

**Timber Lakes Property Owners Association  
Board Meeting Minutes  
April 14, 2010**

Wasatch County Sr. Citizen's Center 7:00pm

**Conducting, Welcome & Roll Call:** Mike Durr

**Board Members Present:** Mike Durr, Ole Smith, Gary Hume, John Blickenstaff, Craig Allen, Andy Berry, Rondo Fehlberg, Shane Olson, Rob Roueche'

**Employees & Others Present:** John Price, Accountant, Kris Price, Accountant, Mike Camper, Road Supervisor, Martha Lackman, Administrative Assistant

**Property Owners Present:** 18

**Warrant List**

John stated that he previously distributed the warrant list, totaling \$50,189.04. He asked if there were any questions. Gary stated he was unclear about the propane invoices, and wanted to know if they were both ours, or if one was the Water Company's. He was informed that one invoice was for the office, (a 500 gallon tank), and one was the shop, (a 1000 gallon tank). John made a motion to accept the warrant list. Mike seconded the motion, and it passed unanimously.

John made a motion to approve the March minutes, Gary seconded the motion and it passed unanimously.

John made a motion to approve the revised February minutes, Andy seconded the motion and it passed unanimously.

**Board Member Reports**

**Mike Durr – President:**

Mike passed the floor to the other Board Members.

**Gary Hume – Vice President of Operations:**

Gary stated the summer road priorities were:

- Boxwood Lane – is on the spring to do list
- Blue Spruce Issues – Gary said the Board needed a recommendation from a Civil Engineer to address some drainage issues. He said that Mike, John and Shane had met with the Wasatch County Manager and some members of the County Council.. They want a complete drainage study done. The Wasatch County Manager recommended an engineer, Andy Dahman. Mr. Dahman has agreed to consult with us for a \$50.00 per hour fee, which is very reasonable. Gary asked the Board for their approval to move forward with the drainage study. Craig made a motioned to approve, Ole seconded the motion and it was approved unanimously.

Mike Camper stated that he had already met once with Andy Dahman and they had done a drive through. Gary asked Mike about the status of the IGES study. Mike said IGES has taken samples, and all the samples look good. Gary asked that the Board get a written report.

Mike Camper also said he was waiting on Paul for a wall design for the project.

- Gary said the Dugway was quickly deteriorating and needs work. Mike Camper believes that SunRoc trucks have taken a long-term toll on all our roads. Drainage is a real problem and recommends that we use riprap all the way to the edge as it helps to slow the water flow. Mike Camper said that we need to build a wall to help improve the flow from Green Leaf all the way down. He said that some of the steeper portions need an overlay. In order to do this the old road base would need to be removed. Mike Camper said that a contractor had removed the loads of rip rap that had been stored, and we need to make sure that SunRoc doesn't remove any more of our materials from here forward. We will need to import riprap from elsewhere. Mike Camper stated that he had heard that Spanish Fork had some riprap we could possibly get.

Mike Camper said that we needed to do something about the ditches to keep them flowing. He suggested that we do something like what the church property had done along their road with rocks. He still fears that there will not be enough width for it to work properly.

Mike Camper said that we should wait to do the roadwork until the Water Company, and SunRoc are finished. He said that All West needed to do some work, and said he would check with All West to see if they can complete their work in Timber Lakes this summer.

Gary asked the Board for approval to include the Dugway drainage issues in the scope of what we hire the engineer to provide. The Board approved the request and Gary told Mike to submit a PO for Andy so that we may have clarification on the Dugway study to be done.

**Ole Smith – Vice President of Administration:**

Fire Station update. Ole said he and Mike Durr had met with the County. The County would like to complete the fire station this summer. They will begin so to request a conditional use permit. Ole said we need to build 2 to 3 more Fire Exit Gates, which have already been approved. Ole stated that the roads will always continue to deteriorate, and we need to set aside funds to maintain roads, and to plan for continued growth.

**John Blickenstaff – Treasurer, Webmaster, Office:**

John said that we completed our first month with our new accountant and everything is working well. He said that we will be changing banks, as it was determined we could save as much as \$3,500-\$4,000 per year in fees. John asked the Board to authorize us to check with a couple of additional banks and decide which one would best serve our needs. He made a motion to investigate, select the new bank, and then report back to the Board via email and then make the change. Craig seconded the motion, and it carried unanimously.

John said we post the monthly Warrant List on the website.

John stated that we have previously voted to foreclose on the properties owing the Association past assessments. We have identified approximately 75 property owners who owe between \$2,500 and \$8,000. All of the owners who are current in their accounts are subsidizing those who are not and this is not fair to those who are doing the right thing. He said he will turn over the list to the attorney, and we will figure out how to move forward from there.

Mike Durr said that some of the mortgage companies have begun to pay HOA fees. This is a new development on loans in the past couple of years.

Gary asked if we should begin to convert lots we own to Common Area. Mike Durr said that Jeff Meirhoffer is working on this for us. Property taxes on lots run anywhere from \$25 to \$600 per lot and we would need a plat amendment before they could be converted. Gary said we need to decide if the lots are marketable, discuss with the Water Company about their assessments and fees, and decide if it is worth doing a plat amendment.

**Craig Allen – Secretary, Security, Risk Management, Insurance Program:**

Stickers – Craig explained that the concept behind the sticker is that the property owners, who are now current with their property assessment fees, would be issued (mailed) a sticker to display on their windshield. This would allow these property owners quicker entrance into Timber Lakes. Those without the sticker would need to pull over to the side for security to make sure they have a valid reason for entering Timber Lakes. There is no charge for the stickers for property owners.

Craig said that security has received five complaints of people piggy backing thru the gate. He also stated that due to budget restraints Sunday hours had been cutback. Craig said that he feels that we really need full time weekend coverage, and that the cost to provide that coverage is only around \$5,000-\$7,000 per year.

Exit Gate problems with the rippers. Craig said he had received a proposal to replace with a new set, but felt that it would not stop people from using boards or sticks to hold the rippers down to gain access. He said the only way to stop this would be to install another gate. Craig said that he was unclear on our property boundaries and this could create another problem.

John said he felt that security really needed to be there at all times.

Craig replied that pending the cost of operation, he would really need to have a security budget in place before he could move forward with 24 x 7 security.

Craig said that he is waiting on a proposal from Automatic Gate for purchase of the module to be able to track and turn off specific remote transmitters.

Craig said that overall thefts are down all over the mountain, except the mail house. Package theft is once again a problem. FedEx is threatening not to deliver up here. There was discussion of adding another camera to the mail house, but it would still be difficult to prove that the person was not claiming his own packages. There was discussion of placing packages back in the office area. Craig stated that we would not be responsible, or sign for any packages received in the office and that he would check with our insurance carrier to find out more.

Craig said that he had received three bids, (verbally) for a new insurance carrier, and will propose the new carrier at the next meeting.

**Andy Berry – Safety, Construction, CC&R Compliance, Annual Meeting:**

Annual Meeting Planning – Andy invited owners to stop in the office and pick up paperwork to apply for the open Board positions. He said he would update the Board Blog with further information.

**Rondo Fehlberg – Legal Matters:**

Rondo stated that the legal issues on the mountain are things like, people from outside coming into Timber Lakes. Accidents, or disputes with owners, and other squabbles on the mountain.

We have three or four actions that are now pending. He stated that the Huetter's have filed a case related to fees, and we are working on a compromising fee structure to help maintain the mountain. Rondo said that everything on the mountain works from contracts.

**Shane Olson – Construction, CC&R Compliance, Common Area Improvements:**

Shane said he had gotten several proposals for a Radio System that would allow our employees to communicate with each other on the mountain. He stated that we will need to place a repeater at the maintenance building. The proposal for equipment came in at \$6,500. Shane proposed a motion to approve, Mike seconded the motion, and it was approved unanimously.

The Board has spoken with All West and that a cell tower would be cost prohibited for them, and they were not going to build one within the Timber Lakes area in the near future.

**Public Forum:**

Eugene Worth is proposing to place a Ham Radio antenna on his lot. Mr. Worth stated that he works with the Utah County EMS Services, and checked into Timber Lakes and found that it was dark. He stated that the signal bounces from Sunshine Peak. There is nothing between Timber Lakes and Heber. The antenna is a 12' fiberglass antenna very small in diameter. With the way it would be positioned on his lot, in the trees, it would not be noticeable. He stated that it could be used for emergency purposes for our area, and is a way to track the amateur operators.

Rob proposed to approve the request. Craig seconded the motion. Gary wanted to amend the motion, and said that the By Laws could be complied with by issuing a temporary permit only. Eugene said that the POA could revoke his request at anytime according to the By Laws. Gary's proposed amendment to the motion failed for lack of a second. The motion passed with 8 members voted yes and Craig abstained (stating that he was involved in amateur radio and could not vote on the issue).

**Public Forum – Building Fees:**

Mike Durr said that the County wants us to have 20' roads, and fire exits. The increased fees are to help cover the cost of these requirements. The County would support Timber Lakes as a municipality. However, he feels that if we were to do this, Timber Lakes would lose that cabin feel, and owning here would likely cost more. Most property owners would rather live with less than go this direction.

Mike asked the Board members to summarize their opinion on the building fees.

Andy Berry said that he has just built his home here in Timber Lakes, knew ahead of time what the fees would be and was prepared to pay them. It was a financial burden for him to pay the fees, but he did not think it was right for him to file a lawsuit because he understood the need for the Association to fund it's service. He feels we need to decide the level of service we want and be prepared to pay for those services.

John Blickenstaff said that anything that regardless of what is said or done, someone would always be upset with the Board's decisions. He said Board members have to try not to let our personal opinions sway our decisions. We are elected to represent all of the property owners, not push our personal opinions. He said that owners that have contacted him have all opined the building fees are too high.

Ole Smith said that the challenge is to represent the long-term needs for the mountain. He stated that building fees everywhere are going up. We put together a building schedule based on where your lot is located on the mountain. For example, if your lot is on the lower mountain the impact on the roads and infrastructure would be less than if you build on a lot on the upper mountain where the impact would be more. We should put in place a building schedule that would reflect the impact on the mountain. Ole said

he feels that he would like to be the Board with foresight for what is best overall for the mountain.

Shane Olson said that he is against the fees. He believes that the County is responsible for driving the fee structure. Shane said that we raise plenty of dollars each year to cover the cost of maintenance on our roads. He believes that this large amount just on the lot owner is unfair. He believes that fees should be proportionate, and all fees should be fair.

Rob Roueche' stated he would not comment at this time.

Rondo Fehlberg said he owns a lot, but not building because of the cost. He is saving to build someday. He said there is no easy solution; rather we should focus on a compromise.

Rondo stated that when he purchased his lot in Timber Lakes it was a small-cabin recreation community. Timber Lakes has now grown into not only a cabin community, but also a full-time residence community. A few years ago people were in better economic position, and it was easier to build. Now he feels that the property values (present day) are more due to the economic conditions. We should try our best to represent our property owners as best we can.

Craig Allen agreed with most everything that has been said. We do not have law enforcement, so we need security, but security is less than 10% of our current budget. We need to find a way to fund our roads, something that everyone feels that is fair. Past due lot owners amount to almost \$250,000, so if all lot owners paid their fair share, we would have enough. Craig said he feels the present fee structure is unfair, and should be worked down, and those not paying their fees should be held accountable.

Mike Durr then opened the meeting up for comments from the owners.

Rex Gale said that last year we had a profit, and wants to know what we are saving it for. We should take these profits and apply them to our roads.

Craig Jeppson said we are getting ready to build. We saved and purchased our lot in 2005 because the land was affordable. He said that in May 2009 when he received his building fees he was stunned at the cost. He feels that it is unfair to ask residents to bear an unfair share of the burden, and fees should be equal. Fees are way too high. He felt like he had no opportunity for input, and then was blindsided by the high building fees. He said it is almost as if we are trying to make Timber Lakes an exclusive community.

Wes Price commented that the building fee structure was in place from a previous Board. He stated that he thought the fees were to help with construction for the Fire Station.

John Price asked if it would be possible for us to quantify all the projects. We need a cash flow projections plan for the next 2 – 3 years to see if the cost are real.

Mike Durr said that Timber Lakes is at about 50/50 lot owners - cabin owners.

John Blickenstaff said that the fees the current board implemented are now 2 years old. The economy was different then. We need to take a serious look at our fee structure to see if is feasible given the current economy.

At Mike Durr's request, John made a motion to hold a special meeting on May 3<sup>rd</sup> or May 4<sup>th</sup> to address these issues. He stated that he would place a notice on the Website in regards to a Public Meeting for the owners. Rex Gale asked if the fees were lowered at that meeting, could they be made retroactive to the date of this meeting (April 14, 2010). Rondo said that he thought that was a reasonable request as the building season is upon us. Shane seconded the motion and it passed unanimously.

John made a motion to adjourn, Mike seconded the motion, and it passed unanimously.

The meeting adjourned at approximately 9:50 pm.

Minutes provided by, Martha Lackman, Administrative Assistant