

Minutes of Meeting of the HVPOA Board of Trustees

Meeting was called to order at 6:19 p.m. on Wednesday 15 July 2009 at the Fairview Senior Citizens Center.

Note: The Trustees present requested that Mr. and Mrs. Meyers assist with taking minutes for this meeting. Motion: A motion was made and seconded to have Mr. and Mrs. Meyers take the minutes for this meeting. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Johnson voted in the affirmative. Mr. Widdop was absent. The motion carried.

Trustees present were J. Taufer, R. Walker, C. Johnson, and T. LeFevre. R. Widdop was absent, but available if necessary by phone for voting.

Members of the Association present were Jody Taufer, Rita Walker, Annette Grant, Mellissa Zobel, Scott Williams, Brian Cook, Christine and Cody Smith, Rachel LeFevre, and Graciela and Tom Meyers.

1. The first Board of Trustees agenda item was a discussion of how minutes would be taken and the suggestion that the minutes be prepared, reviewed, and approved before the adjournment of the meeting.

Discussion: The Trustees discussed the possibility of preparing, reviewing, and approving the minutes during the meeting. Mr. Meyers commented that handling the minutes outside of the meeting took too much of his time. The By-laws were reviewed and the proposed process would be compliant. B. Cook commented that neither the minutes nor the agenda should be altered after the members have left. J. Taufer commented that the meeting would be open until the minutes were approved. The Trustees discussed how to handle the minutes of a Meeting of the Members. It was decided that the Trustees approved the minutes. T. LeFevre commented that members could send in a written correction to the content of minutes of Meetings of the Members within 7 days of the minutes being published. B. Cook commented that corrections to the minutes should be documented in the subsequent meeting minutes.

Motion: A motion was made and seconded to adopt the above process for managing the review and approval of meeting Minutes when possible. When not possible, review and approval of the minutes would be the first agenda item at the next meeting, and corrections to the minutes would be documented in the minutes for that next meeting. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Johnson voted in the affirmative. Mr. Widdop was not called for a vote. The motion carried.

2. The second Board of Trustees agenda item was to accept Shelly Marshall's resignation as web master, and to discuss acquiring records and information from Ms. Marshall..

Discussion: J. Taufer discussed the website issues and suggested that the website should be Association business only. In the absence of R. Widdop, discussion of the new website

should be postponed to the next meeting. C. Johnson asked if the new website would be run by a third party professional vendor. J. Taufer stated that it would.

Motion: A motion was made and seconded to accept Ms. Marshall's resignation, verify that Ms. Marshall has been paid in full, to get the passwords and control of the website, and to get any and all property belonging to the Association within 7 days of receipt the request. Mr. LeFevre will make contact and make the request. Mr. Walker will make contact to verify that Ms. Marshall is paid in full. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Johnson voted in the affirmative. Mr. Widdop was not called for a vote. The motion carried.

3. The third Board of Trustees agenda item was to review and approve the collections resolution.

Discussion: J. Taufer discussed the collection resolution and that the resolution has been finished and, if approved, would have to be sent to each member of the Association. R. Walker noted that changes requested by Trustees had been made. The nature of the referral process and the collections process were discussed. T. LeFevre clarified that the Board of Trustees would review accounts on a uniform basis, and no account would be sent to the law firm, Vial-Fotheringham, for collection without first being reviewed by the Board of Trustees.

Motion: A motion was made and seconded to approve and adopt the collections resolution as revised, and to send a copy of the resolution to the members of the Association. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Johnson voted in the affirmative. Mr. Widdop was not called for a vote. The motion carried.

4. The fourth Board of Trustees agenda item was to discuss the roads and culverts, along with the potential dangers to children playing in the gully that runs through the common area.

Discussion: The Trustees discussed changes to the road past R. Walker's residence. Concerns about the safety of parts of that road were discussed. R. Widdop had obtained a bid for 18" ABS plastic culverts at \$9.31 per foot in quantities of 500 feet. This compares to an average of \$24.00/ft. The Trustees discussed sharing culvert material with Blackhawk and with residents at cost. T. LeFevre suggested that culverts should anticipate possible widening of the roads, and be installed a little longer.

Motion: A motion was made and seconded to purchase 500 feet of the above referenced culvert material. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Johnson voted in the affirmative. Mr. Widdop was not called for a vote. The motion carried.

Discussion: J. Taufer brought up the gully in the common area. He pointed out that a lot of the gully is on private property. T. LeFevre commented that property owners along the gully should be advised of their potential liability. C. Johnson suggested that the notification be sent to the property owners by registered mail to establish a record. T. Meyers commented that the road to the north of the gully cuts through private property, and it might be possible

to relocate the road while correcting the potential gully problem. T. LeFevre suggested that the dirt excavated from the new IVFD Fire Station could be used to fill in the gully. J. Taufer suggested that the Trustees tour the area and conduct a feasibility study.

Motion: A motion was made and seconded to send a registered letter to those property owners potentially affected and to visit the gully near the common area. Trustees will coordinate among themselves to schedule the visit. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Johnson voted in the affirmative. Mr. Widdop was not called for a vote. The motion carried.

Discussion: The Trustees discussed other road areas of concern.

Motion: No motion as made.

5. Trustee, T. LeFevre, brought up the next item. He expressed a concern about his status as a member of the Association and as a Trustee.

Discussion: T. LeFevre inquired about his status. J. Taufer pointed out that T. LeFevre had presented him with a document establishing his ownership interest in his property, and therefore T. LeFevre qualified as a voting member, and was qualified to be a Trustee. J. Taufer explained that because of the amount of returned mail they get, for example 69 returns for incorrect addresses on their first mailing, the Board of Trustees has checked with the Sanpete County Recorder to verify addresses. In the process, they have noted that some properties are not titled in a manner that clearly matches the Association records. He stated that he is aware that it is a lot owner's responsibility to notify the Association of his correct address, but that the high volume of returned mail justified the further effort on the part of the Association.

6. The fifth Board of Trustees agenda item was the review and approval of the minutes for the 16 May 2009 Meeting of the Board of Trustees and the 30 May 2009 Meeting of the Members.

Discussion: The Trustees reviewed the minutes. No discussion of the 16 May 2009 and 30 May 2009 minutes took place.

Motion: A motion was made and seconded to approve the Minutes for 16 May 2009 as presented. Mr. Walker, Mr. Taufer, and Mr. LeFevre voted in the affirmative. Mr. Johnson abstained because he had not attended the meeting. Mr. Widdop was not called for a vote. The motion carried.

Motion: A motion was made and seconded to approve the Minutes for 30 May 2009 as presented. Mr. Taufer, Mr. LeFevre, and Mr. Johnson voted in the affirmative. Mr. Walker abstained from voting because he had not attended the meeting. Mr. Widdop was not called for a vote. The motion carried.

7. Trustee, J. Taufer, brought up the next item. He presented information to Mr. Johnson, which he had requested. Mr. Johnson stated that he received the requested copy of the complaint presented by the members at the 30 May 2009 meeting on 09 July 2009. J. Taufer commented that Mr. Johnson had indicated by email to Mr. Taufer that he would pick up the requested documents at the 17 June 2009 Meeting of the Board of Trustees, which he did not attend. Mr. Johnson requested a copy of the members' petition with signatures, and Mr. Taufer declined to provide it.
8. The sixth Board of Trustees agenda item was to review the notes for the 17 June 2009 meeting, to make corrections if necessary, and to create minutes.

Discussion: The 17 June 2009 minutes included mailing and ballot counting dates, which were not met due to the fact that comments received from both T. LeFevre and C. Johnson were reviewed with legal counsel. The envelopes had been stuffed, but Mr. LeFevre's wife, who had been involved with stuffing the envelopes, gave him his copy, and Mr. LeFevre sent in his comments. Mr. Taufer held the mailing until he could check with the law firm. The comments were sent to the law firm to ensure that the actions being taken were in accordance with the governing documents and the law. J. Taufer pointed out that the Board of Trustees was obligated to call a Special Meeting of the Members because the Board of Trustees had been given a petition. The Special Meeting of the Members is intended as a forum for members to address their complaints.

The mailing associated with the Special Meeting of the Members was modified per the law firm's instructions and finally sent out on 29 June 2009. The due date of 13 July 2009 was changed to 17 July 2009.

No corrections were made to the Notes.

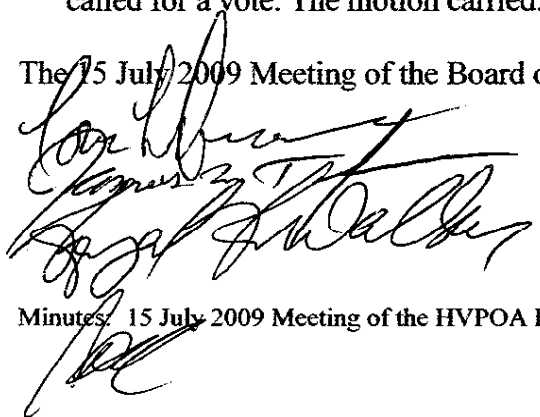
Motion: A motion was made and seconded to change the Notes to Minutes and approve the Minutes for 17 June 2009. Mr. Walker, Mr. Taufer, and Mr. LeFevre voted in the affirmative. Mr. Johnson abstained because he did not attend the meeting. Mr. Widdop was not called for a vote. The motion carried.

9. The seventh Board of Trustees agenda item was to review and approve these minutes for the 15 July 2009 meeting of the Board of Trustees.

No corrections were made to these minutes.

Motion: A motion was made and seconded to approve these minutes as read. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Johnson voted in the affirmative. Mr. Widdop was not called for a vote. The motion carried.

The 15 July 2009 Meeting of the Board of Trustees adjourned at 11:15 p.m.

Handwritten signatures of board members, including names like Walker, Taufer, and LeFevre, written in black ink.