

# ULWSA ANNUAL MEETING

September 16, 2006

## AGENDA

- OPEN MEETING
- RESULTS OF ELECTION
- CHALLENGES OF PAST YEAR
- FINANCIAL REPORT
- ROADS IN 2006 AND 2007
- FUTURE CHALLENGES
- Q & A
- MEETING CLOSE

SCANNED

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## LLF - Clay Fulcher

**From:** Robert Hitchcock [hitch42@hotmail.com] **Sent:** Mon 9/18/2006 7:45 PM  
**To:** LLF - Clay Fulcher  
**Cc:**  
**Subject:** annual meeting  
**Attachments:**  Upper Little Warm Springs Subdivision Annual Homeowners Association Meeting.doc(36KB)  Upper Little Warm Springs Subdivision Annual Homeowners Association Meeting.doc(36KB)

### Upper Little Warm Springs Subdivision Annual Homeowners Association Meeting September 16, 2006

#### Dubois Town Hall

The meeting was called to order at 10:00am. All Board members except Pete Tattersol, were there. About 25 people were in attendance. The agenda was presented. The first item was election results.

Clay Fulcher, Don Lind, Dave Woodward, Meredith Martin and Richard Dingman all received sufficient votes to take office on the Board.

Concerning proposed changes to the covenants; (109 ballots were mailed to voters)

- #1, limiting modular and pre-built homes within the subdivision, 51 of the 65 (78%) ballots that were returned approved.
- #2, increasing the amount of setback for construction (the distance between the lot line and a building), 49 out of 68 (72%) approved.
- #3, increasing the square footage required for a house, 48 of 66 (72%) approved.
- #4, requiring wood siding on homes to be constructed, 49 of 70 (70%) approved.

These results do not amount to the percentage of owners required to institute these changes. There is no deadline for return of the ballots so these issues are as yet undecided.

The second item, "The Challenges of Last Year", began with a review of the easement for High Plains Power to connect the new development by Warm River Ranch, to our west, to the power grid in our subdivision. Real and potential problems involving lack of tack in negotiation and past dealings and the potential for setting an undesirable precedent, were reviewed.

An exemption from the set back rules was granted to the new owner of the cabin on lot 40. This was granted due to circumstances resulting from a faulty lot line survey and the willingness of the Forest Service to work with the owner.

The new owner of a lot in the lower subdivision (NAME??? <sup>Yeates</sup> Vern) brought up problems he was having resulting from his not knowing his property was within a subdivision with active covenants. His plan to finish his building with stucco was not approved. Board members explained that the duty of the architectural committee was to protect the investments of the homeowners through enforcement of consistent building standards.

The Financial Report was mailed with the ballots. The expenses incurred by the water district for water filters, due to new EPA mandates to reduce arsenic in water delivered to water district members, explains the drop in assets from about \$208,000 in July of 2005 to a balance of \$203,000 in July of 2006. The Lord Abbott Fund investment of about \$100,000 was liquidated due to poor interest returns. The Board plans to purchase short term CDs @5 and 1/2% interest, with these funds.

Road work completed last year includes limited grading and the repair of the lower cattle guard and the paving with cold patch of a section of road above the second cattle guard. This was accomplished with the help of County officials, Gerry Jennings and Dave Pendleton. It was learned that the County is willing to improve and pave the dangerous section of road between the bridge and the airport turn off but cannot obtain a critical easement needed to do so. Potential resolutions of the problem are being considered. An estimate of the cost for paving the entire road was presented. If the cost is born by homeowners, the burden would be unreasonable, about \$1800 per year for several years.

Future Challenges include the difficulties of revising the Covenants and the enforcement of architectural standards. Input on the proposed change was sought leading to the need for clarification of the proposal and of the other proposals. The scraping of any change in required square footage of homes and the retention of the current version was suggested. The method of awarding votes,

on the number of lots owned or per each homeowner was debated at length with no clear resolution. The bylaws seem to allow one vote for one deed, not each name on the deed. It was suggested that proxy voting should be allowed in order to reach the percentage of ballot returns needed to pass changes to the covenants. Another suggestion was that if Association dues become necessary, they be tied to the number of votes.

The newly elected members of the board will decide among themselves, who will serve in what office.

The issue of no approval for the stucco (Drive It) house was revisited. Although "Drive It" can be made to look like wood, it was suggested that this might lead to a change in the desirable character of the community. Precedent may be set that would allow homes with aluminum siding or brick to be built. With consistency the objective, the example of placing a log home in a Southwestern community of stucco homes was presented. Vern asked if there may be a more effective way of informing potential buyers of covenant restriction before purchase of land in the subdivision. All real estate agents have been clearly notified of this need. Title insurance companies routinely advise buyers of the covenants. With a Quick claim deed transaction like Vern's, it is difficult to be sure a buyer is informed.

A letter, voicing objection to past treatment by the Board of members in the "lower subdivision" was read and discussed. It was noted that there was no interest from that group of members concerning review of covenants and that inclusion within the water district was refused at the time of reconstruction. The board expressed the desire to include these members in subdivision business and noted the election of Richard Dingman as progress.

Mention was made of a proposed cutting project on Forest Service land adjoining the subdivision. Members can become informed by asking the Wind River Ranger District(2466) for scoping information on the "Lower Wind" project. The continued presence of a black bear at several homes and minor property destruction that resulted was discussed. The opportunity to join a Life Flight program that covers the cost of aerial medical transportation for a minimal fee was presented.

The meeting was adjourned at 11:12am.

Bob Hitchcock, Secretary

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