

PINE MEADOW RANCH OWNERS ASSOCIATION  
MONTHLY BOARD MEETING  
RANCH MANAGERS OFFICE  
PINE MEADOW RANCH  
SEPTEMBER 20, 2016

In Attendance: Tony Tyler – President; Dan Heath – Vice President; Honey Parker, Secretary; Matt Brown (Area 1); Jeremy Jespersen (Area 2); Alan Powell (Area 3); Tom Deaver (Area 4); Bruce Hutchinson (Area 5); Mike Gonzales (Area 6); Tom LeCheminant (Area 7).

Ex Officio – Jody Robinson, Ranch Manager

Excused: Pat Kreis

Guest: Mike Kellersberg, Lot D-146; Roy Parker, Lot G-85; Greg Pack, Forgotten Lane; Marcie Adams, Lot PI-D-14 and her architect; Tim Menez, Lot PI-74.

The meeting was called to order at 6:35 p.m.

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

Mr. LeCheminant reported on a shed to be built on Lot PI-G-76. The shed is 110 square feet. Mr. Tyler stated that this item would be discussed under New Construction.

Greg Pack stated that he was representing two construction projects. A lot owner had approached him today and they were unaware that they had to bring their plans to the Board. Alan Powell is the area rep. The owner gave Mr. Pack their plans to present to the Board. Mr. Pack stated that the property is right below Boyce's corner. There is an existing driveway that goes up to the site, and they were planning to put in a second driveway above it. The existing driveway does not go up very high and the house would be right on the road. The proposed house is located off the road it should not be visible from road.

Mr. Pack noted that property has been surveyed and it was designed by an architect. Kirk Rockhill had done the engineering. Mr. Pack thought the plans were complete and everything looked good.

Mr. Tyler stated that the Architectural Committee members would review the plans and it would be addressed later in the agenda.

### **Approval of Minutes – August 16, 2016**

Some of the Board members needed to abstain because they had not read the minutes and others were abstaining because they were absent. Approval of the Minutes was tabled to the next meeting to give everyone the opportunity to read them.

### **Lot Improvement Plans and Agreements – New Construction**

Mr. LeCheminant commented on the 110 square feet shed on Lot PI-G-76 that he previously mentioned. He noted that the owner wanted to put up the shed this weekend and they reduced the size to 110 square feet. Mr. Deaver pointed out that it was under the 120 square feet that requires a fee. The materials are painted brown wood and a brown shingled roof.

The Architectural Committee recommended approval.

MOTION: Matt Brown moved to APPROVE the Lot Improvement Plan Agreement for a shed on Lot PI-G-76. Tom LeCheminant seconded the motion.

VOTE: The motion passed unanimously.

Mr. Tyler reported that Marcie Adams presented building plans to the Board two years ago. It is for a cabin on Lot PI-D-14. The plans were approved at the time and the only outstanding issue was that Ms. Adams would bring concrete siding samples back to the Board for review and approval. Ms. Adams would like to build the cabin and in the two years since the plans were approved, they have updated the plans and added and changed square footage. Mr. Tyler pointed out that technically she did not have to come back through the process, but since he has been two years, he recommended that she come back to the Board with the changes.

Ms. Adams stated that originally they had planned on having the office and the fitness gym in Phase 2. However, since it's been a couple of years already, they decided to add those now. Ms. Adams remarked that they also made the rooms bigger by expanding the building. The Architect stated that if they combine Phase 1 and Phase 2, which were already approved, the overall size is approximately 1,000 square feet larger. He indicated future phases that were shown for grading purposes. Mr. Tyler clarified that they were not asking for approval on the remaining phases this evening.

The Board reviewed the plans and the added changes. Ms. Adams pointed out that the materials and the shape of the cabin stays the same. She thought they had already submitted the concrete samples. The Board agreed, but recalled that Ms. Adams would come back again when she was ready to apply it. The Architect had the same recollection and recalled talking about doing a mock-up wall for the Board.

Mr. Deaver recalled that the Board previously wanted to know how much concrete would be exposed. At the time they talked about camouflaging it and stamping it so it

looked more brown than gray. He asked if that was still their intention. The Architect replied that it was still the intent. The amount of concrete was reduced and some of it was replaced with wood. The concrete would not face the road.

The Architectural Committee recommended approval on the changes to the cabin.

Mr. Gonzales asked if the change in square footage changed the fee schedule. Mr. Tyler answered no because it is the first time being built.

MOTION: Tom Deaver moved to confirm the approval of the previously approved Lot Improvement Plan Agreement for Lot PI-D-14AM, based on the changes presented this evening, and the agreement to stay within those parameters. Tom LeCheminant seconded the motion.

VOTE: The motion passed unanimously.

Greg Pack presented another shed project for PI-74. He noted that the property owner originally intended to do two shed; one to store construction items and the second to house his "toys". The owner has decided to build and is only proposing to build shed.

Mr. Deaver stated that as a member of the Architectural Committee, the rules state that the first structure pays the initial impact fee of \$6,000. Mr. Pack noted that the owner would be submitting plans next month for a 1,000 square foot home and a barn/garage, as well as the shed. The owner is in the process of obtaining a construction loan which should be completed next month. He was hoping to get the approval for the shed this month and pay the impact fee for everything next month when he has the loan.

Mr. Deaver asked if the shed would have power or water. Mr. Pack replied that there would be no utilities. Mr. Tyler asked about the size of the shed. Mr. Pack stated that it would be 12' x 16'. Mr. Deaver noted that it was a Tuff-Shed which is not designed for human habitation.

Mr. Tyler stated that in this case where it was evident that additional construction would occur, he was comfortable delaying payment of the impact fee until next month. Mr. Deaver noted that if the owner pays the impact fee for the first building, which is the shed, they would then have to pay additional money for the square footage of the house as a second building. Mr. Gonzales asked if they should simply it and calculate a price per square foot for the shed. Mr. Deaver replied that he was thinking they could charge \$120 per square foot for the shed, and the \$6,000 impact fee when he builds the house. Mr. Tyler thought that would be punitive. If everything is shown on the original building application, it would all be subject to the \$6,000 impact fee. He pointed out that the

owner was only asking to delay payment until he receives the loan to avoid paying it out of pocket. He appreciated that they were coming to the Board with that request rather than just doing it. Mr. Tyler clarified that the owner was only asking for some leniency on starting the shed and paying the \$6,000.

MOTION: Tony Tyler made a motion that for Lot PI-74, the Board agreed to delay the receipt of the Lot Improvement Plan application for the building which is imminent, and allow for a 12' x 16' shed to be placed on the property, subject to the application that will be submitted.

Mr. Gonzales wanted to make sure the Architectural Committee reviewed the building plans. Mr. Deaver clarified that the Board was not approving the house this evening. Mr. Tyler stated that they were not approving the house or the shed. The motion was only approving the month delay for paying the impact fee.

Mr. Tyler called for a second on the motion. Tom Deaver seconded the motion.

VOTE: The motion passed. Mike Gonzales voted against the motion.

Mr. Pack noted that the owner had chosen an off-white color with a green roof; however, Mr. Powell informed them that off-white was not an allowed color. Mr. Pack stated that the colors were chosen because the shed will be in solid aspen and the color makes it disappear. Mr. Pack understood that gray was an acceptable color and he asked if it could be a light gray. Mr. Deaver stated that the Architectural Guidelines specify say earth and natural tones. Mr. Tyler stated that if the color is questionable they should provide a sample. Mr. Pack had color samples available this evening. The Boards reviewed and approved Ghost Rider PPG-1007-3 as the color.

The Board reviewed plans for Lot PI-70. Mr. Pack was presenting the plans for the owner but he was not asking for approval this evening. He would send colors and materials to Alan Powell, the area rep. Mr. Pack would also provide PDFs on the plan. Mr. Tyler remarked that the site plan needed more detail. It needed to show the location of the septic tank.

Mr. Tyler noted that the Board received an incomplete set of plans for PI-70 and they anticipate being able to provide follow-up, including the executed Lot Improvement Plan Agreement and review of the plans by the Architectural Committee by the next meeting. Mr. Deaver pointed out that the owner proposed natural steel and rust. Rusting is a long process and he questioned whether it would be natural until it did rust. Mr. Tyler stated that the Board could discuss that issue once they receive the application.

Mr. Tyler referred to PI-E-96 on Arapaho. A driveway is being built and he asked if any of the Board member were aware of it. Mr. LeCheminant stated that plans were submitted and approved and the fees were paid. Mr. Deaver recalled that the building was approved as it was presented, and they need to make sure those plans are followed and built.

Mr. Tyler asked about the driveway that was cut in on PI-D-11 at the bottom of Alexander Canyon behind the Gardner's house. Mr. LeCheminant stated that the owner is from the East and he is on the Ranch two weeks each year. He had contacted Mr. LeCheminant about cutting a driveway for parking so he could get off the road. Jody Robinson had actually graded the road for him. Mr. Tyler asked if the owner had plans to build. Mr. LeCheminant replied that he had no plans to build at this time.

Mr. Tyler asked if the owner had said anything about the wall. He had cut the hillside and the dirt is exposed. Mr. Gonzales remarked that Summit County is supposed to look at that before grading is done. He understood that the HOA does not enforce grading permits, but that is the risk they run by not asking for a grading permit. Mr. Deaver suggested that they notify Summit County.

### **Legal Review of HOA Documents**

Mr. Tyler provided a summary of the discussion from the last meeting. He stated that Roy Parker presented to the Board an opportunity to have the HOA documents reviewed by an outside third party attorney. The Board tasked Mr. Parker, with the help of Matt Brown and Jeremy Jespersen, with finding a few firms they could interview to conduct this business. Roy Parker was present this evening to provide an update.

Roy Parker stated that he had spoken on the phone with Robert Rosing, and Brian Cheney. Mr. Rosing is with the firm Wrona Gordon out of Park City, and Mr. Cheney is with Snell and Wilmer in Salt Lake. Both attorneys understand the broader issues of HOA governance, confusions of altering governing documents, and experience in working with homeowners and the Board to craft procedures and processes. Mr. Parker believed the HOA could have this work done for less than \$15,000, including counsel necessary to advise the Board. The attorney can walk the Board through the process and revise the documents, and it would require a vote among the membership to approve the changes.

Mr. Parker recommended that the Board interview Mr. Rosing and Mr. Cheney. He did not have a personal or working relationship with either of them, but he felt they were both capable, experienced and competent.

Mr. Tyler asked Mr. Brown to contact both attorneys and invite them to meet with the Board either at a regular meeting or on another date when the Board can interview them.

Honey Parker noted that she was not at the last meeting, and asked if this was something the Board wanted to accomplish before the Annual Meeting. Mr. Tyler replied that they had not set a deadline. Roy Parker recommended that it not be done hastily.

Mr. Brown thought it would be helpful to put together an outline of the issues to share with the attorneys so they would have a better understanding of what they were facing. Mr. Tyler agreed to put together a packet to send to both attorneys prior to meeting. Mr. Gonzales did not think they should pre-dispose what they were asking the attorneys to do for the HOA. They should let the attorneys advise them since it was their expertise.

Mr. Brown asked if the Board knows what the problems are. Mr. Gonzales stated that there were concerns about consistency of documentation. Mr. Tyler preferred Mr. Gonzales' concept because the Board would get a better feel for how they process and think when they ask them a direct question.

Mr. Tyler disclosed that he has working relationship with Brian Cheney and he would recuse himself from that conversation, and he would not participate in the vote when the Board makes the final decision.

### **Lots on Bobcat**

Mr. Deaver asked the Board to talk about transferring the \$6,000 impact fee from Lot 1 to Lot 2 on Bobcat. He stated that the Board approved the house for the two gentlemen and they paid their impact fee. However, they encountered a problem and they are not able to build a house for a couple of years. Instead they plan to build a smaller house on the adjacent lot that they own. The gentlemen intend to get the house approved but they would like to apply the \$6,000 impact fee they already paid to the smaller house.

Mr. Tyler stated that they would have to provide the Lot Improvement Plan Agreement and apply for the smaller house. They should also write a letter to Carol and the HOA stating that they have elected not to develop Lot 1 but would develop Lot 2 instead. Rather than issuing a refund they would like the \$6,000 to be applied to Lot 2. When the Board receives the second application the first application would be voided.

### **Lots with cabins on HOA Property**

Mr. Powell reported that the lots were surveyed and appraised. He understood that the Board was going to send an agreement sent to the cabin owners and he asked for an update. Mr. Tyler replied that nothing had been done on that yet.

Mr. Powell stated that appraisal on the lot in Morgan County came in at \$12,000. The one in Summit County, BDY-15 came in at \$28,000. A total of \$1700 was spent on the appraisals and surveys.

Mr. Tyler stated that the first step is to find out the process for a disposition of land. Mr. Hutchinson stated that Carol had emailed that today, and apparently the County has split the lot and it has two tax IDs. Mr. Tyler explained that the County did a personal property tax for the cabin. He did not believe the lots itself had been split. One tax ID was for the land and the second tax ID was for personal property.

Mr. Deaver asked if the HOA was being held responsible for both. Mr. Tyler answered no. Mr. Tyler asked Carol to reach out to the County Assessor and ensure they were being taxed properly on that parcel. He understood through the appeal process last year that the County would split it into two tax IDs so they could tax the personal property of the cabin separately. That was supposed to be the solution until the HOA could negotiate a sale or transfer so the cabin owner could legally own the property he built on.

Mr. Powell stated that for the Morgan County lot, the owners said they have title insurance and it should have been caught 12 years ago. They will have to work with the Title Insurance Company on that lot. The Summit County lot would be working with Mr. Kendall directly.

Mr. Tyler reiterated that the first step is to find out the disposition procedure for land. If they sell it, they have to follow their own procedure. The second step would be to have a purchase and sale agreement drafted, assuming that the Board is comfortable selling the property at the appraised values. Mr. Tyler will contact Mr. Barnes on the first issue, and ask him to draft a memo regarding the disposition of property. The Board could then make a decision on how to handle the purchase and sale of the property.

Mr. Powell commented on getting the lot secured for the fire station so he could start doing the building plans. He hoped to have that done by Spring and permitted. Mr. Deaver asked if that was commonly held ground. Mr. Gonzales stated that it was common property but it was also for a government institution, which requires two-thirds vote from the membership to give or sell property to a government entity. Mr. Tyler would talk to Mr. Barnes about that requirement as well.

## **Temporary Structure**

Adam Lasenko stated that he was thinking of purchasing a piece of land on the Ranch, but he had questions about temporary structures. He and his wife recently built a tiny house and they will be moving down to the Valley. They would like to find a place to keep their tiny house and vacation in. In reading minutes from past meetings, he understood that the Pine Meadow HOA allows temporary structures to be located on lots for brief vacation periods. He spoke with the Vice-President of the Board, Dan Heath, and Mr. Heath told him that the Board interprets that to mean that trailers and similar dwelling were allowed to be on the Ranch only during the summer. He was told that it was for a period of 180 days. Mr. Lasenko asked if it was only in the summer months or if it could be any time during the year.

Mr. Deaver stated that the concern has been that traditional trailers and campers can collapse into a pile of rubble because of the snow load.

Mr. Tyler stated that the Board has this discussion in great detail a year and a half ago regarding a yurt. The result of that lengthy discussion was that the Board further defined a temporary structure as anything that exists on a lot for 180 days in any calendar year. It does not regulate time of year.

Mr. Lasenko showed pictures of the tiny house they built. It has a high pitched roof and it is traditional construction. He was confident it could deal with the snow. Mr. Lasenko had read the minutes and understood that the definition was expanded. He wanted to make sure the definition had not been revised since then.

Mr. Lasenko noted that the expanded definition also says that anything staying longer than 180 cumulative days for a calendar year would be considered a permanent structure requiring approval by the HOA. He asked what the HOA approval entails. Mr. Tyler explained that a Lot Improvement Plan Agreement is on the website, and it requires a site plan and all associated improvements. It also entails building plans for the structure. In addition, there is a \$6,000 impact fee. At that point it must comply with the Architectural Guidelines which focuses on the exterior. It has to be an earth tone exterior material and an earth tone roof structure. It has to be a pitched roof structure as well.

Mr. LeCheminant read from the CC&Rs, "No structure constructed, erected, or maintained on any lot or portion thereof shall exist of less than 400 square feet of living area on the ground floor, not including carports or garages." Mr. Lasenko stated that his house was 200 square feet.

Ms. Parker thought the tiny house would make sense as a temporary structure for six months or less. If Mr. Lasenko and his wife decide to live there year-round, it would not be allowed as a permanent structure because of the square footage.

Mr. Lasenko noted that there were dozens of properties for sale in the area, but only four or five are flat enough.

Mr. Tyler informed Mr. Lasenko that the Board would have to discuss this further and get back with him. Mr. Lasenko provided his contact information.

Mr. Lasenko asked if the rules apply to the property or to the temporary dwelling. For example, if he had two tiny homes, would he be allowed to bring one up for 180 days and the second one up for another 180 days. The Board agreed that it was an interesting loophole. Mr. Lasenko asked if someone would be allowed to put multiple structures at the same time on one lot. Mr. Tyler did not believe there was a limit to the number of temporary structures. Mr. Lasenko asked the Board to provide clarity on whether or not his house could qualify for a permanent building somehow.

Mr. Lasenko thanked the Board for their time and looked forward to hearing from them.

### **Map Sign**

Mr. Tyler commented on the time and effort Honey Parker put into the Map sign. Ms. Parker stated that the only thing different from the PDF she sent to the Board, was the correct spelling of the word Aspen and the correct spelling of Wildlife. She also needed to add Balsam Circle to the map. After reading the Minutes from last month, she added the "you are here" at the bottom as suggested by Pat Kreis. Ms. Parker wanted to put the sign into the format for the printer and send it to the Board one last time, because when formats are changed things can shift.

Mr. Deaver suggested that the R be capitalized in Covenants and Restrictions. The suggestion was made to add a Welcome to Tollgate Canyon. Other changes included removing the (s) from speed limits; changing A Private HOA Community to say A Private Community; and removing the (s) from no public lands access; and remove the word Ranch from Lewis Peak Ranch.

Ms. Parker would make the changes and come back with larger copies for the Board to review at the next meeting.

### **Burn Policy**

Mr. Tyler reported on issues that had occurred as recently as the previous Saturday. A lot off of Navaho has a propane fire by the house. When it is on it looks like a wood burning fire, but it is not a solid fuel fire pit. When there is a fire restriction down below, people can still burn a propane fire pit because it has a switch. Mr. Tyler wanted the Board members to understand that a propane fire pit is allowed.

Mr. Gonzales asked if propane fire pits need to be approved by the Board. Mr. Tyler thought the language specified solid fuel. Otherwise, they would have to approve every barbeque grill.

Mr. Deaver stated that the same house has a two-sided fireplace. One faces into the family room and the other one is outside on the deck. It is designed for wood. Mr. Deaver pointed out that even though it is up a stone chimney it is still part of the house structure and can send sparks. Mr. Tyler stated that if it is an outdoor fire, they could not burn the fireplace if the no burn restriction is in place. Mr. Powell would look into it. Mr. LeCheminant stated that a house on Elk Road has a fireplace with a chimney and a fire pit. On a Friday and Saturday night they had a fire and he contacted the owners. He was told they had guests up there using the property and she would make sure it would stop. Mr. Powell asked if Mr. LeCheminant had photos or documentation. Mr. LeCheminant stated that it was reported to him but he did not see it. Mr. Tyler stated that when those incidences occur, they should snap pictures for proof and the owner would be fined. Mr. Brown suggested that Mr. LeCheminant asked the person who reported it to provide something in writing.

### **Expiring Board Positions**

Mr. Gonzales noted that Carol had sent an email noting that positions were open for Areas 2, 6, and the Treasurer. He asked if there were candidates for those positions. Ms. Parker had spoken with someone who was interested in running for Treasurer. However, before they submit as a candidate they wanted to make sure that the current Treasurer did not plan to run again. Ms. Parker understood that Pat Kreis was looking to step down. Ms. Parker would tell the person she knows to submit a request to be a candidate for Treasurer.

Ms. Parker asked if Mr. Jespersen was running again. Mr. Jespersen stated that after serious consideration he thought he could still add value to the Board and he would run again.

### **Ranch Manger's Report**

Jody reported that the lease was up on the roller and they sent it back. If the Board wanted to spend money on the old roller, he could get it to run but it needed a battery and a starter. A battery and starter would cost approximately \$600. They had leased the roller for \$3500 per month, but if they were to rent in on a daily basis it would be \$600 per day.

Mr. Tyler asked if Jody needed a roller right now. Jody thought they could get by without a roller for the rest of this year. Mr. Tyler recommended that they not spend the money now and decide what to do before Spring.

Jody reported that he would be replacing a smashed culvert. He would also like to put in culverts around Porcupine Loop. The road is not heavily traveled but he was concerned that the road would wash out on the back side and culverts would help. He was trying to finish up the signs before it snows.

Mr. Tyler asked about the snow equipment. Jody stated that the Board had approved funds to order parts for the snow plow on the truck. He still needed to get the parts. He anticipated one day to put in the parts. However, the plow is workable if they have a major storm before then.

Mr. Tyler asked if Jody had outstanding invoices for gravel or other purchases. He asked if they needed to order sand for the winter. Jody replied that he had saved money to order sand for the shed.

Mr. Tyler reported that they had only spent \$24,906 of a \$55,000 budget on aggregate this year. Jody explained that they were going to do crack sealing this year but he could not find a company that would come up for less than \$75,000. Mr. Deaver asked how the roads would hold up with the crack seal. Jody wanted to know how much the Board was willing to spend on crack seal if he could get it done before winter. Mr. Deaver asked if they had budgeted a specified amount for slurry. Mr. Tyler stated that slurry was included in the road improvement budget.

Mr. Tyler noted that there are two different methods of slurry; one with chips and the one that is just a seal. The seal is supposed to be done every other year. The slurry with the chips should be done every four to five years. Crack sealing is done on an as needed basis. Mr. Tyler stated that the \$70,000 included the seal coat. He asked if Jody knew the cost for just crack sealing portion. Jody could not recall whether the costs were broken down, but \$11,000 of the total amount was for traffic control.

Mr. Powell thought they should do the crack seal if they could keep the cost around \$10,000. Mr. Tyler stated that \$10,000 to \$20,000 would be reasonable. If it was

\$20,000, it would still leave \$10,000 in the budget for winter aggregate.

MOTION: Tony Tyler made a motion to authorize up to \$20,000 for crack sealing. Tom Deaver seconded the motion.

VOTE: The motion passed unanimously.

### **Water Company Board Meeting Report**

Mr. Tyler attended the Water Company Board meeting last Thursday. The only major issue is that someone on Elk Road opened and fire hydrant, and they believe the water was used for a construction project rather than paying for the metered water. Mr. Tyler stated that when a fire hydrant is opened it stirs up the lines. As a result, the water in the tank had to be flushed. Approximately 50,000 gallons was flushed down the line to clean out the brown water that resulted from opening the fire hydrant.

Mr. Tyler stated that Brody Blonquist spoke with the people he believed had done it but they denied it. However, it is clear where the hydrant was opened because there is a gully right next to it where the water washes down, but the owner would not take responsibility. Brody continues to look for evidence but does not have anything at this point. If anyone hears something they should let them know. Apparently none of the neighbors saw it. Mr. Tyler pointed out that opening a fire hydrant is a federal offense.

Mr. Deaver asked if the Water Company Board addressed the issue of non-compliant connections. Mr. Tyler replied that it was an on-going issue. Mr. Deaver was concerned because the deadline for inspection by the State was coming up. He was approached by an owner who did not have a meter on their lot but they were still getting the threatening letters from the Water Company. Mr. Tyler and other Board members believed that it was a Water Company issue and Mr. Deaver should refer them to the Water Company. Mr. Deaver replied that he had given them the Water Company contact information. Mr. Tyler stated that they could also contact Carol.

Mr. Tyler reported that the Water Board also discussed an SS lot off of Forest Meadow Road to the west of Junction Court. They were considering joining the HOA and the Water Company and extending the water line to their property. The owner would have to annex into the water company and pay the annexation fee. They would also have to pay the cost of the extension to their property. Because of the distance, they would have to install one and possibly two fire hydrants. At that point they can hook up to a meter, and they will have to join the HOA.

Mr. Gonzales asked if it was a regular residence and not a community. Mr. Tyler replied

that it was a regular residence. Mr. Tyler pointed out that the owner came to the Board just as an FYI to let them know they were building and would like to connect into the Water Company system. The Water Board outlined the process and the owner is researching it. The cost is expensive, but not as much as drilling a well.

Mr. Deaver stated that he had attended the Summit County Building Commission meeting. They are rezoning and if it passes, the AG-100 zoning, which Pine Meadow is under, will no longer exist and the SPA will no longer exist. No house will be able to be built if the roofline of the house breaks the ridge line from a public road. Mr. Deaver wanted clarification on whether that meant a public access road, which are all the roads in Pine Meadow. Mr. Tyler replied that it means a public road. Mr. Deaver noted that the Commissioner is recommending to create a recreational/commercial zone, AG-1, AG-2, AG-6, AG-60 zones. They are completely revamping Chapters 3 and 4 of the zoning ordinances for Summit County. The meeting was well-attended. He thought Pine Meadow needed to be aware of the changes.

Ms. Parker asked if Mr. Deaver had any sense in general as to what they were thinking for Pine Meadow. Mr. Deaver stated that he asked the question twice but the Commission would not respond. Mr. Deaver clarified that it was the East Side Planning Commission. Their next meeting would be posted on the Website

### **Monthly Budget Review**

Mr. Tyler reviewed the unpaid bills detail. He noted that the bill from Clyde Snow Sessions Swensen were for legal fees. There were questions from Deer Meadow regarding a deed restriction and Mr. Barnes reviewed the document to ensure that it was consistent with their agreement with Deer Meadows.

Jody suggested that the Board withhold paying the bill from SVO. A load of drain rock was delivered for the fire station, and the bill should have gone to the Fire Department. MOTION: Mr. Tyler moved to pay the unpaid bills detail as outlined with the exception of the SVO Enterprises, and that check had been voided. Honey Parker seconded the motion.

VOTE: The motion passed unanimously.

Mr. Tyler reviewed the financials and noted that the Annual Assessments for 2016 showed that 101.4% of the budget was collected, which would indicate that some people have pre-paid a portion of the 2017 Assessments. Mr. Tyler noted that some of the delinquent assessments from 2015 prior had been collected by Revenue Recovery. That was additional revenue that was not budgeted.

Mr. Tyler commented on the additional revenue over what was anticipated. They had budgeted \$21,000 for construction impact fees and received \$33,000. Mr. Tyler noted that they had collected \$300,000 and only budgeted \$271,000. Mr. Deaver recalled that any surplus at the end of the year is put into the reserve funds. Mr. Tyler replied that he was correct.

Mr. Tyler noted that the bank fees were higher, but that was a good sign that more people were paying. It was the processing fee the HOA pays for taking credit cards. He suggested that they increase that budget by a few hundred dollars.

Mr. Gonzales asked why the general road repair expense was higher. Mr. Tyler stated that the signage was taken from the Miscellaneous Road Projects budget. It would not typically be that high. They had not budgeted for signs. Mr. Tyler suggested that they talk about whether or not the signs should come out of the Capital Reserve.

Mr. Tyler noted that they had spent 57% of the total budget.

MOTION: Mr. Tyler moved to Accept the Profit and Loss/Budget Versus Actual. Alan Powell seconded the motion.

VOTE: The motion passed unanimously.

Mr. Tyler reviewed the balance sheet. The assets were \$434,681. The parcels under Real Property were the parcels owned by the HOA.

MOTION: Mr. Tyler moved to Accept the Balance Sheet as presented. Honey Parker seconded the motion.

VOTE: The motion passed unanimously.

Mr. Deaver asked for clarification on the Capital Reserve Fund. Mr. Tyler replied that it was not broken down, but the total money market account was \$180,252.

Mr. Tyler reported that the Annual Meeting was scheduled for Tuesday, November 15<sup>th</sup> at 6:30 p.m. at the Sons of Utah Pioneers Building in Salt Lake it was their regular meeting date.

The meeting of the Pine Meadow Owners Association Board adjourned at 8:25 p.m.

