

SWEETWATER GOLF COURSE HOMEOWNERS ASSOCIATION  
BOARD MEETING  
October 7, 2017

The Board of Directors of the Sweetwater Golf Course Homeowners Association met in regular session on the 7<sup>th</sup> day of October, 2017 at Alan Edwards, 2640 Nine Iron Circle, Garden City, Utah.

**Attendance:**

Alan Edwards, Jim Roberts, Jon Ord, John Sullivan, Greg Hudnall and Pat Parker, Secretary. Excused were: Don Jardine, Bob Peterson (later attended by telephone), Burke Christensen and Mark Andersen. Others in attendance were: Tiffany Wahlberg and Assistant Board Member Scott Heiner.

**Call to Order:**

President Edwards called the meeting to order at 3:00 pm

Edwards explained to the Board that a request had been made by John Meacham requesting an appeal on the rejection of his building permit to build a garage on an additional lot he owns adjacent to the lot he has a home and garage on. (Please see property map "Exhibit A" attached here to and made a part hereof.)

Mr. Meacham was introduced to the Board and stated the reason he was there. Edward's explained the reason his building permit was rejected – it was in violation of the CC&Rs. The CC&Rs allow one home and one garage to be built on a lot. Mr. Meacham is requesting to build a garage only on his additional lot.

After discussing the matter, Mr. Meacham was informed that the denial stands. Mr. Meacham thought he may go ahead anyway and build the garage even though he would be doing so without a permit.

Roberts will write a follow up letter to Mr. Meacham.

President Edwards started the business part of the meeting.

*A motion to approve the Minutes of June 17, 2017 First Meeting as corrected was made by Sullivan and seconded by Ord. Passed unanimously.*

*A motion to approve the Minutes of June 17, 2017 Second Meeting as presented was made by Sullivan and seconded by Ord. Passed unanimously.*

**Financial Report:**

In the absence of Peterson, Tiffany Wahlberg gave the financial report. (Please see Balance Sheet and Profit and Loss Budget vs. Actual reports as Exhibit B" attached hereto and made a part of hereof) On

the Balance Sheet right now it shows \$260,000.00 between and checking and savings. The money owed to the Water Company is approximately \$55,000.00 and the expenses from now to the end of the year (based on last year) was approximately \$6,000.00. If you do a little more on the roads we will probably be around \$10-15,000.00. This will drop our balance down to approximately \$200,000.00 at the end of the year. Edwards stated that we will continue to collect what we can on payables prior to the assets being transferred to the Improvement District. Edwards reported that Jardine was going to present a proposal for road work in the Board's spring meeting.

Roberts asked – if we are going to spend these additional funds on roads would it be to our advantage to hire a Civil Engineer to come in and help in assessing the road system and what would be the best issues to address. The Board agreed this would be a very good idea and we should do this. Edward asked Roberts to discuss this with Jardine so he could incorporate it in his presentation to the Board in the spring.

*A motion was made that in conjunction with Financial Report we are conducting a Reserve Study and that Study has concluded that over the next two years we would like to spend approximately double of our current road budget in each of those two years to correct deficiencies in the drainage and other issues related to the roads including the hiring of a Civil Engineer was made by Hudnall and seconded by Ord. Passed unanimously.*

Wahlberg reported that our collection costs have gone up due to the collection on several accounts. Our receivables last year at this time were \$44,000.00 and this year we are at \$37,000.00. The Board felt very good about this change.

Wahlberg reported on the vote results for short term rentals. The total ballots sent out was 1294, one half of this would have been 647 and the votes we received were 528. We were 120 short of the 50% needed.

#### **Water Company Report:**

Edwards reported that we are still moving forward. There has been a slight delay due to communications with the surveyors. This has been resolved and we are now back on track.

#### **Road Report/Issues:**

In the absence of Jardine, Edwards reported that Jardine is working on a proposal for road improvements to be presented at the spring meeting of the Board of Directors. Jardine has made a list of projects he has scheduled for the fall. Getting people over to do the work has been challenging due to the amount of construction work going on in the counties. Jardine is on top of it and will continue putting pressure on them to get the work done. Heiner expressed concerns with Yarrow Drive.

#### **Building Report/Issues:**

Roberts reported he had received another request from Jordan Parry for the hole up on the hill because it needs to be taken care of. However, his request is not a legal building and therefore is not approved at this time.

**Website Report/Issues:**

Ord was asked to remove the voter letter, references to the voting process, voter information letter, replace the By-Laws, Fines and Rules and the proposed CC&Rs. Edwards suggested that the following language to put on – “the results of the vote were – the votes casted were less than 50% which was the amount needed for a majority to make the change. There will be no change”. The amount of votes needed were 647 and only 528 were received.

Edwards will get a hard copy of a map showing all the HOAs in our Subdivision.

**Board Assignments:**

Jardine has asked to be released from the weed assignment. He will continue on the roads. Greg Hudnall will oversee weeds with the assistance of Scott Heiner. Petersen will also be removed from the weed assignment.

**Election Report:**

This report was given during the Financial Report.

**Governing Documents Changes:**

Edwards passed out a new Article IX – Rentals (please see “Exhibit C” attached hereto and made a part hereof) for the Board to review. Board Member, Bob Petersen joined the meeting via telephone.

Petersen stated the County Ordinance is based on the Garden City Ordinance. The County Ordinance requires people to get a safety inspection, fire inspection, the number of people that are allowed to stay in a place is determined by the Building Inspector. If they go over capacity there is a fine associated with that. On the enforcement side, you get an emergency contact number. The emergency contact is typically the property owner if self-managed or its one of the three big property managers in this area. If there was an issue these are the people you would contact. Edwards asked – if there was a fireworks issue, for example, you would contact the property manager, and within how many minutes do they have to respond? Petersen responded, yes you would contact the property manager and he believed the County is within an hour response time because of the size of the County. Cities are much faster because of size.

Petersen felt it would be a good idea to get a list of the names of who those property managers are and what properties they are associated with. This is for our ordinances. Petersen volunteered to get this list together for our HOA.

Edwards felt it would be wise to appoint someone on the board to deal with rental issues. Edwards asked Petersen if he would be willing to take this assignment. Petersen felt he was probably the most logical choice as he works with the city and county. Petersen agreed to do it.

Edwards stated that the rental language requires them to have off street parking – one space for every five people in the house. Petersen responded, yes, if they are short-term rentals they are not allowed to

park on the street. All parking has to be on the premises. That number is driven by square footage, etc. The Building Inspector assigns that number and then they come up with a plan as to how they are going to park the vehicles. If the plan does not support that, then they may lower the number of people that will be allowed at a time. By 10:00 pm if all the vehicles are not on the premises, then the property manager should be contacted.

Edwards stated as he recalls, the space has to be paved or graveled. Petersen responded they need to have designated parking which is approved. They have to submit a parking plan when they apply for their short term rental permit.

Ord asked what the cost was to obtain a permit. Petersen responded around \$200.00. Edwards explained the County had to have an inspector come and look at it and make a valuation, etc. Edwards stated that we would post a link to the County Ordinance on our website.

Edwards stated that we are now at the point where we have to take this prohibition out of our by-laws. With the vote failing, this will now take place of the prohibition and comply with the County Ordinance.

Edwards stated that the rules now state that owners are responsible for the actions of their guests, this will say they are responsible for the actions of their renters or any guests.

The third thing, the short-term rentals are not subject to the County short term rental ordinance like motels, hotels and bed and breakfasts, we refer back to the governing CC&Rs prohibition on commercial activity.

Petersen felt that the County will be effective in the enforcement of this ordinance.

*A motion approving removal of the current Article IX – Rentals of the by-laws and approving the changes as presented was made by Hudnall and seconded by Ord. Passed unanimously.*

Edwards presented a revised Rules for the Sweetwater Golf Course Homeowners' Association eliminating the language about no short-term rentals. It also includes a provision about vehicles prohibited by the CC&Rs including unregistered vehicles that are not garaged, are not allowed. (Please see "Exhibit D" attached hereto and made a part hereof)

*A motion approving the Rules as modified was made by Ord and seconded by Sullivan. Passed unanimously.*

Edwards presented a revised Fine Schedule which takes out the fine for short rental. At some point, we may have to put in a fine for violating the Rich County Ordinance. It also includes an informal action taken this summer adopting a Prohibited Vehicle Violation up to \$250.00/day and a Warning Must Be Given. (Please see 'Exhibit E' attached hereto and made a part hereof)

*A motion was made by Ord approving the Rules as modified and seconded by Sullivan. Passed unanimously.*

Hudnall expressed concern that some of the fines are too high. If you are fining \$250.00 a Day or whatever, within a week you could be at \$1,500.00. The reality is – are we going to be able to

collect this when we have challenges collection our HO fees. Edwards felt there may be an issue there as he has looked at this schedule. Petersen is going to review what other HOAs in the area are doing. Edwards asked Hudnall and Petersen to work with Christensen (by e-mail) this winter and have the fines as an agenda item at our spring meeting.

Petersen was excused from the meeting via telephone.

**Adjourn:**

No further business was brought before the Board and a motion to adjourn was made by Ord and seconded by Roberts at 4:42 pm.

**Next Meeting:**

The next meeting of the Board of Director will be on April 21, 2018 commencing at 9:00 am at President Edwards Residence, 2640 Nine Iron Circle, Garden City, Utah unless otherwise notified.