

Meeting Minutes for the Annual Brian Head Village Homeowner Association Meeting
Saturday July 5, 2014 1:00 PM

Brian Head Village Homeowners Association
356 South Highway 143
P.O. Box 190055
Brian Head, Utah 84719
(435) 677-2042

Order of Business with Minutes

- I. **Call to Order:** The Annual Meeting of the Brian Head Village Homeowners Association was called to order at 1:00 PM by Brett Milholin, President. All past and elected board members were present.
- II. **Proof of Notice of Meeting or Waiver of Notice:** Notice of meeting evidenced by attendees and proxy votes returned by mail.
- III. **Roll Call:** A quorum was reached with 42 homeowners in attendance or responding by proxy. Two units were ineligible to vote due to delinquent dues over 90 days old. BHV has 82 units, two ineligible voters, and quorum of 51%. Quorum is 40.
- IV. **Reading of Minutes:** A motion to waive the reading of the Annual Minutes from July, 2013 was made by Erik Joot and seconded by Darryl Gariglio. Annual Meeting Minutes For July 6, 2013 are Posted Online at www.brianheadvillage.com.
- V. **2013-2014 Board Update of Accomplishments:** Brett Milholin, President, reviewed the current Board's accomplishments over the last year:
 - A. Completely cleaned up the balance sheet and consolidated our bank accounts.
 - B. Converted to Dish TV cutting our yearly cable cost from \$30k to \$15k
 - C. Hired Scott Neuhauser as our new property manager.
 - D. Cut our snow removal rate from \$1550 to \$1000/month. It was \$3600/mth two years ago.
 - E. Issues a bi-monthly newsletter.
 - F. Started painting and stucco repair - A is done.
 - G. Office is remodeled.
 - H. Garage is clean and purchased all of our own equipment.
 - I. Saving \$12,000 per month to reinvest in our community.
 - J. Organized all of our books and converted us to a dual signature account.
 - K. Trimmed the trees and cleaned up the grounds.
 - L. Built and continually update our community website.
 - M. Built a Constant Contact account to improve communication with our community.
 - N. Cleaned up all delinquent HOA dues.
 - O. Cut the cost of firewood to \$3500/year from \$7800/year (\$3.57 per unit per month).
 - P. Organized all of our minutes, resolutions, and implement a record keeping system for minutes and book keeping.

Q. Parl Bair from N1 raised a concern about Erik Joot & Darryl Gariglio being co-owners of J6 and the concern for how that vote was applied.

1. Erik expressed his understanding over this concern and assured we had the best interest of the community at heart.
2. Darryl explained that Section II of the Bylaws establish Ownership voting is one vote per unit while Section III of the Bylaws applies to establishing the Board and each seat of the Board has one vote.
3. Darryl explained that our attorney, Russ Gallion, reviewed our bylaws and confirmed that each unit has one vote and each board seat has one vote, regardless if they are from the same unit. Rebecca Fuller, an independent HOA attorney in Las Vegas, also reviewed the bylaws and confirmed the same information. Each unit has one vote and each board seat has one vote
4. Darryl explained that in terms of voting or unit J6, he granted fulltime proxy voting to Erik for all matters concerning our community so long as he is on the board to avoid a conflict of interest. Darryl has abstained from voting on community issues.
5. Brett added none of us knew Vickie or Laurie before they responded to the email to run for the vacant board positions. We've established a very close working relationship and strong friendship since this time though because all of us share the common goal of listening to our community and acting on it.

VI. **Report of Board Members:**

A. Brett Milholin, President:

1. Brett gave a majority of his report with the opening comments at the beginning of the meeting.
2. Members asked for an information sheet on how to operate Dish.
3. Channel 101 provides information. Brett motioned to get a manual for each. The motion was second by Bruce Hampton of N2.
4. Dutch Deutschlander from F4 asked if we could get a weather station closer to Brian Head. Laurie Wright explained that it is illegal for Dish and companies to pull data from outside their authorized zone. She advised that everyone go to Brian Head Weather for weather updates.
5. Brett signed the \$1000 contract for snow removal.
6. The electrical box in Phase III will be done by the end of August.

B. Laurie Wright, Vice President:

1. Asked owners for ideas for our website.
2. Requested that they send us pictures to add to the website.
3. Bruce Hampton of N2 expressed his gratitude over making our communication best since the 1980's.

C. Darryl Gariglio, Secretary:

1. Updated tree trimming and removal for next spring.
2. Will be having a cleanup weekend in September, 2014.

3. Insured everyone was getting the newsletter and asked for feedback.
4. Everyone is happy with the newsletter and didn't have input.
5. All minutes, resolutions, and votes are now organized according to our bylaws.

D. Vickie Hicks, Treasurer:

1. Vickie handed out the 2015 budget.
2. Stated that Utah does not have a reserve requirement but she keeps one for \$150k.
3. We do not have any loans and have set aside \$150k for stucco and painting.
4. She collected \$5000 from a unit that foreclosed and was delinquent \$6200. We thought it was lost but she worked hard and negotiated this.
5. Vickie sends out a 90 day letter when dues go delinquent expressing our intent to lien if it is not brought current.
6. Bruce Hampton from N2 gave us vote evidence from his previous board that they voted not to accept partial payments. Once units fall 90 days delinquent, all payments must go to the attorney.
7. A discussion opened about doing online payments. She reminded the members that they can set up a bill pay with their banks.
8. Doug Deutschlander from H2 asked about why there were two cable TV line items. Vickie wanted to keep Dish and Cable separate and it was later agreed that a second line item would be called "Satellite TV" to keep cable and DISH separate. She will send out an updated budget with our monthly dues next month to reflect this.
9. She will be adding another column and doing a comparative balance sheet so we can monitor our expenses from year to year.
10. A discussion opened about getting the billing statement as part of the newsletter. Email is not a secured method of delivery. It wouldn't save us any money either. Claude's retainer fee includes mailing all documents. Many members are also absentee members and still won't provide email addresses to us.

E. Erik Joot, Member-at-Large:

1. Erik updated the community on Dish and that we will not be getting WIFI due to costs.
2. We get 120 channels but may expand this on Dish.
3. Dish should have left a channel guide and manual in each unit but didn't. We are going to try to get one and put it online for our members.
4. Pay-per-view will be billed to your unit personally. You will need broadband or a telephone line in your unit to pay for pay-per-view.
5. Erik reminded members to put a PIN number on their pay-per-view accounts so renters don't charge a bunch of movies to their account if they add pay-per-view to their DISH.
6. Our DISH contract is for five years.
7. The HOA will make sure that you get a receiver for all of the TV's in your unit.
8. Century Link did a "bait and switch" on our proposal. They initially gave us an estimate of \$38k to install with \$572 per month for Wi-Fi. A new salesperson

took over our account and amended it. They said they had to re-engineer the system because our complex was too big. The new estimate came in at \$50k to install with a monthly fee of \$3000 per month.

9. We are exploring other options like offering Verizon hot spots to rent from the office or to install a hot spot in each building for everyone to use.
10. Members can install their own hotspot now with Century Link or Verizon.
11. The office has WIFI and we will add it to the meeting room and make that a business center/meeting area when we remodel it as part of our short-term goals.

F. Scott Neuhauser, Property Manager:

1. The stucco on A,B,C, D, and the office is fixed and will be painted immediately.
2. We are doing COST PLUS on three buildings so we can pinpoint a more accurate budget.
3. Appears that the cost for stucco and paint repairs will be much lower than initially estimated.
4. E & F buildings will be the next two buildings to be painted and repaired.
5. Scott is going to paint the laundry room and garage.
6. We have three colors to use as part of the color scheme limited to us by Brian Head City Planning Commission.
7. Bruce Hampton brought up the issue that some of the screens are stuck to the stucco. The stucco guys will repair these and take out inoperable phone lines that are just hanging off of the buildings.
8. The railings will be painted the same crème color.
9. We are using an epoxy-based paint that will expand and shrink with the movement of the stucco. It should last 10-15 years.
10. Vickie told Scott to get a list of windows that need to be replaced.
11. Jim Kirkpatrick from F3 is heading the WINDOW COMMITTEE and we will ask members to contact him if they need windows replaced. Members may be able to get bulk pricing if they work together. This will not be a community or board project. This will be in the next newsletter.
12. We are replacing all deck wood with Trex composite wood.
13. A concern was raised about the safety of Trex with snow and ski boots on. It was mentioned that the ski resort and pizza shop have Trex and it doesn't appear to be a problem.
14. Cement repairs will be done by the end of the summer to the sidewalks and patio slabs that are original and not altered.

VII. **Election of Board Members:** Per HOA bylaw Article IV section 5, three officers have reached the end of their term. One officer has reached the two year term of service limit. Two seats vacated by resignations and filled by vacancy vote to serve the remainder of those terms also reached the service limit. Those present voted for the open seats.

- A. Brett Milholin made a motion to nominate all three board members back onto the board. Linda Key in D1 second the motion.

- B. Parl Bair from N1 asked a few questions about voting and was nominated by Doug Deutschlander from H2. The motion was second by Jim Kirkpatrick of F3.
- C. Cathleen Whitmore from N3 helped Laurie count the ballot votes.
- D. Residents voted Vickie Hicks, Laurie Wright, and Darryl Gariglio to the board.
- E. The Board members for the coming year will be:
 - 1. Brett Milholin, President
 - 2. Laurie Wright, Vice-President
 - 3. Darryl Gariglio, Secretary
 - 4. Vickie Hicks, Treasurer
 - 5. Erik Joot, Member-at-Large

VIII. **Report of Committees:** Two new committees were formed.

- A. Window Replacement Committee: Jim Kirkpatrick from F3 will chair this committee. He is going to see how many owners have windows that they'd like to replace before their buildings are painted. He will see if they can get bulk rate pricing.
- B. Bylaw Update Committee: Bev Noyce from O2 will chair this committee. The committee needed two more volunteers to fill the committee at . Darryl Gariglio of J6 and Rick McGough of P4 had already began work on compiling a list of ideas with Bev. The committee is:
 - 1. Bev Noyce, O2, Chair
 - 2. Darryl Gariglio, J6, Assistant Chair
 - 3. Rick McGough, P4
 - 4. Steve Roberts, M6
 - 5. Catherine Whitmore, N6

IX. **Unfinished Business:** The following short-term and long-term business goals are still in process.

- A. Short-Term Goals:
 - 1. Replace grills and/or get an estimate to build two gazebo/bon fire/bbq areas on site.
 - 2. Attic insulation is next on our Priorities of Work after the sidewalks, painting, and stucco is repaired.
 - 3. HOMEOWNER PARKING ONLY SIGNS need to go up in Phase III as soon as the parking lot is fixed in Phase III.
 - 4. Dutch gave an insightful and helpful review of the developments regarding the road based on the city's position:
 - i. The city had built in a contingency plan in case of an event like this.
 - ii. County taxes will not be raised because of the sink hole.
 - iii. The city plans on putting the parking lot and driveway back to grade and original condition.
 - iv. Six different GeoTech's reviewed the situation and determined this is a very rare anomaly.
 - v. The city sent UDOT a proposal on how they could work together to bring the road back to a serviceable condition.

- vi. The grade on our road and whole road area will remain the same for a season to make sure the hill and springs are now draining properly.
- vii. The sand in the area liquidated and started seeping into the lake once it was uncultivated.
- viii. The city drilled six shafts and installed six inclinometers to see if further shifting was occurring.
- ix. Only one inclinometer has showed movement but it's showing shifting movement from the lake towards the settlement area by the fire house.
- 5. Owners need to put lock boxes on their units with a spare key in it so they don't need to call Scott.
- 6. Insulation in the attics.
- 7. Clean out mechanical rooms.
- 8. Cleanup Weekend in September.
- 9. Grills and or gazebo bon fire/bbq areas.

B. Long-Term Goals:

- 1. Thorough analysis of paving the parking lot using asphalt or tar and chip.
- 2. Continued work on landscaping and curb side appeal.
- 3. Redo roofs.

X. **New Business:** The board has the following new business on our priorities of work.

- A. Have homeowners check their screens and replace them since the new paint looks good and we want to continue to upgrade the quality and look of our property.
- B. Bruce Hampton said we use to store our screens in the garage in the winter.
- C. Larry did roof inspections while inspecting the paint and stucco. He will do the roofs next.
- D. Chimney sweeps occur every odd year. They were swept in 2013 and due again in 2015.
- E. Scott needs to get specs for the screen frame colors so it matches the cream color of the trim.
- F. Storage Closet Cleanup:
 - 1. These are actually not "storage closets". They are "mechanical rooms". It is against all fire codes to store anything inside of them and/or underneath stairs.
 - 2. Some have sump pumps and water main shut off valves.
 - 3. The board is going to set a deadline to take items out of the mechanical rooms.
 - 4. Any items left in the rooms after this date will be thrown out.
- G. All balconies and common areas need to be cleaned off. No firewood or grills can be stored on the balconies. Members can store patio furniture on them but nothing combustible.
- H. The HOA has the authority to remove items from balconies.
- I. Fire code states you can store 1-2 days use of firewood inside your unit.
- J. Phase II has aluminum wiring that caused hot boxes. Copalum was installed onto the end of the aluminum wires. Any member in Phase II (E,F,G,K, and L) should not remove the ends if they are remodeling.
- K. Building D, G, and J have bad night light sensors and have darkness.
- L. Dutch expressed Phase III grading concerns for any paving or re-grading there.

M. Bruce Hampton from K2 pointed out a correction to the minutes of 2013. He said that there are no four bedroom units. We have two four bedroom units in our complex and will address HOA fees for units remodeled when we amend the Bylaws.

1. Brett made a motion to accept the annual meeting from 2013 with corrections to update the snow removal and make note of four and five bedroom units.

XI. **Meeting Adjourned:** With no further action required motion made by Brett Milholin and second by Vickie Hicks to adjourn. Motion passed unanimously. Meeting adjourned at 2:31 PM.

Respectfully,

A handwritten signature in black ink, appearing to read "Darryl Gariglio". The signature is stylized with a large, looped "D" and a cursive "Gariglio".

Darryl Gariglio, Secretary
Brian Head Village HOA