



Mountain Views

Pine Meadow Ranch Owners Association

Fall & Winter 2002

Presidents Message

We have completed one of the largest projects in recent years, the wash out on Porcupine Loop road. Repair to Tollgate Canyon road will start in October. We were able to grade and mag water the main roads within the ranch, move the shed down by the freeway, install new road signs and replace those that have fallen down.



Merrill has done an excellent job this year as the Ranch Manager. If you get a chance let him know how much you appreciate the fine work he has done.

Please take note that effective January 1, 2002 the HOA has been assessing a \$2500 impact fee for new construction, and will continue in accordance with the rules and regulations. Also effective January 1, 2002 the Uniform Rules and Regulations for the Governance of Road Services, Parking Lots, and Common Areas of Pine Meadow and Forest Meadow Ranch went into effect. You can get copies of all Pine Meadow Ranch documents at the Copy Depot in Park City, and Original Copy and Print in Sugerhouse.

Thanks to all of you for adhering to the **NO Fire** restrictions. This has helped us get through another dry year without major problems.

The speed people are traveling on the roads and trespassing are still major issues. We need to slow down and stay on the roads.

Trailers-Bring 'EM Down



Have you got a trailer up on the ranch, even one with a wood shelter? Now is the time to remove it down to storage in the valley. Our heavy snow can smash in the roof of even the strongest trailer and the CC&R's (covenants) for Pine Meadow/Forest Meadow requires the

removal of all trailers from the ranch during winter.

Enjoy

The fall season is one of quiet and color at the ranch. Please take time to slow down and enjoy our incredible mountain. Take a walk or drive and enjoy the scenery and wildlife. Hiking, biking and just sitting are great in the cool crisp air of fall.



Annual Meeting

The Annual meeting for the Pine Meadow Owners Association will be held on **November 14, 2002 at 7:00 P.M.** in the auditorium at Kearns High School. The address is



Kearns High School
5525 South 4800 West
Kearns, Utah

The easiest way for most people to get to Kearns High is to take the 5400 South exit off I-15 and travel west through the city of Kearns to 4800 West and turn left. The school is on the hill to the left.

Hunting Season

As you all are aware we are entering hunting season already. It is very important for owners to keep their eyes open this year. Please be aware of your surroundings and what is going on. If you see anyone hunting or shooting please call 911 and the Fish and Game at 800-662-3337. Merrill and Jim Chandler will be handling deer hunt security this year, you can also contact them. We would like to express the importance of keeping our ranch safe, not only for our families, but also for the wildlife. We



have heard that there are hunters coming into the ranch (trespassing) and flushing the animals out of the Ranch boundaries then shooting the animals. If you come into a situation such as this please make the call.

Fish and Game North Region 801-476-2740
Poaching hotline 800-662-3337
Sheriff 435-783-4356 or 911

ATV's & Off Road Vehicles



The Home Owners Association has received several complaints regarding ATV's and Off Road Vehicles. Some of the complaints include: Speed, number of adults and children riding on the vehicles, age of the operators, and finally the noise. Some of these issues need to be addressed to each and every operator of off road vehicles. The speed limit on the Ranch is 15 MPH.

This includes ATV's and Off Road Vehicles. We need to ensure that we are slowing down when driving around the ranch. If you would like further information on the requirements for driving an ATV or any other type of Off Road vehicle please visit www.parks.state.ut.us.

Elections



With fall on the way it is time to think about electing new members to the Pine Meadow Owners Association Board. The elections will take place at **the Annual Meeting held on November 14, 2002.**

The positions that are open and need to be filled are; Vice President, Area 1 Representative, Area 4 Representative, and Area 7 Representative. You must be current on your HOA dues as of 30 days prior to the election and own property in the areas 1,4, or 7, to run for an Area Representative position. The Vice President position is open to all members in the ranch that are current with their dues as of 30 days prior to the election.

If you are interested in running for any of these positions please contact Scot Erickson from the PMROA nominating committee at (435) 901-2785 or e-mail at scot@apsides.com. **The deadline for submitting your name is October 14, 2002.**

Snow Removal



PMROA will be contracting to have tollgate canyon plowed to the gravel pit again this winter.

The gate at the gravel pit will be closed and locked for winter use starting November 18th. If you need a key, send a written request to the PMROA with \$5.00. The PMROA is issuing one key per lot.

If you intend on plowing or hiring someone to plow any other road within the ranch boundaries you need to submit your proposal to the PMROA board. This needs to be done each year. The PMROA board will issue a new contract if the proposal is approved. If you have any questions please contact the PMROA board.

Volunteers Needed



We are looking for volunteers to be part of the election committee. If you are interested please contact Scot Erickson at (435) 901-2785. You cannot be a volunteer if you are running for a position or are related to a candidate.

By-Law Revisions



One of the important things that we would like to discuss at the Annual Meeting is the revision of the PMROA By-laws. The purpose of this would be to go over the revision made to Article Six the election process. To have a change in the By-laws, you must have read the proposed changes before the Annual Meeting. We will go over the proposed changes and then vote on the revision. Below is the proposed change to Article Six and the current PMROA as they stand now.

PROPOSED BY-LAW REVISION ARTICLE SIX

ARTICLE SIX ELECTIONS

Section 1. Nominations: The executive committee will appoint a nominating committee at least 60 days prior to the scheduled annual meeting. Written notice of the eligible positions, along with an invitation to submit nominees, and procedure for submittals will be sent to all owners 30 days prior to the scheduled annual meeting. To be eligible for an Area

Representative you must be current on your HOA dues as of 30 days prior to the election and own property in the area in which you are running for. To be eligible for a Executive position you must be current on your HOA dues as of 30 days prior to the election and own property within the ranch boundaries. The nominating committee will submit a slate of qualified candidates to the Executive Committee no later than 15 days prior to the mailing of the ballots. Eligible candidates will be presented to the voters in person at the annual meeting.

Section 2. Elections: Offices up for election on the board will be voted on using a mail in ballot. A notice of eligible candidates including their statements and biographies will be sent to all owners in the ranch. A numbered ballot including voter rules and regulations will be sent along with this notice. The ballots will be mailed one day after the annual meeting, and will be due (postmarked) no later than 20 days after the annual meeting. The election committee will review and tally the ballots. A list of newly elected members will be announced in the next newsletter. The successful candidates will assume office on the first day of the next January.

Article Two, Section Five

Vacancies: The board may appoint individuals to vacant positions. All appointments are temporary. The position is up for election at the next regularly scheduled election. The appointee serves until the elected person starts serving. The newly elected person serves out the balance of the original term.

Current board members may be appointed to vacant positions. If they accept the appointment they automatically resign from their prior position. Like all appointees they serve in the appointed position temporarily until the next election fills the position.

Current board members serving in elected offices, which are not up for election, may run for another office. If they are not successful in being elected to the new office, they may continue to serve in the office to which they were elected until their term expires.

Article Six, Section Three

Term of Office: All board members will be elected for a term of three years. Terms are staggered so that no election will replace a majority of the HOA board. Staggered terms

retain experience, consistency and continuity in the board enabling better service. In order to keep the staggered terms in synch the term of positions are not affected by vacancies. When vacant positions are filled by appointment or elections the term is the remaining balance of the original term.

Article Seven (NEW) Section Five

Board Member Attendance: Board members must be available for the majority of board meetings. If a board member is unable to attend at least half of the board meetings for three consecutive months, without notification to the Executive Board, they may be replaced at the board's discretion as though it was a vacancy.

By-Laws as they currently stand

PREAMBLE

These by-laws for the Association govern the Association and its Board of Directors under the Articles of Incorporation of the Association set up under the laws of the State of Utah. They are binding upon the Board of Directors as well as the property owners of the Pine Meadow Ranch Owners Association, their heirs or assigns, and will run with the land. The Association shall take whatever action is deemed necessary from time to time for the best interest of the members of the Association as such. The Association is a non-profit, non-share issuing corporation.

ARTICLE ONE

Section 1. Eligibility: All owners of property within the boundaries designated as Pine Meadow Ranch, including the tracts known as Forest Meadow Ranch are members of the Association.

Section 2. Voting Rights: Members in good standing (those with all Association assessments paid in full) shall be entitled to one vote for each lot owned. Combined lots are entitled one vote. When more than one person holds an interest in any lot, the vote for such lot shall be exercised as the owners determine, but in no event shall more than one vote be cast with respect to any lot.

Section 3. Voting Districts: Membership is divided into seven voting districts of approximately equal memberships.

ARTICLE TWO

Section 1. Management: The management of the Association shall be vested in the Board of

Directors, consisting of the President, Vice President, Secretary, Treasurer, and a board member from each voting district. These members shall serve without compensation and shall have equal voting rights within this governing body. All board members must be members in good standing in the association.

Section 2. Authority: The Board of Directors shall have the authority necessary for the administration of the affairs of the association including, but not limited to, those outlined in these by-laws.

Section 3. Executive Committee: The president, Vice President, Secretary and Treasurer of the association shall constitute the Executive Committee.

Section 4. Votes: Each board member will have one vote. Decisions of the board and those of the executive committee will be determined by a majority of those present. An attendance of fifty percent of its members at any official executive committee or board meeting shall constitute a quorum.

Section 5. Vacancies: Any vacancy occurring on the board will be filled by appointment by the Board of Directors. Vacancy will be filled at the next election.

ARTICLE THREE OFFICERS

Section 1. Duties: The duties of the officers shall be as follows:

President: The president shall be the chief executive officer of the association, shall preside at all meetings of the board, executive committee and general membership, and shall have the authority and responsibility necessary to the administration of the association.

Vice President: The vice president shall serve in place of the President in the absence of the president and shall perform such other duties assigned by the executive committee.

Secretary: The secretary shall keep the minutes of all meetings of the board, executive committee, and the association, have charge of such books and papers as the president may direct and shall perform such other duties as are normally performed by secretaries as well as any other duties as assigned by the executive committee.

Treasurer: The treasurer shall have the responsibility for the association's funds and shall be responsible to see that full and accurate financial records and books are kept. The

treasurer shall supervise the preparation of documents necessary for adults, budget presentations, and other reports, and perform such other duties as assigned by executive committee.

ARTICLE FOUR INDEMNIFICATION

Section 1. Liability: Members of the board of directors of the association: (i) shall not be liable to the members as a result of their activities constituting a mistake of judgment, intentional acts, negligence or otherwise, except for individual willful misconduct or bad faith; (ii) shall have no personal liability in contract to a member or any other person or entity under any agreement expressed or implied, instrument or transaction entered into by them for the association; (iii) shall have no personal liability arising out of the use, misuse or condition of the Ranch, which might in any way be assessed against or imputed to them as a result or by virtue of their capacity.

Section 2. Indemnification: The association shall indemnify and hold harmless any director, including heirs and personal representatives, from and against all personal liability, all expenses, including attorneys' fees, incurred or imposed, arising out of or in settlement of any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, or investigative, instituted by any persons or entities, where the director is or shall be threatened to be made a party be reason of membership on the board of directors, except that such liability or expense may be attributed where willful misconduct or bad faith is found. The right of indemnification shall not be deemed exclusive of any other rights to which such person may be entitled as a matter of law or agreement, vote of members or otherwise. Indemnification by the association as contained herein shall be by action of the board of directors and shall constitute a common expense.

ARTICLE FIVE REVENUE AND ASSESSMENTS

Section 1. Annual dues: Annual dues may be established by the board of directors and approved by a majority of the membership present and voting at the annual meeting of the association.

Section 2. Special Assessment: Special assessment for operation of the association may be made by the board of directors to members of the association or members within selected

areas of the ranch provided a majority of members affected and present at the annual meeting or at a special meeting called for the purpose of the special assessment vote in favor of such an assessment.

Section 3. Default in Payment of Assessments and Dues: All members shall be obligated to pay the dues and assessments established by the board and membership as indicated above. The board of directors shall take prompt action to collect from a member any charges due which remain unpaid for a period of 90 days. The member will pay all costs of collection including attorney's fees and court costs expended to collect the delinquent amounts.

Section 4. Interest: Interest at rates as established by the board will apply to all accounts over 30 days old.

ARTICLE SIX ELECTIONS

Section 1. Nominations: the executive committee will appoint a nominating committee at least 45 days prior to the scheduled annual meeting. Written notice of the nominating committee's appointment along with an invitation to submit nominees of eligible positions and a description of the procedure for submitting names will be sent to all owners within the association no later than ten working days after the appointment of the nominating committee. The nominating committee will submit a slate of qualified candidates to the executive committee no later than thirty days prior to the annual meeting. Notice of those running for each position to be filled will be sent to all owners within the association no later than 15 days preceding the annual meeting.

Section 2. Elections: Vacancies on the board will be elected at the annual meeting of the owners of the association. The election will be conducted under the direction of the nominating committee and announcements of the candidates receiving the largest number of votes will be made before the meeting adjourns. The successful candidates will assume office on the first day of the next January.

Section 3. Term of Office: All board members will be elected for a term of three years. These terms will be staggered so that approximately one-third of the board and officers are elected each year.

ARTICLE SEVEN MEETINGS

Section 1. Board and Executive Committee: The board shall meet at least quarterly. The executive committee shall meet at least monthly. Fifty percent of the membership shall constitute quorum.

Section 2. General Membership: The general membership shall meet at least annually for the purposes of electing board members, voting on dues and assessments, and such other items as the board may deem appropriate. Those present shall constitute a quorum.

Section 3. Special Meetings: the president may call special meetings at any time.

The president will also call a special meeting if at least two thirds of the members request such a meeting in writing. Those present shall constitute a quorum.

Section 4. Authority to Call Meetings: All meetings of the association shall be called by the president with at least 30 days written notice given on the annual meeting and, except for emergencies, at least two weeks verbal or written notice being given those expected to attend special board and executive committee meetings.

ARTICLE EIGHT BY-LAWS AMENDMENTS

Adoption of an amendments to by-laws will be made by a majority of members in good standing present at any regularly scheduled annual meeting providing proposed amendment have been sent out to members in advance of the meeting.

Land Sales

PMROA board has elected to sell the land that the PMROA owns. There are several lots inside/outside of the ranch boundaries. The CC&R's require a majority vote from the members to do this. The PMROA will be conducting this vote at the annual meeting. PMROA board would use the money from the sale of the property towards the improvement of the roads and parking lots at the gravel pit. Lots will be sold as needed.



Owners Association Officers:

Scott Boyle- President	801-233-9254
Dan Heath- Vice President	801-599-9348
Scott Erickson- Secretary	435-901-2785
Ken Olsen- Treasurer	801-294-0943
Jeff Jensen- Area 1	801-560-9809
Scott Clausen- Area 2	801-969-1883
Roger Barrus- Area 3	801-292-2266
Tracy Schilly- Area 4	801-641-8044
Steve Howard- Area 5	435-901-8092
Andy Walshe- Area 6	801-558-0534
John Begerson- Area 7	801-266-6991
Merrill Nelson- Ranch Mngr	801-942-3378

Dumpsters, Dumpsters What Can We Do?

To those of you who clean out your cabins and throw your building materials, bedding, mattresses, furniture etc. in the dumpsters, please be considerate of the other owners who have regular trash to dispose of. If you are cleaning out your cabin take the trash to the dump. The dumpsters are becoming an eye soar to the entrance of our ranch when they are spilling garbage over onto the ground. Remember that the garbage men do not get out to pick up the trash on the ground. If you see the dumpsters are full please be courteous and take your trash home instead of pilling it up outside the dumpsters.



Mountain Views is published by Pine Meadow Ranch Owners Association. If you have any comments, suggestions or material that you would like included in the next edition, contact Jamie Boyle at 281-0361 or via e-mail at jboyle@utah.gov
