

Minutes for BHHOA Special Open Board Meeting and
Special Meeting of the Membership February 5, 2026
7:00 PM at the Summit County Council Chambers, 60
North Main Street, Coalville, Utah 84017

Special Open Board Meeting

1. Call to Order
 - a. Tracy called the meeting to order.
2. Filing of Proxies
 - a. None filed.
 - b. Board members present:
 - i. Tracy Otterness
 - ii. Randy Lowman
 - iii. Chris Wilde
 - iv. Carleton Watkins
3. Filing and Approval of Minutes – N/A
4. Financial report – N/A
5. Reports of Officers – N/A
6. Unfinished business – N/A
7. New Business
 - a. The Board is considering a change in the rules at an open Board meeting to be held on February 5th at 7:00 PM, at the Summit County Courthouse Council Chambers. The purpose of this change is to adopt a Fee Schedule for BHHOA in accordance with the new Utah State Statutes.
 - b. Tracy submitted the current fee schedule to the board members.
 - c. Tracy asked the board members for a vote of approval or disapproval for the adoption of the fee schedule.
 - i. The Board voted unanimously to adopt the submitted fee schedule.
8. Other new Business
 - a. Regarding the lawsuit brought by Surrey Ridge against the BHHOA Board and 8 lot owners of the community, Tracy made a proposal that the Board appoint a mediation committee.
 - i. The proposed committee members are:
 1. Mike Rasmussen
 2. Paul Ernst
 3. Brian Bender
 4. Tracy Otterness
 - ii. Tracy asked the Board for a vote approving or disapproving of the committee and for the members proposed.
 1. The Board voted unanimously to approve the committee, and the members proposed.
 - b. No other business was discussed
9. Close
 - a. Tracy moved that the meeting be adjourned. Motion seconded.
 - b. Meeting closed.

Special Meeting of BHHOA Members

1. Call to Order
2. Filing of Proxies
 - a. Proxies were filed with Carleton
3. Filing and Approval of Minutes – N/A
4. Financial report – N/A
5. Reports of Officers – N/A
6. Unfinished business – N/A
7. New Business
 - a. Tracy explained that during the discussion of the following three topics to be considered for a vote, each individual will have no more than 5 minutes present their concerns. Tracy then presented each of the following topics (outline items b., c., and d.), then opened the time for discussion according to the 5-minute rule.
 - b. The Board is recommending changing the CCR's to include an HOA Setup Fee and Reinvestment fee in accordance with the attached notice, ballot, and proxy. The Board is also recommending a change that clarifies that any notice required by the Bridge Hollow Home Owners Association or Utah law to be sent to the members may be sent by email or by posting on the HOA's website, to the extent that one exists.
 - i. The proposed amendment was included in the invitation for this meeting.
 - c. Liftmaster has changed its approach to our gate control fees.
 - i. We need to decide if we want
 1. Video capabilities for approximately \$1,900/year
 2. Voice only for approximately \$1,000/year
 3. To remove all MyQ Community App functions.
 4. A vote was requested by a show of hands to adopt Voice or Video capabilities. A show of hands vote was approved by those in attendance.
 - a. The **Video** feature was selected by a **vote of 17 to 8**.
 - ii. If we keep the app, we need to increase quarterly dues from \$685 to \$700 to cover fees and just to get to an even number.
 - iii. There will be no more individual app license fees. Everyone will get several licenses without additional fees.
 - d. Grant the BHHOA Board the ability to assess the members of BHHOA to pay for legal fees and costs in defense of the lawsuit from Surry Ridge claiming Bridge Hollow roads are public roads. The attorneys' fees are paid on an hourly basis each month and thus fluctuate from month to month. Paying these bills will require an increase in quarterly assessments as needed to keep the bills current.
 - e. Open for discussion:
 - f. Mark Rasmussen
 - i. The .75% reinvestment fee should be labeled as an exit fee. Because the buyer will never pay it, only the seller will pay it.
 - ii. What amenities do we have? This is a liberal policy, just like California.
 - iii. We have already been paying HOA dues, but this is really an exit fee.
 - iv. If we mediate, why not combine HOAs? That would benefit both parties.
 - g. Scott Ward
 - i. (See Scott's comments appended to the end of this document.)

- h. Paul
 - i. For the setup and reinvestment fee, have we already agreed?
 - 1. Tracy: No. We had a meeting to determine who wanted it and what it was. We didn't have 2/3's of the membership. But in that meeting, we decided on amounts.
 - ii. No liftmaster fee broken out at this time. It will be \$15 per quarter. No assurance that liftmaster wont increase it.
 - iii. Tracy said that the successful party will get legal fees back.
 - 1. Scott, the portion that we'll get back is the \$50K for roads back.
 - 2. Randy, will we get the legal fees in addition to the road fees?
 - 3. Mike, if we sue them for breach of contract, then we get fees back?
 - i. Barb
 - i. Very likely that we will not have to pay.
 - ii. I hope we can keep Bridge Hollow the magical place that it is.
 - iii. It would be bad if roads were public, etc
 - j.
 - k. Dar
 - i. Quarterly assessment for video fees?
 - 1. Is it open-ended for Liftmaster to keep raising fees? Not a separate invoice?
 - a. Tracy:
 - i. Liftmaster fees are combined, not separate. We have no control over Lift Master changing fees.
 - ii. Regarding the lawsuit: Legal fees are recorded. If we get money back, it will be refunded.
 - iii. This will be above any current budget for legal fees.
- l. Jim
 - i. Reading from the fee list, I don't agree with the proposed list. What amenities, resort facilities, etc.
 - 1. 8 people have looked at our house and saw the mangeld gate, dumpsters, and no amenities.
 - 2. This reinvestment fee is an exit fee.
 - ii. When will this be recorded?
 - 1. Tracy: after the vote, if approved.
- m. Tracy
 - i. It's remarkable that we can come here, given the way we live and how we are trying to keep expenses affordable by volunteering for the community. Some of those who complain have never volunteered to help the community. Many of us purchased our lots many years ago at value prices, knowing this is a volunteer community.
 - 1. Please read the entire benefit description. It lists amenities, etc., then it states OR association fees. These association fees could be used to reduce periodic assessments for roads, etc.
- n. Voting results:

- i. The proposal to amend the Bridge Hollow HOA CC&Rs to allow a reinvestment fee was not approved. Amendments to CC&Rs must be approved by **67%** of the community.
 1. **Votes For: 19 (48%)**
 2. **Votes Against: 16 (40%)**
 - ii. The proposal to increase quarterly dues from \$685 to \$700 to cover LiftMaster fees was approved.
 1. **Votes For: 24**
 2. **Votes Against: 11**
 - iii. The proposal to increase quarterly dues in a sufficient amount, as determined by the BHHOA Board, to pay monthly legal fees and costs in defense of the lawsuit from Surrey Ridge.
 1. **Votes For: 24**
 2. **Votes Against: 11**
8. Close.
- a. Tracy proposed a motion to close the meeting. The motion was seconded. Meeting closed.

Comments from Scott Ward:

Bridge Hollow 2/5/2026 Special Meeting Thoughts

As many of you know, I have been involved with the BH SR issue for some time now. I am sharing my thoughts here, but want to make it clear that these are my thoughts only, and I am in NO way waiving my right to privileged information received from advisors.

I believe it is worth mentioning here and now to all that we are NOT trying to antagonize or stop SR from any SR development, we are simply trying to get what the 1994-1997 Agreement tries to set forth. We all, BH and SR, will benefit from a reasonably mutually agreeable resolution to this dispute. To my knowledge, BH has performed all its obligations under the agreement. I believe that BH members could benefit from a nice, well (not over) developed SR.

As mentioned at the 9/4/25 BH Special Meeting, a BH SR Committee as been established by the BH HOA Board. It had 8 members and now has 7.

In the last complaint filed by Surrey Ridge, in addition to the BH HOA, there were 8 individual lots named as defendants. It is likely that some of those lot owners may come to the HOA for support in the future for their specific legal costs if they are incurred, much in the same way as Barbara Williams came to the HOA for support, which she was granted.

Mediation is certainly an option with obvious cost benefits.

The most recent SR filed complaint or suit, dated 12/11/25, basically demands we no longer object to their use of Bridge Hollow Drive as an easement, and demands that Bridge Hollow Drive be deemed a public road. BTW, all of these filed documents are publicly available.

When I bought my home in Nov. 2020, I bought a home that was at the time in a “private gated community.” I learned that the community was managed by a volunteer HOA team, which clearly thought as I hoped they would about the community. I valued this as I considered my purchase price offer.

I have been advised by several professionals in the real estate community, agents and attorneys, that if we lose the “private” and “gated” designations, our property value would take a 10%-20% hit. On \$2,500,000, that's \$250,000.

Examples of Listing language

Welcome to your own private paradise in the gated community of Bridge Hollow.

Beautifully maintained and move-in ready, this private mountain sanctuary.....

Just because Bridge Hollow Drive could be deemed public, it does not mean that any government entity would be responsible for the Bridge Hollow Dr. The HOA might still have to pay to maintain a road being used by the public.

It is my hope that the overwhelming majority of my fellow BH HOA members, neighbors, and friends agree that we should fight this lawsuit “tooth and nail.” The outside, conservative, high-end estimate of defending ourselves is \$300,000 over up to 3 years. \$300,000 divided by 40 (including Tebbs) lots is \$7,500. Again, over possibly as many as 3 years. That would be \$2,500 per year, and spread out over the years.

While Bridge Hollow HOA does not need the BH Membership to vote to defend itself against a lawsuit, it is required to vote to assess members to pay those legal fees. While it would be helpful to have an exact dollar amount attached to this vote, it is impossible to do that as we have not yet incurred many of the costs. This vote will be a clear indication of this community's resolve to keep BH the very unique community that it is, and in turn, benefit the SR property as well.

The more united we are, I believe, the better it will look as we head to court or mediation.

It is hard to describe how many hours have been spent trying to figure this out. BH HOA Board Members, Committee Members, document collection, research, strategy considerations, etc., etc. Please remember that we are well advised, every step of the way, by Rob Crocket, who is very well respected in Utah, Summit County, HOA, and real estate law. Feel free to confirm this on your own. I have. Repeatedly.

We all need to remember that any information requested to be sent to anyone should be sent to everyone, including the owners of DH-1, who are the Tebbs family, that is suing us. While I was never a great football player, I am aware of the basic concept of NOT sharing my team's “playbook” with the opposing team. Additionally, any discussion here of legal advice received could be perceived as a waiver of privileged information, which would again result in SR gaining critical information prior to a possible court date, which could significantly harm our case.

As many of you know, it is my way to lean toward overcommunication. That's just how I am. But thankfully, Rob has been there to advise us otherwise. At the 11/6/2025 BH

HOA Special Meeting, I had a whole page of information I wanted to share. That would have been a big mistake!

It may also be noteworthy that SR started the suit filing. There was a C&D letter sent to SR back in June of 2024 by some homeowners, and a demand letter sent for the unpaid Bridge Hollow Drive recent road repairs of \$50,000 and the past years of Bridge Hollow Drive and Gate maintenance of \$55,000, but those were not suits. The demand was a promise to sue if not paid, but that suit was voted on by the community, and in addition to the very likely success of that suit, there was the possibility of recovering our legal fees.

If we do nothing, we lose. Worse, if anyone completely agrees with the 12/11/2025 Complaint and responds so, if we do end up in court or in mediation, it would not help our cause/effort and hurt the community as a whole.

It is my hope that you all consider just how seriously detrimental the deeming of Bridge Hollow Drive as a public road would be to our community. The gate may have to come down, leaving our road(s), homes, and dumpsters open to the public, and rendering the HOA's management of the road impossible. Remember, the gate was very helpful in managing the short-term rental situation.

Reinvestment Fee talking points:

This fee exists in almost every HOA.

Simple shifting of revenue coming from quarterly dues/fees to revenue coming from HOA work performed when properties are sold.

- Real Estate Agent Discussions and Documentation

- Gate access discussion and set up

- Gate set up on the Lift Master system

- I spent an hour on the phone with Macie Lee and Tracy Otterness

- Set up on QuickBooks

- Set up on email systems

- Set up on phone list

Sometimes all of the above is done multiple times, as sometimes sales fall out of contract.

Fees and dues collected are NOT put into specific accounts. I do not see the need for that additional work.

The reinvestment fee is part of the sale transaction negotiations and one of many costs of a sale.

- Real estate agent fees

- Inspection fee

- Survey fee

- Financing/loan fees

- Appraisal fee

- Escrow fee

- Utility disconnect and hook-up fees

How these fees are incurred/split by the seller or buyer is impossible to determine. It is not out of the question that it is "equitably born" or shared by both parties.

If we don't vote for this, it simply means that we all, those that remain here in Bridge Hollow, some of those on fixed income and/or with kids in school, will pay more ourselves.

This affects us all, just at different times, given when we each choose to leave. Again, for what we get here, I think the HOA fees are very reasonable. I've said this repeatedly, and I have yet to hear anyone disagree with that statement with data/facts/intel.