

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

**MINUTES FOR THE MONTHLY BOARD MEETING  
TUESDAY, SEPTEMBER 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, September 10, 2024 at 6:41 p.m.

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

**[OPEN PORTION OF MEETING]**

**Call to Order & Roll Call**

~6:43

**Committee - Mountain Operations**

We have an updated draft of the scope for the committee. There is a significant scope, but multiple members offering help. Nachi noted that John Simmons will be responsible for certain portions (e.g., personal information, gate/shed codes) which need to be managed by the board. Nachi stated she is good with what was proposed in the scope document. Sarah asked for John to develop a budget by the end of October. Committee is looking to set up the next meeting soon.

Action: John to send budget estimate to Sarah by end of October.

Action: Jeremy to finalize (PDF) the final Mountain Operations Committee scope document as a set version.

MOTION: Nachi moved to approve the committee by way of the scoping document, to be finalized by Jeremy Boeckmann. Sarah seconded the motion. The motion approved by all present.

~6:51

**Committee - CC&R**

Discussed two varying flowcharts that had previously been presented and discussed but nothing had been approved. Nachi would like to see a recommendation from the committee with reasoning (pros, cons, supporting documentation, survey results, etc.). There has been contention about how the surveys have been conducted. Ultimately, it's up to the board to lead CC&R updates, so the board would like to see a more responsible approach. (Open discussion about surveys). Nachi requests to see more focus on certain sections of the CC&Rs (e.g., Article VI). Nachi suggests that the committee prioritize certain rules.

Jeremy suggested that the committee submit a scoping document and survey workflow for board approval.

Sarah handed out prints showing suggested edits to the Articles of Incorporation that she stated were Curtis's suggestions. Jeremy noted that the proposed amendment to Article VI would need to happen at the same time as an amendment to the Bylaws so that we have definition of the Board and what constitutes it. (Open discussion about CC&Rs)

Action: Nachi will send Sarah's submitted suggestions for Articles of Incorporation amendments to Curtis for legal review.

Discussed workflow, issues with having a member have access to the distribution list (personal information).

Action: Sarah will submit a workflow for CC&R Committee surveys and recommendations to the Board for review/feedback/vote.

Action: Wendee will develop the CC&R Committee scoping document for the committee and submit to the Board for review/feedback/vote.

~7:31

### **Committee - Water**

Water committee met last Sunday – Skyler, Candace, Wendee, and Denise. Discussed what Denise and Rosemary were working on for funding. They had a meeting with Utah DEQ representatives to discuss funding (e.g., drinking water revolving fund) – there were given suggestions of people to talk to. Rosemary and Denise will be seeking meeting with new contacts. Skyler will be kept informed on their communications. One meeting action was to straighten out access to our sam.gov account.

Action: Skyler to reach out to Greg to figure out sam.gov login, try to set up a new login.

The committee discussed some community water usage statistics. Utah division of drinking water stipulates requirements for the neighborhood (e.g., 800 gallons per day per household for full time communities, 400 gallons per day for part-time). 800 gallons per day comes down to about 273 gallons per minute, factoring in requirement of taking credit for 2/3 of well capacity as continuous source. Well #2 tested at 90 gpm which we can take 60 gpm for planning. This would result in 108 water connections, but we have sold 179 meters, oversold 71 meters. If we brought in Well #3, we would be able to allow 133 connections. Skyler states that we should not be selling more water meters based on current understanding.

Action: Skyler to get contact at Utah Division of Drinking Water who is familiar with LRE system to discuss requirements.

Skyler asked if we have a documented list of people waiting for meters. Nachi said no.

Skyler discussed the proposal received from Bowen Collins for the Mountain Regional wholesale/annexation feasibility study. We have not heard back yet from Kevin Hacking from USDA whether we can use the loan funds for this work. The Bowen Collins study estimated schedule is 8 months. The Phase 2 work gets us the majority of the way to an updated Water Master Plan. Skyler states that this is urgent and asks if we think we have the money to spend for Phase 1 (approximately \$36k). Sarah stated that to use Reserve funds would require membership approval at 51%.

~7:55

### **Minutes**

Missing November 2021, otherwise got the rest of 2021 completed?

2022 minutes are uploaded to the website (no December).

Nachi noted that we are missing two months of recordings for 2023 (June and July).

MOTION: Jeremy moved to approve the July and August minutes, pending fixing typo on Nachi's name. Nachi seconded the motion. The motion approved by all present.

~8:00

### **Financials**

Sarah handed out a packet. First page is balance sheet cash as of August 31. Listed out is reserve account and water improvement money. Net restricted ear marked \$795k, stating net free cash -\$31k. (Discussed various line items on the packet Sarah distributed).

MOTION: Sarah moved increase membership dues. Candace seconded the motion. No vote occurred as the discussion carried away.

Post-meeting it was clarified that Sarah's reason for the motion was that according to her evaluation, annual assessment was not covering our operating costs and our budget showed our operating expenses were greater than \$200 annually per lot.

It was noted that approximately \$200k is still pending reimbursement from the USDA loan.

(Discussed past-due accounts and what to potentially have PMSI do with them). Nachi stated that we need to go through each account and establish what interest rates should be applied to past-due accounts. Nachi said we need to go through and update the invoicing procedure and then provide guidance to PMSI.

Action: Sarah and Nachi will meet to discuss and provide guidance to PMSI regarding invoicing procedures. Will send out via email to board for vote.

Nachi passed around invoice for repairing multiple water line breaks on Hollow over the past couple of months. Nachi noted that when we review invoices for payment, Sarah needs to write down what category it goes in. Also, all board members should initial the paper indicating approval.

Reserve analysis is underway – Jeremy and Johnny are working to answer questions from company conducting it.

Discussed change order from Lang regarding getting stuck in the mud. Their bid included 8 hour contingency.

Line item 1-21 contingency.

MOTION: Regarding Lang's submitted change order, Jeremy moved to approve paying 8 hours of contingency to Lang against line item 1-21 and up to 50% of the remainder change order requested. Skyler seconded the motion. The motion approved by all present except Wendee and Candace who abstained.

Action: Jeremy to coordinate the change order payments with JDE.

~8:59

#### **Gate and Cameras Update**

Nachi has been working with Mike to work on camera and gate, focusing on the camera. Skyler hasn't gotten motherboard from Greg. Skyler talked with Mike about a month and a half ago – Mike thinks the issue is a timer relay. He had ideas for power supply issue.

Action: John to coordinate with Mike for gate work.

MOTION: Wendee moved to approve paying up to \$2,000 for gate repairs this year. Sarah seconded the motion. The motion approved by all present.

~9:07

#### **Water System Update**

We have had multiple recent breaks on Hollow which have been repaired. We got two more backflows inspected which passed – that should be all for the year. Nachi noted that those specific invoices will need to be passed on directly to the lot owners. Meter leak at lot 130 – that meter has been locked out for a few years. Nachi passed this issue onto AES to handle.

~9:13

#### **Discussion: Meeting Location/Cost**

Sarah offered up her home for meetings.

~9:15

#### **Discussion: Microsoft Teams**

Nachi asked if we can sign up for another month trial. Wendee described how the AI software could be used for meeting minutes.

~9:24

#### **Discussion: Dumpsters**

We may need more capacity. Each household is charged for 64 gallons. There are multiple properties not on file for registering with Republic Services. We need to reconcile the number of houses in the neighborhood against how much we have dumpster space for. Nachi is pushing for a different style of dumpster.

Action: Mountain Operations committee (John) to check number of houses against dumpster space.

~9:28

**Discussion: Roads**

Discussed how people are asking when roads will be repaired. We don't have it in the budget this year. Nachi suggested to try and build it in the budget for next year to do road grading/mag twice. Perhaps the second time is just to rework Rockport Blvd.

~9:34

**Miscellaneous Discussion**

Discussed Microsoft Teams, the website.

Action: Candace volunteered to help with the website and work to organize a Website Committee.

~9:59

**Discussion: Insurance for member volunteer work**

No notes

**Open for Member Comments**

No comments initially.

~10:00

At 10:37, Jana Cecil temporarily rejoined to speak. Jana wants the board to know that she wishes she is not in her predicament. She bought the property to store gymnastics equipment on the property after losing her business. She claims she spoke with Alan who allegedly told her that she could have storage containers on her property. She thought she did her due diligence and knew the rules. She has two last major pieces of equipment to sell and has potential buyers. She has potential buyers for the containers. She asks to keep them through the winter and try to remove them in Spring. Containers are each 40 ft long. Wendee asked if Jana would enter into a legal agreement if we go down the path of approving variance. Jana said yes. Johnny asked if she would try to sell equipment through the winter if the containers were on the property. Jana thinks that transporting the gym equipment would not violate the winter road weight restrictions. Jana is planning to remove the camp trailer from property before winter.

(Discussed options). Nachi suggested that we could enter into an agreement where she would agree to get the containers out by Spring time deadline (perhaps May 1) and if fail to do so, subject to back-dating fines. This idea was based on a similar situation encountered with another member in the past.

MOTION: Nachi moved to approve a variance to keep containers on lot, must be removed by April 30, weather and road restriction permitting – if she fails to meet that requirement, she will pay non-compliance fees back-dated to October 1. Wendee seconded the motion. The motion approved by all present except Jeremy and Johnny who abstained.

Action: Jeremy to draft pertaining to Jana's variance and send out letter to board for review.

~11:16

---Transition Open to Close---

**[CLOSED PORTION OF MEETING]**

The meeting of the Lake Rockport Estate Property Owners Association adjourned at approximately 11:31 p.m.

Submitted By: Jeremy Boeckmann

Attachments:

1. Proposed amendments to Articles of Incorporation
2. Cash balance analysis

Lake Rockport Estates Properties Owners Association, Inc.  
A Non-Profit Corporation

Exhibit C Articles of Incorporation  
Pages 1 – 2

Exhibit D By-Laws  
Pages \_ to \_

Exhibit B  
Declaration and Restrictions  
Pages \_ to \_

EXHIBIT C

ARTICLES OF INCORPORATION OF  
LAKE ROCKPORT ESTATES PROPERTY OWNERS ASSOCIATION INC.  
A NON-PROFIT CORPORATION

The undersigned natural person over the age of twenty-one (21) years, acting as the incorporation of a non-profit corporation under the Utah Non-Profit Corporation Cooperative Association Act, hereby adopts the following Articles of Incorporation for said corporation:

ARTICLE I NAME

The name of the corporation hereby created shall be:  
LAKE ROCKPORT ESTATES  
PROPERTY OWNERS ASSOCIATION, INC.

ARTICLE II DURATION

The Corporation shall continue in existence perpetually unless dissolved according to law

ARTICLE III PURPOSES

The purposes for which the corporation is organized are:

- (a) To engage in the business of property management and to act as an agent for its members in acquiring, holding, improving, and otherwise dealing with and in respect of real property and real property improvements;
- (b) To engage in such other business activities and pursuits as may be reasonably related to the foregoing;
- (c ) To engage in any and all other lawful purposes, ~~whether similar or dissimilar~~ to the foregoing.

ARTICLE IV MEMBERSHIP

The corporation shall be comprised of Members defined as Persons owning having an ownership interest in one (1) or more of the lots (*hereinafter designated the "Lots"*) contained within the Lake Rockport Estates, Rockport, Summit County, State of Utah, (*hereinafter designate the "Project"*). There shall be one membership in the corporation appurtenant to each of said lots. No Person who has conveyed or otherwise disposed of his ownership interest in a lot shall thereafter be entitled to hold or retain the membership in the corporation which is appurtenant to said lot. The

conveyance or other disposition by a Person entitled to membership in the corporation of all such Person's ownership interest in a lot shall be deemed to constitute, and may be treated by the corporation as, a transfer and conveyance by such Person to such Person's successor in interest in ownership of said lot of the membership appurtenant to said lot. On all matters presented to a vote of the Members, the holder of each membership shall have (1) vote per lot.

#### ARTICLE V MEMBERSHIP CERTIFICATES

Deleted in it's entirety. Per Curties

#### ARTICLE VI TRUSTEES

This article is moved to the By Laws per Curtis

The corporation shall have a Board of Trustees, (*hereinafter: "the Board"*) which shall consist of a variable number of trustees of from three (3) to nine (9) as the majority of the mMembers may from time to time determine. Election or removal of Trustees may be accomplished by cumulative voting of the members at the Annual meeting, including all proxy votes and members present electronically. The Board of shall be comprised of three classes of trustees. Class one shall c omprise 3 trustees elected for an initial term of one year. Class 2 shall comprise 3 trustees elected for an initial term of two years. Class three shall comprise of three trustees elected for an i nitial term of three years. Thereafter, the term of all classes of trustees shall be for three years. No Trustee shall serve more than two consecutive terms and cannot run again for three years after t he expiration of said second term. Should the number of candidates for the board in a given year n ot equal the number of then open vacancies, then the size of the board shall be reduced to the number of candidates selected by the members. In the event the majority of members decides to increase its number from time to time, the Members shall themselves have the right to fill vacancies occasioned by such increase, and such newly elected trustees shall serve until the next annual meeting of the members and until their successors are duly elected and qualified.

The below is deleted in it's entirety per Curtis

~~addresses of the persons who are to serve as trustees until the first annual meeting are:~~

~~members and until their successors are duly elected and qualified are:~~

~~Jay C. McGregor — 720 Three Fountain Drive, Number 71, Murray, Utah Horace W. Kimball-  
4921 East Palamino Road, Phoenix, Arizona Joseph Rawle — 2609 South 18th East,  
Salt Lake City, Utah~~

#### ARTICLE VII INCORPORATOR

Remove in it's entirety per Curtis

~~The name and address of the incorporator of the corporation is:~~

~~Jay C. McGregor — 720 Three Fountain Drive, Number 71, Murray, Utah~~

#### ARTICLE VIII INITIAL PRINCIPAL OFFICE

Remove in it's entirety per Curtis

~~The location and street address of the principal office of the corporation is:~~

~~Please see the Lake Rockport Estates website for current address.~~

Lake Rockport Estates POA

Cash Balance Analysis

Based on the PMSI 08/31/2024 Balance Sheet Printed on 9/10/2024

Total Balance Sheet Cash as of 9/10/2024

\$764,078.71

	Rate	Lots that paid	
Less: Restricted or Ear Marked funds			
Reserve Account Balance per 7/1/2014 Analysis			\$342,395.00
Water Improvement Assessment 2022	\$475.00	324	\$153,900.00
Water Improvement Assessment 2023	\$475.00	319	\$151,525.00
Water Improvement Assessment 2024	\$475.00	289	\$137,275.00
Statory Insurance deductible requirement (per section 57-8a-405(8))			\$10,000.00
			\$795,095.00
			Net Restricted or Ear Marked funds
			Net Free Cash available
			-\$31,016.29

Per state statute the Reserve Account money should be in a separate bank account per section 57-8a-211(9)(b)(i)(B)(c)

Account receivable balance as of 8/31/2024 \$100,838.42



**Balance Sheet**

Properties: Lake Rockport Estates Property Owners Association, Inc. - 100 South Rockport Blvd Coalville, UT 84017

As of: 08/31/2024

Accounting Basis: Cash

GL Account Map: None - use master chart of accounts

Level of Detail: Detail View

Include Zero Balance GL Accounts: No

Account Name	Balance
<b>ASSETS</b>	
<b>Cash</b>	
Primary Checking	210,007.52
Checking #01	489.20
Checking #02	485,133.26
Security Deposit Holding III	4,245.00
Primary Reserve	51,281.83
Savings #01	12,921.90
<b>Total Cash</b>	<b>764,078.71</b>
<b>Lake Rockport Fixed Assets</b>	
John Deere Blade - Purchased 04.23	993.90
Land - Unit 4 - Purchased 2016-17	157,490.26
Mid-Mountain Booster Station - Purchased 2016-17	206,224.60
Top Tank Fence - Purchased 2016-17	22,795.50
John Deere Tractor - Purchased 05.02	33,365.80
LR Water System Improve	1,716,278.70
Weed Sprayer - Purchased 07.17	2,591.19
LP Accumulated Depreciation	-1,054,968.00
<b>Total Lake Rockport Fixed Assets</b>	<b>1,084,771.95</b>
<b>TOTAL ASSETS</b>	<b>1,848,850.66</b>
<b>LIABILITIES &amp; CAPITAL</b>	
<b>Liabilities</b>	
Construction Deposit	6,245.00
Prepaid	5,102.61
Long-Term Liability	1,432,054.10
<b>Total Liabilities</b>	<b>1,443,401.71</b>
<b>Capital</b>	
Opening Balance Equity - Operating	723,890.68
Retained Earnings	704,771.95
Calculated Retained Earnings	-1,124,500.96
Calculated Prior Years Retained Earnings	101,287.28
<b>Total Capital</b>	<b>405,448.95</b>
<b>TOTAL LIABILITIES &amp; CAPITAL</b>	<b>1,848,850.66</b>

Water Improvement Assessment Reconciliation  
 Created 9/10/2024

Projected Assessment Balance if all lot owners paid

		Total Number of lots	
Water Improvement Assessment 2022	\$475.00	328	\$155,800.00
Water Improvement Assessment 2023	\$475.00	328	\$155,800.00
Water Improvement Assessment 2024	\$475.00	328	\$155,800.00
Maximum Projected Assessment Available			\$467,400.00

		Lots that paid	
Actual Assessments Received at 7/31/2024			
Water Improvement Assessment 2022	\$475.00	324	\$153,900.00
Water Improvement Assessment 2023	\$475.00	319	\$151,525.00
Water Improvement Assessment 2024	\$475.00	289	\$137,275.00
Total Payments Received			\$442,700.00

Shortfall of needed assessments \$24,700.00

	# of Pmts	Loan Pmt	
Balance of actual assessments received			\$442,700.00
May payments to USDA	2	\$12,045.00	\$24,090.00
June payment to USDA	1	\$12,045.00	\$12,045.00
July payment to USDA	1	\$12,045.00	\$12,045.00
August payment to USDA	1	\$12,045.00	\$12,045.00

Balance after loan payments \$382,475.00

Money spent on well project 2022	\$30,114.08	
Money spent on well project 2023	\$39,403.26	
Money spent on well project 2024	\$95,304.93	
Total spent on well project before USDA funding		\$164,822.27

Net available balance at 8/31/24 to pay USDA loan \$217,652.73

\$	1,446.28
\$	149,548.13
\$	142,741.09
\$	64,259.28

Total for 0615W WATER SYSTEM IMPROVEMENT INCOME (2021)  
 Total for 0615W WATER SYSTEM IMPROVEMENT INCOME (2022)  
 Total for 0615W WATER SYSTEM IMPROVEMENT INCOME (2023)  
 Total for 0615W WATER SYSTEM IMPROVEMENT INCOME (2024 DUES Received in 2023)  
 Total for 0615W WATER SYSTEM IMPROVEMENT INCOME (2024)

2024 pmts received from PMSI  
 \$ 71,962.08 25880 coming in  
 \$ 429,956.86 441,520.00

5/31/2024

W370 Engineering	Check	6094	Loughlin Water Associates LLC	INV 8966 prepare Technical Specification (14 hours @ rate 1 Wells Fargo	2,287.50
05/08/2021	Check	6094	Loughlin Water Associates LLC	INV 8869 Well Siting Study	160.00
06/08/2021	Check	6094	Loughlin Water Associates LLC	INV 8843 Well Siting Study (13 hours @ rate 120) (30 hours Wells Fargo	6,197.30
06/08/2021	Check	6103	JONES & DEMILLE ENGINEERING	Invoice #0125148 Project #2102-041.00	4,975.00
07/06/2021	Check	6109	JONES & DEMILLE ENGINEERING	Invoice #0125397 Project #2102-041.00	19,900.00
08/06/2021	Check	6125	JONES & DEMILLE ENGINEERING	Invoice #0125901 Project #2102-041.00	14,925.00
10/20/2021	Check	6132	JONES & DEMILLE ENGINEERING	Invoice #0125677 Project #2102-041.00	9,950.00
11/22/2021	Check	6119	JONES & DEMILLE ENGINEERING	Invoice ???	6,965.00
02/18/2022	Check	6196	JONES & DEMILLE ENGINEERING	Invoice 0128356 & Invoice 017642	6,014.78
08/10/2022	Check	6197	JONES & DEMILLE ENGINEERING	Invoice 0128808	11,164.30
09/14/2022	Check	6216	JONES & DEMILLE ENGINEERING	Invoice 0129138 & Invoice 0128583	5,970.00
11/17/2022	Check	6239	Title One, Inc	RR-A-AA	300.00
4/27/2023	Check	6254	Metro National Title	NS 255-B, NS-32-A1	300.00
6/2/2023	Check	6255	Title One, Inc.	Invoice 1470*	1,125.00
6/2/2023	Check	6257	Wasabi Back Grading	Invoice 1502, Well site*	4,201.11
7/20/2023	Check	6241	Wasabi Back Grading	Invoice 204, Office work on well*	3,360.00
11/24/2023	Check	6295	Greg Warner	Invoice 0129789	119.25
12/17/2023	Check	6272	JONES & DEMILLE ENGINEERING	Invoice 0130264	3,275.10
01/11/2023	Check	6235	JONES & DEMILLE ENGINEERING	Invoice 0130720*	4,733.54
02/22/2023	Check	6248	JONES & DEMILLE ENGINEERING	Invoice 0131258*	5,969.68
4/23/2023	Check	6284	Jones & Demille	Invoice 0131567*	3,155.68
6/12/2023	Check	6282	Jones & Demille	Invoice 0132128*	3,944.00
10/23/2023	Check	6277	Jones & Demille	Invoice 0132128*	3,944.60
1/30/2024	Check	5	Jones & Demille	First Citiezer	4,975.30
3/5/2024	Check	14	Jones & Demille	First Citiezer	7,981.00
3/5/2024	Check	14	Jones & Demille	First Citiezer	10,229.64
2/20/2024	Check	11	Lang	First Citiezer	13,894.60
4/2/2024	Check	16	Greg Warner	First Citiezer	52,500.00
6/24/2024	ACH		Jones & DeMille	First Citiezer	310.49
6/24/2024	ACH		Jones & DeMille	First Citiezer	7,889.20
Total for W700 WELL CAPITAL IMPROVEMENT					2,500.00
Sub Total					\$ 273,217.07

We Owe	Lang	405,828.00
	Lang	414,540.00
	Lang	36,624.90
	Lang	164,990.00
Sub Total		1,021,982.90

Total Expense for project \$ 1,245,199.97

1,127,654.10  
75,000.00  
1,052,654.10

(193,145.87) Need reimburse for

12,045.00  
12,045.00  
24,090.00

S 417,430.00  
S 405,385.00 Bal. should be  
S 212,239.13 Bal. for WSI