

**LAKE ROCKPORT ESTATES PROPERTY OWNERS ASSOCIATION, INC.
A NON-PROFIT CORPORATION
100 ROCKPORT BOULEVARD, COALVILLE, UTAH 84017**

**MINUTES FOR THE MONTHLY BOARD MEETING
TUESDAY, DECEMBER 10, 2024
PARK CITY COMMUNITY CHURCH
PARK CITY, UTAH**

The meeting of the Lake Rockport Estates Property Owners Association Board of Trustees was called to order Tuesday, December 10, 2024 at 6:42 p.m.

[OPEN PORTION OF MEETING]

Call to Order & Roll Call

Present: Nachi Fairbanks (President), Jeremy Boeckmann (Secretary), Skyler Kershner (Vice President) [Virtual], Johnny Wasden [Virtual], Wendee Aguilar, Candace Rust, Greg Warner, Sarah Strader, and John Simmons were present.

~6:42

Minutes Approval

MOTION: Nachi moved to approve September and November minutes pending updating Nachi's recent two comments. Jeremy seconded the motion. The motion passed by all present. Greg abstained for approving September minute because he was not present for the meeting.

~6:44

Water Committee

Skyler summarized last month's efforts. We did get official approval from USDA to use loan funds for Phase 1 of the Mountain Regional feasibility study. They intend to approve Phase 2 if Phase 1 shows positive results.

MOTION: Skyler moved to move forward with Phase 1. Wendee seconded the motion. The motion passed by all present.

Jeremy asked if we will still work out some proposal comments/questions with them before moving forward. Skyler said yes and also noted that we may want someone (i.e., lawyer) to review the contract.

Action: Jeremy to start seeking advance for Phase 1 feasibility study cost.

Skyler noted that we want to keep the membership informed and schedule a meeting to go over the water status/plans with them. Wendee drafted an agenda for the meeting. December is probably shot and we should look into January. Wendee recommended January 11th since it's past holidays. Nachi is concerned with how much space we want to account for in a venue. Wendee said Intermountain has availability and it's \$150 for nonprofit organizations. Capacity is up to 1500 people or more.

Action: Wendee to check on availability for Intermountain hospital, target date January 11th or 18th.

Skyler said ideally we focus the meeting on discussing the Phase 1 study, other potential options/studies to pursue, and updated water rates. Then set up a survey for member feedback.

Nachi noted that we need to inform the membership ahead of changing water rates (or other similar changes). Candy stated that we present the change and then the membership has 45 days to assemble a majority meeting to vote it down if they want.

Skyler noted that we need clarification from Bowen Collins on schedule for the feasibility study phases.

Action: Skyler to communicate with Bowen Collins for proposal comments/clarifications.

Action: Notify the membership of the water meeting.

Jeremy stated that he would like to see an agenda and plan of action (responsibilities) before establishing a plan for a meeting.

Wendee summarized her recommended agenda: Understanding water history, 2/3 rule, water meter discussion with regards to the calculator Skyler built, grants and funding options, options we've explored already, Mountain Regional feasibility study, understanding water rates, water survey, and open discussion/feedback. Key players – Skyler, Rosemary, Denise, Rita, Paul/Keith.

Nachi recommended that we move the meeting date to January 18th following next month's board meeting.

MOTION: Wendee moved to have a special meeting for the members for water. Candy seconded the motion. The motion passed by all present except Jeremy who abstained.

~7:14

Water Rates

Rita noted that Keith's/Paul's methods were difficult to understand where the numbers/costs were coming from. There were also some issues with how fixed and variable costs were assigned. Water system costs should be fully paid by the rates charged to customers. Any additional income (e.g., SA5) should go toward capital improvement projects. Nachi explained Service Area 5 (SA5) and how it assesses members for roads/water, it's charged by the district as % rate based on taxable property value, homeowners pay more into it. This year was ~\$65k. Need to submit invoices/receipts to justify the money paid to LRE. It's usually paid late in the year (Nov/Dec). Both Rockport Ranches (~24%) and LRE (~76%) pay into the fund. If people don't pay property taxes, then the fund is less. We need to ensure that we use those funds or they will drop the rate. Nachi wouldn't want to allocate all SA5 money to roads since not all people benefit from that. Rita thinks the SA5 money should be considered a kind of reserve (e.g., for burst pipe). If at the end of the year you don't need that money, then get reimbursement for other items. Perhaps don't consider SA5 money as income. We can set that aside as reserve for special projects or infrastructure.

Consider updating the budget to reflect SA5 money going toward reserve and not classified as income? Don't factor it into water rates. Consider putting the USDA loan into water rates.

Action: Jeremy update water rate spreadsheet, send out, set up meeting with Rita, set up working meeting.

Add: Candy stated that how the SA5 funds are used needs to be a Board decision and not just one board member using random invoices to put the SA5 money towards. Candy also agreed with Rita that it's a good idea to put the SA5 money into the reserve account.

~7:52

Financials

Sarah shared a sheet with financial information on it and discussed it. (See attachment)

Nachi shared a balance sheet showing what the account balance sheet looks like and what she proposes to update it to. (See attachment)

[Skyler left the meeting.]

Nachi will share the balance sheet spreadsheet with the board.

Plan to vote on balance sheet rework next board meeting.

Nachi clarified that when USDA reworks the loan, they should recalculate everything to apply interest toward the borrowed amount (and not the original loan value).

Nachi said there should be a solution to figure out with PMSI to fix the reporting of money collected in Nov/Dec for next years' dues on current years' P/L.

~8:24

Treasurer Position

Sarah has resigned from the treasurer position. Sarah doesn't think we need a treasurer. She thinks that hiring out the work is the way to go. Sarah handed out some information on management companies. The board discussed a possible new property management company.

Greg asked when the contract with PMSI is up. Nachi thinks April. She thinks that we have an annual contract and have the option to terminate with 30 days notice.

The CC&Rs stipulate that we shall have a treasurer.

MOTION: Nachi moved to make Jeremy treasurer. Greg seconded the motion. The motion passed by approval from Nachi, Greg, Johnny, Jeremy, and John. Candy, Sarah, and Wendee opposed.

MOTION: Nachi moved to make Johnny secretary. Jeremy seconded the motion. Candy, John, Greg, Nachi, Jeremy, and Sarah voted in favor. Wendee abstained.

~8:42

Operations Committee

Gate – got Crawford Doors to order the new motor equipment.

Cameras are all operational. John asked what the primary goal of the cameras are. Candy said security and liability. John asked if we're comfortable with where the cameras are. Sarah asked if the cameras can be narrowed. John said he understands what the top camera can do. He has concerns with the capability and having too many people with access to it. John said Mike wants to get an agreement in place (regarding security and providing service). Mike is willing to provide camera service and security service (monitoring footage upon request). The top camera can help determine line of sight for WiFi line of sight signal. We could have it in the default position and allow Mike to use it for checking line of sight.

Candy is not sure about the agreement, states she doesn't have Rockport Lightning, but heard it's a long wait time for service. John said his service is quick. Nachi thinks viewer access is good to have for the board. It would also be good to have user access to control the camera in case of emergency.

Wendee said the concern about the top camera is the privacy concern. If we give him access and he can manipulate the camera, we don't have any agreement that says we have to give him access. She stated we have a responsibility as a board to ensure privacy for our members.

John said he's worked on something at Canyons involving cameras. It was found that if you're in a common area or public space, it's assumed that you could be under surveillance, but need to have signs posted every so often. If the focus is not on someone's dwelling, it shouldn't be a problem.

Wendee said she knows for a fact that you can see inside peoples' homes with that camera.

John said he wants to maintain the relationship with Mike (Rockport Lightning) to keep a good affordable internet service provider for the members. John clarified that the cameras are free (trade).

Action: John to work on an agreement with Mike / Rockport Lightning regarding camera services. John to ask about removing top movable camera and installing fixed cameras.

~9:07

Rule Variance Request – Tracked Equipment

Mike Bowles requested a variance to use tracked equipment, submitted the snow removal agreement.

Action: Nachi to respond to Mike for tracked equipment variance.

~9:09

Service Area 5 Money

Why does it vary over the years? Nachi clarified that it's done by the county and depends on what they collect. It can fluctuate with houses being primary residence or secondary residence. Secondary gets taxed more.

Candy asked why 2021 was so much lower. Nachi said she would have to go back and review.

~9:13

Voting via Email

Nachi thinks that any business that affects the membership (e.g., money, rule change) should be conducted in meetings. The items covered in email are more basic business, typically things like approving bills.

<https://le.utah.gov/xcode/Title16/Chapter6a/16-6a-S813.html>

~9:26

Property Management Company

Board to review the proposals from HOA Strategies and Sea to Ski. We need to prioritize the water rates and budget first.

~9:30

Update – Audit

Nachi said when she read the audit proposal that Sarah submitted, it only said it was for one year. Sarah said she's going to get it updated for 4 years and wants to budget \$20k. It was noted that the previous board approval for audit was for up to \$15k for a 3 year period.

Jeremy noted that if the audit is rescoped, then we need to revisit as a board and vote again.

Action: Jeremy to check with Kevin Hacking about the well service money needing to be in the budget.

~9:32

Update – Reserve Study

Nachi to ask for an update. We may need to ask them to include more water pipeline infrastructure.

~9:37

Membership Comments

James McKenna Lot 84

- Unsightliness has been an issue lately. There is a giant pile of logs with tarps on them on a nearby lot. Is there a log of this type of unsightliness?

- o Nachi: We do have a tracking list for non-compliance issues. The general practice is that non-compliance enforcement requires a formal complaint filed.
- While CC&Rs are being worked on, is there a statement that can be made that we have not amended our CC&Rs yet, but until they've been amended, we will respect certain "violations" – e.g., allowing horses but not dogs.
 - o Sarah: The committee is working on the updates.

~9:44

---Transition Open to Close---

[CLOSED PORTION OF MEETING]

Submitted By: Jeremy Boeckmann

Attachments:

1. Sarah's Water System Improvement Evaluation
2. Balance Sheet Proposal 12-7-2024