

# Hardware Park Mountain Estates Minutes

Board Meeting of the Hardware Park Mountain Estates Board of Directors held on September 11, 2025.



Present at the meeting were:

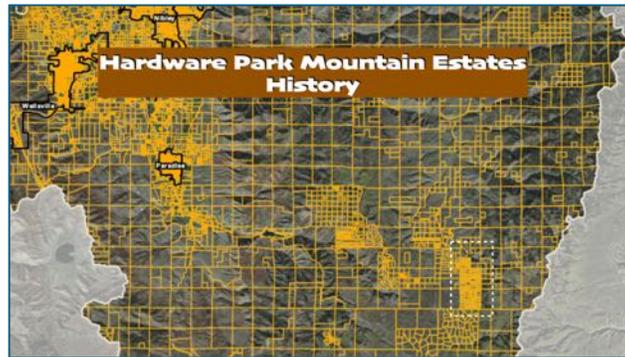
|                          |                                 |  |
|--------------------------|---------------------------------|--|
| Nate Arriotti, Chair     | Dennis Kendrick, Trustee        | Roger McFarland, Trustee                       |
| Rick Patterson, Trustee  | Brandan and Jody Taylor, Member | Travis and Jared Crowther, Member              |
| Wes Willson, Watermaster | Mike Gailey, Secretary          | Excused: Bruce Peterson <sup>1</sup> , Trustee |
| Absent                   | Ron James, Trustee              | Gary Nuffer, Treasurer                         |
| Kim Torrico, Trustee     | Clint Gailey, Roads Chair       |  |

This Board Meeting was convened at 7:00 PM. The major topic of discussion was to hear the complaint of Travis Crowther concerning the lack of access to his property through that of Brandon and Jody Taylor. The Chairman of the Board, Nate Ariotti, had a prior commitment but joined the group later in the meeting. The meeting was conducted by the secretary, Mike Gailey.

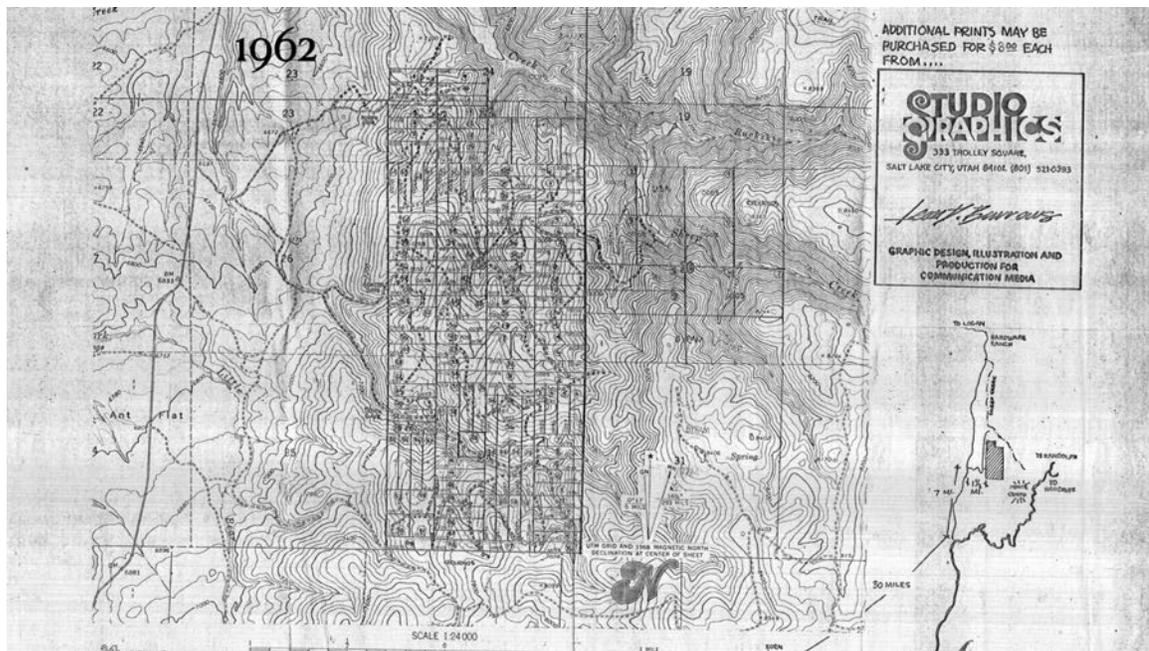
A short presentation was offered to the group describing the evolution of Association government since 1962.

<sup>1</sup> Comcast was out in Bruce's neighborhood and he was unable to join.

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Maps and Photos Used in the Discussion

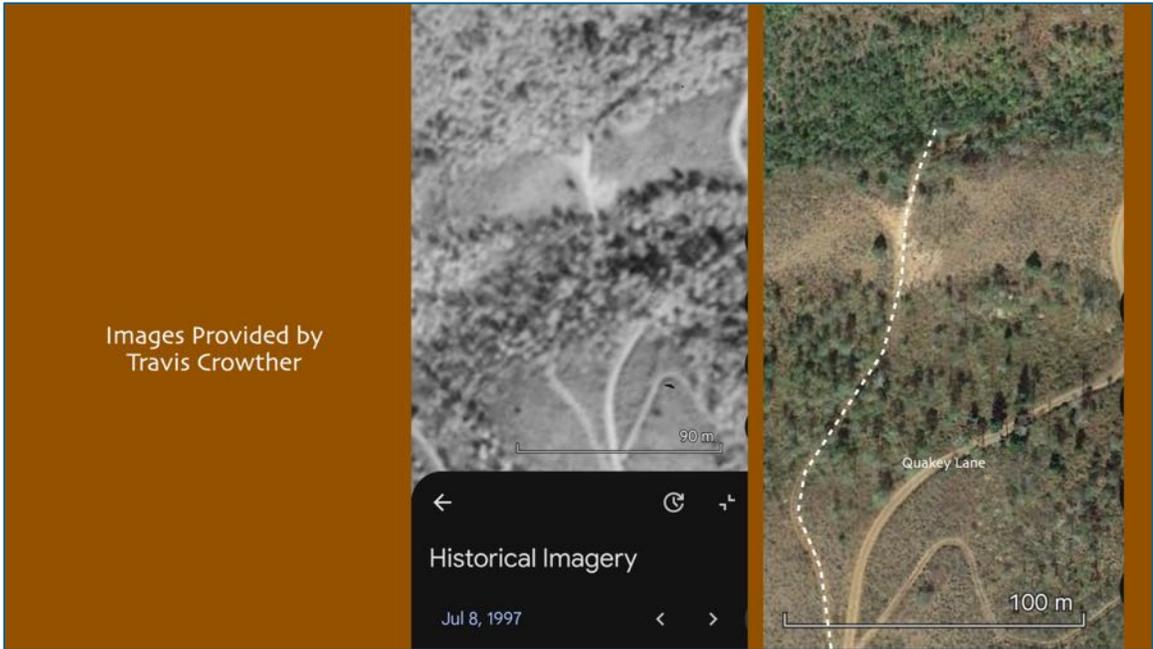


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These pictures were provided by the Crowthers.

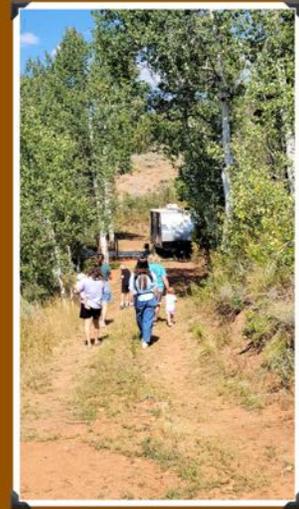
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Looking South



These pictures were provided by the Crowthers.



Looking North

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These pictures were provided by the Crowthers.



Images Provided by  
Mike Gailey

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1. During the presentation the issue was presented to the group. After the presentation, Mike Gailey asked the following for a statement on their position concerning the issue. He asked them to respond in this order: Travis and Jared Crowther, Brandon and Jody Taylor, and then the members of the Development Committee that were present. At this point we lacked a quorum of the board members.

- A. **Travis Crowther**—Travis mentioned that his family has been using the prior access for over a half of a century. Every property owner before this when placing a trailer on their property has



pulled it to the side so that his family could get by. The road passes through 3 other properties before it gets to his. In the past no one has put up a gate to stop passage through the properties. Back in 1970 when he purchased his lot he was told by the leadership that was his access to the property. Travis supplied a picture showing the roadway to crossing his property. Travis reported that he has had some health issues, and he personally has not been able to get to his property. The windstorm of 2019 took most of the mature quakes on his property. He and his family have not done much there since then hoping to allow new growth. The forest is returning. They had plans this year to return and clear a new site for future development. Brandon Taylor had spoken with Jared, Travis' son and suggested that they just cut a new road from Quakey Laney. Travis issue with that was that the property is so steep

in the area where the road crosses his property. Travis asked if someone had a better solution to this issue that he has.

- B. **Brandon Taylor**—Brandon was then offered time to state his position. Brandon thanked the Board for the invitation to come and discuss this issue with the Board. Brandon mentioned that he knows several that own property at HPME and that is why he bought property four years ago. He said that he could sum up his issues with 3 different arguments. He stated that he was not here to ruffle any feathers. He reported that he was willing to participate in the resolution once it is determined. He wanted the group to remember, that as a property owner he has rights too.

- a. **Binding Agreement on Right of Passage on the Roadway in Question**—

Brandon asked the question: Is there a legal binding agreement between the four property owners to allow continued passage on the roadway recorded with Cache County? If so, what are the specifics of that agreement? As properties have been bought and sold, where those parties made aware of such and agreement? Brandon reported that when he bought the property in 2021 there was no mention of a right-of-way through his property. According to Brandon his deed does mention his right of passage from the West's property to the South, but does not mention the roadway continuing on to the Crowther's property.

- b. **Abandonment of Easement [Right-of-Way]**—Brandon reported that there is a law in the State of Utah that states any easement whether established or not is considered abandoned after 15 years of nonuse. He stated that the Crowther's have not participated in the maintenance of the roadway itself.

- c. **Use of the HPME Development Committee**—Brandon mentioned that in 2022 he approached Kevin Higley from the Development committee who he knew personally outside of HPME and sought approval for the further development of his property. This fact was confirmed by Kevin, Neal Christensen and Roger McFarland from the Committee. He stated that they had approved the development which included a fixed deck to accompany a pad for his trailer in 2023. The deck was also approved by the County. The deck was constructed according to code and the inspected by the Committee.

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Brandan mentioned that aerial views of the area show no effort to maintain the roadway in question for over 15 years. He also mentioned that he still can gain access off Quakey Lane.



He also suggested that the owner to the north of the Crowther's [Benson] be asked to allow the Crowther's access to their property. The Benson's do not have a permanent structure on their property just like the Crowther's.

**C. Development Committee**—Mike asked Roger and Neal to Comment. Neal Christensen responded by stating the Kevin Higley had sent him some pictures. He did submit his application to the Development Committee. Neal responded that one of the issues we have up there is "good ole boy" relationship. Landowners have given one owner a verbal agreement that may affect another owner in the future. There is no documentation of what has gone on before. We need to change that. Neal thought it would be nice for the Crowther's to be able to access

their property without having to pass through 3 other properties. Roger McFarland stated that in July of 2023 the Development Committee has paperwork submitted by Brandan. Roger mentioned that part of their evaluation is that adjacent property owners are not adversely impacted. He's not sure why this discussion didn't occur earlier. Roger stated that he supports finding another access for the Crowthers'.

**D. The Crowthers' & Taylor's Final Comments**—Travis was allowed to make a final statement. He reported that over the years they have spent a substantial amount of money on their property also. Travis reported that his family has tried to disturb the forest as little as possible. They like the feel of the mountain, and non-development does not mean nonuse. Jared Crowther was with his dad. He added that he and his children use the property often. Because of his dad's health the past couple of years they haven't. Jake Stewart the prior owner of the Taylor property always kept his trailer to the side. He knew and supported that access to their property. Brandan question the fact that the Stewart's allowed access. He said he has pictures of the Stewart 5-wheel blocking the roadway. In agreement with Neal Christensen, Brandan responded that the Association needs to change and move away from the "good ole boy" frame of operation.

**2. Decisions and Actions to be Taken**—Mike reclaimed the role of monitor of the meeting at this point. He said that we now have enough information to move forward with a decision and action. Mike expressed his concern that at that point we still didn't have a quorum of the Board present. Mike asked Dennis, Rick and Roger to respond on what action should be taken.

- a. **Dennis**—Dennis agreed that it seem wrong to have three lots connected to one road. He felt it unfair to the distal property owner. Dennis reported that he has a couple of place on his property that he has allowed others to access properties through his. Dennis felt at this time he would support the Taylor's petition.
- b. **Rick**—Rick asked if there was a recorded document for the right-of-way in question with the County. Mike responded that the only right-of-way recorded by the County is Quakey Lane. Mike also reported that if we rule in favor of the Taylors, the Crowthers' will have no access. Our bylaws say that the Association needs to provide an access, not a road to every property. So, the Association would need to determine where that access will be. This is not the responsibility of the Crowthers'. Rick supports the Taylor's in this issue.
- c. **Roger**—Roger also supports the Taylors.

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### **3. Who's Responsible to Contact an Adjacent Property Owner with Help with Access? —**

Mike asked the Board should contact adjacent property owners with help with a solution. It was the feeling of the Board members present that that should be the responsibility of the Crowther's.<sup>2</sup> Mike asked Roger if the Development Committee would like to know where the Crowther's determined to gain access before the access is cut? Roger agreed that the Development Committee should be involved. Brandon felt that the rest of the Association should not be charged with Crowther's gaining new access to their property.<sup>3</sup> Jared Crowther said he had called the County and there was no zoning permit or building permit issued by the County for what the Taylor's had done. Brandon disputed that argument saying he was told he didn't need to comply by the County.

### **4. Mike's Comments to the Board—**Mike mention to the members of the Board that were present at this point, the importance of regular attendance at Board Meetings. We are block at this point for deciding for lack of representation. Mike asked for an up and down vote on whether the Taylor's might keep the structure they have built. He ask for a roll call vote:

Dennis – yes

Roger – yes

Rick – yes

Mike will then contact the absent Board members ask them to review the recording of the meeting and then vote in abstentia.

Mike mentioned that we, the leadership have messed up with this issue. The first time this issue has come to the attention of the entire Board is when Jared Crowther called Mike with the issue the first week of September. This issue might have been resolved if after the Development Committee had given approval and before construction had begun for approval of the Board. This didn't happen. Mike asked the Board to allow the Association to work with the Crowther's and the Benson's if that is deemed the best place to gain access. Mike asked Travis Crowther to look at this property and determine where they would like the access to be and get back with him.<sup>4</sup>

At this point Nate Ariotti joined the meeting: 8:38 PM

Roger McFarland mentioned at this point, that he truly feels that the Association should be part of the solution to the problem. If it costs the Association a little money, he would also support that after all of the discussion.

After Roger's comment, Mike brought Nate Ariotti into the conversation. He reviewed what had been discussed and then stated with Nate present, we now had a quorum. Mike asked for an up or down vote from Nate on whether the Taylor's be permitted to maintain their deck. Nate's vote was yes.

Mike asked Travis if he was planning on doing anything this year with his property. Mike asked the Crowther family to prepare and attend our next Board meeting with a proposal of where the new access might be cut. That Board meeting will be on November 13, 2025. It will be held via Zoom again and a link sent to all. Travis reported that he is dealing with cancer at the current time. He doesn't want to leave a mess for his kids. Jared, Travis son, agreed to be there on the 13<sup>th</sup> representing the family if his father was not able to attend. Jared is a contractor and will provide a sketch plan on where the access is proposed. Mike also asked the members of the Development Committee attend the meeting. We will place this item at the head of the agenda.

Brandon Taylor was notified that he didn't need to remove anything.

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<sup>2</sup> Mike would like to address this issue at the November meeting. Without participation from the Board, we continue the "Good Ole Boy" method of resolution without any written record for the defense of decisions made by property owners. The Association needs to be involved to record the action.

<sup>3</sup> The debate got heated at this point, but none of that discussion impacted the final decision of the Board. A quorum was finally reached when Nate Ariotti joined the discussion late in the meeting.

<sup>4</sup> Travis has been in contact with Mike since the meeting and thinks at this time he can work things out using his property.

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The Taylor's and the Crowther's and Neal Christensen were dismissed at this point. [8:50 PM]

5. **Report from Water and Health**—Wes mentioned that the South Spring is a 1.50" hydrant. The rest of the springs are 1.25". After some discussion it was determined to hang onto that replacement for a time when the South Spring would need replacement. He estimated that would happen every 5-7 years. He has replaced the O-ring in the West Spring with one that is a little small. He feels that will suffice until next spring. Wes mentioned that Buck's Spring needs attention next. He recommends that we have a complete rebuild in both sizes on hand all the time. Wes mentioned that there were campers parked on the #2 helicopter pad. He thinks it was near the Jenkin's and Bushman's. They have built a firepit.
6. **License Plates Identification**—Rick mentioned that he was unable to get the name of the driver who left the Ant Flat Gate from his plate number.
7. **Abandon Cabin**—Nate reported the Grahman's seem to have abandon their cabin. The doors are all open and rats are running through it. They have not been up there for years. Mike reminded Nate that he is over water and health. Nate will give them a call.
8. **Representative from the Development Committee at the November Meeting**—Roger asked if we should involve Neal and Kevin in the next meeting. It was felt that that would be good.
9. **Motion to Adjourn**—Rick made a motion to adjourn. Seconded by Dennis. Adjourned at 9:10 PM