

Nordic Village Homeowners Association
P.O. Box 682533
Park City, UT 84068
435-640-2181 435-631-2595 Fax

ANNUAL MEETING MINUTES
2016

The meeting was called to order on July 31, 2016, at 4:00 P.M. at the home of Bill Kulczycki and Linnell Smith, 2430 Nansen Court, Park City, Utah, by Bill Kulczycki, President.

The proxies received from the homeowners were reviewed by the Secretary/Treasurer, Kathleen Bachman, and counted. Three proxies were received. A quorum number was not established due to a lack of attendance and/or returned proxies. In attendance at the meeting were Board President Bill Kulczycki; Vice President Margaret Herrmann (via Skype); Secretary/Treasurer Kathleen Bachman; Director Jean Crittenden; and Director Dominic DiSalvo.

Although a quorum was not established for the annual HOA meeting, under By-Laws Article III, Sections 3.4 and 3.5, with regards to Special Meetings and a Quorum thereof, the determination was made to hold a Special Meeting as the majority of Board Members were present in order to conduct business.

APPROVAL OF MINUTES

The 2015 minutes were approved and passed, with Bill Kulczycki making the motion and Jean Crittenden seconding.

TREASURER'S REPORT

The financial report and final budget of expenses for the year ending July 31, 2016 was presented by the Secretary/Treasurer, Kathleen Bachman. All primary expenses were covered with the \$600 assessment dues assigned to each lot in 2015-2016. This amount appears to be sufficient with regards to normal and ordinary expenses, as there was no need to transfer monies from the reserve account to cover these expenses in the last fiscal year.

In keeping with the long-held HOA agreement that the Reserve Account must hold at least \$30,000 for emergencies, a Special Assessment of \$650 per lot, to be split into two equal payments of \$325 per lot over two years, was implemented to rebuild the account after expensive road repairs depleted the account by approximately \$18,000 in 2015. This current fiscal year (August 1, 2016- July 31, 2017) will be the second and final year for this particular assessment. It is anticipated that with this years' Special Assessment Dues collection this account will be back up to \$30,000.

The financial report, treasurer's report and budget were approved as presented. The full Treasurer's Report can be found on the Resources page on the NVHOA website.

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OLD BUSINESS

PARKING: Nansen Court street parking continues to be an issue, particularly with regards to holidays and special events such as Sundance Film Festival. Residents have been unable to access their driveways at times as visitors' cars block most or all of the passage, and there is great concern regarding emergency vehicle access. Trash collection is also an issue, as trucks are unable to navigate the road when cars are parked on both sides of the street. It appears that the current No Parking signs are inadequate, and the determination was made to order new, larger, multiple signs that clearly state No Street Parking for both Nansen Court and Amundsen Court. These signs will be placed at evenly spaced intervals along both private roads.

Reference was made to CC&R Section IV, Property Rights in Common Areas, Subsection 3(c): *The right of Park City, Summit County and any other governmental or quasi-governmental body having jurisdiction over the Property to access and rights of ingress and egress over and across any street, parking area, walkway, or open area contained within the Property for purposes of providing police and fire protection, transporting school children, and providing any other emergency, governmental or municipal service.*

Reference was also made to CC&R 1997 Amendment related to Section VII: Use Restriction, Subsection 5: Parking: *Each Lot shall have constructed on it two covered parking spaces at the time the Living Unit is constructed and sufficient driveway to insure overnight parking of vehicles on the Common Area does not occur.*

EFFECTIVE IMMEDIATELY, parking violations will be reported to the Park City Police Department, and will be subject to Park City enforcement guidelines under Park City Municipal Codes, Policies and Fees. If towing is necessary, vehicles towed are subject to Utah State allowed amounts as outlined in the Park City Police Department Towing Rate Schedule.

STORAGE OF TRASH CANS/RECYCLING BINS: Ongoing complaints have been received from homeowners regarding storage of trash cans and recycling bins in driveways. Concern was expressed regarding animals such as skunks, raccoons, bears, etc. that have been seen regularly in Park City and are attracted to these bins. Discussion at the 2015 annual meeting resulted in the unanimous determination that all trash cans, outdoor bins, etc. must be stored out of sight, either in garages, in an enclosure specially designed for storage purposes, or behind a fence so as to discourage foraging animals, and in keeping with the aesthetics of Nordic Village as a whole. This determination was reiterated, with discussion of potential fines being imposed for non-compliance. These fines may be implemented following a Special Meeting called by the Board Members at any time. Immediate compliance is required in order to circumvent any such fines being imposed.

PLANTINGS/FLOWERS: Guillermo of Amigo Property Services has defined an area around the Nordic Village sign, planted perennial flowers and spread mulch. Jean Crittenden noticed the plantings appeared to be a bit neglected, and it was determined that Kathleen Bachman will contact Guillermo to be sure he is keeping plantings in good order, and to discuss whether the memorial tree planted in Hunter Crittenden's honor needs a trench dug around it to better retain water.

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NEW BUSINESS

NOISE: There have been significant problems occurring with short-term rentals, particularly with regards to noise in addition to the parking issues outlined in other sections of these Minutes. Reference was made to Park City Municipal Code 6.3 Noise, which states that: *It shall be unlawful for any person to produce, continue, or cause to be produced or continued, any noise disturbance within the limits of Park City, and that the following acts are considered to be in violation of these rules and regulations: The making and/or creating of excessive or unusually loud noise or sound within the City as identified in the following Subsection (A), or identified and measured in the manner prescribed in Subsection (B), or in violation of restricted hours as outlined in Subsection (C) is unlawful. Hours of restriction are as follows:*

Residential - 10 pm to 7 am Monday through Saturday and not before 9 am Sunday

Fireworks were also seen/heard being set off in Nordic Village, which is direct violation of city ordinance no.1.2.7, International Fire Code. Effective immediately, if violation occurs, calls will be placed to the Park City Police Department to enforce this regulation.

TRASH/RECYCLING BIN REMOVAL AFTER COLLECTION: Reference was made to Park City Municipal Code 6-1-11 Collection Time-Placement of Private Trash Receptacles: *Trash receptacles to be collected and emptied curbside by the County, or a licensed collector, shall be set out for collection at the time and place as may be designated by the County, or licensed contractor. Such receptacles must not be set out for collection prior to 6:00 PM of the day before collection.*

All empty trash receptacles must be removed from the street as soon as practical after being emptied, and in every case must be removed from the street prior to 11:59 PM the day they are emptied.

Park City Municipal Corporation imposes the following: *Each day that a violation of this section occurs shall constitute a separate offense. Violations of this Section are infractions, punishable by a fine, fee or civil penalty not to exceed Seven Hundred and Fifty Dollars (\$750), including confiscation of the garbage container by the City, but not imprisonment.*

While Nordic Village does not wish to impose such heavy fines, this issue continues to be a problem, and if there is a continued lack of compliance, the Board of Directors will consider implementing a Special Meeting to address appropriate fines, etc. Cooperation of all residents, including informing guests and property management companies, is required so further steps are not necessary.

It was also noted that Guillermo of Amigo Property Services has been hired by some Nordic Village homeowner to take care of putting out trash cans/recycling bins the night before collection and replacing them in garages after same. If other homeowners are interested, Guillermo can be reached at 435-513-2190 or amigoproperty@live.com.

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AMENDING BY-LAWS/CC&RS: Discussion ensued concerning the possible necessity of amending the Nordic Village By-Laws and/or the CC&Rs with regards to rental restrictions, parking, noise, and other issues, due to many residents violating the rules and regulations contained therein. Non-compliance has become widespread, with repercussions to both residents and guests. As of this date, the determination has been made to hold off on officially changing the By-Laws and/or CC&Rs; however, if non-compliance continues of clearly stated rules and regulations, especially those noted in these minutes, more direct measures will be taken, including imposing fines.

*Nordic Village residents are requested to be particularly specific with renters and property management companies regarding Nordic Village rules and regulations, with emphasis on ticketing and towing measures that will be taken with regards to street parking on Nansen Court and Amundsen Court.

SNOW REMOVAL/LANDSCAPING AND TREE SPRAYING CONTRACT RENEWALS: The decision was made to once again renew the contract with Amigo Property Services. The decision was also made to renew the contract with Greenleaf Enterprises, Inc. to continue the successful tree spraying in Nordic Village.

EMERGENCY VEHICLE ACCESS: Incidents were reported by Nansen Court homeowners regarding a number of cars parked on the street over holidays and Sundance Film Festival. Cars were parked on both sides of the street, making it all but impossible for homeowners to access their property or drive up/down the road. Although homeowners have made an effort to directly contact the people staying in the homes and inform them of the No Parking regulation, asking them to move their vehicles, there was no compliance.

As per Nordic Village legal documents, each home was constructed with a two-car garage and room for at least two vehicles to park each driveway. This is noted in the CC&Rs as follows: *Each Lot shall have constructed on it two covered parking spaces at the time the Living Unit is constructed and sufficient driveway to insure overnight parking of vehicles on the Common Area does not occur.*

It is clear that street parking would prevent emergency vehicles from accessing people or homes in a timely fashion. In addition, street parking prevents trash removal trucks and snow removal vehicles from taking care of business. It was determined that Kathleen Bachman would contact Park City Municipal Corporation and/or Park City Police Department to discuss enforcement of these parking violations, who informed her that if parking issues caused a situation wherein emergency vehicle access would be hindered, ticketing and towing would be enforced.

THEREFORE, due to the seriousness of the parking issue, particularly and most especially with regards to guaranteeing full access for emergency vehicles, effectively immediately the Park City Police Department will be called to ticket and/or tow vehicles as necessary if there is any street parking on Nansen Court or Amundsen Court. This is being enforced for the safety and well-being of all residents and guests.

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FUTURE HOMEOWNER'S ASSOCIATION MEETINGS: Unless there are extenuating circumstances, such as the Tour of Utah dates in 2016 overlapping and thereby necessitating the City changing the dates of the Park City Arts Festival, the standing date going forward for the annual HOA meeting will be the first Sunday in August at 4:00 during the Park City Arts Festival weekend when more homeowners are likely to be in town. Therefore, the proposed date for the 2017 meeting will be Sunday, August 6th at the home of Board President Bill Kulczycki, 2430 Nansen Court, Park City, Utah.

ELECTION OF OFFICERS

Upon unanimous vote, Bill Kulczycki, President; Margaret Herrmann, Vice President; and Kathleen Bachman, Secretary/Treasurer, will retain their positions for the 2016-2017 fiscal year.

Jean Crittenden and Dominic DiSalvo have agreed to continue as members of the Board of Directors for the 2016-2017 fiscal year. We are sad to report that Robert Peterson, long-time Nordic Village resident and Board Member, has moved into a long-term care facility in California and is no longer able to serve. We appreciate his many years of service and for being a steward for Nordic Village residents. Our thoughts and best wishes are with him.

APPROVAL OF BUDGET

The 2016/2017 budget was reviewed. President Bill Kulczycki moved to approve the budget, with Board Member Dominic DiSalvo seconding the motion.

OTHER ISSUES AND/OR HOMEOWNERS CONCERNS

All issues presented were discussed as previously reported.

The meeting was adjourned at 5:15 p.m.

Respectively submitted,

Kathleen Bachman
Secretary/Treasurer
08/08/16