

PINE MEADOW RANCH OWNERS ASSOCIATION
MONTHLY BOARD MEETING
RANCH MANAGER'S OFFICE
PINE MEADOW RANCH
AUGUST 15, 2017

NOTE: The Board lacked a quorum and was not able to conduct an official meeting. Those in attendance had an informal discussion. No action was taken. These Minutes reflect their discussion.

In Attendance: Tony Tyler - President; Dan Heath - Vice President; Jonathan Hoffman (Area 1); Robert Walthall (Area 4); Tom LeCheminant (Area 7)

Ex Officio: Jody Robinson, Ranch Manager

Excused: Jeremy Jespersen (Area 2); Bruce Hutchinson (Area 5); Kirby Wilson (Area 6)

Guests: Barry Eisen, PI-E-10; Dustin Kilbourne, PI-D-42; Jason Smith and Amy Wright, FM-C-57; Tom and Pam Slaughter, FM-B-22; Bill Bennelli, PI-E-85; Julian Duran, a current Shady Lane renter looking to purchase a lot in the Forgotten Lane area; Christy Sincavage, PI-E-100; David Milligan

Approval of Minutes

The Minutes were tabled because a quorum was not present to take action.

New Construction/Additions

This item was tabled because a quorum was not present to take action.

The Board reviewed a set of plans by one property owner who asked if building plans could be voted on via email. The siding would be wood with a black metal roof.

Tom LeCheminant, on behalf of the Architectural Committee, had reviewed the plans and found no issues. Mr. Tyler suggested that they put something other than wood on the higher portion of the siding where the roof sloughs off.

Mr. Tyler did not believe the plans were controversial and could be voted on by email. He recommended that they put in their driveway a year before they begin construction on the house if possible for better access to the lot.

Ranch Manager's Report

Jody Robinson reported that the equipment was in good condition and running well.

The grader had new tires.

Jody stated that he still needed to finish the work around the mailboxes now that the cement was in. He was primarily cleaning culverts, grading roads, and fixing road signs.

Someone noted that prior to the big rainstorms Jody had graded the roads; however, because of the storms the roads were bad again. She asked if they would be graded again before winter. Jody replied that he planned to smooth out the roads again but he would not add road base.

Mr. Tyler asked about the asphalt slurry seal on Tollgate. Jody stated that it was scheduled for September 11th and 12th.

Someone asked about the Blue Sky cows. Jody remarked that it may seem like a nuisance but the cows were actually cleaning up the grass that could potentially catch fire. Mr. Tyler requested that they hold this discussion during the open forum portion of the meeting.

Jody stated that he would have to refill the fuel tank before winter. He will bring in the road base for the winter in October. Tyler explained that the Board intended to vote on additional road base funds this evening. When they tried to vote via email there were two votes for further discussion. That vote was tabled until a quorum is present. The Board discussion and possible vote to potentially purchase another truck with a plow was also tabled until a quorum is present.

Mr. Tyler commented on the aggregate that had been purchased to date this year. There were 54 loads of 3" laid on Bull Moose, which was \$12,422 worth of material. Tollgate Canyon had 10 loads of road base totaling \$2450. Forest Meadow had 70 loads at \$17,150. Pine Meadow had 13 loads of road base at \$3185. Two loads of drain rock were used as culvert infill in the amount of \$530. The Board had approved a \$35,000 aggregate budget. The actual amount spent was \$35,737. Mr. Tyler stated that because the projects were completed early in the season, the Board was being asked to expand the budget an additional \$15,000 for more projects. If that is approved, it would be used on a portion of Shady Lane and Pine Loop.

Someone pointed out that the road from the top of Bull Moose at Forgotten Lane was terrible. It was large rock, not typical road base. Mr. Heath stated that new larger rock had to be laid before they could put down smaller rock. Mr. Tyler explained that the area always ruts out really bad. Mr. Tyler remarked that normally it rains and that helps

the rock to settle in. However, this year has been extremely dry. Jody has been watching it but he cannot do much until it rains and then he can roll it.

Someone asked if it was possible to pull the bigger rocks out of Bull Moose and Forest Circle going down. Mr. Tyler stated that those rocks would all get pushed down once it rains. They will look again at Bull Moose to see if they can budget for additional material.

Water Company Report

No one from the HOA had attended the Water Company Board Meeting. Mr. Tyler was aware that the Water Company was working on fixing leaks on Tollgate and Pine Meadow.

Mr. Tyler reported that he was contacted by a homeowner on Elk Road whose water was shut off due to a 3 gallon per minute leak. He explained that once there is an active leak for 24 hours the Water Company's system flags it and it sends an alert to Brody and Trevor. They will check it out to make sure it is not on the Water Company's side of the meter. If the leak is between the meter and the house they will shut off the meter. They do not lock it but they turn it off at the valve to stop the leak. Mr. Tyler stated that this particular homeowner came up for the weekend and found out she did not have water. She contacted Mr. Tyler because she did not know how to turn it back on. Mr. Tyler wanted everyone to be aware that if their water is ever turned off, that is the reason why. He noted that if Carol has a contact number for the property owner she usually tries to contact them before the water is shut off.

Someone asked the procedure for reporting a leak. Mr. Tyler replied that people could email or text him and he would report it. He explained how they test the water for chlorine presence to determine if it is a leak or a spring.

On-going business

Ranch Manager Assistant

Mr. Tyler noted that Dave Milligan was present to talk to Jody about being the Ranch Manager Assistant on a full-time basis. Mr. Tyler recommended that the discussion regarding the Ranch Manager should occur during closed session with Board members as employee related business.

Mailboxes

Mr. Tyler thanked Dan Heath for organizing the mailbox project, and he thanked everyone who helped facilitate moving the mailboxes. The area will be graded so the concrete pad will be level. Mr. Tyler asked Jody to move the boulders to the front side.

Mr. Tyler noted that Mr. Heath provided feedback regarding ownership and administration of the mailbox. He stated that the post office will no longer buy mailboxes, which means they no longer own them or administer keys for the mailboxes. The post office will not pay for ongoing maintenance or hazards associated with the mailboxes. Therefore, the HOA has to take on that responsibility.

Someone asked how it would affect packages that cannot be delivered. Mr. Tyler replied that it would have no effect because the postal service will still be a service provider that puts the mail into the box. They will still administer the keys to the HOA, but the HOA will be charged for the keys. Larger packages will go to Coalville and the post office will leave a notice in the mailbox. Mr. Tyler stated that they will continue to use the parcel lockers and the packages will be delivered into those lockers if they are small enough to fit.

Mr. Heath clarified that the process and procedure would remain the same. The only change is that the HOA owns the boxes and the HOA has to collect the money.

Mr. Tyler noted that UPS installed the big brown box and they will deliver to that box. FedEx will not deliver to the brown box or to the post office boxes. Those packages have to be picked up at the FedEx store.

Mr. Tyler stated that the HOA will need to create a process for managing the boxes and decide how to pay for it. When people lose keys or when a mailbox has to be rekeyed after someone moves, the cost to change out a lock is \$45 to \$50. The old owner cannot give the key to the new owner because the post office has to physically change the addressee. Mr. Tyler stated that it is an HOA administered service, which means that the HOA can charge for it but they do not have to. The Board needs to determine how the HOA should absorb the cost of operating the mailboxes.

Someone noted that when a property is sold there is an HOA transfer fee. He suggested that the Board increase that fee to include the cost associated with the mailbox. Mr. Tyler replied that it was an option, but the fee structure cannot be changed until the Annual Meeting when the members can vote on it. He remarked that another option is to charge an annual fee to have a mailbox. The Board needed to come up with a process that works and one they can agree on from the perspective of

maintenance costs.

Mr. Tyler stated that if another Board member comes in later this evening they would have a quorum, which would allow the Board to at least come up with a process to allow the keys to be distributed with the understanding that there could be a cost associated with it. Mr. Heath thought the Board could also vote on a cost. Mr. Tyler did not believe the Board has the purview during a regular Board meeting. The Bylaws prohibit changing the fee structure outside of the Annual Meeting.

Someone suggested that the HOA insure the mailboxes against vandalism and theft. Mr. Tyler would follow up with the insurance broker.

Cabins built on HOA property

Mr. Tyler reported that Robert Rosing, HOA Counsel, sent the Board a letter regarding the lots to the two individuals who own the cabins built on HOA property. He provided language in a demand letter. Mr. Heath did not believe one of the cabins was on HOA property. Mr. Tyler disagreed. He thought both cabins were on HOA property.

Mr. Tyler suggested that he and Mr. Heath meet outside of this meeting to review the language and make sure it is appropriate. Mr. Tyler noted that the Board previously voted to authorize Mr. Rosing to send the owners the demand letter subject to review. He did not believe further action was required by the Board.

North Summit Fire District Barbeque

Mr. Tyler announced that the North Summit Fire District will hold a barbeque on the Ranch on August 26th to inform people of their intention to build a permanent fire station on the Mountain. The fire station will be located in the vicinity of the connection between Arapaho, Forest Meadow and Pine Meadow Drive.

Someone asked about the current procedure for fighting fires. Jody stated that currently there is a brush truck, a mini-power, a water tender, a rescue truck, and a small side by side on the mountain. There are fire hydrants throughout the Ranch. Someone asked how a property owner could find the closest hydrant to their property because she had not seen one on her road. Mr. Tyler stated that the hydrant locations are identified on the Water Company map.

Mr. Tyler encouraged everyone to attend the Fire District Barbeque on August 26th. It was also noticed on Facebook and on the website.

New Business

Fire and Fire Pit Liaison

Mr. Tyler reported that he had spoken with Alan Powell, a former Board Member and a current volunteer with the Fire District. Mr. Powell was willing to remain on as the fire liaison with the Board to provide recommendations and to be the check person for fire pits and fines. Mr. Powell did not want to issue fines or sign fire pit agreements, but he was willing to inspect fire pits and provide a recommendation to the Board to approve or deny. He was also willing to attend the meeting and document a violation of the fire code and provide a recommendation as to how the Board should act to address it. The Board would take the physical action to address the issue.

Mr. Tyler pointed out that the HOA is very strict about the fire guidelines. Someone asked about the fine. Mr. Tyler replied that it depends on the type of fire. For example, a home was under construction and the workers decided to build a fire in the driveway and burn material as opposed to hauling it off. They left the site and left the fire burning. Mr. Tyler stated that there was a fine for having a fire when fires are prohibited, a fine for burning materials that are prohibited to burn, and a third fine for an unattended fire. In that particular incident they paid three fines in the amount of \$1500.

Mr. Tyler noted that they take a no-tolerance approach. There is no warning and fines are imposed on the first offense. If the "no fire sign" is posted and someone has a fire, it is an automatic fine. Mr. Tyler remarked that the restriction only applies to Ranch properties. Off-Ranch properties must abide by the Summit County fire requirements. If the County has a fire ban in place and a Ranch owner sees a fire on one of the off-Ranch properties, they can contact Summit County and report it.

Mr. Tyler stated that he had planned to officially volunteer Mr. Powell this evening but that would have to wait until they have a quorum.

Additional Gravel Budget

This item was tabled until a quorum is present.

Area 3 Representative

Mr. Tyler noted that Barry Eisen, Lot PI-E-01, would be appointed as the Area 3 Representative but there were not enough Board members to appoint him this evening.

Forest Meadow Plowing

Mr. Tyler stated that they were potentially six to eight weeks away from the first snow. He recalled that the intention last year with the budget that was in place was to maintain the same as they have in prior years, which was Tollgate Canyon from the freeway up to the gravel pit, around the corner to the connector around Valley View where it connects to Honey Parker's house. They also plowed Arapaho straight through to Forest Meadow. Those are the planned routes and there is a budget to cover last winter and the first part of this winter.

Mr. Tyler stated that the HOA provided relief last year for Forest Meadow Road from the connection to Tollgate Canyon up to Junction Court past the depot house. The Board had discussed continuing to do that because there are very few people on that particular route and it is a primary access to and from the Ranch from an emergency perspective. However, there is not enough money to fund it, and they do not have the equipment or help to do it. Mr. Tyler noted that it is already difficult for Jody to keep up with the workload he has. If there is a five-day storm, parts of the connector do not get plowed unless someone comes up and helps.

Mr. Tyler stated that there were three issues for the Board. The first is whether they wanted to plow that section, and he thought it was clear from previous discussions that that they should. The second issue is how to pay for it. He believed the answer is to wait until they address the 2018 budget. Whether they might raise fees to accommodate the additional cost or reshuffle how funds are allocated would be a discussion for the Board. He noted that the budget meeting typically occurs in October or early November and the Board will determine the best approach at that time.

Mr. Tyler stated that getting Jody a helper was another factor in determining how much could be plowed. He reported that an individual who lived on the Ranch has expressed an interest in the position; however, he personally decided that it was not a good idea because he did not want any perceived conflict of interest. If someone is a member of the HOA he was uncomfortable having the HOA pay them as an employee. He thought it was important to avoid any potential problems or issues.

Someone suggested that they keep both sides open, use the HOA fees, and keep the connector open with the other fees. She pointed out that no one uses that connector unless there is an emergency or the road is blocked. Mr. Tyler thought it is only a good solution if they know when an emergency is going to happen. He stated that Jody did

not have time to do anything more than the gravel pit to the freeway in a large storm. It is a manpower and equipment issue. Mr. Tyler stated that Jody had found another plow truck to possibly purchase, and with two operators they would have the ability to plow both roads. It did not make sense to hire another person without having another piece of equipment for that person to use.

In response to a question about the sand shed, Mr. Tyler stated that currently Jody sands a portion of Forest Meadow "glass hill" on a regular basis using the equipment they have. They do not sand above that. He believed there were only a couple of areas that get bad enough to sand and he thought those areas could be accommodated with what they already have.

After a general discussion about plowing roads and blowing roads, as well as which roads should be plowed, Mr. Tyler remarked that Jody has done a significant job in maintaining the portions of the road that the HOA maintains. He explained that the Board was looking at expanding that capacity to include Forest Meadow Road and make the loop around.

Someone asked if the plan to purchase a new truck and hiring another person to maintain the section from Junction Court down was a definite decision now or something that would not happen until January 2018. Mr. Tyler stated that it was on the agenda this evening for discussion and a Board vote, but since they lacked a quorum it would have to wait until the next meeting. He was asked if the Board would consider using someone who was already doing that area. Mr. Tyler replied that it was a possibility, but his preference would be for the HOA to control it from a maintenance perspective. He pointed out that the Board decided and voted two months ago to hire a full-time assistant for Jody. Once that full-time assistant is hired, there will be additional capacity for that person to plow additional areas. The question is how to best utilize that additional capacity.

Mr. Tyler stated that he would keep putting Forest Meadow Plowing on the agenda until it is resolved. Those who were interested in the outcome should attend the next meeting.

Mr. Tyler stated that the items that were discussed this evening but could not be voted on because they lacked a quorum he would send in an email format to try to get them resolved before the next meeting. He would craft language to the Board members requesting a vote. Mr. Tyler explained that an email vote has to be unanimous. It is based on the premise that if any member of the Board wants further discussion on any particular item, they have the ability to delay action on that item until the next regularly

scheduled Board meeting. He offered to provide communication on the website or Facebook for the items that were resolved by email vote.

Monthly Budget Review

Mr. Tyler noted that the Board could not review the monthly budget or vote to pay the unpaid bills because they did not have a quorum present. He and Mr. Heath would sign the checks this evening and the Board could vote by email to pay the unpaid bills and actually send the checks.

Owner/Visitor Open Forum

There was a repeat of the mailbox discussion in terms of fees, obtaining keys, maintenance, and insuring the mailboxes.

There was a discussion regarding the Blue Sky cows. Mr. Tyler noted that a number of emails have circulated. He thought Jake at Blue Sky has been easy to work with. Several people pointed out that they have talked with Jake several times and he continues to say the same thing but nothing has changed. He said if people report back to him when they see his cows he will be there in 30 minutes to handle it. Someone stated that with her dogs she personally drove 30 head of cow out of her property this morning while she was on the phone with Jake. She threatened to call the Sheriff and he refused to talk to her after that.

Mr. Heath stated that he had issues on his property and Jake came every time he called him. Someone stated that he sometimes comes and drives out two or three cows and never comes back for the rest. Mr. Heath noted that it was a problem with the fences that were cut. People have been known to remove the gates and the fences. It is a popular area for poachers. Jake was having new fences and gates installed the next day.

Mr. Tyler understood that the fences were cut. The cows are all over the Ranch because once they get out they spread. Mr. Tyler pointed out that this was a civil issue and not an HOA issue. He, Dan Heath and Pamela Middleton have reached out to Blue Sky to try to get them to resolve the issue. Blue Sky appears to be responsive but they have only been talking the last few days. Mr. Tyler understood the frustration of the property owners who have been trying to get it resolved and he suggested that they contact the Sheriff. Mr. Tyler also felt that because they are Blue Sky cows, Blue Sky has the responsibility to monitor their fence to see who is creating the problem by trespassing.

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There was nothing further to discuss and the meeting was adjourned.

The Board members, David, and Jody moved into Closed Session to discuss the Ranch Manager Assistant position.

The meeting of the Pine Meadow Owners Association Board adjourned at 8:00 p.m.
