

PINE MEADOW RANCH OWNERS ASSOCIATION
MONTHLY BOARD MEETING
RANCH MANAGER'S OFFICE
PINE MEADOW RANCH
JUNE 20, 2017

In Attendance: Tony Tyler - President; Dan Heath - Vice President; Pamela Middleton, Secretary; Dustin Kilbourne (Area 3); Robert Walthall (Area 4); Bruce Hutchinson (Area 5); Kirby Wilson (Area 6); Tom LeCheminant (Area 7).

Ex Officio: Jody Robinson, Ranch Manager; Robert Rosing, Outside Legal Counsel

Excused: Jon Hoffman (Area 1); Jeremy Jespersen (Area 2)

Guests: Ken and Joan Hardman, Lot PI-22; Jerry Scott, F-6; Roy Parker, G-85; Ted Bonnitt, PI-E-55; Carolyn Strathern, Lot F-50; Mike Olson, D-17; Carey Lutheran, FM-C-71; Honey Parker, D-138; Bill Bennelli, E-85; Terry Beaver, D-21

The meeting was called to order at 6:30 p.m.

Approval of Minutes

Bruce Hutchinson noted that he was included as being present and then shown as being excused. He clarified that he was not present.

MOTION: Tony Tyler moved to APPROVE the Minutes of May 16, 2017 as corrected. Dan Heath seconded the motion.

VOTE: The motion passed. There were three abstentions.

Owner/Visitor Open Forum

Carolyn Strathern, Lot F-50, expressed her concern about having lost two valuable Board Members with incredible talent, knowledge and ability. She wanted to know why those two people were poorly treated. When she heard that Jodi Taylor had resigned, she asked if Ms. Taylor was willing to share with her the reason she resigned. Ms. Strathern stated that they were the same reasons why Roy Parker had resigned from the Board.

Mr. Tyler assumed that the reason was because he was not responsive. Ms. Strathern read the written response that she had received from Ms. Taylor, who had quoted a comment made by Glen Verrone based on what he had witnessed during a meeting. The sentiment is that the Board members ignore, dismisses, and disrespects anyone who does not agree with their opinions. Ms. Strathern pointed out that Mr. Verrone is an HOA member who is not on the Board but witnessed how Ms. Taylor was treated. It was Mr. Verrone's and Ms. Taylor's interpretation of how people are treated, and Ms. Strathern agreed with them. Ms. Strathern thought the Board needed to explain why

they do not support qualified people who only want to help make things better.

Robert Walthall stated that he was new to the Board and that was not his experience. Ms. Strathern believed it was because he had not tried to stand up and make changes.

Honey Parker stated that she has been on the Board for several years and she did not believe she had mistreated Ms. Taylor. She was in frequent communication with Jody Taylor and she always listened to her. Ms. Parker stated that people interpret things differently, and interpretation is not a fact.

Mr. Kilbourne noted that Ms. Taylor's complaint as Treasurer was her inability to obtain copies of the financials. The Board met her request and provided the information she requested, and she still chose to quit. He was surprised that Ms. Strathern had a different opinion of what happened because she had attended nearly every meeting since he, Mr. Walthall and Ms. Taylor were elected to the Board. Mr. Kilbourne pointed out that only three or four of the original sitting Board members remained. The rest were recently replaced, including the position vacated by Jodi Taylor.

Robert Rosing remarked that Ms. Strathern had explained her position and everyone was aware of her frustration. Ms. Strathern replied that she had stated her position but everyone was telling her she was wrong. She only wanted answers. Mr. Rosing pointed out that Ms. Strathern was not asking a question to which there was an answer. He had also heard from Ms. Taylor and he understood that she was upset. Mr. Rosing stated that the Board should consider her concern, but it could never be a productive discussion because it is interpretation. Mr. Rosing recommended that the Board consider their comments and move on with the agenda.

Ms. Strathern stated that as a Board member who pays dues every year, she asked if she was entitled to a copy of all the financials and the 2015 audit that was still unsigned. Mr. Rosing replied that the Board could provide that information if those documents are specifically requested. Mr. Rosing understood that the 2015 audit was not completed. Ms. Strathern pointed out that the audit was not considered complete because it was not signed. She was told that the audit was not signed because the existing attorney was still trying to figure how the language can read to make it true. Ms. Strathern asked if the audit is signed whether she would be entitled to a copy. Mr. Rosing replied that if she made a records request she could be given a copy of the audit. He did not believe it was the intent of the Board to hide documents. Mr. Tyler concurred.

Ted Bonnitt, Lot PI-E-55, stated that he is not able to attend enough meetings to take a Board position, which is why he has not put his name in as a candidate in the years he

has been on the Ranch. He has seen a lot of changes, and he was concerned that the Ranch is transitioning from a 1973 CC&R backwater, where people came up from the valley in the summer to recreate, to a suburb. As a result, whenever a lot of humans are together things begin to get complicated and messy. With the internet short-term rentals have become an issue in the last five to ten years. He commented on his personal experience with a Bed and Breakfast behind his lot that can accommodate 35 people. It is loud and it is noisy. He did not believe those people should have the right to take away his quality of life when they do not live there. Mr. Bonnitt thought the problem was the lack of up-to-date CC&Rs that could be enforced and control their destiny. He believed they either needed to take control of their destiny or lose control.

Mr. Bonnitt stated that he always works the best he can to help his community, and last year Roy Parker raised the issue as an attorney that the CC&Rs were out dated and needed to be revised. Mr. Bonnitt was pleased that the Board listened to Mr. Parker and the end result was to hire Robert Rosing. He looked forward to hearing the report from Mr. Rosing regarding the re-write of the CC&Rs because they need to come into the 21st Century. However, Mr. Bonnitt was not pleased with how Mr. Parker was treated. He was involved behind the scenes with Mike Gonzales, his Area 6 Rep at the time. He thought it was healthy for Mr. Gonzales to leave the Board and he had spoken with Mr. Gonzales about it. He wanted someone to step up in Mr. Gonzales' place and Mr. Parker did. Mr. Parker did great work and Mr. Bonnitt supported him because he brought to attention the CC&R legal issue. He thought it would benefit the Board to have someone as gracious, kind, caring and as giving as Mr. Parker. He was an ideal Area Rep. Mr. Bonnitt had seen how Mr. Parker's candidate Bio was changed and how his politicizing of the need to update the CC&Rs was omitted. He thought it was inappropriate, and thankfully it did not change the outcome. Mr. Bonnitt explained why he was seriously concerned and why he wanted to see the CC&Rs reformed.

Mr. Bonnitt clarified that he was perfectly happy to have Kirby Wilson as his Area 6 Rep, and that was not the issue. The issue is that Mr. Parker brought the CC&Rs to their attention for the well-being of everyone, and he did make a difference because the Board agreed to fund the re-write and Mr. Rosing was hired. Mr. Bonnitt wanted to register his complaint that Mr. Parker had a lot to offer the Board and he was ignored. Mr. Bonnitt believed the Board was in crisis. He hoped the revised CC&Rs would address the issues and bring people together.

Mr. Bonnitt commented on the short-term rental issue. He understood that Mr. Rosing had recently offered a seminar where he said that addressing and enforcing rules on short-term rentals did not have to be written and voted on as a major amendment to the CC&Rs, and that it could be voted upon by the Board in the same way as fire regulations.

Mr. Rosing explained that short-term rentals are heavily statutorily restricted in terms of what can and cannot be done. He thought the easier way to address short term rentals without amending the CC&Rs is to look at the behaviors that short-term rentals are causing, and address those behaviors. For example, 30 people in a house, noise, or parties in the middle of the night can be addressed as separate violations without prohibiting short-term rentals. Prohibiting short-term rentals would have to be in the CC&Rs.

Bruce Hutchinson noted that many of the issues are regulated by Summit County. When there is noise or other issues people should call the Sheriff. Mr. Bonnitt said he was told that business licenses are renewed each year and if there are a number of complaints, the County can refuse to renew their business license. However, a large group of people playing volleyball behind his house at 2:00 in the afternoon affects him, but it is not a reason to call the police. Mr. Hutchinson stated that the Board has little enforcement authority and if they do write things into the rules and regulations they cannot enforce it.

Mr. Tyler believed the short-term rental discussion should be its own agenda item for another meeting.

Mr. Bonnitt suggested that for the sake of being transparent, every Board member who rents their property either short-term or long-term should recuse themselves from the discussion and the vote when it is on the agenda.

Mr. Bonnitt expressed his interest in helping with the camera and the streaming of Board meetings because there are ways to make it secure, and to shut off the camera when sensitive items are being discussed. If they intend to amend the CC&Rs and build up momentum and progress as a community, the members need to be engaged.

Dan Heath stated that if people make full complaints to Summit County, the County will respond. Code Enforcement was on the Ranch that day investigating one of the problem properties. Enforcement does occur if they go through the proper channels.

Roy Parker clarified that when he sent his letter to the Board regarding his resignation he expressed his appreciation for the hard work of the Board, the collaboration, and their efforts together. He also expressed his indignation that was mentioned this evening. Mr. Parker also wanted it known that he had met with Mr. Rosing and volunteered to work with him on the CC&Rs and other documents. Mr. Tyler expressed his pleasure to have Mr. Parker's help.

Pamela Middleton recalled a short side meeting to talk about technology, streaming and the issues that were raised. She personally was not opposed to audio, but she did not want to be on camera. Mr. Bonnitt understood that some people are camera shy, but he thought it was important to have visual association so people can see who is speaking. He suggested that the cameras could be placed in a way that would not show anyone who is uncomfortable being on camera. Mr. Tyler noted that there had been significant conversations about video conferencing and audio conferencing in general. There were additional considerations from a legal standpoint that the Board took into account when they discussed the option of streaming video or audio. Mr. Tyler thought it was a larger discussion and if Mr. Bonnitt could attend another meeting he would put it on the agenda to talk about it in detail.

New Construction/Additions

Lot D-21-AM

Mr. LeCheminant presented plans for Terry Beever, Lot D-21-AM for an addition on his house. He had only received the plans today and Mr. Beever needed to complete the Lot Improvement plan. The addition was 408 square feet. The impact fee was \$2.40 per square foot.

Mr. Tyler explained the new construction/additions process. The Architectural Committee consists of Tom LeCheminant, Bruce Hutchinson, and Dan Heath. He informed Mr. Beever that typically plans are submitted to the Architectural Committee prior to the meeting for a recommendation to the Board. The Committee makes sure the paperwork is completed and the Board votes based on their recommendation. Mr. Tyler remarked that the Board has been flexible with the process due to the short construction period on the mountain. He noted that the Board has talked about streamlining the process, but they still needed to have that discussion.

Mr. Tyler stated that if there were outstanding items regarding these plans, the Board could make a motion to handle it by email so Mr. Beever would not have to wait another month.

Mr. LeCheminant believed they were only missing the Lot Improvement Plan and he would help Mr. Beever complete and sign it. Mr. Tyler suggested that if that was the only outstanding item, the Board could vote on it this evening, making the Lot Improvement Plan a condition of the approval.

The Architectural Committee recommended approval of the plans.

Carol could confirm the exact lot number and calculate the impact fee. Mr. Beever should contact Carol and send her the check.

MOTION: Tony Tyler moved to Approve the development plans for the addition at Lot PI-D-21-AM, subject to the signed Lot Improvement Plan Agreement and payment of the impact fee. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

Lot PI-22

Ken Hardman, Lot PI-22, submitted plans to build a log home. The shingles would be reddish-brown. It would be log construction with pecan stain. The owner had paid all the fees. The lot had been surveyed and the plans were stamped by the surveyor.

MOTION: Dustin Kilbourne moved to Approve the plans for the Hardman residence, Lot PI-22, as presented. Dan Heath seconded the motion.

VOTE: The motion passed unanimously.

Lot PI-03 and PI-04

Plans were presented for two Lots, PI-03 and PI-04, as well a package containing the Lot Improvement Plan Agreement, the signed water issuance letter, the sample color for the roof and the siding. A power point presentation was also included in the packet, along with a floor plan, a site plan and a stamped survey. The roof meets the Summit County regulation for snow load. The roof is metal with a 4:12 pitch. The house is modular and will be completely set on a foundation. The length was reduced to 52' x 27' to ensure minimum impact to Tollgate Canyon Road. The expected minimum duration is one-hour and the maximum duration is two hours for road impact. One-week notice will be given on Facebook and the HOA would also be noticed if they wanted to send out emails. The transport process and route were included in the power point presentation.

Mr. Tyler recommended that they work with Jody when they have a delivery date to post detour signs at the bottom.

It was noted that there would be two identical homes. The lots are owned by two brothers.

The Architectural Committee recommended approval of the plans for Lots PI-03 and PI-04.

Mr. Tyler recommended two separate motions.

MOTION: Dustin Kilbourne moved to Approve the plans submitted for Lot PI-03 per the Architectural Committee recommendation. Dan Heath seconded the motion.

VOTE: The motion passed. Kirby Wilson abstained.

MOTION: Tom LeCheminant moved to Approve the plans submitted for Lot PI-04 per the Architectural Committee recommendation. Bruce Hutchinson seconded the motion.

VOTE: The motion passed. Kirby Wilson abstained.

Lot SS-145-D-1

The owner of Lot SS-145-D-1 had submitted building plans, the Lot Improvement Plan, the survey and a picture showing the color and materials. Mr. LeCheminant reviewed the plans. The impact fee would be \$6,000. The structure would be 963 square feet. The roof would be dark green metal. The structure would be brown wood and stone.

Tom LeCheminant recommended approval on behalf of the Architectural Committee.

MOTION: Tom LeCheminant moved to approve the plans for Lot SS-145-D-1 as submitted. Dan Heath seconded the motion.

VOTE: The motion passed unanimously.

Lot PI-I-17

Mr. LeCheminant noted that the owners of Lot PI-I-17 were just starting the process. It did not have a plan and it had not been surveyed. Mr. Tyler removed it from the agenda this evening with a note that if it comes back in the near future with the appropriate plans and documents, the Board could handle it by email due to the short construction season.

Lot PI-D-17

Mike Olson, Lot D-17, presented three roof colors for the Board to consider. The existing asphalt roof would be replaced with a non-reflective metal roof. Mr. Tyler recalled that in the past the Board has denied copper colored roofs. Mr. Olson pointed

to other copper colored roofs. Mr. Tyler pointed out that those roofs existed before the Architectural Guidelines were put in place. If Mr. Olson wanted that color and he could provide an actual sample of the roof color and material, the Board could discuss it.

The other two roof colors shown in light and dark brown were acceptable.

FM-D-174

Mr. Tyler stated that he had forgotten to include on the agenda an addition for FM-D-174. He noted that emails were circulating indicating that the owners previously received an approval, but for some reason the Lot Improvement Agreement was never signed by the Area 2 Rep. Mr. Tyler read from the Minutes of December 20, 2016. "Mr. LeCheminant presented plans for a cabin on Lot FM-D-174 on Porcupine Circle. The roof will be a green color. The owner had not decided whether the roof material would be shingles or metal. The cabin would be natural log siding. The \$6,000 impact fee has been paid. The owner still needs to fill out the application. Jeremy Jespersen was the Area Rep. and would be responsible for making sure the Lot Improvement Agreement is filled out and signed. On behalf of the Architectural Committee Tom Deaver recommended that the Board vote in favor of the plan presented". Mr Tyler concluded, there was a motion. Dan Heath moved to accept and Tom LeCheminant seconded. The motion passed unanimously.

Mr. Tyler thought it was clear and that the motion was made correctly, seconded, and voted on. He believed the direction to Mr. Jespersen should be to sign the Lot Improvement Plan and Agreement consistent with the motion made on December 20th. The Board concurred.

Mr. Heath suggested that an Architectural Committee Board member sign the Lot Improvement Plan and Agreement since Mr. Jespersen was not present this evening, to allow the owner to move forward. Mr. LeCheminant had the Lot Improvement Plan and he could sign it.

Lot PI-C-70

The owner, Dave Klco, the owner of PI-C-70 was not on the agenda but he wanted Board approval for a 96 square foot addition with wood siding and a brown metal roof. He was told that the Architectural Committee needed to review his plans.

The Architectural Committee looked at the plans and Tom LeCheminant recommended approval.

MOTION: Robert Walthall moved to Approve the Lot Improvement Plan for the 96 sf

addition on Lot PI-C-70. Kirby Wilson seconded the motion.

VOTE: The motion passed unanimously.

Lot SS-146-K

Mr. LeCheminant presented plans for a new structure to be built on Lot SS-146-K. Mr. Tyler noted that there were two issues. The first is that to his knowledge the owners had not joined the HOA. Therefore, the Board could not process their plans until the documents to join the Association were completed.

It was noted that the owners are Jeremy and Lisa Warren. It was not certain that they would be moving to the Ranch, but they wanted to know if the Board would allow them to join the HOA in order to obtain water. The Warren's wanted to look at all options before making a decision.

Mr. Tyler was not opposed to having the Architectural Committee provide feedback on their building plans in terms of whether or not it might be approved. Aside from that, there was nothing else the Board could do.

Mr. Heath commented on the number of construction items presented this evening, and the influx of new construction this year compared to the last few years. For that reason, he suggested that they let the Architectural Committee approve and sign off on building plans unless something is questionable or there is a contentious issue. He thought the process was becoming very bureaucratic and time consuming. If the Architectural Committee had any questions or problems, they could bring it to the Board for review and a vote. Mr. Tyler believed that the Board needed to keep the current process because acceptance of the Lot Improvement Plan and Agreement implies that the entire Board has to vote. Mr. Rosing offered to review the language in the document. Mr. Tyler was not opposed to streamlining the process if they were able to.

Mr. Rosing suggested that an interim solution could be to handle the plans for new construction via email.

Someone expressed concern that as long as the building plans meet the written design guidelines there was an expectation that it would be approved without any thought given to whether compatible or appropriate for the mountain. They were allowing modern structures that were not compatible with the older structures or the mountain environments. He was not comfortable leaving the decision to a three-person committee behind closed doors.

Mr. Heath was not opposed to using email. His intent was to keep the review of construction plans from taking up so much of the meeting time each month.

Mr. Tyler thought the time spent this evening was very unique and they rarely see this many plans at one meeting. He suggested that the Board have a broader discussion at a future meeting before making any decisions.

Fences

Mr. Tyler noted that Mr. Olson had raised a concern about a fence that was put up between Mr. Olson's property and his neighbor's property.

Mr. Olson clarified that he had not intended to address this issue before the Board. He felt that if the HOA Board wanted everyone to be more neighborly and to become friends, some issues need to be kept private. Mr. Olson stated that he contacted Mr. Heath and they had a pleasant conversation, and he never bad-mouthed his neighbor.

Mr. Tyler remarked that he put it on the agenda to have a discussion about fences. The intent was not to address Mr. Olson's issue with his neighbor. Mr. Olson stated that when his neighbor first put up the fence it was talked about all around the Ranch and it was blown out of proportion. He recalled conversations with Mr. Tyler where Mr. Tyler wanted to ask his neighbor to attend a Board meeting to talk with the Board. Mr. Tyler had the same recollection.

Mr. Olson commented on the amazing wildlife he has seen near his property and the bleats he has heard from wildlife hitting the fence as they try to go through. Animals can see well at night, but not necessarily obstructions. Mr. Olson emphasized that he was trying to make the point that some things need to be reconsidered in terms of what issues should be brought to the Board because it can create an adversarial position. He only asked Mr. Heath to speak with his neighbor because their relationship was strained at the time and he wanted to keep the peace. Mr. Olson stated that this has been going on for two years and the Board has been threatening to address the violation, but nothing has happened and his neighbor is rightfully angry.

Mr. Tyler clarified that Mr. Olson had not created the issue against his neighbor. He explained that like many properties on the Ranch, everything cannot be seen from the road. Therefore, you have to be looking for the fence in order to see it, and even then it looked like a pile of logs. Mr. Olson stated that the Board either needs to take action or not, but something needs to be done to clear up the adversarial relationship with his neighbor.

Mr. Tyler noted that the fence might have been approved if the neighbor had gone through the correct process. Mr. Olson pointed out that fencing cannot impede wildlife, and that was his only concern, along with the fact that logs were toppling over and he wanted Mr. Heath to know that it was caused by the wildlife, not him, and that he had proof.

Mr. Tyler stated that Tom LeCheminant was the Area Rep, and he suggested that Mr. LeCheminant talk to the neighbor and inform him that if he intends to keep the fence it needs to be formally approved by the Board. Otherwise, the fence is not in compliance and it needs to be removed. Mr. Olson requested that Mr. LeCheminant emphasize to his neighbor that he was not the one complaining or trying to take down the fence.

Tom Bonnitt read from the Rules and Regulations regarding fences, and he thought it was unclear whether fences need to be approved. Mr. Tyler noted that the Board has been approving fences for a number of years and people are aware that fences need approval. He stated that Mr. Bonnitt's point was well-taken and they would look at the language in terms of the requirement to come to the Board. However, the traditional implementation of the rule is that it requires approval.

Mr. Olson repeated his earlier comment about finding a way to address minor issues on the Ranch instead of bringing everything to the Board.

Ranch Manager's Report

Jody reported that the equipment was running well. The dump truck needed a tie rod and ball joints. He would like to purchase the parts so when the weather is bad and he cannot work outside, he will already have the parts to work inside on the dump truck. Jody stated that he had not yet purchased the tires for the grader that were approved at the last meeting. The shift cable broke on the Ranger and he had ordered a new cable.

Mr. Tyler noted that at the last meeting the Board had discussed leasing or purchasing a roller. They were able to find a leased roller and it was already on the Mountain. The cost was less than what they had budgeted. Jody pointed out that the bill for the first month would include the transport cost.

Jody presented a bid to patch the damaged asphalt. They would blow out the cracks to remove dirt and debris and seal everything larger than ¼" with a crack sealant. The bid was also to wash and clean everything and apply a slurry seal. Mr. Tyler noted that the asphalt work should have been done last summer. He clarified that the sealer is put on top of the asphalt to maintain its longevity. It is a sand and slurry seal; not a chip seal. Mr. Tyler reported that the overall cost was \$55,472.79, which was considerably

less than the bid they were given last year.

Mr. Tyler believed the Board had approved the asphalt budget at the last meeting for the amount of \$55,000. They assumed \$48,000 for the asphalt seal, and added an additional \$7,000. Since the actual bid exceeded \$55,000, he suggested that they authorize the exact cost of \$55,472.79.

MOTION: Mr. Tyler moved to Approve the quote of \$55,472.79 for the asphalt slurry seal. Kirby Wilson seconded the motion.

VOTE: The motion passed unanimously.

Jody believed the asphalt work would be started the following week. He intended to shut down the main canyon and detour everyone around Oil Well. He asked Ms. Middleton to inform the property owners on Facebook. Jody believed the asphalt work would be completed in one or two days. He would contact Ms. Middleton when he knows which days. Mr. Tyler thought they should also notify the church camps.

Jody reported that the mag water was scheduled for Friday, July 7th. He would close the hill from Bobcat Springs to Oil Well, as they do every year. Jody stated that it would be from the end of the asphalt to the end of Elk in the main straightaway, Tollgate, Arapaho and Pine Meadow, and over the new gravel in Forest Meadow. They had budgeted for four loads of mag water, but he had only ordered three loads for July 7th because he was still graveling roads. He would have an extra load of mag water to put with the new gravel around the Ranch.

Jody reviewed the list of roadwork projects. He was working on Bull Moose. He had completed Lower Forest Meadow and Tollgate Canyon. He would do Pine Meadow Drive next week.

Jody would be working on other projects such as weed spraying, signs, and equipment repairs.

Water Company Report

Tom LeCheminant reported that the Water Company Board meeting was postponed because the Board lacked a quorum.

There was some discussion about trying to get an agreement in place with Mountain Regional if Pine Meadow Water ever has to join them in the future. When the Pine Loop break occurred, Mountain Regional alerted Brody to the problem based on the

amount of water they were pumping to Pine Meadow. Updates were being done on the Pine Meadow system so they would be notified whenever there is a leak.

Ranch Manager's Assistant

Mr. Tyler stated that Dustin Kilbourne and Jody had prepared a job description. Carol had posted it on KSL and other job posting sites. Carol was collecting the notices of interest and the resumes. Mr. Tyler asked Jody to contact Carol to see how many resumes she had received and to send him copies. Mr. LeCheminant would be seeing Carol the next day and he offered to pick up the resumes. Mr. Tyler remarked that rather than listing a wage, the pay was based on experience. He would work with Mr. Kilbourne and Jody to select someone and bring it to the Board for official approval.

Mr. Tyler noted that money was budgeted for an Assistant this year. He stated that they were looking for someone that could work well and cooperate with Jody, but also work independently.

Mailboxes

Mr. Heath had received a call from the Postmistress and everything was fine to move forward. They had also been given approval to move forward by the Summit County Engineering and Public Works Departments. They could not have an overhang at this point, but they did have approval to put up a pad under 240'. Mr. Heath had volunteers and if the Board approved the funds he would have the pad poured. He was thinking the pad would be approximately 12' x 20'. He planned to put the mailboxes back to back so they could be filled from both sides. Mr. Heath pointed out that the pad would only have the postal boxes. It would not have the UPS box. The boxes would be located in the same location as the existing mailboxes.

Mr. Tyler stated that rather than putting the mailboxes in the same location, they could rotate the mailboxes 90 degrees and put them against the hillside. In that configuration the UPS box would be at the end and there would be a pull-off to get to the mailboxes. The mailboxes could still be configured back to back. Mr. LeCheminant suggested that they could move the first two or three mailboxes to the side of the UPS box, and place them behind the existing mailboxes. Mr. Tyler did not believe that would address the safety issue.

The Board calculated the number of mailboxes that could be accommodated on 12' x 20' pad, as well as various configurations. Mr. Tyler pointed out that they needed enough space to make the mailboxes ADA accessible. To plan for expansion there would be room to add four or six additional boxes. Bill Bennelli suggested that if they

left the existing mailboxes in their current location and build the new pad with mailboxes where Mr. Tyler had suggested, they would have twice as many mailboxes as they do now. There was a question as to whether the post office would provide that many additional boxes. Mr. Tyler remarked that his intention was to clean up that area and do something that makes it look nicer.

The Board discussed the design of a structure over the mailboxes. Mr. Tyler noted that Summit County would have to approve a structure, as opposed to just allowing a concrete pad. He pointed out that there were two options. If the Board wanted something now, they could just pour the pad. The second option would be to wait six months and during that time consider options for a building and look at pricing. He reiterated that a building would be subject to County requirements and they would have to obtain a building permit and official approval.

After further discussion, the Board agreed to move forward with pouring a building pad and take the time to talk about a building.

Mr. Tyler suggested a larger pad such as 12' x 28' so they could accommodate additional boxes. He thought they should budget for 5 additional mailboxes. The Board agreed on a 12' x 28', four-inch thick slab. Mr. Tyler estimated that the pad would cost \$2,000 to \$3,000. He asked Mr. Heath to find out how the mailboxes are attached to the concrete. Mr. Tyler thought another question was who would do the work. Mr. Heath stated that a number of people have emailed offering to help, and some have concrete experience. Mr. Tyler remarked that having help is good, but one experienced person should be in charge. Jody offered to help grade the area. Mr. Tyler and Jody would lay it out with rebar so the Board members could get an idea of size and placement. The suggestion was made to find someone on the Ranch who is experienced with concrete to spearhead the project. Mr. Tyler asked Jody to find a contractor to pour a concrete pad. He preferred to pay an experienced contractor to do the work instead of using volunteers. Mr. Tyler thought they should announce on Facebook that they were looking for a contractor to pour a 12' x 28' concrete pad with mailboxes at the bottom of the canyon.

Mr. Tyler thought the budget for the pad should be not to exceed \$3,000. Mr. Heath thought they would need approximately \$5,000 for the mailboxes. Mr. Tyler asked Mr. Heath to get an actual quote on the mailboxes and the Board could vote via email.

MOTION: Mr. Tyler moved to Approve a \$3,000 not to exceed cost for pouring a pad for the mailboxes at the bottom of the canyon. Dan Heath seconded the motion.

VOTE: The motion passed unanimously.

Cabins built on HOA properties

Mr. Rosing had one of his colleagues reach out to Summit County. Their suggestion would be to replat that area with the boundary lines and have it surveyed. He understood that two or three boundary lines would have to be moved. Summit County appeared willing to accept the plat amendment to fix the problem. Mr. Rosing asked if the HOA had the intention of charging people for taking a piece of their lot. Mr. Tyler answered yes. He thought the bigger issue was that they were effectively giving away HOA property and they should be compensated for it. An appraisal was done on the property. Mr. Tyler pointed out that an easier solution would be to sell the cabin owner the lot, but the cabin owner was not willing to purchase the lot.

Mr. Rosing stated that if a phone call had not worked, he would write the cabin owner a pleasant letter. If that did not work, he would draft a second letter informing the owner that they need to talk about compensation for taking HOA land.

Mr. Hutchinson noted that this has been going on for three or four years and he thought the cabin owner had already agreed to pay. There was some question as to whether the property should be re-appraised since it was done two years ago. Mr. Tyler would contact Alan Powell for the name of the appraiser since he was in charge of the appraisal process two years ago. Mr. Heath had the name of the appraiser and he would contact him about the cost to update the appraisals.

Mr. Tyler expressed his preference to sell the property rather than go through the platting process. The Board members agreed.

Mr. Tyler noted that one of the lots has a hole in the middle, and the HOA has to retain a portion of that lot because it is the water line and emergency egress. That lot would need to be replatted.

Mr. Tyler clarified that there were two separate properties and Mr. Rosing should write two letters.

MOTION: Robert Walthall moved to authorize Robert Rosing to send two separate letters to the cabin owner. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

Mr. Rosing stated that he would draft the letter and send it to Mr. Tyler and Mr. Heath. If they are satisfied with it he will send it to the owner. If not, it would come back to the

Board for further discussion.

PI-C-86 Snow Plowing Issue

The property owners on upper Tollgate Canyon Road had sent a letter to Carol complaining about snow being plowed and dumped at their driveway. He said he would put it on the agenda for discussion. However, when snow is plowed it berms up on the sides, and that is the nature of living on the Ranch. Mr. Kilbourne stated that Carol notified him and he emailed the owners with his information and asked them to contact him. He also called them and left voicemails but they had not responded. It was talked about at a previous HOA meeting and Jody had said there was nowhere else to put the snow. At that meeting they discussed the possibility of compiling a referral list of people who would plow when called.

Mr. Walthall stated that he received a note from a new property owner wanting to know who plows to her house. He had called Carol and she suggested that it would be nice if there was a list of plowers for all areas and their phone numbers.

SS-140-12 Road Grading

Mr. Tyler reported that there were two separate lots that were technically beyond the boundaries of the Ranch. Those two owners reached out to Carol and asked if the grader was for hire because they would like their road to be graded. Mr. Tyler noted that both owners have voluntarily contributed to the HOA in the past, which is their reasoning for wanting the grader service. Mr. Tyler personally felt that people beyond the boundaries of the Ranch should be responsible for their own roads, because the HOA already has more than enough to maintain. However, he was in favor of helping their neighbors. Mr. Tyler suggested that if they finish the scope of work that they intended for the summer and there was time still available, Jody might be able to take the grader up there for a few hours. Mr. Hutchinson was concerned about setting a precedent that may come back to bite them. Mr. Tyler noted that it has been done in the past.

Someone asked if Jody would do it because the owners paid into the HOA, or if it would be for hire. Mr. Tyler replied that the owners would pay for it. Some expressed concern about doing things for hire. Mr. Hutchinson doubted whether Jody would have the time because he had plenty of work to do on the Ranch.

Mr. Tyler asked Carol to inform the property owners that the HOA is not a business and they were not allowed to charge for any work done, and they should reach out to companies who do hire out. Carol should also let them know that Jody has so much to

do on the Ranch that he would not have any free time to help them.

Meeting Date to Review the CC&R documents

Mr. Tyler stated that the Board needed to set a meeting date to look over Mr. Rosing's review of the CC&R documents. He asked Mr. Rosing if it should be a closed session. Mr. Rosing answered yes, and that it should be Board members only. He explained the reason for having a closed session to discuss the issues and potential revisions. Once the Board makes a decision about moving forward, there will be meetings that involve the community. Mr. Rosing clarified that the only piece in closed session will be his recommendation on why he thinks the CCRs should be revised.

Mr. Rosing recalled a previous discussion about setting up a CC&R subcommittee as a subset of the Board, and have the subcommittee be more involved in the initial decision making process. Mr. Tyler believed a subcommittee would be appropriate after the Board as a whole has all the information. The Board concurred. Once they all have the information, a subcommittee could be formed to work with Mr. Rosing moving forward.

Mr. Tyler suggested having a closed session at the next meeting on July 18th beginning at 5:00 p.m., which would give them an hour and a half before the regular meeting starts at 6:30.

Creation of a Technology Committee

Mr. Tyler noted that Mr. Kilbourne had suggested having a technology committee and he thought it was a great idea. The committee would consist of a subset of Board members interested in technology to do the research and report back to the Board with a recommendation. Mr. Kilbourne stated that Carol had shared with him some of the data she stores, and it would be amazing if they could secure access to that and have the ability to go back through the meetings and read the minutes and the motions. Mr. Kilbourne wanted to create a tech committee so the information could stay with that committee and not one person. If a Board member leaves, the information stays with the Board. He would also like to create a system through Google Drive or something similar that enables them to share information and secure it. Mr. Kilbourne intended to create an email system so they can email the things they talk about, but doing it through the committee so the Board controls it. No actions would be taken on anything that has not already been discussed without bringing it back to the Board.

Mr. Tyler suggested that Mr. Kilbourne lead the committee, along with anyone else who wanted to participate in that endeavor. Someone asked if the tech committee was exclusive to Board members. He was told that it was not just for Board members. He

also asked about the process of becoming a Board member knowing that there might be potential Board positions available. If non-Board members could be on the committee, he was definitely interested.

Mr. Tyler stated that because the Tech Committee would be an advisory committee and not doing anything on behalf of the HOA, he did not believe action was required to establish the committee. Once the committee completes their work they would come back to the Board with recommendations on what they would like to implement. The Board itself would take action on the implementation. Mr. Rosing believed that subcommittees are a good way to get some of these projects done. He gave examples of when subcommittees could be used effectively.

Treasurer Position

Mr. Tyler explained that when someone leaves the Board in the middle of their term, the existing remaining Board members will appoint a person to serve in that particular position until the next regularly scheduled election. When that election occurs, whoever is elected will serve out the duration of the original term. For example, if a full term is three years and someone resigns one year into their term, the elected person would serve two years before having to be re-elected.

Mr. Tyler noted that the Treasurer position became vacant yesterday. He thought they needed to ask if anyone wanted to be the Treasurer, and appoint someone to that position until the Annual Meeting in November. Mr. Tyler asked Ms. Middleton to post something on the website and on Facebook announcing the vacant Treasurer position. The posting should include a deadline of July 11th for people to submit their Letter of Interest to Carol.

Monthly Budget Review

Mr. Tyler reviewed the unpaid bills detail.

MOTION: Mr. Tyler moved to pay the unpaid bills detail as presented. Robert Walthall seconded the motion.

VOTE: The motion passed unanimously.

Miscellaneous

Mr. Hutchinson pointed out that they did not start the regular business for the HOA until 7:50. Most of the time was taken up by discussion, and he thought they needed to limit

the time for the Open Forum. Mr. Tyler agreed. In the past he attempted to place time limits, but people completely ignore it.

Mr. Rosing stated that the Board has to provide an opportunity for people to speak at a Board meeting, but those comments could be made at the end of the meeting after the regular business. Mr. Tyler thought another option would be to task the Tech Committee with finding a mechanism that can time people. Mr. Rosing recommended moving the Open Forum to the end of the meeting because people get aggravated when their comments are timed.

There was some discussion about plowing Forest Meadow and building another sand shed at the base. Mr. Tyler and Mr. Hutchinson pointed out that in the past many roads on the Ranch were never plowed and people understood what that they needed to do if they wanted to access their property. No one has ever been denied the ability to use their property at any time. Mr. Tyler pointed out that 400 of the 800 lots were vacant lots; and 300 of the remaining 400 lots were part-time homes. Therefore, the approximate 100 full-time residents have the benefit of plowed roads. He recognized that they live in a disproportionate environment, but no one is telling any property owner they cannot build on their lot or use their cabin. The values are increasing and every property owner gets the benefit of having the roads graded, improved and plowed. Each property owner has the purview to decide whether or not to take advantage of that benefit.

Mr. Kilbourne thought they needed to know the cost of building another sand shed and who would build it before they could have the discussion. They would need the same cost information before making a decision on plowing. It was suggested that using people already on the Ranch might be more cost effective than hiring outside plowers.

Mr. Tyler stated that in his area, the property owners came up with a structure and an agreement where the residents in the area pay the amortized cost to purchase a tractor. They specified the equipment, how much area they wanted plowed, and when it should be plowed. They came up with a rate structure to pay the plow operator and the fuel. Once that agreement was in place, they looked for someone willing to plow. Mr. Tyler pointed out that he was the only one in his area who stepped up to plow because he needed to get to his house. He noted that the downside is that he either plows or he has to find someone else to do it when he is gone. He also has to maintain the tractor that the owners in his area purchased, and if the tractor goes down, he has to absorb the cost of having someone else use their equipment to plow. The upside is that it provided a tractor for someone who would otherwise not get one, and it keeps the cost for his area much lower than all the other areas because they have their own tractor.

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The meeting of the Pine Meadow Owners Association Board adjourned at 9:34 p.m.
