

PINE MEADOW RANCH OWNERS ASSOCIATION
MONTHLY BOARD MEETING
UNIFIED FIRE STATION 106
2270 EAST 3435 SOUTH
SALT LAKE CITY, UTAH 84109
APRIL 17, 2012

In Attendance: Hutch Foster, Dan Heath, Bob Burdette, Suzanne Larsen, Jeff Hubbard (Area 2); Alan Powell, (Area 3); Bruce Hutchinson (Area 5); Tom Deaver (Area 4)

Ex Officio: Jody Robinson

Nick Boyle, Mike Gonzales and Matt Brown were excused

Guests: Tony Tyler, Lot D-33.

Hutch Foster called the meeting to order at 6:30 p.m.

Approval of Minutes

March 20, 2012

MOTION: Dan Heath moved to APPROVE the minutes of March 20, 2012. Jeff Hubbard seconded the motion.

Tom Deaver referred to page 2, ECC Plan Review, and corrected his comments regarding the GPS to accurately read, "Tom said the new GPS is more accurate, but when there is a conflict the courts have been saying that they go with the *Link and Compass*".

Tom Deaver referred to page 8, and the sentence, "Mr. Deaver recalled a previous discussion regarding snow tire chains and asked of those chains had been acquired". He corrected the typo of to if.

Mr. Foster called for a vote on the minutes as amended.

VOTE: The motion passed. Bruce Hutchinson abstained since he was absent on March 20th.

Owner/Visitor Open Forum

Mr. Foster read correspondence from James Dobson, Lot FM-C-56, on Shady Lane commenting on the size of the rocks and requesting gravel. Jody agreed that Shady Lane was very rough and needed gravel. It was a top priority road for repairs this year.

Mr. Foster reported that an owner, Lot FM-D-102A had mailed his assessment to his

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home address. He did not favor receiving mail at his home and he waited until this meeting to give Mr. Burdette the check. He hoped the owners had not incurred a late fee. Mr. Burdette explained that the check was mailed to Mr. Foster in protest because the owners have lived on Forgotten Lane for 37 years and they paid \$300 a year for those 37 years. Mr. Foster questioned whether they had actually paid that amount in the 1980's. Mr. Burdette concurred. They complained that no work has been done on their road in 37 years, with the exception of the times listed when Forgotten Lane had been improved.

Mr. Foster stated that he drives Forgotten Lane during the summer. He knows that work was done on the top end when there were drainage issues. The bottom was also worked on where it eroded away. The middle portion of Forgotten Lane is the nicest. He noted that the beautifully crowned and graveled road that was shown in a slide presentation a number of years ago was Forgotten Lane. Mr. Burdette stated that the Association has documentation of improvements made to Forgotten Lane. Mr. Burdette accepted the check and noted that it would be deposited.

Mr. Foster remarked that Forgotten Lane would be looked at again this year, the same as they do with all 30+ miles of Ranch road every year, and prioritize the work appropriately. Mr. Burdette believed the Board was judicious in how they plan for road repairs.

ECC Plan Review

There were no comments or building plans submitted.

Water Board Update

Mr. Foster reported that the Water Company held their annual dinner meeting this month and there was nothing new to report.

Plans were still underway for developing the well in Tollgate Canyon. Ted Barnes was working on easement agreements. Mr. Foster had spoken with Mr. Barnes that day and he was told that no one holds a deeded easement on that road and that it was a historic right-of-way. The Owners Association holds some type of document that cedes any rights that might exist to the Board. Mr. Barnes will be bringing a proposal to the Board asking that the Owners Association grant whatever easement is within their power to the Water Company to run a water line in order to obtain State funding. Mr. Hutchinson remarked that someone obviously owns the area but there is a right-of-way through it. He was having a hard time understanding how that easement could be ceded to the Water Company because it belongs to everyone as an easement. Mr.

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Foster explained that the actual land is owned by the adjacent landowners; but no one owns an actual easement. Mr. Hutchinson was satisfied with that explanation.

Mr. Heath suggested that Mr. Foster ask if the Association could grant the easement through a quit claim deed to the Owners Association and the Water Company, saying that if Pine Meadow Ranch owns the rights the Water Company can share it.

Mr. Hutchinson asked what excavation would be required to tie into the existing system. Mr. Foster replied that they would have to trench along a mile of the paved road. He assumed it would be the creek side, since the power was on the other side. Mr. Deaver noted that the creek changes above Oil Well and he asked if the power also changed. Jody stated that the power switch is right at Moss' driveway, Lot SS-146-C-2, that goes into their cabin.

Mr. Foster stated that the Water Company would need an agreement with the *Ranch Owners* to restore any roads they disturb to at least the condition it was in before the work started, or further improved. Mr. Foster remarked that it was a significant project, but if the well produces the way it tested, they would have enough water source for build out.

Ranch Manager's Report.

Equipment status

Jody reported that he put in a new sender unit in the fuel tank. The driver's side wheel bearing on the dump truck was starting to leak oil again. He believes the bearings are getting bad and he plans to have Bill Alderman work on the dump truck. Jody stated that Bill Alderman was interested in the blue plow that came with the dump truck, and he was willing to trade the plow for mechanic work. Mr. Burdette pointed out that the plow was never heavy enough for the type of work on the Ranch. The plow has already been replaced. To avoid any misunderstanding in the future, Mr. Foster thought they should place a dollar value on the plow and make sure that Bill Alderman invoices against that value on his work.

Jody stated that the grader was in good condition. The cutting edge was still good and he has a spare cutting edge when the old one needs to be replaced. The roller is in good condition; however the radiator needs to be worked on. Unfortunately, Caterpillar no longer makes that radiator. If he continues having trouble he will have to take the radiator to Salt Lake and have it cleaned. Mr. Foster thought Jody should pull the radiator and take it to Salt Lake to be serviced and cleaned now before it gets heavily used this summer. Mr. Burdette concurred. Mr. Heath noted that there was a radiator

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place by the Sinclair that Jody could take it to.

Mr. Deaver stated that if Jody ends up needing a new radiator, he should check with Western Auto Radiator on approximately 6th South and 3rd East. If the two end caps can be saved, they will cut brand new cores to fit the size of the radiator. It is less expensive than buying a new radiator.

Projects completed or in progress

Jody reported that the only project has been pushing snow and doing the runoff. He also painted the shop and built a bench in it. There would be a charge from Home Depot for wood and paint for the bench. Jody requested tools for the shop to work on the equipment. Mr. Foster suggested that Jody provide a list of the tools he needs and approximate cost for the Board to consider at the next meeting.

Jody had spoken with Brandon and he was available to work with Jody for the summer. Mr. Burdette recalled that the Board gave Jody the discretion to hire Brandon whenever he was ready for him to start. Jody stated that he would start Brandon May 1st because he was already grading and they were close to starting weed control. Mr. Foster remarked that shovel work needed to be done in the bar ditches down Tollgate.

Anticipated projects

Mr. Heath reported that he and Matt Brown had discussed areas where road base was needed on Forest Meadow. A few places also need asphalt patching.

Mr. Heath requested that the Board look into guardrails or boulders by Axel's pond for safety reasons. Mr. Burdette recalled that years ago they talked about dumping dirt into Axels Pond to push the pond uphill and widen the road. The problem is that Pine Meadow does not own the land or the road that crosses that pond. Mr. Foster thought the first step would be to talk to the owner. Mr. Heath volunteered to contact the owner. Mr. Powell suggested that taking the road from the other side would be easier than filling in the pond. Mr. Deaver stated that if this comes to fruition and they obtain permission to widen it, large rocks on either side would be less expensive than guardrails. Mr. Foster stated that his observation of using boulders to line roads is that it does not work on steep hillsides. Mr. Foster was willing to discuss options to make the road safer. Mr. Deaver clarified that he was not in favor of guardrails because they were expensive to install, maintain and repair.

Mr. Deaver asked if anyone had suggestions on what to do with the last part of the curve on Salt Box. He liked the idea of using boulders there also. Mr. Foster believed

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they would face the same issues with boulders in that area. Boulders would have to be built ten feet high. Boulders on a 30 degree shoulder roll off and create snow removal difficulties. Mr. Burdette remarked that guardrails and boulders interfere with snow removal.

Mr. Foster tabled further discussion on making the road safer until Dan Heath has the opportunity to talk with the owners and research options.

Old Business

Deer Meadows Update

Mr. Foster reported that Pete Gillwald, the land planner for Doug McAllister, had contacted him asking to discuss proposals. Mr. Foster made it clear that Mr. Gillwald could attend a Board meeting or he could present his proposal to Mr. Foster. If it were the latter, Mr. Foster would give his personal comments but he would not speak for the Board. Mr. Foster believed his position was aligned with the Board's position. Mr. Foster stated that he was meeting with Mr. Gillwald the next day to hear his proposal. Mr. Foster would keep the Board updated on what was presented. He had spoken with Ted Barnes and Mr. Barnes advised that it would be appropriate for Mr. Foster to meet with Mr. Gillwald. Mr. Foster pointed out that he had letters and emails that support the number of times he told Mr. Gillwald that any comments would be his own and not on behalf of the Board.

Mr. Powell was concerned that as President of the Board, Mr. Foster's meeting with Mr. Gillwald could be misconstrued as Board support. Mr. Deaver pointed out that the minutes from their last meeting indicated that Mr. McAllister has already told people, including the Planning Commission, that the Board supports his project.

Mr. Foster found a photo copy of the previous agreement that was never recorded. Ted Barnes had the agreement and he was considering recording the agreement as a contract rather than recording it against the lots. Mr. Foster noted that the County Council was still waiting for safe conditions before scheduling their travel to visit the Deer Meadow site.

Mr. Burdette assumed that Carol would inform the Board as soon as she receives notification of meetings from the County. Mr. Foster replied that Carol would have read their request in the minutes, but he had not made a personal request. He would contact Carol following this meeting to confirm that the Board would be notified immediately via email when she receives notices from the Planning Department. Mr. Burdette asked that Carol notify all the Board members so those who want to attend

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can adjust their schedules accordingly.

Mr. Deaver stated that *Cheryl Groot* has been actively watching for any activity on the Deer Meadow project. He received an email from her indicating that nothing regarding Deer Meadows has appeared on the County Council agenda for April.

Mr. Foster would report to the Board if his meeting with Mr. Gillwald resulted in anything new or of interest.

Monthly Budget Review

Bob Burdette stated that he had asked Carol to prepare a list of lot owners who still owe money by a breakdown of those in collections, those making payments, etc. The Board would review that list after they vote on the unpaid bills.

Mr. Burdette presented the unpaid bills in the amount of \$10,193.00. Mr. Burdette referred to Jody's paychecks for March 30th and April 15th and explained why there was a discrepancy in the amounts. The March 30th paycheck included for health insurance.

MOTION: Mr. Burdette moved to pay all of the bills as outlined. Suzanne Larsen seconded the motion.

VOTE: The motion passed unanimously.

The Board discussed the Pine Meadow Ranch Owners Association Customer Balance Summary. Mr. Burdette noted that there were still accounts being collected. A portion of accounts was a list of all the property owners who were currently making payments on their balance. The next page were accounts that were turned over to Revenue Recovery for collections. Mr. Burdette indicated another group of unpaid accounts and noted that those were owners who had not yet paid the current 2012 assessment. Mr. Burdette pointed out that if everyone would pay what is owed, the Association would have \$157,000 more this year than what they currently have in the account.

Mr. Burdette remarked that the first step in the collection process is to turn accounts to Revenue Recovery, which is a collection agency. While the account is with Revenue Recovery, it goes through the lien process. Mr. Burdette remarked that Revenue Recovery has been effective in standardizing the procedure and eliminates the Board from having to make the decision to take action on any particular lot owner.

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Mr. Burdette stated that the Board would review an updated Customer Balance Summary in six months to see how effective they were in moving some of the totals.

Mr. Deaver asked if any of the owners who had not paid the 2012 assessment had voted to increase the assessment in January. Mr. Burdette replied that no attempt was made to match up the list of accounts against votes that were taken at the January meeting. Even if that were the case for some balances, the Board could not do anything about it. Mr. Deaver clarified that he was only curious and that he was not proposing to do anything different.

Mr. Burdette clarified that he was not proposing to do anything with the list, other than to provide it for their information as a tool for follow-up.

Ms. Larsen asked how much it would cost to send a self-addressed envelope with the statement. Mr. Foster stated that the address is printed on the statement. Ms. Larsen pointed out that a lot of people do not want to take time to address an envelope. Mr. Foster remarked that those who do not want to address an envelope could call Carol and put it on their credit card.

New Business

Road Work Plans and Projects for 2012

Mr. Foster stated that at the last meeting he asked Jody to obtain bids for asphalt work since the Association had carried over \$75,000 from 2011, and they had more income due to the vote to increase assessment. With the possibility of an outside donor to assist in the cost, it seemed like a good time to consider finishing the paving project.

Jody submitted two paving bids for Board review. One bid was \$163,000 and another for \$136,000 to complete the asphalt work from where it was started in 2006 down to the mailboxes. He and Jody had spec'd the road at 25' wide rather than 16' feet where there was room to widen the road; and in two passes instead of a single pass.

Mr. Foster understood from the Board that there was a sense that single pass was necessary due to rough winter conditions and that a two pass system would quickly be destroyed. He and Jody talked it over and a two pass system is standard paving in many places that have difficult positions. Two pass provides a much better crown and drainage. Mr. Foster stated that if they go with the \$136,000 bid, they would be able to do additional projects this summer. Pine Meadow would have to do the prep work which would involve significant grading and hauling in material. The road would have to be crowned and prepped properly. Mr. Foster stated that the Rotomill would need to be

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broken up to eliminate the pothole edges and that could be done with the Roller. Mr. Foster believed they had the equipment and talent to do the proper prep work.

Mr. Deaver asked about the plan on the edge for the drainage. Mr. Foster replied that they would need to bring in enough material to feather it out with a real shoulder. Mr. Foster clarified that his comments were only proposals to be considered. Mr. Foster remarked that last year a property owner was willing to make a significant donation towards paving the road. He would contact the owner to see if he was still in a position to participate.

Mr. Deaver asked if the paving project would effect moving the mailboxes. Mr. Foster replied that the proposal was to pave that area at the bottom and he did not believe this would impact the proposal for the mailboxes. Mr. Powell pointed out that asphalt would make the corner slicker.

Mr. Foster commented on other projects to be considered, including doing something more substantial on the Forest Meadow side this year. Another option would be to keep all the money within the Ranch and spend it on road resurfacing inside the Ranch. The money could also be spent on a sand shed or a building. He wanted it clear that the discussion was open and not limited to one proposed project.

Mr. Deaver asked about the storage building for sale that the Board had discussed as a possible sand building. Mr. Powell reported that the building sold quickly and it was no longer available. He commented on other ideas he was researching. Mr. Foster outlined the requirements for a sand structure.

Mr. Burdette asked for the status of the tractor with Summit County that the Board had approved Jody to bid on. Jody stated that he was still waiting for Summit County to advertise for bids. Mr. Burdette was hesitant to spend money and then win the bid on the tractor and spend the money again. He asked how soon the Board needed to make a decision on the asphalt. Jody thought the Board should wait until July after the Water Company completes their work in the Canyon. Mr. Deaver suggested that they should pursue pricing. Jody noted that the bids were good for 30 days.

Mr. Deaver stated that the pavement in areas below Oil Well and down by the guard shack were starting to break up. That could be another summer project and he asked if it would require tar and chip or new asphalt. Mr. Foster agreed that those areas required patch work and possible drainage work. Mr. Deaver suggested that it could be done in conjunction with the paving at the bottom, since the contractor would already have the equipment up there.

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Mr. Foster stated that since it was already April, the Board needed to start committing to specific projects. Mr. Burdette estimated that \$180,000 could be spent on projects this year. If \$160,000 goes into asphalt, it would leave \$20,000 to get through the rest of the summer. If they allocate \$10,000 for mag water, that would further reduce the amount. Mr. Foster noted that they would have more money left to spend if they were able to take the \$136,000 bid for asphalt work and had money contributed from the private donor. The Board members thought they should know the definite dollar amount before making a final decision. Jody estimated that he could do the prep work for \$4,000 or less.

Mr. Burdette noted that \$160,000 in asphalt was double what has ever been spent on roads in any one year for asphalt work. He suggested that the Board could consider doing half of the asphalt work this year and the other half next year. At the Annual Meeting a number of people expressed displeasure with the entrance roads into the Ranch. He believed that was eye-opening for the Board because they have concentrated on fixing roads within the Ranch and ignored the entrance roads. Mr. Hutchinson pointed out that the majority of people at the Annual Meeting were full-time users who travel the roads more than the part-time users who did not attend. He believed the comments were biased. Mr. Burdette agreed; however, the opinions were expressed by those who made an effort to come to the meeting.

Mr. Powell commented on other projects that he believed were more important than paving the lower portion of the road. In his opinion paving the road should be a big picture project for the owners to decide. He suggested the possibility of a line item vote for a one-time assessment to pave the road. Mr. Burdette could not support giving the vote to the Ranch Owners because the Board was elected to make those decisions. He believed the Board makes informed decisions based on experience and information relative to the entire Ranch. Individual owners do not have the benefit of the big picture in making their decision. Mr. Foster clarified that he was fine with the road remaining unpaved. However, it is not a stable road and because it is Rotomill, not asphalt, it will continue to deteriorate over time. He pointed out that it is a major complaint every summer. Mr. Foster pointed out that it was unusual for the Association to have this level of funding that paving could even be considered. He asked the Board to recognize that while paving the road may not be a high priority it might be a timing issue.

Mr. Powell stated that he would be comfortable paving the road if it could be done without using their entire budget. Mr. Heath offered to approach owners who have been willing to participate in the past to see if they could obtain additional funds.

The Board tabled further discussion pending further information on donor contributions.

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Based on the significant difference in bid amounts, Jody would obtain a third bid. Mr. Foster asked Jody to price the cost for mag water prior to the next meeting.

Jody pointed out that the Canyon will be closed for part of the summer due to the Water Company project. The suggestion was made to concentrate efforts towards the second entrance since it will be used for most of the summer. Jody believed the Water Company would be finished by July, which is why he recommended waiting until July to start the paving projects. Mr. Foster thought they still should mag water Tollgate because it is a small part of the total budget and it would hold up better under heavy traffic. Jody would also get an estimate for gravel on Pine Meadow Drive, as well as Tollgate.

Mr. Burdette asked if the Board would rather have \$10,000 of mag water or \$10,000 of gravel. He noted that \$10,000 of gravel remains for several years and improves the road long term. Putting down \$10,000 of mag water improves the road for one season. Ms. Larsen pointed out that without mag water the road gets torn up easier. Mr. Burdette agreed that the mag water glues the dirt to the rocks on the road and holds it in place. However, in a major rainstorm they could lose most of the mag water. Mr. Burdette personally preferred to put gravel on the roads that need it. Mr. Foster clarified that graveling roads was maintenance road work. The purpose of mag water is to improve the driving experience on the Ranch during the summer. Out of the total budget for roads, he thought \$10,000 was a reasonable amount to improve people's experience on the Ranch.

Mr. Hutchinson noticed a discussion in the minutes of the last meeting about Jody grading the road for the church. He asked if that issue had been resolved. Mr. Foster replied that the church needs to approach Jody and detail what they want. If the project was reasonable, Jody had the latitude to decide whether to do it based on his time and availability. The church would pay the standard grader rate for Jody to do the work.

Beginning with the May 15th Board meeting, all meetings will be held at the Ranch through October. The Board decided to continue meeting on the 3rd Tuesday of the month. Mr. Hutchinson asked if they should secure a meeting room in Salt Lake for their winter meetings. Mr. Burdette liked the Fire Station because it was quiet with less activity. The new Millcreek Library/Rec Center would have additional activity. Mr. Foster asked if the Library/Rec Center would have room for overflow. Ms. Larsen offered to look into the Library/Rec Center and report back at the next meeting.

The suggestion was made to consider sanding the Forest Meadow Road during the winter. Mr. Foster stated that if they get the tractor they could store sand down low.

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The meeting of the Pine Meadow Owners Association Board adjourned at 8:10 p.m.
