

PINE MEADOW RANCH OWNERS ASSOCIATION  
MONTHLY BOARD MEETING  
RANCH MANAGER'S OFFICE  
PINE MEADOW RANCH  
JULY 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); Nick Boyle (Area 7)

Ex Officio: Jody Robinson

Mike Gonzales and Matt Brown were excused

Guests: Doug McAllister, Lot D-13, Lincoln Shurtz, Tom LeCheminant, Lot D-29; Tony Tyler, Lot D-33; Dan Kemper, Lot D-19; Charles and Jane Goldstein, Lot FM-C-62; Cheryl Groot, Lot D-78.

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

### **Approval of Minutes**

June 19, 2012

MOTION: Bruce Hutchinson moved to APPROVE the minutes of June 19, 2012. Bob Burdette seconded the motion.

Tom Deaver referred to page 7, 4<sup>th</sup> line from the bottom and corrected **pass** to correctly read, **past**.

VOTE: The motion passed. Hutch Foster abstained since he was absent on June 19th.

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

Mr. Foster requested that visitors who came to address an item that was scheduled on the agenda hold their comments until the item was discussed later in the meeting.

Cheryl Groot, Lot D-78, thanked Bob Burdette for attending the County meeting in June regarding the Deer Meadows proposal.

Ms. Groot asked Bob Burdette if anyone had responded to the comment made by the Public Works Manager about taking over Tollgate. Mr. Burdette explained that the Summit County Manager had said they were interested in working with Pine Meadow Ranch to advance the SSD. Mr. Foster pointed out that the discussion on SSD was scheduled on the agenda.

Dan Kemper, Lot D-19, thanked the HOA and Jody for the phenomenal roads. Mr. Kemper asked about updating the minutes on the website. Mr. Foster stated that he would update the minutes as soon as he receives them.

Someone referred to the trailers on the lot behind Leon's that were burning a few weeks earlier. He was asked about getting water out of Bobcat to fight the fire and Dan was also asked for water. Mr. Foster stated that the trailers were not on Ranch property and he had no information or details about the situation. He noted that trailers generally carry a water supply and store their own sanitation.

Mr. Foster stated that he has smelled smoke on the Ranch and everyone should know that there is a "no open fire" restriction from the State and Summit County. However, the County allows an open fire in a manufactured fire pit designed for that purpose. Mr. Foster pointed out that Pine Meadow Ranch policy allows no open fires in any containment when the fire hazard is higher above. If there is a State-wide ban and someone sees smoke, the sheriff would be the person to call. Otherwise, the Owners Association has no purview over how people use their land off Ranch property. Zoning violations, improper land use, or illegal activity should also be reported to the sheriff.

Mr. Deaver asked if a propane powered burner in a concrete flagstone outdoor pit would also be banned since it does not produce smoke or sparks. Mr. Foster believed the State and Summit County would consider it a fire in a structure designed to contain a fire. The Ranch policy does not address that specifically, but the Ranch does allow a propane fired flame during the fire bans. If the Board had to address it, the difficulty would be in trying to decide whether it falls under the coverage of an established fire pit, in which case it would be prohibited; or if it fell under the guidelines of a propane fired grille, in which it would be allowed.

Mr. Burdette hoped that people would be extremely cautious with fire this year. Mr. Foster pointed out that the Stake properties and Church Camps have banned all outdoor fire use for the season. He wanted it on the record that the Church has made a responsible decision about fire this year.

### **ECC Plan Review**

Mr. Deaver was contacted by an owner on lower Navaho Road who had plans for a garage. He advised the owner to attend the meeting and bring his plans for the Board to review. Mr. Deaver noted that the owner was not present this evening.

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

Jody Robinson reported that the weed spraying was nearly finished for the year. He has been doing sign repairs, cleaning culverts, and graveling the roads. On Thursday he would start doing Rotomill on Forest Meadows and try to repair Lower Tollgate Canyon.

Mr. Foster still anticipated extensive road work coming from the new well up to Oil Well Road. He thought the Board should be prudent about spending money on Lower Tollgate until that happens.

Jody stated that he would try to get the asphalt work done on Forest Meadows over the next week. He was having trouble finding available dump trucks.

Suzanne Larsen reported that the Water Company plans to go up Tollgate Road to Oil Well Road to build the pump house. No other work would be done this year.

Dan Heath stated that he received three or four calls from residents asking him to thank Jody for the work he did on Forest Meadow.

### **Water Board Update**

Ms. Larsen stated that no work has been done on I-Plat, but the Water Company planned to begin soon. The bids were in and the contract should have been awarded last Friday. The I-Plat project should be completed this summer.

The Water Company detected some leaks and some of the water meters need to be dug deeper. The new well on Tollgate is still going through the scrubbing and pumping process.

Mr. Foster reported that the Tollgate well significantly under produced from what they expected from the test drill. The Water Company was working with a well developer who specializes in wells that silt up when first developed, and there is speculation that the water may not be getting into the well head. Dissolving compounds and hydrostatic pressure is used to remove the drill mud from the sleeve of the well and the silt that packs into the producing gravel. The well was currently going through that process in hopes of improving its productivity.

Mr. Foster explained that the Water Company is mandated by their founding documents

to find source to supply the Ranch to build out. It is unfortunate that the task has been so difficult.

Mr. Foster stated that the Water Company was working on considerations and negotiations for developing the oil well in Aspen Ridge as a potential water source in the future.

Ms. Larsen remarked that research shows that the Aspen Ridge well was deeded over to the Water Company sometime in the past and it would be grandfathered in. If the well does not produce more than the current flow, they may put it through the same scrubbing process as the Tollgate well, or leave it as is to supply the lots it currently supplies.

Mr. Foster explained that Aspen Ridge is a dry oil well that produces water. Six or seven lots have a certain number of acre feet that are deeded out of that well. They are using the dry oil well as their neighborhood water supply at the moment. If Pine Meadow Mutual Water Company moves in and takes the water that belongs to Pine Meadow, they would re-drill the well and continue to give the owners the number of acre feet they have a right to, and take the rest. Mr. Foster clarified that Pine Meadow would have to turn it into a water well because they cannot produce out of an oil well and call it culinary water.

Ms. Larson reported that the Water Company was planning to install five new fire hydrants in I-Plat.

## **Old Business**

### Deer Meadows Update

Doug McAllister and Lincoln Shurtz provided an update on the proposed secondary access and other aspects of the proposal, including the underlying agreement the HOA has with Deer Meadows based on the prior development agreement.

Mr. McAllister recalled from a previous meeting that there was general consensus from the Board that a secondary access would be a major consideration for supporting the Deer Meadows proposal. Mr. McAllister stated that the secondary access appeared to be extremely difficult at this point. The accesses they were looking at were east from the Church property. The Church was willing to work with them since they would also benefit from a secondary egress. A number of roads would be good options; however, the Bates property is leased by Blue Sky. Some of the property is owned by Blue Sky. Mr. McAllister stated that they would not be able to provide access to the freeway

without traversing through some of the Blue Sky property. Most of it would be on Bates property.

Mr. McAllister met with Blue Sky, but they were unable to find any common ground. Blue Sky was not interested in helping to provide a secondary access, even for an emergency situation. Mr. McAllister suggested that as a group, it might be worth trying to put some pressure on Blue Sky. There have been discussions with the Summit County Council, and Mr. McAllister was unsure what type of proposal Blue Sky had submitted to the County. He believed that in the long term public sentiment and pressure from County government might help persuade Blue Sky.

Mr. Burdette asked if Blue Sky gave any idea as to why they were so negative on the access proposal. Mr. McAllister replied that Blue Sky does not want anyone on their property. They have had trouble in the past with 4-wheelers and general traffic and they believe that any improvement or agreement for access would increase the impacts.

Mr. Shurtz suggested that they try to get a temporary use established while they have a cooperative audience with the LDS Church and the Bates to a certain extent. Therefore, if they come back in the future and try to extend further, that much would have been accomplished. Mr. McAllister was willing to take the laboring role and continue to work the negotiations to at least establish a temporary use easement for emergency purposes. He recognized that it does not complete the process, but it would give Pine Meadow Ranch more than they have now. He thought they could also use political pressure to encourage the County Council to address the Pine Meadow Ranch issue when addressing proposals from Blue Sky.

Mr. McAllister pointed out that a gate that the Church keeps locked is what keeps Ranch owners from accessing that road. In the event of a fire, it would be possible to drive down that road to get out. People should be aware that it would be an option in an extreme circumstance. Mr. McAllister understood that it was not the secondary access that the Board had detailed; and that the group had clearly expressed that limited access would not be a consideration for supporting the proposal.

Mr. McAllister would continue to work with the Church on at least the gate access for emergencies.

Since they were unable to obtain the access desired by the Board, Mr. Shurtz asked if they would be willing to go back to the original underlying agreement that Deer Meadows has with the Pine Meadow Owners Association and for the Association to take a neutral position and not oppose the development. He noted that the original

proposal would be a significant density reduction in the currently proposed density. Mr. Shurtz stated that the original proposal was to develop 8 to 9 lots, with the understanding that the non-conforming use currently on the Uncle Tom's Cabin property would be counted as one of the development lots. The total density increase would be 7 or 8 lots in the area.

Mr. Shurtz stated that Summit County made it clear that Pine Meadow Ranch needed to be comfortable with the proposal and the community benefits. He pointed out that one of the benefits offered in the original agreement was that Deer Meadows would join the Owners Association and pay the \$5,000 impact fee. An additional community benefit offered was a 1% perpetual real estate transfer fee on the lots within that area, which would provide additional resources for road improvements in the Tollgate area. Mr. Shurtz clarified that the underlying agreement was a TDR concept where existing density in Pine Meadow Ranch would be moved to Deer Meadows. Mr. McAllister was suggesting the same proposal.

Mr. Deaver clarified that Mr. McAllister would be withdrawing the request for 21 lots and going back to the original agreement for 7-9 lots. Mr. McAllister replied that this was correct. Mr. Foster explained that the original agreement was to be a TDR proposal that would be facilitated as a Summit County planning tool. The current agreement would be that for each permit that Mr. McAllister wanted to add in this new development, he would actually purchase a lot within Pine Meadow Ranch and strip its development rights. Mr. Shurtz remarked that when they went through the process in 2007-2008, Summit County had a TDR process. However, they would now have to do a private transfer agreement with the Owners Association that would be enforced by the County. Therefore, Deer Meadows would have to demonstrate that ability to the Owners Association and Summit County in order to pull a building permit. The function would be the same as a TDR but it would actually be a private TDR and a private real estate transaction.

Mr. Foster asked if the lot could remain with the current owner or if the lot needed to be purchased. Mr. Shurtz stated that it could remain with the current owner, but it would be stripped of any development ability and functionally would become a conservation easement.

Ms. Groot questioned why anyone with a freestanding lot would give up their development rights. The owner would never be able to sell the property because it would be unbuildable. Mr. McAllister and Mr. Shurtz cited examples of situations where it could be beneficial for a property owner to give up his development right. Mr. McAllister was confident that he would be able to work out agreements with the owners.

In response to a question regarding homeowners' fees, Mr. McAllister stated that the Deer Meadows lots would become members of the Owners Association and they would be subject to the annual assessment as well as impact fees.

Ms. Groot asked about assessments on lots that sold their development rights. Mr. Burdette explained that those lots would stay within the Owners Association and continue to pay the \$250 annual assessment. The only difference is that the owner would not be able to build a structure. Mr. Shurtz pointed out that that obligation would be recorded with the lot transfer. Mr. Foster clarified that a freestanding lot would continue to pay the homeowners assessment unless it was combined with an adjacent lot.

Mr. Foster pointed out that if the Deer Meadows proposal moves forward, a significant amount of legal work would need to be done and attorneys for both sides would be working together to protect everyone involved. Once a document is drafted for review, the Owners Association could discuss any details that may be overlooked. He believed the issue was too preliminary to brainstorm this evening.

Mr. Shurtz outlined the next steps in the process, which would involve the County Council and attorneys for both Deer Meadows and Pine Meadow Ranch. Negotiations would result in a three-party agreement that would have to be signed by all three parties before it could be executed and put into effect.

Mr. Deaver asked about water rights on freestanding properties that transferred the building rights. He pointed out that if the water rights remain, the owner could pull a camp trailer on the property. Mr. Foster stated that the Association would right the details of the agreement and that was a detail to consider.

Someone asked how Deer Meadows would obtain water. Mr. Shurtz stated that the developer already verified the ability to purchase additional water rights. Mr. McAllister noted that Deer Meadows already has water rights and wells. Existing water lines in the road was another possibility for bringing in water.

Ms. Groot was uncomfortable with the idea that if this Board shows support for the proposal, Mr. McAllister could go back to the County Council with that information and the proposal would be approved. She asked that the Pine Meadow Ranch owners have the ability to provide input before the Board takes a position and it goes back to the County Council.

Mr. Burdette recalled a discussion at the last Board meeting that once they reach the point of having more details, it would be posted on the website and emails would be

sent to those who subscribe to the Owners Association email, directing them to the website. Owners would be asked to contact their area representative to express their opinion on the matter. The area reps would report the individual opinions during a Board meeting.

Mr. Burdette believed this was a precedent issue. He noted that at some point in the future Pine Meadow Ranch would have approximately 800 homes or cabins built on 800 lots. That would put a large burden on some areas of the Ranch where the lots are half or three-quarters of an acre. It would be a wall of cabins without any open space. If the Deer Meadows proposal goes through and 8 lots are not built within the Pine Meadow community, it would set a precedent for other developers to purchase development rights on lots within Pine Meadow Ranch and build them elsewhere. Mr. Burdette believed this was an opportunity to spread out the existing density in Pine Meadow Ranch and leave room for future density to be less crowded.

Mr. Foster remarked that Mr. Burdette's comment relates to a discussion from five years ago and how the Board at that time could see the merit in neutral density on the Ranch, but still keep the same financial benefit.

Ms. Groot stated that after hearing the discussion this evening, she was a little more comfortable with the proposal. However, she had 150 signatures from owners, including herself, who opposed the proposal at the time, and she was still obligated to present those signatures and that final Planning Commission meeting. Ms. Groot felt it was important to update the owners on the proposed changes and to hear their input before the signatures are submitted.

Mr. McAllister was willing to take it slow and give Pine Meadows whatever time they needed to educate the owners and hear their opinions. He would also like the opportunity to respond to some of the comments once the owners are informed.

Mr. Deaver stated that two of the owners in Area 4 had the attitude that it was impossible to fight City Hall, and the remaining 12 owners were strongly opposed to the proposal. Mr. Foster pointed out that their reaction was to a different proposal.

Mr. Hutchinson noted that posting the revised proposal on the website and emailing subscribers was a significantly low number of actual owners. He suggested that Deer Meadows may be willing to pay mailing costs to make sure every Ranch owner has the ability to express their opinion. Mr. Foster asked Mr. McAllister and Mr. Shurtz to prepare a shortened but clarified version of the proposal that he could post on the website.

Mr. Foster believed that the five year old agreement most likely binds the Association to have a discussion on the development, and the development agreement could affect the Board's decision beyond community input.

Mr. Burdette clarified that the signed petition Ms. Groot had specifically identified the SPA proposal, and he was one of the signers. He noted that the SPA proposal was off the table and a different proposal was being presented. Mr. McAllister agreed that it was important to educate and inform people that the current proposal was the original proposal.

Ms. Groot pointed out that the proposal keeps changing and there was no guarantee that Mr. McAllister would not return to the SPA proposal.

Someone referred to Mr. Burdette's comments regarding neutral density on the Ranch. While it does spread the density over a larger area, it also has a side effect. If density is pulled off streets and put in one development that is accessed off of a single artery, the traffic is increased on one major road and decreased on other roads. He believed that moving traffic further back on the Mountain create some impact.

Mr. Foster summarized that Mr. Shurtz would provide a summary of the proposal that could be posted on the website for owner feedback.

#### Proposed Expansion of the Pond at Bobcat Springs

Mr. Deaver stated that as the area rep of Area 4, he wanted it known that Mr. LeCheminant had to haul a pickup full of trash and debris from Bobcat that should have been put in the dumpsters and not dumped around the pump house area. He thanked Mr. LeCheminant for the work he did. Mr. Deaver stated that when the dumpsters were overflowing, he personally took time to pick up 18 large bags of trash. However, Mr. LeCheminant and his wife picked up 36 bags on their own. He believed kudos should go to Mr. LeCheminant for caring about the area and trying to do something positive.

Mr. Foster thanked Mr. LeCheminant and Mr. Deaver for their hard work. He felt it was unfortunate that areas of the Ranch were left in a mess after the 4<sup>th</sup> of July weekend.

Tom LeCheminant, Lot D-29, commented on the Bobcat Springs pond expansion. He noted that Mr. Foster had expressed concerns about using it for any type of fire. Mr. LeCheminant had a friend who lost his home in the Herriman fire, but his neighbor's house was saved because the pilot dipped into the pond at the bottom of the hill and sprayed the house. He stated that using the pond in the event of a fire was an option

proposal.

Mr. LeCheminant stated that they have expressed their own concerns and presented their proposal to the Water Board regarding the proposal and expansion. The Water Department would donate the area and the heavy equipment. He would need to furnish and operator and he agreed to pay for the fuel.

Mr. LeCheminant referred to the front page of his proposal, and identified a water line that prohibited them from expanding further to the east at this time. According to the Water Company, the water line would be abandoned whenever new water lines are put in between Oil Well Road and the well house.

Mr. LeCheminant reported on concerns from the neighbor who lives next to the pond. She had outlined her concerns in a letter to the Water Company. When he first started discussing the pond with Mr. and Mrs. Bowers they were adamantly opposed. Over time, as the proposal is being considered, they are becoming more willing to accept it. Mrs. Bowers was requesting trees or a fence to create a buffer between their property and the pond area. She was concerned about noise and 4-wheelers. Mr. LeCheminant stated that the hours could be restricted and they could barricade the dykes to keep 4-wheelers from going across. They would need to leave Jody Robinson enough room to get in and get water.

Mr. LeCheminant outlined the details of his proposal. The first phase would be to clean up the pond, make it deeper and move some things back. If he receives enough money from Ranch donations, he would like to build a berm on one side. A dyke would be left between the two ponds. In another year he would like to remove the berm between the two. If the Water Company ever abandons the water line the pond could possibly be moved out further in that location.

Mr. LeCheminant estimated the total cost to be between \$6,000-\$8,000. The cost included renting the equipment; however, since the Water Company has offered their equipment, the cost could be significantly lower. Mr. Foster assumed the estimated cost did not include re-landscaping, re-vegetation and seeding or other restoration costs. Mr. LeCheminant agreed that it was only the estimated construction cost. Mr. Foster thought they should seriously consider the restoration cost. Mr. LeCheminant clarified that his intent was to also put in grass.

Mr. Foster thought they should be talking about a pump and an irrigation system out of the pond to establish re-growth in that area. He wanted the final proposal to include a thorough landscape and re-vegetation plan and the associated costs. It was important to make sure they had money to complete the first phase of the project, including

restoration, before they begin digging. Mr. Deaver suggested that Mr. LeCheminant factor in funding for trees in front of the Bowers' house.

Mr. Deaver referred to the P-1 area shown on the proposal and asked if drainage pipes from Bobcat were in that area. Mr. LeCheminant was not aware of any drainage pipes. Mr. Deaver stated that the former Water Ranch Manager, Jerry Rupert, had shown him where they had put a drain pipe in, and he was sure it was in that location. Mr. LeCheminant stated that he would research it.

Mr. Foster understood that the pond expansion would require a grading permit from Summit County. He believed the County would also require a re-vegetation plan. Mr. LeCheminant reported that the cost for the grading permit was a minimum of \$40.00. He needed to submit a grading plan before the permit could be issued. Mr. Foster stated that Mr. LeCheminant also needed to consider a parking plan.

Mr. Foster noted that Pine Meadow does not own the land and the property is not on the Ranch. Therefore, they have no CC&R control over what happens on that land. Mr. LeCheminant clarified that he was still looking for the approval of the Board to continue with the concept of this project.

Mr. Hutchinson recalled that one issue with parking at Bobcat Springs was the potential of having old vehicles leak oil in to the pond. He asked how this project would be any different since more parking would be provided. Mr. Foster stated that several years he received an email from someone who was upset about kids swimming in the pond and how people and cars were contaminating the water supply. He clarified that the pond is not their water supply. It is spill-over spring water that drains out down Tollgate Canyon. He thought it was important to make sure that grading for the parking area is below where rain runoff or anything else could reach the pond.

Mr. Foster asked for the Board's opinion on the general concept of the pond expansion. Board Members Deaver, Hubbard, Boyle and Larsen favored the concept. Mr. Heath thought it was as good idea, particularly if the parking is moved down and out of the area where gravity would not take car fluids and other contaminants into the pond. Mr. Foster assumed there would be a gate that Jody could open when he needed to move a vehicle closer to the pond. They would also have to set up clear parking restrictions to prohibit long-term or abandoned vehicle parking. Parking would only be allowed for those actively using the pond at the time.

Mr. Foster liked the idea if they were willing to invest in doing it right. He had some concerns about the project being started and abandoned for whatever reason. There needs to be a commitment to complete the project with full re-vegetation, trees,

signage, and appropriate fencing.

Mr. LeCheminant asked if anyone was interested in making donations for the pond since he and Dan Kemper had provided funding to this point. He noted that Tom Deaver had contributed to stocking the pond with fish

Mr. Burdette stated that private individuals could contribute, but the HOA would not be able to help because it is not on HOA land it was not within the purview of the Articles of Incorporation. Mr. Foster felt it was improper to sell the pond expansion to the community as a fire prevention effort because the fire experts he spoke with do not believe it would be used in the event of a fire. He pointed out that the pond is a recreation/park area use, which is a good idea because Pine Meadow Ranch needs more usable open space.

Mr. Foster remarked that rules and regulations would have to be established for the use and the area. He thought it was important to talk about responsibility of enforcement before the project moves forward. It is on Water Company property and he was unsure if Brody Blonquist would be willing to police it. Mr. Foster stated that the Water Company should be involved in establishing the rules and regulations. He emphasized that the HOA has no authority to enforce rules and regulations.

Mr. Foster understood from the comments that the Board members were not opposed to the pond project, as long as it was supported by the surrounding neighbors.

#### Paul Peters Update

Mr. Foster reported that Paul Peters was planning to make a settlement offer to Ted Barnes, the HOA Attorney, to end the dispute. Part of his offer will be to waive some of his interest and accumulated fees. Mr. Peters also offered to leave the Ranch. Without specific numbers, Mr. Barnes did not want the Board to discuss what they would consider a good settlement. Mr. Barnes initially believes the Owners Association should get everything owed, but a settlement is still being discussed. Mr. Burdette noted that the Association had approximately \$20,000 in legal fees on the one case with Mr. Peters, in addition to past due interest and late fees.

Mr. Foster expected to see an offer in the near future for the Board to evaluate.

new Board members, Mr. Foster explained that Mr. Peters owns multiple lots on the Ranch and ten years ago the Association followed his case all the way to the Supreme Court. It is still an ongoing legal situation.

### Trash and Recycling

Mr. Foster stated that trash always overflows during the 4<sup>th</sup> of July and 24<sup>th</sup> of July weekends. He recalled from reading the minutes of the last meeting that Mr. Heath had offered to speak with Kevin, with Summit County. Mr. Heath reported that he had contacted Kevin and he referred him to another person. They are aware of the problem and owners on the Ranch have sent in pictures of the trash. Kevin agreed that the Ranch needed either additional pickups days or additional dumpsters. They were willing to work with the Ranch to find the best approach to clean up the area. Mr. Heath reported that there was also an overflow issue with the recycle bin.

Ms. Groot stated that her preference would be additional pickups and not more dumpsters because the area already looks like a dump. Mr. Foster pointed out that the dumpsters are used by all of Tollgate Canyon and not just the Ranch.

### Summit County and lower Roads - Update

Mr. Foster reported that Summit County continues to have concerns about the long term plans for management of Tollgate Canyon and Forest Meadow Drive. He thought it was safe to assume that the SSD was a dead issue with the County. The Summit County Legal Department stonewalled the issue with detail work and the proposal sat dormant for a long time. Mr. Jasper, the County Manager, indicated that the proposal had expired.

Mr. Foster stated that Bob Jasper and Kevin Callahan have serious concerns with how those roads would be managed, particularly in the event of a crisis. Mr. Foster remarked that Bob Jasper was very interested in talking about moving the two roads that are off Ranch into the current Special Service Area 6 within Summit County. He explained that Special Service Area 6 is the Division in which Summit County manages all of the neighborhood roads in Summit County that are not managed any other way. Mr. Foster understood that there was a wide range of viewpoints on the Ranch in terms of how to handle the roads. He was not concerned about Summit County trying to forcibly take over; however, the County wanted to continue having discussions about the future of those two roads. Mr. Foster stated that he would meet with Mr. Jasper to discuss the issue.

Mr. Foster clarified that there was no talk about Summit County spending money to improve the roads. He believed that would never be proposed. Whatever proposal Summit County suggests, all the owners in Tollgate Canyon would contribute.

Mr. Deaver pointed out that if they became a part of Service Area 6, they would all be

assessed a certain amount and there was no guarantee that the money would come back to Tollgate. It could go to Cherry Creek Canyon or somewhere else. Mr. Burdette explained that the money would be split among the entire Special Service Area 6.

Mr. Foster stated that as the owners in Tollgate Canyon, they would need to make sure they had a voice in terms of what level the roads should be upgraded. Mr. Foster reiterated that the matter was still being discussed with Summit County and there was nothing on the table for the Board to discuss.

### **New Business**

Tom Deaver referred to an email the Board members received requesting a reiteration review of parking on the road. Mr. Foster noted that Mike Gonzales had sent the email. Parking is not allowed on the road and Mr. Foster was unclear about the concern. Mr. Deaver thought it should be clarified on the record.

Mr. Foster clarified that parking stickers are for the parking lots. Parking on the road is prohibited with or without permits.

Mr. Deaver stated that the North Summit Recreation Center was not a dead proposal. Mr. Foster remarked that the group was still active and they were talking about whether they could keep the \$400,000 tax money for a different proposal and do a different project. Mr. Deaver reported that some people have suggested that they start the process to have Tollgate Canyon removed from the SSD for the North Summit Recreation Center. It could be done by having people sign their name and give their plat number and request removal. Mr. Deaver noted that the group wants 100% valuation taxes for people who do not use their property. One criteria to get off the SSD for the Recreation Center is to show that you will not be using their services. The second criteria is that the request for removal needs to be presented to the full County Council.

Mr. Foster understood that this was not a matter for the Board, but he thought it was important for the Board to post a link on the website so people who want to be removed will know what they need to do. For each parcel to be considered, every landowner needs to say yes or no.

Based on past experience, Mr. Burdette and Mr. Foster thought it would be impossible to get a 100% of the owners to respond. Mr. Foster was hesitant to rile 800 owners on the Ranch over something that does not exist and may never exist. If something gets approved and they are asked to contribute, they can decide how to address the issue at that point and voice their opinion.

Mr. Hutchinson announced that he was resigning from Area 5 this evening. He noted that Mark Hodgson, Lot F-68, has offered to finish his term, which ends in December. Mr. Hodgson served on the Board several years ago. Mr. Hutchinson was resigning his position to for an LDS Mission. The Board thanked Mr. Hutchinson for his many years of service.

Mr. Hodgson would be invited to attend the next meeting, at which time the Board could vote on whether or not to accept Mr. Hodgson as a Board member.

### **Monthly Budget Review**

Mr. Burdette presented the unpaid bills in the amount of \$24,583.00. Mr. Burdette proposed to pay an additional bill to Dirt World in the amount of \$3,280, changing the total amount of the unpaid bills to \$27,863.35.

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

VOTE: The motion passed unanimously.

Jody reported that he uses his four-wheeler every year to spray weeds and the miles were adding up. His four-wheeler was broken down and he would like a small truck to use to spray weeds. Jody found a truck and the cost was \$4754.

Mr. Burdette reviewed the balance sheet and noted that \$78,000 in the checking account. Out of that amount, he would be paying the approved bills in the amount of \$27,863.35. Mr. Burdette stated that the checking account balance was lower because some money was transferred to the Zions Bank Money Market Account. He noted that a significant amount of money was committed to asphalt work on Forest Meadows, as well as gravel work that still needed to be done around the Ranch.

Mr. Burdette reported on two unfunded items that the Board was being asked to consider. One was a blower to go on the back of the new tractor to move snow in the winter. A second request was the one from Jody to purchase another vehicle to replace the four-wheeler. Mr. Burdette stated that if they settle with Paul Peters and/or collect on some of the outstanding balances, they would have enough funds to pay for the two requested items. Mr. Burdette did not believe they had the financial ability to approve those two items this evening.

Mr. Deaver asked why Jody could not use the truck they have. Mr. Burdette stated that

Jody could use the dump truck but it was more expensive to operate and not cost effective for spraying weeds.

Mr. Hutchinson understood that weed spraying was coming to an end for the season and he questioned whether the truck needed to be considered this year.

Mr. Foster stated that several years ago the Board discussed the benefit of owning a small efficient vehicle to drive around the Ranch.

Mr. Burdette thought they should continue to monitor the collection money coming in to see if they could not fund the blower and the truck.

It was noted that the Association reimburses Jody for his mileage on the four-wheeler. Mr. Foster thought the Association should pay to have it serviced since Jody has been using it as a Ranch vehicle for three years. The Board concurred.

Mr. Foster noted that minutes from the last meeting indicated that Ted Barnes was working with Summit County on SSD issues. He clarified that Mr. Barnes had not been working on the SSD for quite a while based on specific instructions. The Board had approved a budget for those legal fees, and there was some money left in that budget. Mr. Foster was unaware of the exact amount but he could find it.

Jody stated that the Board has approved a \$21,000 budget for asphalt. He needs either cash or a credit card to purchase the asphalt. He had the credit card but the maximum limit was \$20,000. Mr. Foster suggested that Jody ask Carol to call the credit card company to see if they would pre-approve a single overage. Mr. Burdette stated that if they will not approve an overage, he could write Jody a \$5,000 check and put the rest on the credit card.

Mr. Heath offered a commercial snow blower that he was going to sell for Jody to use on the Ranch free-of-charge this coming winter. The only stipulation would be for the Association to service it or repair any broken parts at the end of the season. Mr. Foster suggested that they consider Mr. Heath's offer at the next meeting. If Jody likes the snow blower the Association could consider purchasing it from Mr. Heath at the end of the season.

The meeting of the Pine Meadow Owners Association Board adjourned at 8:32 p.m.

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