



Lava Ranch Mountain Properties

JUNE 2018 NEWSLETTER

2018 Annual Meeting

This year's meeting will be held at the Frank
May Pavilion on
Saturday, July 14th, 2018
at
10:00am

Once again, we look forward to a
productive and enjoyable meeting.

AGENDA

- Welcome
- Approval of Previous Meeting Minutes
- Board Member Reports
- Budget Review and Acceptance by Vote
- Election of New Board members
- Lunch
- Election
- Results Announced
- Adjourn

***Please make sure you have hang tags or stickers on
all ATV/UTV or vehicles***

President's Message

We always hope that the annual newsletter will be useful and have information which is “newsworthy”, interesting, and applicable for all property owners. We have had people tell us that they do not read the newsletter or the Google Group messages we send out. We hope that the number of people this applies to is limited.

Since this is my last year on the Board, I want to thank all my fellow Board members over the last 6 years for the help, support, and endless hours spent in dedicated service to the Association. As a man much wiser than me said “I am grateful for the many talents and time they have so willingly contributed.” We have accomplished much over the past 6 years.

Every year the Board welcomes new members to provide the leadership that ensures that the purpose of the Association remains the focus of our efforts. Besides me, Marv Zaugg's and Shirley Sheffield's term on the Board expires. I want to recognize and thank them for their service. There are three 3-year positions open at this time. It seems we have a hard time getting the BOD filled to 9 members and keep them for the full 3 years. Even though a lot of time, work, and effort is put forth for the benefit of the association, it can also be very rewarding. I hope each lot owner at Lava Ranch will give serious consideration about how they may contribute in making our community better.

I encourage anyone that has the time and energy to join the BOD to throw their hat into the ring and join the Board of Directors. We need YOU! If you are interested in running for a position, please send an Email to me, Adrienne Buckley @ a2.lavaranch@gmail.com. I would be glad to answer any questions you may have. Be prepared at the annual meeting to give a brief statement to the following questions:

1. What position and/or duties would you like to be considered for?
2. What qualities, experience, and qualifications do you have that you feel would enhance the effectiveness of the board?
3. Tell us a little bit about yourself.

– Adrienne Buckley 2018 -

Treasurer

It has been eye-opening to be a new member of the board this past year and I appreciate the dedicated effort of the current and past board members especially that of Adrienne Buckley who served for the three prior years as treasurer and is currently the association president. Her dedicated and tireless efforts to bring the association onto a solid financial footing and fiscally responsible accounting are commendable.

The work on roads, fences, weed, water, the dumpster and other activities to keep Lava Ranch a safe and pleasant place to relax, recreate and enjoy the beauty that surrounds us there begins the end of May and lasts through October. The fiscal year end of June 30th falls in the middle of this activity and makes it challenging to budget mid-year and create timely and accurate financial reports by the annual member meeting the second weekend of July. Therefor at the board meeting in May, the board unanimously adopted a resolution to amend the bylaws to establish a calendar year ending on December 31st as the fiscal year for Lava Ranch Property Owners Association.

This means that this year the board will create a budget for the six months from July 1, 2018 to December 31, 2018 and determine the appropriate assessment for property owners at Lava Ranch for this year. The board will then approve the budget and current assessment. As of this writing, that assessment is yet to be determined. Invoices for this assessment will be sent out the last week of June either by email or by USPS (If we do not have an email address on record or if you own multiple lots). This fee will be due on July 1, 2018 with a grace period of 60 days. Payments postmarked after the 60-day grace period will be charged 1.5% interest each month the dues remain unpaid based on the original invoice date of July 1st.

The budget for July 1, 2018 to December 31, 2018 as well as the financial report for the current fiscal year of 2017-18 will be presented at the annual meeting on July 14, 2018 and will be sent out via Google Groups as well as being posted on the Members Only section of LRPOA website.

Fire Danger

We expect fire danger to be high again this year so let's be FIREWISE. Fire wise standards emphasize community responsibility to ensure that we all remain safe. Forest fires are illegally started due to people violating burn restrictions enforced during high fire danger months. We will maintain contact with State and County policy with regard to open fires and post directions on the notice board and with signs at the gates. It makes sense to always practice PREVENTION!

Anyone starting a fire is responsible for that fire until it is out. If your fire gets away, you can be held responsible and liable for any property damage and for fire suppression costs. In order to avoid costly fines and citations, make sure you know where and when burning is allowed. All open fires should be contained in a pit far enough away from open vegetation to eliminate the danger of sparks and should have a mesh cover. It is important to remember that fire pit embers can start a wild fire.

If you observe an out of control fire, takes these steps: If possible determine the scale of the fire & direction. Immediately evacuate people & pets from all areas if a fire is out of control and you are forced to leave the area. Do not remove trailers or personal items. Call 911 and activate the LRPOA Fire Alarm(s). **HONK YOUR HORN WHILE LEAVING TO NOTIFY OTHERS.**

Security

This past summer was a fairly safe and quiet season regarding accidents and other issues at Lava Ranch. For the most part, people seemed to drive more cautiously and respectfully.

Most owners go to Lava to get away from the mad rush of everyday living and want to relax and enjoy the beauty of the mountain. For the few who still feel rushed please show respect by following the rules that are in place for the sole purpose of making the mountain a safe and peaceful place for all to enjoy. Also, while you are up there, venture out a little and meet your neighbors. If you try to be a good neighbor, you will be surprised to find out how good your neighbors are. Also, courtesy goes a long way when driving on the roads by slowing down and moving over as far as possible to let others go by. One more suggestion, maybe two:

Quiet time is at 10:30 p.m. Please be respectful of your neighbors and follow that time frame. It doesn't mean you can't still be up later just please turn down the music and use softer voices.

To help keep vandalism and theft down, again get to know your neighbor well enough so that if you see strange things going on that normally doesn't happen and you realize they are not there, take the time to observe, take pictures and call for help. A lot of positive things can happen if we all work together for the sake of each other.

Any dangerous activity should be reported as soon as possible. Members of the Board are all appropriate individuals to whom infractions can be reported. Under certain circumstances it may be appropriate to notify law enforcement.

Compliance

It has come to our attention that some lot owners have chosen to act independently and without regard to the impact on their neighbors. Sometimes a reminder that Lava Ranch POA enforces the Restrictive Covenants and the additional Rules & Regulations that govern the Lava Ranch community are necessary. If you are planning any improvements or construction on your lot please recognize and comply with the application and approval procedures that will impact you for non-compliance.

All improvements or development on private lots are governed by the LRPOA Restrictive Covenants, and Bannock County Planning and Zoning codes. Before any work begins, approval by the Board of Directors is required first. The next step is approval and permitting by Bannock County. These steps must be followed before any work commences. Failure to follow the procedures you agreed to when you purchased property in Lava Ranch could result in action by the Association to remedy the violation, which can include legal action against violators.

Dumpsters, Pavilion Rental, Maintenance, Restrooms & Grounds

ELECTRIC PROJECT: AT PRIMARY WELL, PAVILION, & RESTROOM

In the fall of 2015, we replaced the pump on the primary well. It was determined that the electricity supplying the pump was not adequate to support the well and needed to be upgraded to make sure that the pump would last. In the spring of 2017, we were told by Rocky Mountain Power that to increase the electric capacity we would have to add another power line and replace the existing one(s) running to the well. The electric project was expanded to include rewiring the pavilion, adding power to the restrooms and the storage shed.

The electric project is not yet complete. This summer, new lighting will be installed at the pavilion, restrooms, and power to the storage container. Lighting at the pavilion will benefit those people using and renting it. The restrooms will have lighting installed inside that will be motion sensitive.

WATER LINES

In addition, water lines were run from the secondary water source to the pavilion, the dump station, and the restroom. Faucets were also installed in each area. The water supply comes from the water tank that catches the stream running down Wolverine and is not potable water. Two of the faucets will remain locked. The only faucet that will not be locked is at the dump station. The one at the pavilion may be unlocked when the pavilion is rented but will be locked at all other times.

The dump station was reworked to make it more accessible and useable. Please make sure that the water hydrant is completely turned off after using it to clean sewer totes/hoses or other containers.

RESTROOMS

Keeping the restroom doors closed had become a problem for squirrels, rodents and bugs. Self-closing door hinges were installed to reduce the accessibility of varmints' and dirt. Also, when you are done with your "business", please close the lid to the toilet.

A big THANK YOU to Ray Thompson for all the extra stuff he does to help support the board.

Roads- Improvements & Maintenance

Road maintenance and improvements on our mountain roads is challenging and includes many factors to consider. Both are conditional on when the roads are accessible and ready for the work to begin.

It is important to remember that the roads in Lava Ranch are considered “seasonal”. Since our roads are only maintained for vehicle access during non-winter months we are dependent on the weather for how long the work can be done. The weather also determines when temporary structures (trailers, tents, campers and mobile homes) may be located on any lot. May 1st to December 1st of each calendar year is the designated time frame. However, the timetable for road work is often different since snowfall may prevent the roads from being dry enough to start the seasonal work.

This year road maintenance will be the first work done as soon as the roads can handle grading & gravel. Hopefully, by the time you are reading this the work will already have commenced. Our gravel roads tend to rut more easily in wet weather when people are anxious to bring their trailers up to the mountain. During dry weather, traffic tends to displace gravel from the surface to the shoulder area and even to the ditch. Maintenance on our roads becomes “more of an art than a science”. Priority for all road work will always be given to the high traffic roads that center around the evacuation routes. Work on the major roads is critical for the safety of all of us, even at the expense of less heavily traveled roads. Maintenance work includes what is obvious to control erosion done by problems created by the winter, by the August rain storms, and by road damage caused by humans. Harry Scott will continue to manage the road work again this year. If you observe an area that may need special attention, please contact Harry directly.

Each year the road plan tries to prioritize the road(s) for the Capital Improvements that are still needed by Bannock County and the Fire District. The road plan 2016-2018 will continue to be followed as closely as possible. Last year the focus for road improvements was on Badger Run, Weasel, Maple Pass, and Wolf Run. Ditches at the sides of the road were cleared on Martin, Wolverine, Big Bear, Big Buck Pass, and Weasel. Tree stumps were removed to make way for widening the roads on Big Bear, Weasel Trail, White Tail Circle, Maple Pass, High Country, Badger Run, and Martin.

Clearing trees from the easements was done on Otter Run and Upper Wolverine Pass. While some people will disagree with the ongoing logging process we hope members will come to appreciate that this has been in the best interest of everyone on the mountain. Removal of trees, stumps, and brush from road easement is a necessary prerequisite to widening the roads. Timber harvest from the easements also helps to create defensible space against fire and can help to reduce Beetle Kill. This year’s logging is scheduled to start in the middle of June to minimize damage done to the roads being worked on. The roads include Little Buffalo to Martin & then up to High Country Rd. As time and weather permit, additional work may be extended to lower Big Bear, High Pine Ridge, & lower Deer Haven.

Community Water Sources- Well & Water Tanks

The well and water tanks providing water for members of Lava Ranch is a tremendous asset. It is important that each person using the water protects it from contamination. Here are some things to remember to make sure the water stays as pure as possible.

The containers used to transport water are a breeding ground for bacteria and other contamination. The risk to pollute the water source is high unless care is taken to prevent it. When the fill hose is submerged under the water, it allows contamination to enter back into the well/tanks when it is shut off. It is equally important that when you are collecting water from either the primary well or the new tanks on top that you do not place the hoses on the ground.

Do not use the well or tank water for anything other than obtaining water for household use. The primary well and water tanks should never be used for cleaning sewer dump totes or sewer hoses. There two (2) options for cleaning sewer totes/hoses or other containers. A separate water source is the hose adjacent to the right of the well. A hydrant has been put near the dump station. Both are connected to a non-potable water tank.

The water tanks are still considered non-potable because the potential for contamination is unlimited and mostly beyond our control. They were tested last year with some bacteria present which means contamination occurred probably by folks not paying attention. We hope there will come a time when we can declare all water sources as safe for culinary use.

The community well on lower Wolverine will be tested for bacteria again this year. The test last year came back free of contaminants and we are all responsible to maintain it in the same condition this year.”

Winter Road Maintenance

It is still true that most of the Lava Ranch community is spending 90% of their time on the mountain during the non-winter months. While there are no restrictions to using Lava Ranch roads during the winter or off-season months, there is also no maintenance of those roads. Anyone using the roads for winter activities does so at their own peril. LRPOA will not assume responsibility or be held liable for those activities or any accidents.

Big Bear, High Country, and High Pine Ridge roads were plowed last winter to create paths on those snow-covered roads. The roads in Lava Ranch are not adapted for snow plows and are not authorized or sanctioned by the Association. Plowing a snow-covered road also removes the road's surface material. In 2014 The BOD adopted a policy about how to deal with damage to roads caused by reckless or irresponsible behavior. Damage to any road that requires repair because of negligence or disregard for the safety of others could result in fines of not less than \$200 up to and including \$1000 per occurrence.

Trespassing Memo

In the state of Idaho, trespassing on all private property is illegal. All property within Lava Ranch subdivision is private land. That includes each individual lot, common ground, and roads. Intrusion onto any neighboring property without express permission is considered trespassing and can be prosecuted. Everyone is expected to confine their activity in accordance to the law. Still, every year there are reported incidents of trespass within Lava Ranch.

In the past, the trespass laws in Idaho have often been confusing and inconsistent resulting in individual LRPOA owners posting trespass signs on their individual lots. That is no longer necessary. Idaho lawmakers have now passed what they consider a more “common-sense law” that consolidates and strengthens the protection of private property rights against trespass. The law, HB 658, provides tougher penalties for people who willfully and knowingly trespass on private land. The law will be implemented without signature by Governor Otter. It goes into effect July 1, 2018. The new legislation “gives teeth” to trespass laws and better defines penalties. It is now more important than ever to understand the ramifications of this law and communicate it out to all Lava Ranch Owners, their family members, and guests.

HB 658 shifts the onus of distinguishing private property from the property-owner to the visitor. It increases harsher fines and penalties for trespassing and changes/removes the requirement to post your private land/lot. Someone convicted of willful criminal trespass in a civil lawsuit faces heavy fines and provisions for sentencing jail time. If damage has been done, a first conviction could result in a fine of \$500-\$1000, \$1,500-\$3000 for a second conviction, and \$5,000-\$10,000 for a third conviction. A person with a third conviction could face a felony charge if there is more than \$1,000 worth of damage involved with the trespass. The legislation makes it an infraction for a person who unknowingly commits first-time criminal trespass with no damage if the trespasser willingly leaves the property upon request. However, a first conviction still sets a minimum fine of \$300 even if no damage is done. Further, the bill includes provisions to award the winning party attorney and investigation fees in a civil suit.

The Lava Ranch POA continues to work to ensure that we foster a cooperative culture between landowners and those who are authorized to recreate within the subdivision, while providing tough enforcement for people who willfully and knowingly trespass. We will be replacing some trespass signs at the entrance of the subdivision to ensure we meet the requirements of the new law. **And our efforts still include requiring everyone to comply with the long standing LRPOA policy to display a lot number somewhere on every vehicle, ATV/UTV, utility trailer, and winter vehicles using Lava Ranch roads.**

NEW PERMIT PROCESS FOR OBTAINING A STREET ADDRESS IN LAVA

On February 4, 2018 a survey was sent out Via Google Groups asking for information from owners that cannot make or receive calls on their cell phones when they are on their lots in Lava Ranch. The purpose was to find out where the gaps are for incoming or outgoing telephone calls. Even with the limited number of responses we know that the ability to use cell phones is quite restricted and falls short of what it should be. The Board has been treating it as a matter of public safety and reviewing possible solutions.

First, we are looking into strengthening or replacing the 2 fire alarm sirens on the mountain. It has also been suggested that we look into obtaining a cell booster or a cell tower of our own. As we get more information and decide what will best meet our needs, we will let you know.

Another option is for individuals to get a seasonal landline. In the past, Century Link would allow lot owners to get landlines irrespective of whether Bannock County had issued a valid address to the property. Apparently, they no longer do that. We have been working with Bannock County to allow addresses to be issued to owners that have structures/sheds on their lots that are under 200 sq. ft (and therefore do not need a permit). Or, if you already have a building that has a permit but you do not have a county issued address (i.e. a shed over 200 sq. ft) you can now get one also).

Below is what Bannock County Planning & Zoning has sent as the process.

"In order to obtain a Power Waiver, applicants will need to apply for a development permit. The application can be found on their website. Applicants will note that the permit is for a power waiver in the Project Description section. A site plan and deed showing ownership will need to be submitted with the development permit application along with a \$26 application fee.

All other requirements found in Bannock County ordinance will have to be met before a waiver can be granted. Additional requirements will be noted during the application review and site visit.

Additional requirements to be addressed might include, but are not limited to:

- Driveway slope and/or width
- Unpermitted structures
- Substandard approaches
- Encroaching on setbacks

As a reminder, Section 12.04.070.A of the Bannock County Municipal Code states "All addresses shall be assigned by the Bannock County land development office. No other person shall assign an address to any dwelling, business, industry or other land use." Use of an unofficial address is considered a violation of this section and is punishable as a misdemeanor. "

In the last 2-3 years the Bannock County P&Z has had a complete change of their staff. They have also tightened their enforcement of Bannock County ordinances and added or changed some of the requirements for permits. If you have skirted getting the appropriate approvals from either the BOD or the County in the past for work on your property, you may become subject to inspection and compliance for any additional work done.

Candidates for Lava Ranch Board of Directors

As the annual meeting approaches, we are again looking for good people to replace those leaving. We hope each lot owner at Lava Ranch will give consideration as to how they may assist in making our community better. One way is to run for a vacancy on the Board and work with a great group of people to help the Association move towards the achievement of their mission. Board members must have a clear understanding of their distinctive roles. When you begin your tenure with a solid overview of what you need to know and what will be expected of you, you will be able to step into your position and serve with purpose.

Your service as a board member will be most rewarding to you and will serve the Association best if you are able to focus on your key duties:

- 1) Attend all meetings and participate in regular communications.
- 2) Be prepared and informed.
- 3) Speak your mind and ask hard questions.
- 4) Support other board members to pull their weight.
- 5) Take responsibility for your stewardship of the organization's assets.
- 6) Remember that integrity is everything.

A board member has the fiduciary obligation to the organization, he or she must act with good faith and loyalty – and always exclusively in the best interests of the organization. The board serves as what is sometimes called “a bridge and a buffer” between conflicts of interests with the rules and regulations governing ownership, county and state agencies, and other members. You will be asked to ensure the organization has procedures in place to prevent conflicts of interest and to make decisions that have no conflicts of interest with the person whose transaction is under consideration. There are three regular openings that have a term for 3 years that will be filled at the meeting this year. If you would like to be on the ballot for one of the open positions, please notify:

Jody Price
Lava Ranch POA,
P.O. Box 131
Lava Hot Springs, ID 83246

Email:

jpricelavaranch@gmail.com

Submittals should be
received by **July 3, 2018** for the printed ballots.

PROXY FORM

If you are unable to attend the annual meeting, we encourage you to complete the form below to authorize a qualified lot owner to represent your vote on Association matters. This insures that you have a voice in Lava Ranch. Please fill out the form with all the information and mail it to the POB by July 1st, 2018 or submit it to your chosen representative prior to the annual meeting.

Lava Ranch Property Owners Association FISCAL YEAR 2018-2019 Proxy Form

I, _____ do hereby swear that I am the registered owner of lot number(s) _____ in Lava Ranch subdivision, Bannock County Idaho.

I authorize _____, who is the registered owner of lot

number _____ in Lava Ranch subdivision, Bannock County, Idaho, to act as my proxy on all matters presented for action at the L.R.P.O.A. meeting to be held on July 14, 2018, at 10:00am at the Frank May Pavilion.

I certify that the information provided is true and correct and that all parties listed are members in good standing and authorized to participate in the above-mentioned meeting.

Signature: _____

Date: _____ Total Number of Lots owned: _____

Note: All proxy forms must be signed and submitted prior to the beginning of the meeting. Unsigned or late proxy forms will not be accepted.