

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

**MINUTES FOR THE MONTHLY BOARD MEETING  
WEDNESDAY, JANUARY 8, 2025  
PARK CITY COMMUNITY CHURCH  
PARK CITY, UTAH**

The meeting of the Lake Rockport Estates Property Owners Association Board of Trustees was called to order Wednesday, January 8, 2025 at 6:42 p.m.

**[OPEN PORTION OF MEETING]**

**Call to Order & Roll Call**

Present: Nachi Fairbanks (President), Jeremy Boeckmann (Treasurer), Skyler Kershner (Vice President), Johnny Wasden (Secretary), Wendee Aguilar, Candace Rust, Sarah Strader, and John Simmons were present. Greg Warner was not present but excused.

Lot 307 Owners (Peipers) in attendance ADD: Susan Peiper is the owner, accompanied by her partner Kent.

~6:38

**Minutes Approval**

MOTION: Johnny moved to approve December 2024 minutes, Nachi second- unanimous Board approval

**Financials**

- Proposed cash accounts adjustments – vote
  - o Motion: Jeremy moved to advise PMSI to reallocate the cash accounts according to the spreadsheet that he sent out via email on December 11, 2024, subject "[LREBOT] Proposal for Balance Sheet", attachment "Balance Sheet Proposal 12-7-2024." Sarah rejected the vote and the motion was tabled. Sarah claimed she could not communicate with PMSI.

Jeremy asked if there was an issue with approving the cash accounts

Sarah informed we never voted on this

Sarah stated that you don't vote on a Balance Sheet. and the balance sheet did not balance.

Nachi confirmed that it did not balance.

- Financials review/approval
  - o December financials are not ready
  - o November financials are wrong (balance sheet, income statement)

- Financials typically not prepared until 10<sup>th</sup>-14<sup>th</sup> of month – consider moving board meetings to after this?
- Reserve Analysis – summary of recommended updates
  - Jeremy, Nachi, and Johnny met with Dale of Complex Solutions yesterday to discuss our comments sent and next steps to finalize the report.
  - Our initial proposed guidance, which we should discuss in a separate meeting ASAP, is as follows:
    - Separate the report into two – one for general and one for water system
    - As needed, adjust the estimated life of pipeline, and discuss the special assessment
    - Remove tractor components with the plan to not replace
    - Advise on mailbox approach
    - Add in street signs, provide guidance on cost/life
    - Minor updates to fire hydrants
    - Potential other miscellaneous
- Past month activities – summary of efforts and direction to PMSI

Action: Cash accounts tabled to working session next week.

Wendee and Candy asked why we are separating and not holding the reserve analysis review in an open meeting and proposing a work session

ADD: Candy said the members need to be notified of any working meeting. We discussed listening in or recording the meetings and making them available on the website or app. Decision tabled by the majority.

Jeremy and Nachi responded that Dale has asked the Board to review and advise on what we would like to pursue.

- General ledger – advised on ~5 income items and ~44 expense items to revise. Since then it was realized that some of those expense items should move to liabilities and not expense.
- Income Statement and Balance Sheet
  - Reclassify 4750 Water System Improvements to “Other Income”
  - Reclassify 6370 – Loan Payment Expense to 3360 – Long Term Liability, ensuring principal payments are applied as long term liability debit
  - Reclassify 8200 – Special Project Assessment to be capitalized on the balance sheet to fixed assets along with all other costs of the well project. This also needs to be depreciated over its estimated useful life to expense.
  - Add in a new “Other Expense” item to account for impairment of the Well 3 project
  - TBD work on asset breakdown, valuations and depreciation
  - Further ledger rework to accurately reflect EOY loan statements
- Balance sheet (cash) – advisement this week

Nachi asked what assets are not on the balance sheet - Jeremy responded with: well#2 well#3 and top tank were probably lumped together, listing out our pipeline systems - we need to create a list of assets and a depreciation schedule.

Sarah requested Jeremy to ask if the assets are depreciating the land. She also stated “that if you do not show monies as income, you cannot expend the monies”. All income should be reflected.

- Planning to meet with PMSI later this month when they have availability to work through mentioned issues

- Budget
  - Work done – ~90% complete, have the skeleton developed, just need to get some more info/data
  - To do – implement reserve analysis (income, savings and planned projects), miscellaneous explanations/clarifications, determine association fee, reclassify some operating/other income and expenses, implement water system income (various categories), update legal/audit, update various items after 2024 actuals known (legal, AES, etc), refine after general ledger is updated by PMSI

Action: send out the balance sheet to the Board

Sarah committed that she will have a Davis Allen audit quote by tomorrow  
Wendee informed she didn't see an audit in the budget draft-

Jeremy informed it will be under “ legal and professional services”

Wendee asked about a \$14,118 under legal and expenses going to Curtis Kimball- any red cell has work to be done

Sarah requested Magic Jack and Website costs need to be put back in

#### Water Rates

- Work done – added a cover sheet to provide context, started working on a report for even more explanation/context. Jeremy met with Rita in an effort to distill down a summary of the water rates - background, stakeholders, method, approach, fixed/variable costs, why, and providing the workflow, calculations, and determining costs so it's simplified with full context. Jeremy will be developing a 5 year forecast and what if scenarios

The Board generally agreed to set a target date for a Membership Meeting on Feb. 22 if all preparations were met.

- To do – work on report, update analysis for forecast and reserves, update costs once AES invoices received, miscellaneous formatting/improvements, Rita review
- Anyone willing to help with analysis and report write-up?

Action: Skyler Kershner, Keith , Rosemary Carroll volunteered to help with the analysis writeup

- Propose monthly working meetings
  - Motion: Jeremy moved to plan on scheduling monthly working meetings for the board to discuss issues and find solutions, targeting the week prior to board meetings. Unanimous consent from the Board members.

Wendee requested the membership to have full access to the working meetings.  
It was proposed to provide a zoom link and record it. Recording the discussion and providing a summary membership may ask questions/provide input via email

Action: Further coordination on which nights will work for everyone. Nachi committed to look into finding/scheduling a room for the work sessions

- Propose work session next week for reserve analysis and finances

- 
- Summarize invoice voting issues

Skyler Motion, to table the discussion around how we record and distribute our working session-  
Jeremy second- Unanimous consent from the Board Members

~7:17

Jeremy read a letter from the position of Treasurer regarding invoice rejections by Board members which puts the Board of Trustees, association and community in jeopardy of litigation.

Jeremy motioned to table the discussion and move on to the next agenda item. No second.  
Candace and Wendee rejected the allegations of negligence and said invoices were paid regardless.  
Wendee asked "what's your point" and said she "has the right to reject payments of invoices." Wendee then said she will continue to disapprove invoices associated with Well #3. She said that anything that had to do with Well #3 that didn't have membership approval, she would reject.

Wendee and Candace indicated it's their right to oppose paying invoices.

Candace asked if the USDA knew that there wasn't a membership vote ADD: for the well #3 and for the \$3.65 million USDA loan.

Wendee requested Jeremy's letter be struck out - claiming defamation of character-

Wendee motioned to strike out part of Jeremy's letter. Candace second, Sarah said she agreed the negligent part should be struck-, Candace  
Jeremy, Nachi, Skyler, John, Johnny opposed

~7:26

### **Water Committee**

Skyler summarized last month's efforts.

Skyler committed he would send out the MSA and requested comments back by Friday.

Sarah inquired about "the special meeting"

Skyler reached out to Shane Scott with Summit county to discuss our situation and identify possible funding for water infrastructure improvements

Last meeting a motion was made to hold a special meeting to collect comments from the membership regarding the water discussion - January 18 is the tentative date. The state of the Water Rate Analysis and financials are unsettled and the Board majority indicated we are not quite ready for the meeting.

Jeremy inquired how do we get the meeting to members not in attendance of a special meeting.

Nachi recommended having a packet emailed to the membership so they have the information and have an avenue to provide feedback. We need a vote on the financials, reserve analysis,

Skyler proposed shooting for the water meeting by Saturday, February 22nd. Correction: This was already agreed to earlier in the meeting.

Candace inquired "didn't we already do this via email"? ADD: Regarding an info packet be put together by the board for the special meeting

Jeremy indicated there needs to be more discussion.

Action: Provide comments on the MSA by Friday, January 10.

Action: Work out further details/setting a water meeting date during the work session next week

~7:45

### **Operations Committee**

Update on past month activities

John met last night with the ops committee

Gate: new motor installed - weld repairs and wheel needs to be replaced-

Before it can be turned on- fire and police access key, proximity loop repaired, app is available but may not support the number of members we have. Looking at clickers for USPS and members that may want them.

Cameras: John met with Mike Mimbach - 2 cameras have been ordered to replace the 2 top tank cameras in the next 2 weeks. Candy asked where they will be pointed. John said up to the gate.

Nachi called the fire marshal and waiting for the burn pile ignite approval. Delays may be expected due to the California fire.

Tractor: 1 hydraulic hose, seat, and front tires need to be replaced. Waiting on a quote.

Skyler transferred the USPS box management to the Mountain Ops committee.

Skyler provided a brief update on the USPS mailboxes.

~7:55

### **CC&R Committee**

Update on past month activities. Status of committee scoping document and workflow.

Sarah sent the draft of CC&R changes to Curtis Kimble and he recommended to change the highest priority items (articles and pet policy) sooner than later . Curtis recommended getting them all changed and amended on at once.

Articles need 67% membership vote

Certificates will be eliminated.

Candace asked for what law Curtis was quoting regarding member votes. Regarding membership votes needed to change bylaws. Candy believed it to be 67% of the membership.

Action: Email comments and tracking document

~8:00

### **Assessment Schedule**

Proposed lien fee change, need to update for interest rate change  
(assessment schedule and invoicing procedure) PMSI advised that we are at \$345 liens to be processed

Nachi added clarifications: architectural assessment was called a review - the architectural assessment is for project oversight - inspect the site that the setbacks are correct, dumpster, porta potties, monitor the project, final inspection, site cleanliness- proposing clarification for what it's for.

Nachi indicated that Plan review is different than project oversight and asked to clarify between the 2 things.

Wendee inquired if we are going to vote on paying Board members for ARC functions. She also inquired if it's 2 different things.

Nachi responded that \$250 is paid to the AC members for time, vehicle, fuel, etc

Candace asked if there were charges for both ARC review and project oversight

Nachi indicated there is no charge for plan review - amounts are paid for project oversight.

Wendee inquired if we could reallocate the cost to a private organization. Nachi indicated that it would cost \$2000 to hire it out.

ADD: Wendee motioned that the ARC committee is not to be paid, Candy seconded the motion. All board members present were in favor. (correction: I believe this motion happened during this conversation and not during the MISC portion)

Nachi requested for a line item addition addressing un-trailerred tracked equipment allowed only with written Board approval.

Candace inquired if we needed to send out the addition to the membership.

Nachi indicated all changes to the Assessment Schedule would be sent out to the membership.

Jeremy indicated the membership are allotted 45 days to call for a vote.

Wendee inquired if the Assessment Schedule was part of our governing documents? No response.

Nachi indicated we would get Invoicing procedure changes- accounting for charges that come up throughout the year-in writing and reviewed.

MOTION Nachi motioned to add an additional line item under Penalty Assessments "upon written board approval tracked equipment may be allowed" Jeremy second. Consent from remaining Board members.

MOTION Jeremy motioned to adjust the line item to clarify that the fee is for project oversight- not architectural review. Wendee opposed - wants more details. Consent from remaining Board members

MOTION Jeremy motioned to change lien assessment line item be changed from 309 to 345 Nachi second, Unanimous consent from the Board members Membership is required 15 days notice before this can be voted on.

ACTION: Notification to membership after the assessment schedule is updated.

~8:25

### **Property Management Proposal Review**

Revise and schedule interviews for new property management firm

Sarah requested to interview alternative property management companies like Sea to Ski

Nachi inquired: "what information was provided to them"

Sarah explained how our community worked. Collections, financials, budget, most do not use Appfolio- a transition would be required to a new platform. Homeowners would have 1 point of contact. Consistency for the membership. Work with Aqua Environmental

John indicated many HOA's in the Mountain Village have been happy with them

Skyler mentioned FCS management in Draper

Sarah called for an interview of these companies-

Jeremy requested thorough review to ensure the quote reflected exactly what we needs of the community are

Nachi indicated the last bookkeeper provided SOP to PMSI - asked if we wanted a property management company more than a bookkeeping company- \$1980 month. Nachi wanted to make sure a property management company understands what they're getting into. We are a POA not an HOA- concerns that we are also a utility company.

Wendee requested that all board members put together questions for pre-interview questions

Candace requested a company that is familiar with Summit County

Action: Nachi will send out a scope and all board members provide considerations to bring to potential interviews

~8:37

### **Water Meeting**

Scheduling and planning water meeting - see Water Committee item above for discussion points.

~8:38

### **Working Sessions**

Proposal for monthly working sessions, week prior to Board meeting?

~8:39

### **Website Update**

Updates on website work- Greg Tafoya has been making updates.

Candace indicated Greg is waiting on items (2 months)- photos need to be uploaded ADD pics from board members.

Action: Candy will resend the request. All Board members need to provide the requested pictures to Greg.

~8:45

### **Miscellaneous**

"Vote of the Board Members about ongoing email of paying Board Members on the ARC  
Wendee requested for a vote so there is clarity of which board members support paying for ARC time

Sarah indicated " it's a bad look." We should hire a retired building inspector.

Johnny inquired if we should ask the membership in a survey

Nachi inquired if we should break it down into mileage instead. Wendee, Candace and Sarah opposed.

John explained his experience at the Canyons Village. Wondered why we paid one committee and not another. Wondering if it still makes sense.

Wendee spent time explaining the law around payments to ARC volunteers.

Candace volunteered to be on the ARC during the last working session. Candace asked why we even have the fee.

Skyler indicated he "is open to fixing it if it's wrong". Skyler asked what we will do with the fee if it doesn't go to ARC members.

It was agreed that if a property management company is hired it wouldn't be necessary to pay ARC members.

MOTION: Wendee motioned from this point forward we do not pay ARC members a fee and call it an architectural deposit and we could discuss in a working meeting whether or not the deposit could be refunded appropriately if the construction site, road, etc. are in compliance to the rules. There was also talk about a time limit on refunds for any project. Candace second. Unanimous consent from the Board members.

Action: Review details of what to do with the deposit and what the amount may or may not be - April or May working session

Other:

Nachi updated that there were 30 delinquent accounts identified and so far 10 have been brought in to compliance

~9:06

### **Membership Comments**

Rosemary Carol - Lot 127

-Other HOA's have member portals for information, bills etc. A place to post videos where members may comment



-Recommends setting a date about the water make the efforts to get the requirements done and get it to the members. At least the range if it's not exact.

-Kevin- said there are 4 statute articles of incorporation, bylaws, declarations, and restrictions, board rules  
- governing docs- board rules do not have to have membership vote. Ours are not compliant and he is working on the CCR committee to bring them into compliance. Attempting to add granularity to the rules. Wants to submit all of the changes at once. Get the documents in draft form, get it to the board for edits, then to Curtis, then get it on the annual meeting

-Property management - caution the Board to have Property Management Company interview us to make suggestions for solutions and best practices.

~9:14