

# Hardware Park Mountain Estates Minutes

These are minutes of the Board Meeting of HPME held Wednesday, November 13, 2024. The meeting was held Via Zoom.



Present at the meeting were:

Farrel Lewis, President	Mike Schmidt, Board	Rick Patterson, Board
Ron James, Board	Roger Mcfarland, Board	Russ Ridges, Board
Wes Wilson, Water Master	Mike Gailey, Secretary	Debbie Schmidt, Chair Emergency Preparedness
Kim Torrico, Communications Chair	Kevin Higley, Development Committee	Rusty Tubbs, Development
Michael Paul Gailey, Member		
	Absent:	
Nate Ariotti, Board Member	Dennis Kendrick, Board	Gary Nuffer, Treasurer

Farrel called the meeting to order at 7:10 PM. Some were having trouble connecting that night. A quorum was obtained at 7:10.

1. **Communications**—Farrel asked Mike Gailey to report on the items submitted by this committee. Mike asked for a motion to accept or amend the minutes of the meeting held on September 11, 2024. Rick Patterson made a motion to accept the minutes as recorded. Mike Schmidt placed a second. The vote was unanimous to accept the minutes. Mike mentioned to Farrel that he still has not received the signed MOU with Sheep Creek concerning the Grizzly. Farrel will get that to him soon. Mike mentioned that Nate Ariotti had texted him just before the meeting began and he has to work and will not be here. Mike turned the meeting over to Kim Torrico, the chair of the

# Hardware Park Mountain Estates

## Minutes

committee. She asked if the Board had a suggestion on what she should highlight from the Bylaws this go around. After some discussion Farrel asked her to focus on what the Association considers to be a nuisance.

2. **Development**—The Development Committee was asked to attend this meeting. This discussion was placed early in the meeting so that those who had come to discuss accessory buildings could leave after that discussion if they choose. It was mentioned that any member of the Association has a right to attend any Board meeting that hasn't been declared a closed session. Representing the Development Committee were Keving Higley and Rusty Tubbs. Michael Paul Gailey has purchased the Michael Jones Property and has interest in this topic and was in attendance. The topic for discussion that night was the size of accessory buildings. The text from the Restrictive Covenant is placed here for convenience:

### 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.

During the meeting the size allowed was misquoted as 200 square feet. Right now, the CCRs would allow two outbuildings of 250 square feet. The proposed change requested by both Gailey families having property held within the Association would be to allow one out building per developed lot, combining the space of the two allowed. They would like to see one building of 500 square feet be allowed.

There was considerable discussion about the Conex containers that have been brought to the property this past year. They typical square footage in one of those containers (8X40) is 320 square feet, larger than what is currently allowed. The Gailey family contents that an actual framed structure constructed at the property blends more with the environment than a Conex container. The current CCRs state that the external finishes of any outbuildings are held to the same standard as the primary dwelling.

After considerable discussion the Board and the Development Committee assigned Michael Paul Gailey to chair the writing of a proposed changes to the CCRs. Mike accepted that assignment and will stay in contact with Board. He will report at the January meeting. The Development Committee and Michael Paul Gailey left the meeting at this time. Roger stayed.

3. **Finances**—With Gary Nuffer not present, Farrel asked the Board if they had all received a copy of the financial statement, dated October 31, 2024. He then led the Board through the statement.

# Hardware Park Mountain Estates Minutes

HARDWARE PARK MOUNTAIN ESTATES FUND STATEMENT 10/31/24				
	Total Fees Collected	Admin. Fees	Road Maint. fees	Rainy day funds
Beginning Balance 04/01/2024	\$28,995	\$0	\$1,269	\$27,726
Annual fees 2024-2025	\$24,163	\$ 3,458	\$20,705	0
Keys	\$ 75	\$ 75		
Maps				
Interest & Penalties				
Recovery				
Sub-total of	\$24,238	\$3,533	\$20,705	\$0
<b>Funds Available 10/31/2024</b>	<b>\$53,233</b>	<b>\$3,533</b>	<b>\$21,974</b>	<b>\$27,726</b>
<b>Funds Disbursed:</b>				
Board Meeting expense				
Annual Picnic expense	\$1,264	\$1,264		
Roads:				
Grading	\$3,598		\$3,598	
Roads (gravel, shell & etc)	\$8,465		\$8,465	
Misc. Weed Abatement	\$60		\$60	
<b>Total Roads</b>	<b>\$12,123</b>		<b>\$12,123</b>	
Security:				
Deer Hunt				
Gates & Fences	\$556	\$556		
Signs				
Keys				
<b>Total Security</b>	<b>\$556</b>	<b>\$556</b>		
Springs:				
Testing	\$63	\$63		
Bucks Springs				
East Springs				
South Springs				
West Springs				
<b>Total Springs</b>	<b>\$63</b>	<b>\$63</b>		
Taxes:				
State Franchise Fee				
Corp. Registration				
<b>Total Taxes</b>				
Bank Charges				
Postage				
Printing				
Flowers				
Supplies				
D & O Insurance	\$1,474	\$1,474		
Website	\$175	\$175		
Filing Fees				
<b>Total Funds Disbursements</b>	<b>\$15,656</b>	<b>\$3,533</b>	<b>\$12,123</b>	
<b>Ending Balance as of October 31, 2024</b>	<b>\$37,577</b>	<b>\$0</b>	<b>\$9,851</b>	<b>\$27,726</b>

# Hardware Park Mountain Estates Minutes

<b>Assets:</b>				
MESCO	1-Oct-15	Rock Screen		\$10,127
<b>Hardware Park Mountain Estates Membership Assessments Past Due as of October 31, 2024</b>				
Lot No.'s	Last Name	First Names	Paid	Balance
25-51	Erikson	T> J.		\$160
36-18; 36-20	Fowler Family	, LLC		\$520
36-19	Green	Don		\$300
25-62	Grover	Dan		\$300
36-48	Harrop	Brett		\$300
36-50	Harrop	Brett		\$300
36-57	Hill	Larry		\$300
25-30	Loveless Trt	Geniel		\$300
36-28	McNamer	Tyler		\$300
25-11	Moore	Brett		\$335
Righ of way	Morrell	Jeff		\$320
Righ of way	Olham	Richard		\$300
36-61	Tremea	Gary		\$6,584
36-41	Turek	Rick		\$600
36-1	Wilson	Cody		\$300
<b>Balance Due</b>				<b>\$7,819</b>

There was concerned raised on the number of members past due this year. The Board asked what the course of action should be toward those that are delinquent. The Bylaws governing unpaid fees is placed here for review:

- 1.2.3.1 Penalties Levied for Fees and Assessments in Default:
- 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. Changed 3.2022

# Hardware Park Mountain Estates Minutes

Farrel assigned himself to get with Gary and review this policy with him. Russ Ridges assigned himself to research a contact for the Tremea property owner.

4. **Security**—With Dennis not present, there was no discussion of the actions of this committee.
5. **Emergency Preparedness**—Mike Schmidt said he had nothing to discuss this evening.
6. **Activities**—Ron mentioned that the turnout for the annual picnic was not as good as had been anticipated. He wondered if a more professional sign posted at the gates would make a difference. The Board approved by common consent for him to make these signs with changeable dates. Farrel asked that more activities be planned for small children. Ron mentioned that some come and leave early. He would plan more activities of children in 2025. There was discussion on when the general meeting of the membership should be scheduled. With Nate not present Mike Gailey was assigned to contact Nate and see his preference.
7. **Roads and Maintenance**—Russ reported the Porcupine Rd. is much better now. Next year we need to concentrate on the North Gate Road. Farrel has been in contact with a blasting company that Sheep Creek Cove has used recently. This will probably be the last time we blast. The high up we go the soil become sandy. After that we will be involved in the reclamation of the property. Russ will give another report at the January meeting.
8. **Water and Health**—With Nate not present, Farrel asked Wes to report. Wes said that he was not able to retest the water at the East Spring. He thinks the problem may have been in the sampling the first time. He believes there is still an issue with the South Spring. He feels we still need to take that hydrant stem apart and replace it. He reported that he was going to purchase flow meters for the springs. After some discussion, Rick said that he should not purchase those using his fund. There was no motion made concerning this issue. Wes then showed what he had done at the South Spring to avoid damage to the venting system.



# Hardware Park Mountain Estates

## Minutes

There was concern that what had been installed was not strong enough. It was decided to wait a see what this year's snowfall does with this cage. There was some discussion off using chain-link fencing at all the springs to protect the vents. We will wait to spring to further discuss the venting springs.

9. Farrel asked if there was anything else to come before the Board. Seeing none, Farrel called for a motion at adjourn. This was done by common consent.

Adjourned at 8:30 PM