



**SILVER SPRINGS SINGLE FAMILY  
HOMEOWNERS ASSOCIATION  
BOARD OF TRUSTEES MEETING**

August 3, 2009 The unposted meeting convened at a private residence at 6:25 pm.

Board Members Present: Kristian Mulholland, Harry E. Fuller, Bill Gunter, Sue Pollard.

Board Members Absent: Bill Noland, Chris

Butler, James Larson

Visitors: Mari" Lyn" Cier, bookkeeper.

July 17, 2009 Meeting Minutes were approved.

Change of Officers: Kristian Mulholland, a board trustee, requested that his office as Board secretary be assigned to another board trustee. It was decided that Harry E. Fuller, a board volunteer who had replaced trustee Jan Zinn after her resignation in April 2009, would be installed as board secretary. Mulholland will continue as a board trustee and oversee structuring and updating the website at [www.silverspringshomowner.com](http://www.silverspringshomowner.com) .

The Member website maintained by the Archers at [www.silverspringscommunity.com](http://www.silverspringscommunity.com) continues to grow, remain current, and represent the activities of our community.

Annual Dues: Mari" Lyn" Cier, HOA bookkeeper, reported that eight SSSF Members have not paid their 2009 annual dues.

Annual HOA Picnic: The July 25<sup>th</sup> picnic was attended by around 32 adult members (out of 508 units) and a group of children. The MHOA contributed \$400 for the event, the SSSFHOA spent over \$1,000.

Small Claims Court Lawsuit: Gunter reported his small claims lawsuit against the Archers would be heard at the Summit County courthouse on August 5, 2009. Gunter alleges that the Archers, as HOA website webmasters, converted the HOA website for their personal use and refused to relinquish the website when Gunter requested it in January 23, 2009. On November 6, 2009 Gunter had made a motion to shut down the website because the Archers would not remove the HOA official minutes of October 2, 2008, October 13, 2008, which recorded how Gunter, Winer, and Pollard had usurped the Election. When Gunter recognized that the Archers had salvaged the website and were continuing to update it (including the Minutes of the unofficial November 6, 2008 meeting and

illegitimate December 15, 2008 meeting, plus the HOA budgets showing that Gunter, Winer, and Pollard had spent over \$8,000 of HOA money for an attorney to advise them on their usurping of Member votes), Gunter made a demand that the Archers relinquish the site to him. The Archers refused on the basis that the site was for the Association Members and was not to be censored and manipulated by these usurpers. The Archers were also aware that the board members that were making relinquishment requests were telling them one thing and reporting something very different to the new board members.

Gunter delivered an invoice for all third-party website expenditures to the Archers in the amount of \$4,228.90. A fraudulent request. The HOA board had made these expenditures for the most part from March 2004 to November 2006 (when the Archers were not active with the website) and then the board essentially abandoned the site until the Archers once again agreed in March 2008 to update and maintain it for the Members.

[On August 5, 2009 the Small Claims judge ruled in favor of the Archers, stating that it was the Archers who had been damaged by individuals on the board. The board wanted a website and the Archers more than adequately provided them with one without charging the board or the HOA, the website the Archers provide is gratis, free, complements of these neighborhood **volunteers**. The Archers have contributed thousands of dollars of updates, research, photos, organization reports, HOA history, etc. for the benefit of the SSSFHOA and the other twelve Silver Springs Community subdivisions.]

NOTE: Lucy Archer contacted all the members of the board and Lyn Cier beginning on the morning of Monday August 3, 2009 to find out when the next board meeting was being held so that she could present to the new board members her side of the lawsuit. Not a single board member admitted that the board meeting was that very night. Gunter has told and written instructions to the board members: " Please ignore her further inquiries and forward them to me. thanks, Bill" Gunter has in effect requested that the Archers be ostracized from participation in neighborhood activities. Board meetings are unposted and held in his home to maintain his tight rein on board members and to control information that should be openly available to all Association Members.

Websites update: The SSSFHOA currently has four websites, they are [www.silverspringshoa.org](http://www.silverspringshoa.org); [www.silverspringsssfhoa.org](http://www.silverspringsssfhoa.org); [www.silverspringscommunity.com](http://www.silverspringscommunity.com); and [www.silverspringshomers.org](http://www.silverspringshomers.org).

Kristian Mulholland reported on the website started by Gunter and Butler. It has some forms, meeting minutes, and some HOA documents. To access this site a 44 question form is to be filled in, then a system administrator will send a password to the Member applicant. It is known that passwords may take as long as six months to be received. Harry E. Fuller asked if Gunter-Butler's website contains information on pending plans and neighborhood developments having direct impact on the Association Members such as is on the [www.silverspringscommunity.com](http://www.silverspringscommunity.com) website.

Chris Butler offered to have his secretary prepare editable forms for the website. Mulholland said he would post the current versions of the forms on the site until revisions could be made.

CC&R Committee: It was reported that a renter on N. East Meadows Drive has had a boat stored on the driveway for a number of years. Gunter suggested that a fine be imposed since the formal letter from the board was ignored. Gunter proposed that he would submit a fine schedule for CC&R violations to the board at the September 2009 meeting. The board failed to acknowledge that a fine schedule and rules are already available, and that another proposal was authored in 2008 by John Coursen, a resident who had been assigned this duty by the board.

Pollard reported that the house on SLS-02 is occupied by a world-class athlete who has many friends and visitors, and probably some roommates. The neighbors from Silver Meadows have complained that the house occupants are occasionally rowdy and police have periodically been called. There is a second house on the same street, N. East Meadows, with the same problem.

Underdrain Report: Though the underdrain system has been abandoned by a vote of the entire Association Membership and removed from the CC&Rs in 1985, the four or so residents who insist on making it an issue for their own benefit continue to bring up the issue and use HOA resources to clean out the storm drains, sewer lines, and some French drains adjacent to their own properties. A report on "existing outfall obstruction is on schedule. The company performing the work will also submit an estimated cost for excavating and repairing a blocked drainline located behind the home of member Skip Domenick" (one of the persistent advocates of this work. It has been stated that his property may be on an artesian spring.) This work is being undertaken without the approval or vote of the Association Members.

Lake Drainage Streams: The MHOA posted this statement online: October 5, 2009: "Shortly, the Master HOA will begin fall cleanup of the drainages into and out of the upper and lower lakes. This maintenance is necessary to ensure an unobstructed water flow during the spring runoff. Vegetation (cattails, Indian grass), which might impede flow, will be cut back or removed. Even though the majority of the drainages lie on private property, they are within a 20' drainage easement which allows such maintenance to be performed. The maintenance crews will remain in the channels during the clean out. They should be able to move freely along the drainage channels since all CC&Rs restrict any fences or obstructions to water flow from being placed in or near the drainages. Thank you, Bill Noland, SSMHOA."

Master Association Report: The vegetation and landscaping modifications on the lake dams has been inspected by Everett Taylor, Utah Water Engineer Office

dam inspector. Taylor feels the condition of the dams has been compromised by invasive roots of trees and vegetation growing on or near the dams, and by the burrowing of native rodents. The MHOA has not been vigilant in maintaining the sites as required by the James L. Cross Marine Consulting Company that refurbished the dams in 2005-2006 and who provides a 50-year warranty for their work if the MHOA maintains the dams according to their agreement. The MHOA board did not receive General Membership approval to accept the ownership or responsibility for the lakes and dams from Mountain Regional, nor did they request nor obtain approval from the General Membership to repair the dams at a cost of \$143,000 from the MHOA budget. The ramifications of all these events are beginning to arise. Harry E. Fuller suggested that all MHOA plans for altering, improving, and changing management of the lakes and their appurtenances should be publicized well in advance so the Associations General Membership, in particular the NorthShore homeowners, will know what costs and other implications may be expected. Time must be allowed for filing of comments or protests deemed necessary and appropriate.

There being no further business the meeting was adjourned at 7:29 PM.

The next board meeting was scheduled for Tuesday, September 8, at 6:00 PM in a private residence.