

Approved
December 18, 2018,
as written

PINE MEADOW RANCH OWNERS ASSOCIATION
MONTHLY BOARD MEETING
SONS OF UTAH PIONEERS
SALT LAKE CITY, UTAH
NOVEMBER 13, 2018

In Attendance: Pamela Middleton – President; Tom LeCheminant, Vice President; Jan LeVitre, Secretary; Andrew Pagel, Treasurer; Jonathan Hoffman (Area 1); Jeremy Jespersen (Area 2); Joe Pagel (Area 3); Bruce Hutchinson (Area 5); Ted Bonnitt (Area 6) Byron Harvison (Area 7)

Ex Officio: Robert Rosing, HOA Attorney

Excused: Robert Walthall (Area 4)

The Board held a short Board meeting following the Annual Meeting.

Pamela Middleton called the meeting to order.

Ms. Middleton reported that the ballots would be sent out the following day per the Bylaws.

Ms. Middleton noted that the December Board Meeting would be held at the Library at Kimball Junction on December 18th.

Approval of Minutes

September 18, 2018

MOTION: Pamela Middleton moved to Approve the Minutes of September 18, 2018 as written. Joe Pagel seconded the motion.

VOTE: The motion passed. Ted Bonnitt, Byron Harvison, Jan LeVitre, Pamela Middleton and Bruce Hutchinson abstained from the vote.

October Budget Meeting – October 23, 2018

Approval of the October 23, 2018 Budget Meeting Minutes was tabled to the next meeting to give the Board members the opportunity to read the Minutes.

Water Truck

Mr. LeCheminant provided a brief update on the water truck. The truck was supposed to be ready last Friday; however, the mechanic did not show. He spoke with the seller on Friday and it was promised for Monday. Monday night he texted the seller to tell him they would be picking up the truck on Tuesday and to let him know if there were any

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problems. Mr. LeCheminant had arranged for someone with a CDL to drive it back to the Ranch. When they arrived to pick up the truck he was told that they needed another hour to finish up. When they returned an hour later the truck was still not idling correctly so they had to leave without the truck.

Ms. Middleton reported that Jody called the seller on Wednesday and made an arrangement that when the truck is ready, the seller would put it on a truck and deliver it. Jody will look it over and make sure everything is repaired and that the truck is in working order. If he finds everything acceptable, Jody would send the \$5,000 that the Board approved with the driver.

Ms. LeVitre stated that Carol told her earlier in the evening that the truck driver needed to be paid because he had traveled to Idaho to pick up the water truck. Mr. LeCheminant stated that the CDL driver was to be paid \$250 for his time. In addition, Mr. LeCheminant had paid for his breakfast and dinner the day they traveled. Mr. LeCheminant would like to be reimbursed for those expense receipts.

Ms. Middleton noted that Jody had emailed the seller and requested all of the records for the truck so he could see all the work that was done and the parts that were repaired or replaced. Mr. LeCheminant understood that the problem was a bad injector.

New Construction/Additions

The Board discussed plans for a mansion-type structure. Mr. Hutchinson thought it was a beautiful structure but it belongs in Promontory and does not fit with the Ranch. He was concerned that more of these structures are being built, but the Board cannot prohibit them if they meet all the Guidelines.

Mr. Rosing stated that harmony with the neighborhood could be the basis for not allowing this type of structure. Ms. LeVitre pointed out that exterior compatibility was in the current CC&Rs. Ms. Middleton noted that the Board has denied other exteriors for that reason.

The suggestion was made for the Board to take a consistent stance moving forward not to approve mansion-type structures that are not compatible with the Ranch. Ms. LeVitre did not believe the Board could control the size, but they could say it is not in harmony with the rest of the Ranch.

Mr. LeCheminant pointed out that the structure was 2500 square feet, with three floors straight up. Mr. Rosing stated that in addition to the large size, the structure is a big rectangle.

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Jonathan Hoffman was prepared to make a motion to deny the plans as presented because it does not comply with setbacks and the septic tanks. There were no dimensions for the roof, and the beige color is too light.

Mr. Rosing remarked that the problem is that if the owner fixes the four errors outline, it would not change the size and shape and they would have to push back again. The owner would rightfully be upset that he spent money revising his plans when there were other issues. Mr. Rosing pointed out that language in the current CC&Rs should allow the Board to deny the proposed plans based on the four items identified, and because it does not harmonize with the neighborhood.

Mr. Hutchinson asked if the Board is required to explain why the plans were not approved. Mr. Rosing did not believe they were required, but he assumed the property owner would ask for an explanation. As their attorney, an explanation from the Board would help him defend their decision if it ever went to court. Mr. Rosing recommended that the Board deny the plans and work on language to support their denial before sending it to the property owner.

Mr. LeCheminant noted that portions of the structure have aluminum siding. The Board also needed verification that the stone was actual stone and not veneer.

MOTION: Jonathan Hoffman made a motion to Deny the plans as presented because it does not comply with setbacks and the septic tanks. There were no dimensions for the roof, and the beige color is too light. Bruce Hutchinson seconded the motion.

Ms. Middleton asked if the Board needed to vote if it was not an approval. She was told that if the Architectural Committee does not bring a recommendation to the Board, they would not approve it. Ted Bonnitt was the area rep and he would speak with the owner.

The motion was withdrawn.

Mr. Rosing stated that if the owner fixes the technical violations and the Board still intends to deny, he recommended that Mr. Bonnitt should also tell the owner that the structure does not harmonize with the Mountain vernacular.

Mr. Bonnitt requested that the Architectural Committee provide him with a list of items that do not meet the Guidelines so he can understand the details when he presents it to the owner. He also asked for a definition of mountain vernacular. He was told that size, color, footprint, and the overall look should be compatible with the other structures on the Ranch. Mr. Rosing remarked that shape is another issue. There needs to be

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some variation in the shape of the building. Flat roofs are another issue. Mr. Bonnitt stated that the size and shape of the lot was not suitable for an extravagant structure.

Monthly Budget Review

Andrew Pagel reviewed the unpaid bills detail.

MOTION: Andrew Pagel moved to Approve the unpaid bills in the amount of \$23,073.80. Tom LeCheminant seconded the motion.

VOTE: The motion passed unanimously.

Mr. LeCheminant asked if the unpaid bills included the \$250 for the CDL driver.

MOTION: Pamela Middleton moved to Approve the \$250 payment to Steve, the CDL driver who went with Tom LeCheminant to pick up the water truck. Jonathan Hoffman seconded the motion.

VOTE: The motion passed unanimously.

Plowing RFP

Mr. Hoffman had received one RFP. The bid was \$32,000 to plow the upper road from the winter lot to Forest Meadow, and \$39,000 to plow the lower section from Junction Court to the bottom. Ms. Middleton noted that the Board had budgeted \$20,000 for plowing.

Mr. Hoffman stated that some of the money that was allocated last year was not spent. The fiscal year will end on December 31; therefore, there is technically \$40,000. Ms. Middleton pointed out that some of that money needed to be reserved for plowing next Fall before the new fiscal year. It was noted that the RFP bid could potentially be negotiated.

Mr. LeCheminant stated that the bid identified plowing from the gravel pit to Forest Meadow. There was no mention of Junction Court. Mr. LeCheminant thought the Board needed to get clarification on the exact route. He thought the contractor may have bid from the gravel pit to Forest Meadow, and from Forest Meadow down to the bottom. Mr. Hoffman explained that the RFP was split into two bids. Jody and Randy would plow the section that is not bid; however, Jody expressed a preference to do the lower section because that involves sanding.

Mr. LeCheminant reiterated that the Board needed the contractor to clarify the exact

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route in his bid. Mr. Hoffman believed the route was from the Ranch office, across Arapaho to Forest Meadow, and down to Junction Court. Mr. LeCheminant was comfortable with the \$32,000 bid if it goes down to Junction Court. They could pull the remaining \$12,000 from the money allocated for last year.

The Board agreed that Mr. Hoffman should try to negotiate a lower cost before accepting the bid. Mr. Harvison suggested that Mr. Hoffman meet with the contractor on the Mountain and walk the route so everyone is clear.

Mr. Hoffman remarked that a third option was to consider an hourly reimbursement for FMEEF for people who live along Forest Meadow.

Ms. Middleton suggested that they could possibly get more bids and lower bids if they start earlier next year. She thought they should send out the RFP in May.

Mr. Hoffman asked if he could use the argument that money was budgeted for this fiscal year, but realistically the money would not be available until after January 1st. Ms. Middleton stated that Mr. Hoffman could ask Mr. Rosing to help with the negotiations if he is not comfortable doing it himself. Mr. Hoffman offered to meet with the contractor to review the route.

Mr. Jespersen asked if the Board had enforcement capabilities on the contract; particularly in terms of timing and when the plowing should be done. Mr. Hoffman offered to provide the Board with copies of the RFP. Ms. Middleton thought the RFP was posted on the website.

The meeting of the Pine Meadow Owners Association Board adjourned at 9:20 p.m.