

Mulberry Grove Homeowner's Association Annual Board Meeting

Tuesday, May 28, 2013
6:00 pm – Michelle Wiley's house

Attending: Pete Gross, Susie Harrington, Kalen Jones, Tony Marinelli, David Svendson, Michelle Wiley, Anne Wilson

Meeting was called to order at 6:11 pm.

HOA Executive Board Members Election: Susie moved to nominate Tony Marinelli to replace Anne Wilson as an EBM, effective at the end of tonight's meeting. Seconded by Pete. Unanimous vote in favor.

Officer Election: Susie Harrington nominated Michelle Wiley to replace Anne as Secretary. Seconded by Pete. Unanimous vote. Anne nominated Michelle Wiley to serve as President, and Kalen Jones to serve as Vice President. Seconded by David. Unanimous vote in favor.

Governance of Mulberry Grove: Susie discussed establishing a clear process for dealing with issues when they arise. The LLC strove to strike a balance between the greater good and private property rights when drafting the Rules & Regulations and the CCRs. The idea for the process is to: 1. Check the appropriate governing documents; 2. Discuss the balance between the needs of the individual and the group and determine where the specific issue lies in this regard. The intention is for people to take responsibility for living in the community. There is no intention to be policing others, or for people to feel as if they want to see how much they can get away with.

All of the governing documents are available online at <http://www.mulberrygroveonline.com>. It is an easy place to access them and to check for information if you have questions.

With regard to specific issues which have currently been raised:

- a. Cats: the CCRs encourage people to contain/semi-contain their cats, but free-roaming cats are not prohibited. ½ of Mulberry Grove is preserved as open space and an important component of doing that was to preserve and protect wildlife – cats are very detrimental to songbirds.

- b. Dog Poop: Moab City Code requires all owners to clean up after their dogs. In the spirit of respect, tolerance and good neighborliness, please comply with City Code.
- c. Gate closure: the gates need to be kept closed – let's do our best to be respectful and remember we live in community.
- d. Construction Mitigation: Michelle asked the Design Review Committee to ensure that contractors know the protocols about construction mitigation and adhere to them.

Development Update:

Infrastructure: When the Final Plat is recorded, ownership of infrastructure will be as follows:

- Moab City will own the water mains as far as the meters.
- GWSSA will own the sewer main.
- Utilities: each utility company will own their lines ABOVE the point of connection to lots.
- Lot Owners own and are responsible for everything on their individual lots.
- HOA will own everything above ground in common spaces, as well as the secondary water line for irrigation.

Infrastructure Maintenance: Because there is still some unfinished infrastructure (carports) and because the LLC still owns the majority of the lots, the LLC is continuing to be responsible for all maintenance, bills, etc.

Currently, Trish Hawkins has been managing the landscaping and will resume when she returns. Michelle mentioned that the orchard and weeds need to be mowed. The LLC is working on this, as well as finding an overall property manager.

The goal is turn over responsibility, and begin assessing HOA fees, in January 2015. Michelle asked how much the fees will be. Anne stated that updates need to be done, but she feels comfortable saying they'll likely be under \$100/month. Tony asked about work trade for HOA dues. Anne responded that the HOA needs to decide that once responsibility is turned over to it.

Liability: LLC vs. residents. Michelle asked about liability and said that she personally has extra homeowner's liability insurance. Susie said that the LLC carries liability that covers the open space. When the pond is filled, HOA will need to carry liability insurance. HOA will be the carrier for all the open space, but LLC will pay for it until 1/2015. Michelle asked if insurance has been updated to cover lights, etc. LLC will check.

Pond: Before the pond is filled, a fence must be erected around the perimeter and a pump needs to be installed. Kalen has been working on this and is having difficulty

finding people who have experience installing wet wells. We also need to investigate the submersible pump, given that we allow swimming. There may be hazard issue if there a short in the pump ever occurs. This is a liability issue we do not want to have. He continues to work on getting the pump in.

Trish has started ordering materials for the fence. She needs a few more details on the braces, etc.

Pond insurance: it was very challenging to find a company willing to insure the pond if we allow swimming. There are very clear requirements for the fence, self-closing and locking gates, and signage. No gates are permitted from private lots to the pond. If the HOA wants to revisit this issue at a later date, it may.

Vandalism: Michelle gave an update on the kid who kicked the lightpost in front of Sonja and Jan's house. The individual is Raymond Gough, he lives in Dorothy Gough's house in Hecla and he admitted to Michelle that he did it. He and his friends are no longer allowed in Mulberry Grove. Through the cops, he agreed to pay for the damage (around \$150), but never did. The County Attorney is following through. There have been other crimes: stolen bikes, stolen money out of Whit and Claire's vehicles. Whit caught them, but didn't press charges.

Miscellaneous:

Tony mentioned that the landscaping looks gorgeous. David echoed.

David asked if clearing lots for construction is the lot owner's responsibility. It is.

David asked about the firewood that is piled around. Tony and Michelle put more than 40 hours of volunteer time into coordinating and non-native removal. As a result, there are a lot of wood chips and firewood. Michelle wants to see most of the material be used by MG residents or MG LLC members. Currently, she is not considering giving away or selling any of the firewood. The wood chips may be sold for \$40 per pick up truck load to non MG residents/LLC members. The reason for this is because once people hear that they can get wood chips for free at MG, word spreads and then there are more people to coordinate, which takes up her time, and people who start coming over to get wood chips without asking, etc. Putting a price on them makes folks think about it first.

Meeting was adjourned at 7:35 pm.