

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES OF CASCADES AT  
SOLDIER HOLLOW HOA HELD VIA ZOOM ON JANUARY 5, 2021**

Present via Zoom:            Clark Bruderer  
                                      Darci Gillett  
                                      Philip Perkins  
                                      Jennifer Llewelyn  
                                      Whitney Peterson

Present with the consent    Kami Davis  
of the meeting:

**Chairman, Secretary and Due Constitution**

With the consent of the Trustees, Mr. Bruderer acted as the chairman of the meeting and Mr. Peterson acted as the secretary. Pursuant to Section 6.3 of the Bylaws, a quorum of the Trustees being present, the meeting was duly constituted to transact business.

**Notice Waived**

Upon motion duly made and seconded and unanimously carried, the Trustees agreed that notice of the Meeting was waived, and any business transacted at the meeting would be valid and legal as though notice had been duly given.

**Approval of Minutes**

After discussion, on motion duly made, seconded and unanimously carried, the minutes of the Board of Trustees (“Board”) meetings held on October 22, 2020, November 12, 2020, and November 19, 2020 were approved and the Secretary was authorized to evidence such approval by signing the minutes and placing them in the minute book and on the HOA’s website.

**General Business**

It was noted that Jennifer Llewelyn had resigned from the DRC effective January 5, 2020. Ms. Llewelyn agreed to continue to work on the projects currently under review until they were complete. On motion made, duly seconded and unanimously carried, Ms. Darci Gillett was appointed as member of the DRC and as the interim Chairperson. It was also noted that Kathryn Bunker had stepped down as a member of the DRC.

It was noted that children had been seen riding motorized vehicles on the HOA’s walking paths. Darci Gillette volunteered to speak with the City to Midway to determine whether they offer a service of putting up signs for HOA walking paths.

### **Closed Session**

The Board then went into closed session to discuss several matters relating to the DRC and HOA.

### **Special Meeting**

The details of the upcoming Special Meeting were discussed. Documents relating to the special meeting had been circulated previously. After discussion on motion made and duly seconded, the Board unanimously voted to call a special meeting of the HOA to consider the business as set forth in the Notice and Agenda previously circulated and authorized Mr. Peterson to take all actions necessary to call the Special Meeting for January 27, 2021. The Board instructed Mr. Peterson to attach a copy of the Notice and Agenda for the Special Meeting to these minutes.

### **Termination**

On motion duly made, seconded and unanimously carried, the meeting was terminated.

*Whitney E. Peterson*  
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Whitney E. Peterson, Secretary

# Exhibit A

**Notice and Agenda for the Special Meeting of the  
Home Owners Association of the Cascades at Soldier Hollow (“HOA”)  
to be Held on January 27, 2021 via Zoom**

Notice is hereby given that the Lot Owners of the Cascades at Soldier Hollow (“Lot Owners”) shall consider the following business at a Special Meeting called for that very purpose. The Special Meeting shall be held on January 27, 2021 at 7:00 p.m. via Zoom. Each Lot Owner will be sent a Zoom link that they can use to attend the Special Meeting. We will attempt to use the “poll” function in Zoom to vote on the issues; however, if that does not work, we will use the ballots included with the Notice. Ballots may be returned to the current Secretary (Whitney Peterson) via in person delivery or U.S. Mail to 1049 S Mont Blanc Court, Midway, Utah 84049 or via email to [wpeterson@whitneypetersonlaw.com](mailto:wpeterson@whitneypetersonlaw.com). Lot Owners may also sign a proxy allowing the Board of Trustees or other person of their choice to cast their vote. Ballots should be returned, post marked or emailed no later than one (1) day after the Special Meeting. The Board has included written materials and analysis with this Notice regarding the advisability of the below proposals. Lot Owners will be able to ask questions, propose amendments and make statements about each of the proposals at the Special Meeting.

**Proposed Business**

1. Shall the HOA allow Wasatch County to connect a series of public walking trails (proposed to be included in a development West of the HOA) to the HOA’s private walking trails? **The HOA voted No.**
2. Shall the Declaration be amended to raise the HOA’s Monthly Assessment to \$150 per month, per Lot, in order to comply with the legal requirements for homeowners’ associations in Utah, including but not limited to establishing appropriate reserve accounts – with the proviso that the Board of Trustees be given discretion to reduce said amount to no less than \$120 per month, by unanimous vote, on a finding that the increase is no longer necessary. **The HOA voted No.**
3. Shall the Declaration be amended to clarify that monthly dues are charged for each Lot regardless of whether such Lot is or was combined with another Lot within the development. **The HOA voted No.**

The foregoing is a general description of the proposed action. The specific language of the proposed amendments to the Declaration are contained below.

Shall the First Amendment of Declaration of Covenants, Conditions and Restrictions of The Cascades at Soldier Hollow, recorded on May 12, 2008 in the offices of the Wasatch County Recorder as Entry No. 335613, with its three subsequent amendments (collectively “Declaration”) be further amended as follows:

**“Article V, Section 5.3 of the Declaration is hereby amended in its entirety by deleting the existing Section 5.3 and replacing it with the following:**

5.3. Monthly Assessment. Commencing upon the applicable date as set forth in Section 5.8 or the date this amendment is approved by at least two-thirds (2/3) of the Lot owners, whichever is later, each Lot shall be subject to a monthly assessment of One Hundred Fifty Dollars (\$150) (“Monthly Assessment”). Without a vote of not less than a majority of the Membership, present in person or represented by proxy at a meeting where such a vote has been placed on the agenda, the Monthly Assessment may not be increased in excess of One Hundred Fifty Dollars (\$150). However, by

unanimous vote of the Board of Trustees (“Board”), upon a finding of good cause, the Board may lower the Monthly Assessment if the Board finds that a lower Monthly Assessment will be adequate to cover the yearly costs of the Association and also adequately comply with Utah Code Section 57-8a-211 relating to the establishment and maintenance of a Reserve Account. The Board may not lower the Monthly Assessment to an amount lower than \$120 per month.”

**“Article V of the Declaration is hereby amended by adding a new Section 5.12 as follows:**

“5.12 Each Lot Shall Pay the Monthly Assessment Whether Combined with Another Lot. Regardless of whether a Lot is combined with another Lot, each Lot carries the requirement to pay the Monthly Assessment. By way of example, but not limitation, if Lots A and B are owned by the same owner, said owner would be required to pay the Monthly Assessment for Lot A and for Lot B, regardless of whether Lots A and B were combined into one Lot.”