

PINE MEADOW RANCH OWNERS ASSOCIATION  
MONTHLY BOARD MEETING  
VIA ZOOM VIDEO CONFERENCE  
DECEMBER 15, 2020

In Attendance: George Sears, President; Nick Jackson, Vice President; Michelle Sutor, Secretary; Tom Brace (Area 1); Bennett Wetch (Area 2); Nicole Irving (Area 4); Bruce Hutchinson (Area 5); Paul Sutor (Area 6); Scott Boyle (Area 7).

Ex Officio: Jody Robinson, Ranch Manager

Excused: Andrew Pagel, Treasurer; Joe Pagel (Area 3), *Robert Rosing, HOA Legal Counsel*

Guests: Nolan Mitchell, Lot PI-F-17; Lynn Kerr, Lot FM-C-41; Andi Harris, Lot FM-B-29; Tom and Debbie LeCheminant, Lot PI-D-29; Hunter Jackson, Lot FM-C-40 & FM-C-42; Raquel Donati, Lot FM-D-87-B

George Sears called the virtual meeting to order at 6:32 p.m.

**Minutes Ratification of Approval**

George Sears stated that the first action item was to ratify the approval of the October Minutes and the November Financials that were approved via email after the Annual Meeting.

MOTION: George Sears moved to ratify the approval of the October 20, 2020 Minutes and the November Financials that were previously approved. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

**Aspen Ridge Fee Reduction**

Mr. Sears reported that the Executive Committee approved an adjustment to the annual fees for Aspen Ridge. The HOA made a proposal to Aspen Ridge reducing the fees on an annualized basis since they are not members of the actual Home Owners Association. Mr. Sears stated that Andrew Pagel did an analysis of the actual costs associated with anyone outside of the Ranch. Those numbers were \$307 annually. Aspen Ridge worked with the HOA to identify the true costs for those who are not HOA members outside the Ranch.

Mr. Sears stated that even though the reduction is proposed to be approved, it was not a formal ratification. However, since it was approved by the Executive Committee, he preferred to have their decision ratified by the Board.

MOTION: George Sears moved to approve \$307 on an annualized basis for Aspen Ridge.

Bruce Hutchinson asked Mr. Sears to clarify for the Board what the Executive Committee discussed. Mr. Sears stated that the Executive Committee had a direct meeting with the President of the Aspen Ridge HOA. For some time, Aspen Ridge has not had full participation in terms of paying the annualized fee. The primary concern identified is the fact that there are expenses in the HOAs \$450 fee that are solely related to the owners of Pine Meadow Ranch. Mr. Sears reported that after significant dialogue, they asked Andrew Pagel to go back and analyze and pull out any expenses that would not have direct impact or benefit to the members of Aspen Ridge. Mr. Sears had asked Carol to put the spreadsheet in the dropbox if the Board members were interested in seeing the detail.

Mr. Sears explained that the fee has always been called a donation because they can do nothing more than encourage those outside the Ranch to participate. Mr. Hutchinson clarified that he only asked because he was not privy to the discussion.

Mr. Sears stated that the President of the Aspen Ridge HOA was on the line and talked through the process with the Executive Committee. She intended to present their proposal to the Aspen Ridge HOA, but he had not seen a response. Michelle Suitor stated that an email was sent indicating that there were no negative comments. She assumed Aspen Ridge was accepting the offer.

Mr. Hutchinson understood that by reducing the amount and having all the Aspen Ridge owners pay, the Pine Meadow HOA would be receiving \$307 per year. Mr. Sears clarified that the proposal is for just under \$150 less per home annually. There are 12 homes in the Aspen Ridge HOA and only five or six were currently participating. Mr. Sears stated that because of the fee structure and other things related to how Pine Meadow manages the Ranch, the Aspen Ridge homeowners did not want to pay into that structure. The President of the HOA wanted to know what could be done to make it more palatable to encourage all the owners to participate since they all benefit from having Pine Meadow manage the roads and other elements.

Mr. Hutchinson asked whether Aspen Ridge would consider being part of the Pine Meadow Ranch HOA in the future; or whether they are totally separate and will never participate. Mr. Sears replied that the discussion was not approached on that basis. Aspen Ridge has its own water system, and their fee structure is much less than Pine Meadow.

Nicole Irving remarked that the Aspen Ridge owners like being separate and they do not want to be a part of the Pine Meadow HOA.

Tom Brace asked if they agree to reduce the fees whether they would have access to

fix the road in front of Elizabeth's house. Ms. Suitor replied that Elizabeth is not part of Aspen Ridge. Mr. Sears stated that Aspen Ridge would like Pine Meadow to fix the road, and they are very aware of the problem. He expected to have that dialogue with Elizabeth again after the first of the year.

Mr. Hutchinson questioned why the Board was voting on reducing a contribution that is not expected. He thought Aspen Ridge could just decide to contribute whatever they want, and the Board should not be involved. Mr. Hutchinson was concerned about setting a precedent for the future. Mr. Sears thought it was a valid point, and he questioned whether the decision by the Executive Committee needed to be formally approved by the entire Board. However, since it affects the financials and a specific amount of money is budgeted for the SS lots, he wanted to bring it to the Board to address any concerns.

Mr. Suitor asked if it was possible to work out something where all 12 Aspen Ridge homeowners would commit to paying the lower rate, especially since Aspen Ridge approached them requesting a lower rate. Mr. Sears understood Mr. Suitor's point. However, as good neighbors he thought everyone would want that kind of support. He recalled that four homeowners pay every year regardless of the amount, and others have paid sporadically. Some even exceed the amount because they feel the value of the benefit is greater. Mr. Sears remarked that at this point, they were only trying to accommodate a request to see how it goes. He pointed out that if it does not work it can always be changed.

Mr. Sears restated his motion for a vote.

MOTION: George Sears moved to approve \$307 on an annualized basis for Aspen Ridge. Nicole Irving seconded the motion.

VOTE: The motion passed unanimously.

Mr. Brace asked if there were ramifications for members of Aspen Ridge who do not pay. Mr. Sears stated that Carol keeps track of who does or does not pay. If someone does not pay or contribute, they do not have the opportunity for extended benefits such as mailboxes, etc. Mr. Brace suggested that the Board put together a list of amenities that are included for someone who does pay. Being the Area 1 Rep, he gets questions from residents in that area. He believed the next Area 1 Rep needs to understand what is expected on the Forest Meadow side.

Mr. Sears stated that the Executive Committee had that conversation with the Aspen Ridge HOA President, and he thought a list was a good idea. He would schedule

preparing that list on the next agenda.

### **Winter Construction on the Ranch**

Mr. Sears stated that some people continue to construct their cabins after November 1<sup>st</sup> and large trucks are coming up the Mountain, which is precluded by the Rules and Regulations. Mr. Sears noted that Ms. Irving had sent him pictures, and Mr. Hutchinson had spoken with a particular individual regarding construction of a cabin. Mr. Sears wanted everyone to understand that they are an HOA and not a police force. The only way to handle these types of situations is to warn people when they violate the rules and regulations. They can fine them for the second violation. They can increase the fine for the third violation and continue to increase the fine until it becomes painful for the property owner. That is the most they can do as an HOA.

Mr. Sears clarified that the rules and regulations can be changed, but not easily. The Board controls the Rules and Regulations, but once they decide to make a change, the Rules and Regulations and all associated changes need to be opened to input from all the owners. Mr. Sears stated that the Board has the ability to modify or adjust the fine structure as a Board, and he would ask Andrew Pagel and others to work on how they might look at doing that.

Mr. Suitor stated that one challenge is that they do not have any control over people who live beyond the HOA or visitors. A few incidences were posted on Facebook in the last week or two which were totally within what is allowed under the rules. He did not believe the current rules would help address the more recent issues.

Ms. Suitor preferred not to become a neighbor tattling on a neighbor. People send her pictures of trucks with chains that get stuck and want the Board to fine them. Ms. Suitor believed that if someone has chains and still gets stuck, they should not be fined. Mr. Hutchinson asked if the problems were with construction or with people who are just visiting someone on the Ranch. Ms. Suitor replied that some have been deliveries that were not necessarily tied to construction with a Lot Improvement Plan. Another was a renter who was trying to drive up in a van. They had chains on all four tires and one of the chains blew. They were not able to make it the rest of the way up and ended up parking in someone's driveway. Ms. Suitor pointed out that it was difficult for the Board to have control over either of those situations. Mr. Hutchinson stated that the only way they can control it completely is by limiting the time for when construction can take place on the Ranch.

Ms. Irving understood that some people are adequately equipped with trucks and chains and it is annoying to get stuck behind them. The problem are the people who come up for spray foam insulation and they get stuck and block the roads, or semis getting stuck,

or people hauling trailers of wood. Ms. Irving pointed out that it is everything combined. If they eliminate the construction and delivery traffic, the one truck that does have chains and four-wheel drive but still gets stuck will not be as big a factor when it is a one-time situation. Trying to enforce one factor would help alleviate the other issues.

Mr. Suitor agreed with Ms. Irving. He remarked that this winter has gotten substantially worse. There have been major blockages and most centered around construction, some rentals, and one lot owner. He was unsure whether the Board had any recourse, but it definitely was a problem.

Mr. Boyle asked if these situations involved trailers being pulled behind the vehicle. He suggested restricting any vehicle pulling a trailer. He personally experienced situations in the past with snowmobile trailers. Mr. Suitor noted that the Board had that discussion a few months ago and the issue is that a lot of owners do have snowmobiles and they can get up with chains and big enclosed trailers. He did not think they could prohibit the owners from bringing up their snowmobiles.

Ms. Suitor thought the problem with restricting construction if an existing homeowner has a broken pipe, the person who comes to fix it is the same construction person who would install pipes in a new build. She was not in favor of limiting the ability to have work done on an existing cabin in the event of an emergency repair.

Mr. Sears understood from the comments that the Board needed to strengthen the guidelines and strengthen communications to anyone building if they expect to go beyond a certain timeframe. They could also look at changing the fee structure or increasing the impact fee from \$6,000 to \$10,000 for anyone who plans to build after a certain date. He noted that the Board has options, but they need to make recommendations collectively. The Roads Committee will be responsible for looking at the Rules and Regulations as it applies to how the roads are managed.

Mr. Jackson pointed out that what the Board can do will be limited to the current rules this winter. He had not yet seen any reports that they could actually act on. He remarked that a picture of a stuck vehicle is not enough to address the issue with an owner. They need a picture of the vehicle and information about the lot the person was trying to reach in order to address those situations this winter. If someone violates the Architectural Guidelines doing construction, they can talk to the property owner about it. Mr. Jackson noted that changing the rules will take months. Mr. Sears thought Mr. Jackson made a good point. A picture by itself is not enough. Taking a picture and identifying the owner and the lot will give them flexibility to warn and identify who is causing the problem.

Mr. Suitor noted that he and Mr. Jackson have both mentioned on Facebook the need to have pictures, the company or type of company, and the lot they were headed to. They also need a date, time, and location. Without detailed information there is nothing the Board can do. Mr. Suitor stated that he, Mr. Jackson, and Mr. Boyle would work on it and the Board could table it for now.

Ms. Irving understood that changes could not be made this evening, but she did not think they should wait until all the rules are changed to address it. She thought they should move forward on actively making changes to address this issue sooner rather than later.

Mr. Jackson stated that winter construction involving prohibited vehicles that are brought up by a lot owner are probably violating the Architectural Guidelines. If they can identify which site the vehicles are going to, they can address it now based on the Guidelines.

Mr. Hutchinson reminded everyone that when the owner signs the document requesting approval from the HOA, they agree to the terms on that document. If those terms are violated, the Board does not need to warn them because they are already under contract. Ms. Suitor suggested making the fine structure more prominent on the first page of the Lot Improvement Plan. They could add language stating, "no construction trucks after November and the property owner will be fined if the trucks are identified going to their lot". That would be helpful in making sure the owners and contractors understood when they sign the agreement.

Mr. Sears thought it was important to have input from all the Board members; however, they need to make sure they are collectively preparing themselves to make sure they understand what they can or cannot do. If they make changes, he thought the recommendation should come from the Road Committee.

Mr. Brace thought the rules in place right now were sufficient in most cases, as long as the owner adheres to those rules. Mr. Brace noted that they live on a mountain and if people expect their suburban lifestyle of being able to get in and out of the mountain at any time without delays, those people have a wrong approach, and they need to understand that going forward. He wanted to make sure everyone understands that it is a mountain community, and owners should adhere to the rules rather than the Board just putting additional rules in place that restrict existing owners from doing remodels or working on their cabins.

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

Jody Robinson stated that it was a slow month. They were doing maintenance on the

equipment and snow removal. Jody reported that the burn pile was burned and cleaned up.

Mr. Hutchinson asked if Jody anticipated additional expenses for chains, blades, etc. within the next two months. Jody replied that they would be receiving the repair bill for the tractor, which was still being repaired. He noted that the brake pedal on the grader had an air leak and he needed to install a new packing kit. The rest were minor maintenance expenses on the trucks and sander. There should be no other large bills besides the tractor repair.

### **Results of the Sign Survey**

Mr. Sears stated that the Board briefly talked about this, but it was never really discussed. He thought it was important to have a dialogue around the sign scenarios. Mr. Sears noted that 20% of the ownership responded, but they did not respond in all areas. He asked if there was anything the Board would like to see highlighted or discussed that would push them into a dialogue related to what they should be doing about signs in general.

Mr. Brace stated that he had not recently looked at the survey but what he recalled from a month ago, over 50% of the respondents were comfortable with the current realtor signs. He thought that was the only response that conflicted with what the Board was hearing before the survey.

Mr. Sears remarked that statistics can be looked at in different ways. He thought the respondents were okay with some form of real estate signs, and he believed the Board accommodated that with the change they made earlier in the year to allow real estate signs with some restrictions. Mr. Sears thought the survey was a balanced report. In looking at the different scenarios, 35 said they should have a three-month limit on for-sale signs. Additionally, 36 said for-sale signs on personal lots and property should be limited to an 8 x 10 size. Mr. Sears noted that the majority answered yes to the question of whether to allow a sign of some sort for people selling their property.

Mr. Sears remarked that earlier in the year, the Board was willing to allow a post in a brown, green, or white color with information that would still identify the location. In his opinion, that would go along with those who said it was okay to allow some form of a for-sale sign.

Mr. Sears noted that the respondents have no problem with HOA signage. They have no problem with speed limit signs. They were not opposed to community signs dealing with plow routes, etc. Fewer people were comfortable with the church signs. One individual contacted him suggesting that they be a color other than white and look more

mountain-like. Mr. Suitor had heard that same comment. Mr. Boyle stated that years ago the HOA Board at that time asked the church to put their signs in white so people would know to follow those signs and not get detoured throughout the Ranch. The agreement was that the church would remove their signs during the winter, which never happened after the first year.

Mr. Sears noted that 108 people said yes to 8x10 trespassing signs. Sixty-two people favored having children at play signs. Only 13 people said yes to business signs. Twenty-four people said yes to political signs. Mr. Sears stated that he belongs to an HOA that allows putting political signs in windows, but they are not allowed to place political signs outside on their property. Mr. Sears reported overall that 67 people favored allowing for-sale signs with restrictions.

Mr. Sears encouraged all the Board members to review the survey. He recommended keeping with what they already approved and encourage everyone to accept the for-sale post with pertinent information. He believed it was more functional and could be better than some of the other real estate signs. Mr. Sears thought the survey statistics give the Board a good basis to look at the signage scenario in general terms, and they should be more specific about what they will or will not allow.

Mr. Suitor agreed. He noticed that an email that Carol recently sent to one of the realtors mentioned an 8-1/2 by 11 size. He pointed out that the Board never formally approved that size. Mr. Sears stated that he asked Carol about it. He noted that the only time they did anything specific on the 8x10 or the 8-1/2 x 11 sign size was for no trespassing signs. Mr. Suitor noted that the two realtors they were having an issue with both pulled their signs.

Mr. Wetch understood the rule as written; however, he thought real estate signs were a common social norm. He advocated for re-evaluating the rule and potentially exempt real estate signs from the rules that govern political and other types of signs. Mr. Sears thanked Mr. Wetch for his input, noting that this type of input is important as they go through the review process. Mr. Sears remarked that when they went through the process earlier in the year and came up with some guidelines, they did not look at the bigger picture in all aspects. The purpose of the survey was to understand the broader picture. He believed they now have the opportunity to look at it on a broader basis and to be more consistent in how they go about it. Mr. Sears did not believe they should make any changes until it is fully evaluated. That allows them to make informed decisions they can stick with unless something compelling requires them to be modified in the future.

## **Election Results and Update**

Mr. Sears reported that the elections ended Friday of last week. Carol received two ballots yesterday and he was unsure whether any were received today. When Carol receives the first ballot that is marked the 12<sup>th</sup> instead of the 11<sup>th</sup>, she will close it off. At this point they did not have the final election results.

Mr. Sears understood that Area 1 is a close race that is still undetermined. The other results appeared to be solid; however, Carol preferred to wait until all ballots were in and counted before sending the results to the Board.

Mr. Sears reported that the budget that was presented for a vote at the Annual Meeting was approved.

Mr. Wetch asked if all the ballots had been sent out for the election because he had not received one. Mr. Sears stated that all the ballots were sent four or five days after the Annual Meeting. If Mr. Wetch did not receive a ballot, he should contact Carol. Mr. Jackson also knew of people who had not received ballots, similar to the meeting notices that were not received. Mr. Sears stated that the HOA ballots are mailed based on the current address in the data base. They are not emailed. People should have received them through the normal mail process. If anyone knows of individuals who did not receive a ballot, they should ask those people to contact Carol. If someone did not receive their ballot they should still be allowed to vote.

Mr. Hutchinson stated that in the past, the Board has not done a good job of notifying the candidates who either won or lost the election in the past. He thought it was important to promptly notify those people once the count is finalized. He assumed that would be Mr. Sears' responsibility. Mr. Sears agreed, which is why he communicates with Carol daily to find out whether the voting has reached the deadline. However, he was concerned to hear that Mr. Wetch and others did not receive their ballots. Mr. Sears stated that Carol updates the Pine Meadow data base from the Summit County data base. If those addresses are not current, they might get lost in the process. He preferred to give everyone the benefit of the doubt and allow people who did not receive a ballot the ability to still vote.

### **Committee Reports**

Mr. Sears noted that Andrew Pagel put together a list of all the committees and the current members on each committee. That list was available on the dropbox for everyone to see and update as necessary.

Architectural Review Committee – Mr. Jackson reported that the Architectural Review Committee did not have any new applications. The committee received one application two days ago and the owners updated the materials today. Some issues still need to be

worked out in terms of ARC policies and procedures.

Roads and Parking Committee – Mr. Boyle reported that the Committee prepared a list of items within their realm of consideration. He had added sub-categories under each item, such as prioritizing what roads should be looked, what will or will not be done, etc. In the next week he will begin talking to individuals and hand out assignments on coming up with or working on items within that list. Mr. Boyle wanted to get all the documentation on the current Rules and Regulations and Procedures and distribute it to everyone on the Committee. If anyone thinks other items should be added to the list, they should contact him.

Mr. Sears reported that issues came up this week regarding winter plowing. Carol was contacted by newer owners on the Ranch wanting to know who to contact for plowing in their particular areas. Mr. Sears did not think the Board has done a good job in recent years as far as identifying which plower should be contacted. He also thought it was apparent that the plowing crosses boundaries and one plow area may be part of two different areas. Mr. Sears thought it would be helpful if the Area Reps could identify who plows the area and give that information to Carol.

Mr. Sears reported that Mr. Rosing was looking at the old contract the HOA has had with plowing groups, and how it fits in to the current ordinances and regulations from a legal standpoint to see whether they can possibly reintroduce some of those terms.

Mr. Boyle commented on the requirement for the individuals doing the plowing to obtain insurance coverage that names Pine Meadow Ranch. He noted that this requirement was in place when Hutch Foster took over but was never fully enforced after Mr. Foster left. As an HOA and as individual Board members, he was concerned that if something happens when someone is plowing, the ramifications of being sued by that individual could encompass the Board as a whole and each Board member individually. Mr. Boyle had this occur when he was President of the HOA. He wanted to make sure that as Board members they are not in a position to lose everything because they did not get notification that someone had insurance and the HOA was named on that insurance policy. Mr. Boyle would like to reinstate that requirement.

Mr. Sears stated that he spoke with Mr. Rosing on that issue last week and he is currently looking into how it would benefit the HOA and the Board. Mr. Boyle understood that the person they hired to plow the connector route was required to have insurance. Mr. Sears stated that he met the requirement and provided his proof of insurance along with his license. Mr. Boyle emphasized that the requirement should apply to everyone who is plowing.

Fire Committee – Mr. Suitor sent an email to Nicole Irving last month suggesting that they take pictures of the fire pit and the surrounding area when they do a fire pit approval. He also suggested that instead of just uploading the forms, they should create a folder for the fire pit approval and include the pictures labeled with the lot number and the forms. Ms. Irving agreed with Mr. Suitor's suggestion.

Ms. Irving suggested that she and Mr. Suitor should get together with Dave Telian in the next month or so because he was working closely with Alan Powell on procedures and other ways to improve the Fire Committee before Mr. Powell passed away. Mr. Suitor agreed and asked Ms. Irving to let him know when that meeting is scheduled.

Mr. Sears remarked that the Fire Committee would become more important through the end of first quarter to make sure they are properly managing how the process works. Mr. Wetch agreed. He was pleased that Mr. Suitor and Ms. Irving were willing to take this on. Mr. Wetch understood that the immediate responsibilities of the Fire Committee related to approving fire pits; however, Mr. Powell was working on other things to help make the entire community more fire safe, and he would like those to be prioritized as they move into summer. He offered to do whatever he could to help support that effort.

Ms. Irving stated that she spoke with Dave Telian at the end of last month, and he has a lot of ideas and a lot of things already in progress on how to become a fire-wise community, as well as what to prioritize to make that happen. She believed Mr. Telian would be key in continuing with what Mr. Powell had already started.

Communications Committee – Michelle Suitor stated that once she gets the election results, she would post them. She understood that Debbie and Connie had volunteered to do a newsletter, but she had not heard from them. She asked if Tom LeCheminant knew if that was still their plan. Mr. LeCheminant was unsure because no one has said anything more about it. He would ask Connie about it.

Mr. Sears stated that Pine Meadow website is not the strongest. He compared it to the design of the Water Board Website noting the differences to the HOA Website. The Water Board has a webmaster they can reach out to that helps keep their website updated and functional. The HOA does not have that support from a contractual standpoint. Mr. Sears suggested that the Board should look at the underpinning architecture of the website and consider where it should be going rather than where it is today.

Mr. Wetch concurred. He apologized for bringing it up earlier in the year but not following through. Due to the pandemic he needed to focus more on his job, but he was still willing to offer his support to the website.

Ms. Suitor stated that she inherited the website from Jann LeVitre, and Ms. LeVitre still helps her from time to time when she needs it. Ms. Suitor pointed out that the platform is the issue because you can update it and there is no retrieval button. She believed that rebuilding the website or starting over would be very cumbersome. Ms. Suitor pointed out that it would be a ground up build because it is not transferable at this point. Ms. Suitor was concerned about losing important information.

Compliance Committee – Mr. Sears stated he, Andrew Pagel, Bruce Hutchinson and Bennett Wetch volunteered to be on this committee, but no one has taken the lead and the committee has not met. Mr. Sears pointed out that the Compliance Committee will be driving some of the changes in the Rules and Regulations once the other committees look at what they should or should not be doing. Mr. Sears thought this committee would become more important after the first of the year.

Mr. Hutchinson stated that he understood that Carol was receiving comments from Board Members asking that she send a letter to an owner for something that was occurring without authorization from the entire Board. He thought the Board should talk about this procedure very soon and give Carol some clarity.

Mr. Sears thought Mr. Hutchinson made a good point. The problem is that Carol takes a lot of direction from individual Board members. Mr. Sears agreed that the Board needed to discuss the appropriate steps for the process.

Mr. Brace thought they needed to be careful going forward with enforcement and compliance and making sure they have a balance of power. Mr. Sears stated that she spoke with Carol about their committee structure. She is looking forward to their discussions on process so she will know who is empowered. Mr. Sears thought the Board needed feedback from the Compliance Committee on how to move forward.

Rentals Committee – Mr. Sears noted that this was a temporary committee. He presented a spreadsheet that Andrew Pagel had prepared, which has two columns. One column is standing committees and the second column was temporary committees, such as committees for elections, annual meetings, and rentals. Mr. Sears stated that he was collecting information on what other HOAs are doing with their rules and regulations when rentals are not covered in the CC&Rs. He reached out to the State and to Summit County by looking at their ordinances and requirements for short-term rentals. Mr. Sears remarked that there is a definite difference between short-term and long-term rentals. Anything beyond 29 days is considered a long-term rental and it is handled differently than a short-term rental.

Mr. Sears stated that he was taking the lead and gathering information for the committee to determine what is appropriate to apply under the Pine Meadow Rules and Regulations for rentals. Mr. Sears noted that the Committee would need to go through each of the Rules and Regulations that should be published and provided to the owner/renter in a short-term rental that the renters need to abide by while on the Ranch.

### **Monthly Budget Review**

The Board reviewed the unpaid bills detail. The Board members questioned the Capital One bill because the charges were unclear. Ms. Suitor pulled up the invoice detail and noted that the credit card is in Jody's name. Based on the description she thought the charges looked appropriate. Mr. Jackson was willing to approve the unpaid bills, however, he would email Mr. Pagel or Carol to verify the charges.

MOTION: Mr. Jackson moved to approve the unpaid bills as presented. Tom Brace seconded the motion.

VOTE: The motion passed unanimously.

### **Water Meeting Update**

Mr. Suitor noted that there has not been a Water Board report the past two months. Carol sent him an email from Eric Cylvick that was also sent to Bruce Hutchinson. It came in just as they were starting the meeting and he was still trying to read through it.

Mr. Hutchinson stated that he did not physically attend the Water Meeting, which is the reason for the email. He needed Eric to update him on what the Water Company was doing with Mountain Regional. As indicated by the email, the Water Company had a meeting with Mountain Regional. Ted Barnes, the Water Company attorney, also attended that meeting and they were still discussing the potential contract that they proposed to Mountain Regional to supply Pine Meadow with the water they will ultimately need at buildout. Nothing has been finalized but they were still negotiating.

Mr. Hutchinson stated that he has tried to get Eric Cylvick to allow a Zoom meeting, but he does not think it is necessary. Therefore, Mr. Hutchinson either needs to call into the meeting or ask Paul Suitor or another Board member to attend when he cannot be there. Mr. Suitor replied that he is happy to attend the Water Board meeting if Mr. Hutchinson lets him know he will not be attending in person.

### **Public and Open Forum**

Andi Harris, Lot FM-B-29 in Area 1, requested that whoever is in charge of the Roads Committee contact her. She did not want to spend the Board's time talking about what she believes is a significant road issue that should be addressed. Ms. Harris would like

to speak to the Roads Committee.

Scott Boyle asked Ms. Harris for her contact information. Ms. Harris provided her phone number. Mr. Boyle offered to call her tomorrow.

Mr. Brace understood that Ms. Harris was trying not to take up everyone's time, but he was aware of her comment and her concern related to areas of Forest Circle, Bull Moose, and Forgotten Lane that the area residents have been trying to address since the Spring of last year. These roads have not been given priority from Jody and not even on the road list from Jody. Mr. Brace thought there needed to be more communication regarding road maintenance. He and another Board member have been pushing for additional communication primarily from Jody himself, but that has not occurred. Communication is important so they all have a clear picture of what is happening with road maintenance, and so the members understand as well. Mr. Brace recognized that it is a big issue, which is why they formed a Road Committee. He wanted to make sure it remains a priority.

Lynn Kerr, an owner on Forgotten Lane, stated that she was again asking the Board members to be more transparent. She would like to get links for the board meetings via email instead of having to look for them. She asked for a newsletter of with what goes on. Ms. Kerr requested much more communication from the Board. She thought email was absolutely fine as a way to communicate. Ms. Kerr reiterated her request for a lot more information.

Mr. Sears assumed Ms. Kerr heard during the meeting that the Board has formed a Communications Committee and some of the items she mentioned have already been identified regarding communication. He encouraged Ms. Kerr to stay in touch with the Communications Committee as they move forward.

Andi Harris suggested that the Communications Committee reach out to Ms. Kerr because she does not know who to call in the committee. Ms. Suitor noted that the website lists the committees but not the committee members or how to contact them. She stated that generally an owner would go through their Area Rep. Ms. Suitor stated that she is the HOA Secretary. Her name is Michelle Suitor and her email is listed on the website. Ms. Suitor stated that if Ms. Kerr would send her an email with her contact information, she would reach out to her.

Ms. Kerr pointed out that everything comes back to her needing to go to the website. She would like more information from the HOA without having to specifically ask for it.

Ms. Suitor stated that the Zoom invite only goes to people who request it because there

are 800 property owners. A text message goes out with a meeting reminder and she suggested that Ms. Kerr look on the website and find out how she can sign up for text messages.

Andi Harris asked if the HOA has any influence on the Water Company. She noted that some homeowners would like to attend the Water Board meeting, but because of the pandemic and where and how they meet, it is not smart or safe to attend. Ms. Harris asked if the HOA Board could persuade the Water Board to do a Zoom meeting. Mr. Suitor encouraged Ms. Harris and others to reach out to Eric Cylvick and all the Board members asking for a Zoom meeting. He and many others have asked the Water Board to have Zoom meetings so the shareholders can listen in, but Mr. Cylvick will not entertain the idea. Ms. Harris stated that she wrote Mr. Cylvick a letter but received no response. Mr. Wetch stated that he has been trying to get remote meetings since March or April with no success.

Mr. Sears remarked that the Water Board has an obligation to communicate with the owners. The only way to get them to change is through some form of pressure on them collectively. There are five Board members, and it cannot be accomplished only through Eric Cylvick, who is the President. Mr. Sears encouraged everyone on the Ranch to get their neighbors to pressure all five Board members. He noted that all the Water Company documents obligate them to offer communications to the owners. In this day and age, technology is part of that process. Mr. Suitor agreed that the request needs to come from the owners.

Hunter Jackson, Lot FM-C-40, and 42, stated that he attended the last Water Board meeting, and he was one of six people who attended. He noted that the Board was very careful with hand sanitizer, handing out masks, and social distancing. He was new on the Mountain and thought there was an obvious conflict between the two Boards. Mr. Jackson did not believe that the Water Board not having a Zoom meeting was an excuse for the HOA Board not to know what is going on.

Mr. Wetch appreciated Mr. Jackson's perspective; however, at the same time he thought requiring people to meet in person during the pandemic was an abject rejection of science. Even with hand sanitizer and face masks, he was not willing to be in the same room with people he does not live with. Given modern technology, they should be able to meet regardless.

Mr. Sears did not think this was an issue for discussion this evening with any outcome. He pointed out that the property owners who want to know what is going on with the Water Board can read the meeting Minutes that are posted, but they do not have the opportunity to see, hear, and talk without a mechanism to remotely attend. Mr. Sears

remarked that when the Water Company held some of the meetings on the Ranch and some in Park City, it excluded many owners who do not come up during the winter.

Mr. Sears emphasized that it is up to the property owners who need to encourage the Water Board to become more transparent. Under the current environment they are not being transparent. Ms. Harris stated that the property owners need someone from the Board to put out some type of communication or something that makes everyone aware that it needs to be done collectively. They need to come up with a vehicle to do it collectively. Mr. Suitor clarified that the Board members have been asking for transparent meetings since March or April without success. It needs to come from the owners because the Water Board is not listening to the HOA Board. He noted that the two Boards are completely separate and do not have any influence over each other.

Ms. Harris explained that she was trying to point out that the HOA Board is the only body that has a way to reach out to all the Homeowners. No one else has a way to communicate with the entire population of owners to launch such an effort. As a homeowner, she asked the Board to help figure out a way to launch a group effort.

Mr. Sears stated that the Board would take her input under consideration.

Ms. Irving referred to Mr. Hutchinson's comment about negotiations with Mountain Regional. She asked if the water assessment would be increased when the contract is finalized. Mr. Hutchinson answered no. He explained that currently Pine Meadow does not produce enough water from their wells and the production keeps declining. The production is not enough for full buildout even with the current restrictions of no outside watering. The Water Company is attempting to tie into a contract with Mountain Regional for enough water at buildout to supply all the needs. If they cannot negotiate a contract, it could limit construction on the Ranch. As far as rate increases down the road, Mr. Hutchinson stated that neither he nor the Water Board would know that for now.

Debbie LeCheminant, Lot PI-D-29, stated that she spoke with Connie about the newsletter and Connie sent her the last email she got from George Sears. The email indicated that the Board had it figured out and Connie thought Ms. Suitor was doing it. Mr. Sears clarified that his email only listed items that needed to be decided as a suggestion for whoever takes on that role. His email was not intended to convey that the Board was doing it all. He only tried to convey ideas. Mr. Sears would like Debbie and Connie to be involved with the process and work with Michelle Suitor. Ms. Suitor stated that she was not copied on that email and suggested a Zoom call with Mr. Sears, Debbie, Connie, and herself to see what they want to do going forward.

Raquel Donati, Lot FM-D-87-B, stated that she was once again offering her services. She is a marketing communication professional and she would be happy to create the website, create a strategy, handle the newsletter, or anything else they need her to do. She would do it for free and could probably do it in a weekend. Ms. Suitor offered to copy Ms. Donati on pertinent emails and thanked her for volunteering.

Nolan Mitchell, Lot PI-F-17, had a question regarding the committees. In addition to posting a list of committee members on each committee for transparency, he thought they also needed to identify a procedure for people who have problems or issues and the specific board recommended committee to address. Should they contact a committee member directly or contact their Area Rep. Mr. Mitchell thought the Board should be prepared for these types of questions when they start listing the committees.

Mr. Sears stated that the current process is to contact the Area Rep first. They may publish who sits on each committee, but they are not going to publish an email address for all the committee members. They were still working through the details, but they will make sure everyone understands how to contact the committees and how to work with them. He noted that the Area Reps are on the committees and they also welcome volunteers to sit on a committee. Mr. Sears cautioned against having too many people on a committee because that inhibits getting things done. Mr. Mitchell agreed with Mr. Sears. Ms. Suitor pointed out that the committees are currently listed on the website but not committee members, so people still need to go through their Area Reps.

Mr. Brace stated that this was his last meeting as an HOA Board member as his term was ending. In the nine winters he has been on the Ranch he believed this has been the best Board that has come together and is working towards the goals of the community. He acknowledged that there is still a lot to be done and this Board is committed to doing so. Mr. Brace was sad to be leaving, but he also has other many commitments which is why is not able to continue to be on the Board. He appreciates the time all the Board members give and for taking this volunteer position. He hopes others will step up in the future to serve on the Board. It has been a great insight for him personally and helps him understand the Mountain a little better. He looks forward to seeing everyone as a non-board member in the future.

The Board members thanked Mr. Brace for his service and time on the Board.

The meeting of the Pine Meadow Owners Association Board adjourned at 8:21 p.m.

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