amendments and Discussion**—Farrel asked Mike Gailey to lead the group in a discussion of the amendments to the Bylaws and CCRs that were mailed to all landowners in February.

## Two additional definitions are suggested:

Definitions Added:

Good Standing: Any landowner whose fees and assessments are current with the Association.

Infrastructure: The basic physical and organizational structures and facilities (e.g., buildings, roads, power supplies and water systems) needed for the operation of a society, enterprise, or community.

### Explanation of Lot Assessments [Article 5 of the Bylaws]

Any lot that is owned or purchased with a road already cut into it the road is grandfathered. The first lot owned pays the full assessment. If a landowner purchases other additional lots that have a common side with his first lot or any of the additional lots all lots are considered part of the first as long as no improvements are made to the additional lots. All improvements must be done within the boundaries of the first lot. If a landowner purchases a lot that is not common sided to the first or the additional common sided lots the landowner will be charged a road maintenance fee for that lot. If the landowner makes any infrastructure improvements to any adjacent lot, that lot becomes subject to a full assessment fee. If any additional lot has any infrastructure improvements, it is then assessed a full assessment.

### Liens

Penalties Levied for Fees and Assessments in Default:<sup>SEP</sup>• A ten percent (10%) penalty for all fees and assessments remaining unpaid from previous years shall be assessed each member lot owner each year such monies remain in default. • All costs associated with the collection of any and all default fees and assessments, including but not limited to penalties, interest, reasonable attorney fees, court costs and liens, shall be the responsibility of the member lot owner. • No new or additional security keys shall be issued to any member lot owner having fees and assessments in default. • **Liens: Any property in default of the payment of fees, dues and assessments shall be subject to a lien on said property filed by the Association to the County after two years.**

### CCRs

4.2 Cabin Construction: No lot shall be improved, used or occupied for other than a private single family residence and shall be limited to two (2) stories above the natural grade.

4.2.1 Site and Building Plan Approval: Prior to any new construction and county permitting, site and building plan approval shall be obtained from the Planning and Development Committee.

4.2.1.1 Plans to Call Out Building Materials and Color: Plans for all structures erected, must include a list of materials and colors to be used for roofing and siding. All building materials shall blend with the natural environment. All roof and siding material shall be nonreflective. All siding materials or paint shall be earth tones, subdued in hue and value [saturation].

4.2.1.2 Minimum Cabin Size: No dwelling shall be permitted on any lot in which the floor space of that level at grade is less than three hundred and fifty (350) square feet.

4.2.1.3 Set Back of Residence: No residence or any type of approved building shall be erected on any lot nearer than forty [40] feet to an Association roadway, or thirty [30] feet to any property line.

4.2.2 County Permitting: All construction shall be subject to County regulations and permitting practices, except where Association policies are more restrictive.

4.2.2.1 Sewage and Drainage: All sewage and drainage regulations of the County and the Bear River Health Department shall be requirements within the Association.

4.2.3

**Accessory Buildings: In addition to a single dwelling pursuant to the regulations of these covenants, a maximum of 2 (two) permanent outbuildings per 10-acre parcel may be built. An outbuilding shall be a single-story structure of less than 250 square feet. The external finishes of outbuildings are held to the same requirements and standards as primary dwellings. Any outbuilding exceeding 100 square feet in size shall require approval of the development committee prior to any construction activities. The development committee will review both the plans, and site plan, before formal approval is granted. Depending on the size and location of the proposed outbuilding, Cache County**

may require a use permit. It is the responsibility of the property owner to ensure all county regulations and permitting requirements are adhered to.

## Hunting

4.5 Hunting: Hunting of game is permitted by Association-issued permit only. [see [www.hpme.org](http://www.hpme.org) for application]

4.5.1 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.

4.5.2 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 Hardware Park Mountain Estates. Association Hunting Coop and is denied hunting rights on all other Association-managed properties.

4.5.3 The Right to Hunt on Association Property: Hunting on all Association managed properties is limited to:  
• Member lot owner(s)  
• Immediate family

4.5.4 No Guests. [Security gate keys are to be lent to immediately family only for hunting purposes.]

4.5.5 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.

4.5.6 Once in a Lifetime Hunts: Only member lot owners and their immediate family may have access to HPME for these hunts.

4.5.7 Landowners Not in Good Standing: No permit will be issued to landowners not in good standing with the Association.

Mike Gailey asked for a motion from the floor to adopt these changes to the governing documents. Roger McFarland made that motion. A second was heard from Roger Howell. A voice-vote was taken. A call for a voice-vote against was silent. It was apparent that all 73 landowner's present supported the changes.

Open discussion—Farrel asked those gathered if there were any other items of concern. A few simple questions were asked. Bruce Peterson mention the summer picnic to be held on Saturday, August 6, 2022 at the Lockhart's property at 1:00 PM.

Farrel called for a motion to adjourn by common consent.

Adjourned at 8:45 PM