

PINE MEADOW RANCH OWNERS ASSOCIATION  
MONTHLY BOARD MEETING  
PINE MEADOW RANCH  
ARAPAHO DRIVE  
May 15, 2018

In Attendance: Pamela Middleton, Secretary; Andrew Pagel, Treasurer; Jonathan Hoffman (Area 1); Joe Pagel (Area 3); Bruce Hutchinson (Area 5); Kirby Wilson (Area 6);

Ex Officio: Jody Robinson, Ranch Manager; Randy Larson, Assistant Ranch Manager; Robert Rosing, HOA Attorney

Excused: Tony Tyler (President); Tom LeCheminant (Vice-President); Jeremy Jespersen (Area 2); Byron Harvison (Area 7), Robert Waltham (Area 4)

Guests: Matt Brown, Lot SS-144-A; Greg Durkes, Lot FM-D-147; Greg Sperry, Lot FM-D-151; Shane Manning, Energy Homes Builder for Johnson-Dowling, FM-D-89.

Pamela Middleton called the meeting to order at 7:00 p.m.

### **Approval of Minutes**

April 17, 2018

MOTION: Jonathan Hoffman moved to APPROVE the minutes of April 17, 2018 as written. Pam Middleton seconded the motion.

VOTE: The motion passed. Joe Pagel, Bruce Hutchinson, and Andrew Pagel abstained since they were absent from the April 17<sup>th</sup> meeting.

### **New Construction/Additions**

FM-D-89

The builder presented plans for FM-D-89. The property owners were Paul Dowling and Mark Johnson. They lived out-of-town but planned to move to the Ranch. Mr. Hutchinson thought the structure looked like a flat top or low profile, which did not meet the architectural requirements of a 4/12 pitch. He was told that it was a 4/12 pitch. The builder explained how the roof pitch was calculated.

Mr. Wilson noted that "crushed red pepper" was the color listed for the exterior doors. He asked if that was an acceptable color. Mr. Hutchinson stated that the Guidelines have always restricted red colors. Mr. Hutchinson explained that the requirement for the Architectural Committee was to look at colors that were more of a mountain home type setting. However, in Forest Meadow there are homes that do not have mountain colors. He did not believe the plan presented this evening looked like a mountain

home. The question was whether it fits in with the existing homes.

Majority of the Board members liked the house and the design. Mr. Rosing remarked that it was not a subjective decision because the Board has ability to make the determination. Mr. Hutchinson believed conformance with the Guidelines was becoming more of an issue than it has been in the past. People are requesting things that were never envisioned in the past. He thought this design would be considered mountain modern, but his concern was that it did not fit in with the rest of the homes in the area. Matt Brown pointed out that the other homes in the area are 50 years old. He thought there were many different architectural styles on the Mountain.

Mr. Rosing stated that as a Board they were required to enforce the current Guidelines as best as possible. Mr. Hutchinson remarked that he could live with the design if it fit with the surrounding homes; however, he personally did not believe the design belonged on the Mountain. Mr. Wilson thought it would be difficult to deny this house since they had approved a house with a swimming pool last year.

Mr. Rosing thought the issue was the modern/mountain design. It was similar to a house in Silver Springs that had to make several changes before it was approved.

The suggestion was made for the Architectural Committee to make recommendations outside of the guidelines for changes that would make the design more acceptable. He did not think singular vision should capulate only one type of design. Mr. Hutchings thought the Board should ask the contractor and/or the Area Rep to look at the area where this home will be located and think about whether the design comes close to fitting in the area. Ms. Middleton commented on several homes in the area that she would consider to be mountain modern design.

Mr. Rosing suggested that if there are similar structures nearby, someone could take pictures of other structures and email them to the Board for consideration. If the Board still felt that the design was too modern for the Mountain, they could reject it. Mr. Hoffman did not believe were many modern mountain homes in the area. He disagreed that one of the homes Ms. Middleton had mentioned on Forest Meadow was near this proposed home because it was at least a mile away. Mr. Rosing understood that the sentiment of the Board is that this house should not be allowed because it does not meet the Guidelines for a mountain home; but they could make an exception if there were similar modern mountain homes nearby the proposed home. He understood the argument that it should be allowed if a similar home was previously approved, but the Board has the discretion to look at each design individually and make what they believe is an appropriate decision based on that discretion. Mr. Wilson stated that he is part of the HOA and he is a Board member. If there is a problem and they need more

stringent rules, the Guidelines need to be rewritten and voted on by the HOA members. Mr. Rosing noted that Article V of the CC&RS under Architectural Control reads that they can be approved, "as to the harmony of external design and location in relation to the surrounding structures and topography".

Mr. Hutchinson reiterated his preference to have the Area Rep and the contractor visit the area and make the case for why the proposed design should be approved. The builder representing the owner pointed out that when these plans were presented at the last meeting this issue was not raised. The only thing they were asked to do was to eliminate the stucco. They were assured by Mr. LeCheminant that once that change was made it would be approved. Ms. Middleton pointed out that Mr. Hutchinson was part of the Architectural Committee and was not present at the last meeting. Mr. Hutchinson noted that two of the three Architectural Committee members were not present at that meeting.

The Board referred to the Minutes from the last meeting, which states that "Mr. LeCheminant recommended that the Board postpone a decision on the plans submitted until the contractor had a chance to talk with the owner". Mr. Rosing recalled that the discussion related to the siding. The Minutes further states, "If the owner wanted to resubmit plans via email, the Board would consider approving the plans through email". It was noted that plans were never received via email.

After further discussion, the Board decided to table this discussion until all three Architectural Committee members took the opportunity to review the plans and speak with Mr. LeCheminant. In fairness to the owner, Mr. Rosing recommended that the Architectural Committee commit to resolving the matter within a few days. Mr. Wilson texted Mr. LeCheminant and he was available to talk with the Architectural Committee via phone. If necessary, the Committee could step away from the meeting and speak with Mr. LeCheminant so they could possibly make a decision this evening.

Ms. Middleton thought the Board should first address the other owners who were waiting to submit their plans this evening. The Board concurred.

#### Lot SS-144-A

Plans were presented for an addition on Lot SS-144-A. Matt Brown is the owner. Mr. Brown noted that it was only the top floor. Everything else was done. The house was shown on the right and the garage was on the left. The materials and colors would match the existing house. It would be corrugated roof and brown wood siding.

The Architectural Committee had no issues with the plan presented.

MOTION: Joe Pagel made a motion to Approve the plans for the addition at Lot SS-144-A. The materials and colors would match the existing house. It would be corrugated roof and brown wood siding. Andrew Pagel seconded the motion.

VOTE: The motion passed unanimously.

#### FM-D-147

Plans were presented for a new home on Lot FM-D-147, 930 West Arapahoe Drive. The top level is 1251 square feet. The unfinished basement is 1251 square feet. The roof will be brown metal. The siding material is LP Smartside in an earthtone brown color. LP Smartside is an engineered wood with a cedar texture. Concrete methone stone will match the siding and the roof. The stone would only be in the front from the base of the window down.

MOTION: Andrew Pagel moved to Approve the Lot Improvement Plan for Lot FM-D-147. The siding material is LP Smartside in an earth-tone brown color. LP Smartside is an engineered wood with a cedar texture. Concrete methone stone will match the siding and the roof. The stone would only be in the front from the base of the window down. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

#### FM-D-113A

Plans were presented for a house at FM-D-113A, 792 West Arapaho. The owner is Jason Amsler. The roofing material would be dark green. The structure will be a log home in a medium brown color.

The Architectural Committee had no issues with the plans as presented.

MOTION: Bruce Hutchinson moved Approve the plans for the house on Lot FM-D-113A as presented. The roofing material would be dark green. The structure will be a log home in a medium brown color. Pamela Middleton seconded the motion.

VOTE: The motion passed unanimously.

#### FM-D-89 (continued discussion)

Per the earlier discussion, Kirby Wilson had text Tom LeCheminant and Mr.

LeCheminant had responded saying that he personally would approve it. He also pointed out that it looked like the house above Alan Powell. Mr. Wilson thought that had set the precedent for defining mountain vernacular. Andrew Pagel stated that if the builder and the owner were willing to change the red doors to earthtone colors he would be comfortable approving the proposed plans.

Mr. Pagel stated that moving forward, if the Board wanted to define their ideology of mountain vernacular, he thought that discussion should occur outside of a regular Board meeting. Mr. Rosing suggested that they consider tightening up the Architectural Guidelines as part of the CC&R amendments.

Mr. Wilson reiterated his willingness to approve the plans for this house based on comments by Tom LeCheminant. Ms. Middleton liked the house and believed that the massing was reduced because it tucks into the hillside. The majority of the Board members concurred.

MOTION: Kirby Wilson moved to Approve the plans for the house at FM-D-89 subject to changing the red colors to earthtones per the Architectural Guidelines. Joe Pagel seconded the motion.

VOTE: The motion passed. Bruce Hutchinson voted against the motion.

Mr. Wilson thought the Board should better define the criteria for future projects. He clarified that he was willing to approve this home because of the precedent they already set with previous homes that were approved. Mr. Rosing agreed that they would need to revise the Guidelines if this was a precedent they wanted to stop.

### **Ranch Manager's Report**

Jody Robinson expected the new water truck to come any day. They would soon be getting rid of the roller.

Jody stated that they have been limited on what work they could do because of the rain. They were currently fixing signs, cleaning out culverts, and doing equipment repair.

Jody asked the Area Reps to drive around their area and let him know what roads might need work. Ms. Middleton noted Jody's request was important because the Board will be prioritizing summer road projects at the next meeting. She offered to send an email to all the Area Reps asking them to look for problem areas.

Jody noted that he was asked to start posting "road work ahead" signs on the main

roads to alert people to expect road work.

There was a question on whether Lot FM-D-113A that was approved this evening had paid their impact fee. Ms. Middleton asked Carol to follow up to make sure it gets paid since it was approved.

### **Water Company Report**

None of the Board members present had attended the Water Company Board meeting.

### **On-going business**

#### Easement on SS146-X

Ms. Middleton noted that this was the request for an easement to access and build a driveway through an HOA lot. Mr. Rosing reported that he had not followed up with the real estate agent he had spoken to previously. There were a few emails following that meeting and then the conversations ceased. He was unsure whether they were continuing the discussions with Tony Tyler.

### **New Business**

#### Neighborhood Park

None of the Board members were aware of a neighborhood park. Ms. Middleton assumed that because Tony Tyler had prepared the agenda that he had intended to relay the information to the Board.

This item was tabled to the next meeting.

#### CC&Rs Subcommittee

Mr. Rosing recommended that the Board appoint a subcommittee of Board members to work through the questionnaire at an unofficial meeting. Bruce Hutchinson, Kirby Wilson, Andrew Pagel expressed an interest in the subcommittee. Mr. Rosing would send a copy of the questionnaire to all the Board members. Mr. Wilson noted that they would miss the first deadline of May 31<sup>st</sup> for the final questionnaire. He thought they should send out the questionnaire to give all the Board members an idea of what it entails, and whether they would like to be on the subcommittee. Mr. Wilson suggested allowing one week for feedback once the Board members receives the questionnaire. Following that, he would email everyone and try to set up a subcommittee meeting to

discuss the questionnaire.

### Summer Road Improvement List

Ms. Middleton noted that this item was mentioned During the Manager's Report. She would send a reminder to all the Area Reps to provide Jody with a list of problem areas before the next meeting. She would set a deadline of June 1<sup>st</sup>.

Tom LeCheminant called into the meeting. He reported that they typically allot \$45,000 to \$47,000 from construction impact fees into the budget. This year they had already collected \$52,000. Mr. LeCheminant thought they should set aside the additional money for road maintenance; specifically, on the roads that Jody thinks need to be done as soon as possible. For instance, Elk Road needs work and gravel is needed on Lower Forest Meadow where the pavement ends.

After reviewing the Profit and Loss, Andrew Pagel noted that they currently had \$53,000 and the approved budget was \$42,000.

MOTION: Tom LeCheminant made a motion that any funds that exceed the \$42,000 amount allotted in the Budget for the Construction Assessment Fees will go towards road improvements this year.

Mr. Hutchinson wanted to know why Mr. LeCheminant was raising this issue now. In the past the impact fees have been held because construction along those particular areas damage the road. The construction impact fee is supposed to be used to repair the road. Mr. LeCheminant replied that in the past the construction impact fee has gone into the general fund and not to that specific area. Mr. Hutchinson did not understand why they were earmarking the funds specifically rather than leaving it to Jody's discretion. He questioned why it was a necessity this evening. Mr. LeCheminant stated that it was not a necessity; however, he intended to bring it up at the meeting this evening, but he was not able to attend. He clarified that he spoke with Tony about this and intended to make the motion at a previous meeting.

Mr. Hutchinson pointed out that this issue was not on the agenda. Mr. Rosing asked Jody if he would need more for road improvements that what was currently budgeted. Jody answered yes. Mr. Hutchinson asked Jody if he had been given the opportunity to provide input into the amount that was budgeted. Jody answered no. Ms. Middleton noted that when the Board had their Budget Meeting they determined the budgeted number based on the assumption of construction assessment fees.

Andrew Pagel pointed out that last year the HOA did not have enough money to take

care of all the road needs. Mr. Hutchinson remarked that it was also a matter of Jody not having enough time to complete all the roads. He did a great job on the roads right up until it snowed.

Mr. Hutchinson summarized that Mr. LeCheminant was proposing to increase the budget for road maintenance this year, and to pay for it with the extra construction assessments that were not planned for in the budget.

Joe Pagel seconded the motion made by Tom LeCheminant.

VOTE: The motion passed. Kirby Wilson voted against the motion.

### Survey

Ms. Middleton noted that this item was not on the agenda, but she was asked to provide an update on the survey. She reported that they received 56 responses on the neighborhood survey. She had emailed the responses to all the Board members. She had printed out a synopsis if anyone wanted to look through it. Mr. Hutchinson pointed out that less than 10% responded. He questioned whether they had reached everyone. Ms. Middleton noted that it was on Facebook. The survey was not distributed to everyone because they were trying to do it as an informal trial to get sample responses.

Mr. Hutchinson noted that the questionnaire was posted on the website for anyone who wanted to participate. Mr. Wilson asked why it was not emailed to the HOA members. Ms. Middleton replied that it was not an official survey. She noted that it was also posted on the Pine Meadow Ranch lost dog page. Mr. Wilson replied that the lost dog page is also on Facebook and not everyone looks at Facebook or the website. Mr. Wilson thought they should find another way besides Facebook to send information. Mr. Rosing suggested that it would be a good use of the email list.

### **Monthly Budget Review**

Andrew Pagel reviewed the unpaid bills detail. The Capital One bill was for motor repairs on the dump truck

MOTION: Andrew Pagel moved to Approve the unpaid bills as presented in the amount of \$14,633.52. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

### **Owner/Visitor Open Forum**

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
May 15, 2018  
Page 9

Someone presented plans for a 12' x 16', 192 square feet shed. Summit County does not require a building permit under 200 square feet. The roof will be a dark gray metal roof that matches the house. The siding will be wood. The shed will be big enough to house his four-wheeler and for storage. He had a concrete slab for the shed poured last summer when he built his house. The location of the pad was shown on the site plan.

MOTION: Andrew Pagel made a motion to Approve the 12x16 shed on Lot PI-04, 2514 South High Dri Circle. Jonathan Hoffman seconded the motion.

VOTE: The motion passed unanimously.

The meeting of the Pine Meadow Owners Association Board adjourned at 8:16 p.m.

---