



Email: boardmembers@pinemountainloa.com
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2016 Annual Meeting Minutes

Meeting commenced at 11:20 a.m.
Held at the Mt. Pleasant Senior Citizens Center
101 E. 100 N. Mt. Pleasant, UT 84647

Welcome - Morgan Warner

This year the meeting will be conducted with each member who would like to speak have 2 minutes to speak uninterrupted. Everyone who is a member in good standing who wishes to speak will be able to.

Most of the members present were pleased with the ballot for the current issue being mailed to them for their review prior to the meeting.

The sign-in was a bit of a hassle but we were trying to insure that everyone who received a ballot for voting was entitled to a vote.

Fire and Weeds

Amber with UWI re: Fire wise – Grant applications are for communities to receive \$2 per capita for fuel mitigation. To qualify communities must have a fire wise day and a fire board. We apply as a community as a whole, not individuals.

White Top – It is best to catch it before it blooms. Herbicides that are recommended for it are on a sheet that Amber has for review. She was going to bring Element 4 for us but the shipment didn't come in.

Defensible Space – If a cabin is unsafe, the fire fighters will not come in to defend the cabin. Defensible space is defined as sparse vegetation that won't allow the cabin itself to heat up. What usually takes a cabin is the embers and the radiant heat that comes off of the fire itself.

A member, Mark Peterson, asked about the fire break and that there are a lot of issues with people driving up the break and using it as a trail and a place to shoot. He picked up over 150 rounds of shot gun shells the other day. Amber will get with Terry Heath to see what they can do.

Jordan – Assistant fire warden for Sanpete County- From June 1st to October 31, if you have a fire that is not a small cooking or recreational fire, you do need a burn permit and you can get them from the fire warden. This is up until the time that it gets closed to all burning.

Ballot Discussion

The floor is opened to members who have something to say that they feel will benefit the group regarding the ballot on the dues. The ballots main concern as presented last year was the feeling that everyone that owns a lot, period, each lot should pay dues, whether it's used or not, whether it's even usable or not, if you pay taxes on it, the feeling was that you should pay dues on it.

Gordon Johansen – Feels that the \$150.00 per property owner is plenty and we should not punish somebody who has invested in more than one property nor should we punish somebody who brings lots of their friends and family down to enjoy this place because that is what it is all about.

Cal Nelsen – Wanted a raise of hands for option 2. According to Roberts Rules of Order, if there is a 50%, by a raise of hands, of those in favor, it can be adopted without the need to vote by ballot. Cal was one of the original owners in this property.

Joy Richards – She is really passionate about this association, it may not be as groomed as some would like but it is better than the others around. Dues are adequate as they are right now. Grandfathering is self-serving and benefits only the old timers. When she first came here the roads were bad with rocks that you could not get over, but people bought here anyway because you liked it and had access to the forest service. We are all vested, we have paid for our lots, and we own this Association. If you are vested, take care of what you have, take care of the people you bring into the Association, do make changes. As far as the ballot is concerned, none of it is in the best interest of this Association. She would like to make a motion at some point today that the current ballot be deleted in its entirety and keep the rules CCR's and other documents as they are, she feels manipulated with the current ballot.

Cindy Bell – Researched the previous CCR's, and Covenants and found that the dues have always been based on a membership and never on the number of lots owned. If we were to go back to the people who bought lots in the beginning of the Association and told these people that we are going to give them a 500 or 700 percent increase in their dues, it would be not only unfair, it is immoral. We need to be fair to everyone. People who have 1 acre lots who have gathered up 3 lots, just to have a little space and privacy, should not have to pay 3 times more than a person who has a 5 acre or 10 acre lot. We all understand that if we bought a lot that used to pay a due, we should cover that due. When a person buys a lot based on the current rules there is case law and legal terms that apply here. If you have a long standing rule and you go back on the rule it would not be in good faith because the owner relied on the rule at the time of purchase.

Shane Johnson – Has no problem paying for his multiple lots, he has 3 lots and you are doing the same maintenance in front of each of those lots as you are doing for the 1 owner lot. The guy that has one lot pays to fix the road and the guy that buys multiple lots and sits on them to make money down the road pays the same amount and that is not fair.

Mel Radmall – Owns 5 lots. Where his lots are the road only addresses his lots and in the last 5 years no one has been down his road to fix it. He doesn't mind paying dues for each lot if we want to drive down his road to work on it.

Mark Peterson – He just wants the Association to be fair for everyone. Raising his dues as a single lot owner is not fair to him. He wonders what the reason for raising the rates is; no one has been down his road until 2 weeks ago in the past 4 years. We should do what is good for the Association and not what just benefits a few.

Sherry Bullock – The copy of the CCR's that they were given when they bought are dated June of 1981, but it clearly states that you will be given one vote for each lot you own. They are taking money away from the Association because they bought a second lot that used to pay a due and they do not have a problem with paying a second due of \$100.00.

There are quite a few members attending who are owners who have bought in the past 5 years. They were told they did not have to pay dues on multiple lots. Andy Eldridge owns multiple lots and stood to say that they are on their 3rd year. If he would have been told when he bought his lots that he owed 2 dues he would have paid it. If we are carrying money forward, why did we need to keep padding that? If it is written in the CCR's and it is a known fact that you will have to pay a due if you take one away, he would be okay with that.

We did not carry any money over into 2015 because we spent \$8,000.00 to repair twin creek for the benefit of 3 members who owned in there. We are going to have to continue putting money into it to make sure the money we spent is going to stay there.

If you go to Twin Creek, the road ends right when you go up the hill on the second creek. Don't go beyond there because the road ends right there and you are on someone's property. The owners do not mind if you walk in there but they do not want you to drive motorized vehicles in there, disrupting the foliage that is there.

The Spring City gate has been grated and a culvert has been added, it is a lot nicer to get through there. That work was done out of our budget, if there is enough money in the road budget it will come from there, otherwise it will come from the money saved in our accounts for emergencies, because it was something that was needed done for a long time, and if the people have to get out because of a fire, they need to be able to get out in the vehicle they came in.

Past dues are always an issue; we have taken steps to collect past dues and are taking steps to move into collection procedures.

Motion

A motion was made by an individual that needs to be addressed. Shane Johnson – made a motion last year that people should pay a due on each lot and was told that it had to be voted on at the next annual meeting after people had 30 days to consider the motion. People go in and buy lots from people that have been paying dues, and it is wrong because they have taken a due from the Association. Down the road somebody profits from the sale of those multiple lot.

One member felt that it would be fairer to decide on the budget and divide the budget equally into the number of lots in the Association instead of setting the additional lots as a set price.

Shane Johnson feels that as an Association we should be sending the CCR's and By-laws to all new members. Other new owners commented that they have the CCR's and that they obtained them from the web site.

Joy Richards presents the motion as follows: That the ballot currently up today for a vote be deleted in its entirety and keep the Association dues, CCR's, By-laws, and all other documents related to this Association as they currently read. Motion by Joy Richards, second by Gordon Johansson (due to the following events, this motion did not have a corresponding vote).

Shane Johnson proposes that we vote on his proposal that each lot would pay for dues on each lot, which was proposed last year. It was motioned and voted on, but was not carried because it was not put before the members with a 30 day consideration period. How can we curb it if we haven't voted on it?

Mike Conran – Option 2 on the ballot is not correct and should be tabled because it is not worded properly. As currently worded, it states that new owners could purchase multiple lots at once and pay only 1 due.

The members will vote on Option 1 only which states that members will pay a due for each lot they own. The vote will be yes or no. The vote including the absentee ballots is 44 for and 55 against. The vote excluding the absentee ballots is 17 for and 30 against. Motion is denied, members will pay one due per membership.

Julie Shuler wanted everyone to take a moment to thank the board members for the effort they each put in and asked for applause to acknowledge their efforts.

Board Vacancies

Nominations for the 2 year board position. – Steve Bird is currently filling the vacancy left with Dennis Huggard’s death. He would like to be considered to fill the remaining term. Mike Wiess nominates Steve Bird, John Hoonakker seconds it. No other nominations are submitted. Steve Bird remains on the board.

Nominations for Nick Olsen’s 3 year position –

Joy Richards is nominated by James Eagan, second by Shane Johnson.

Randy Fry is nominated by Mark Peterson, second by John Hoonakker.

Mark Peterson is nominated by Charles Nejd, second by Larry Nelson.

Vote results - Randy Fry is the new board member for one 3 year term.

Nominations for Terri Eagan’s 3 year position –

Terri Eagan nominated by Cindy Bell, second by Julie Shuler.

Gordon Johansen declines a nomination.

Russ Gardner nominated by John Hoonakker, second by Terri Eagan.

Vote results – Terri Eagan is the incumbent and will continue for an additional 3 year term.

Roads

Terri Eagan - Doug Shelley was hired to do all of the roads this year; he has a bigger grader and does an awesome job. He has been helpful and good at answering questions. We focused on the roads that didn’t have road base and didn’t add road base to roads that got it last year. All of the roads on the south side have been graded. Because of rain, the roads are not quite finished at this time.

Mike Conran – The north side roads are starting Monday following the meeting. We are going to put road base on the new work that was done last year so it will not come down in the rain. We are going to widen and make safe that particular area on Twin Creek by digging into the hill a little to make it safe for walking and riding. All of the roads will be graded and the turns on Cedar Creek will be crowned and given road base. We will also patch and fill all roads with road base only. The remaining 10 loads will be used on the areas that have dirt but no road base. As a reminder, there is beautiful country side above the Twin Creek area, please be aware that the road ends there and people going into that area should do so on foot and enjoy the surroundings, foliage and signs of large wild life that inhabit that area.

Safety and Security

Kirk Tolbert – Reminder to put your lot number on your lots. Obey the speed limits and do not slide around the corners. If you have trees falling off of your lot into the roads, you are responsible to remove those trees from the road.

Motion to Review Dues Options

Kirk Tolbert stated that the vote to determine whether each lot should be assessed a due was not handled well. The ballots were confusing, people marked them so differently that it was hard to tell what the intention of the voter was. Mike Conran motioned that the board will work on presenting options for the annual meeting next year. Second by Julie Shuler, there was a vote taken by a show of hands, the majority was in favor. Motion was carried.

Budget and Administration

In the annual letter the past year financials were posted and the current budget was posted. We stated we would forgo the reading of those items in the interest of saving time during the meeting.

A member stated concern that the meeting minutes on the web site have changed without amendments being noted. Another member stated it would be helpful if the documents noted what date it has been updated.

Closing Statement

As a board we appreciate your patience with our outcome and realize we need to clean some things up with the restrictive covenants and By-laws. We will approve and assign an oversight committee to help the board go over the CCR's and By-laws to make changes where the documents are not clear. Once the board approves it, we will have an attorney review it. It will come to you next year at the annual meeting for approval. We will present the previous versions and the changes on the web site and ask for comments and corrections as needed.

The meeting was adjourned at 1:30 p.m.

Post Meeting

A meeting was held to decide on board assignments. The board positions are as follows:

President: Mike Conran

Vice President: Randy Fry

Public Relations: John Hoonakker

Roads: Terri Eagan and Mike Conran

Safety and Security: Steve Bird and Kirk Tolbert