

PINE MEADOW RANCH OWNERS ASSOCIATION
EXECUTIVE SESSION
PINE MEADOW RANCH
MAY 24, 2011

In Attendance: Dan Heath, Bob Burdette, Suzanne Larson, Tom Deaver (Area 4), Jeff Hubbard (Area 2)

Hutch Foster, Scott Erickson, Mike Gonzales, Scot Erickson, Alan Powell were excused.

Ex Officio: Jody Robinson – Ranch Manager

Guest: Bob Betheke, Lot D69, Sam Scaling

The Board met in executive session due to the lack of a quorum.

Dan Heath called the meeting to order.

Public Input

Bob Betheke – Lot D69

Mr. Betheke stated that he purchased his lot in 2007 and since that time he has been in the process of planning to build. He was shocked and dismayed to recently find out that the septic tests that were approved, as well as the proposed location of the septic tank that was located with the help of Summit County, now need to be redone. He pointed out that the rules change every year and it is difficult to plan around it. He wanted to know how long the required \$5,000 plan check fee had been in place.

Ms. Larson informed Mr. Betheke that it was an environmental impact assessment that has been in place for a very long time. Mr. Heath explained that when anyone builds they use the roads for construction vehicles and to haul materials. The money collected from the assessment is used to maintain the roads.

Mr. Betheke stated that he used to live in Timberlakes and their fee was challenged in court and it was eliminated. One of the issues related to the court challenge was scalability. He asked if Pine Meadow charges the same fee for everyone regardless of home size or location. Mr. Heath replied that it is the same flat rate for everyone. Mr. Deaver pointed out that the environmental impact assessment for Pine Meadow was also challenged in the past and it was upheld. Ms. Larson reiterated that the assessment was strictly for road impacts.

Mr. Burdette noted that Mr. Betheke has benefitted from a road that goes directly to his lot without paying to use it. In addition, the Owners Association owns four pieces of equipment that are used to maintain those lots. The impact assessment is Mr.

Betheke's opportunity to contribute to the road and the equipment. Mr. Deaver pointed out that the impact assessment helps to keep the annual assessment at a lower rate.

Mr. Betheke appreciated Mr. Burdette's explanation because it made paying the fee more tangible.

Mr. Betheke asked about the lot improvement plan review and agreement. He wanted to know what would happen if he wanted to scale back his plans after they are approved. Mr. Burdette stated that it would not be a problem if the size decreased during the initial construction phase. However, the Board monitors colors and the exterior of the property and request that those types of changes come back to the Board for review.

Mr. Betheke presented a copy of the agreement, copies of his plan, and the engineered site map. Mr. Deaver noted that the plans should also state the exterior materials and colors. Ms. Larson remarked that Mr. Betheke also needed a water letter. Mr. Betheke stated that he already had the water in place. There is a hydrant on the property and he would not need to pay the connection fee.

Regarding the septic tank, Mr. Deaver pointed out that the Board has no influence over those matters. He was curious as to why the County would require him to re-do it. Mr. Betheke replied that at the time he requested that the County keep a letter on file. The person he worked with at the County Health Department has retired and the letter was found in the file. However, the County is making him re-do the septic tests because it has been over two years. He is challenging that decision, but he cannot obtain a building permit until the matter is resolved.

Mr. Betheke commented on the roads and noted that the original developer had not completed the roads properly. He noticed that many of the roads are not exactly 30 feet wide. Mr. Deaver replied that the roads from the culvert up are private roads and not County roads.

Mr. Heath asked about colors. Mr. Betheke replied that the exterior color is brown with a rusted metal roof. The siding is batt and board with natural stone on the bottom. Mr. Betheke was told that Amy Jackson was the area 7 rep. and he should work with her. She could be contacted at area7@pinemeadowranch.org.

Sam Scaling

Sam Scaling noted that he had exceeded the budgeted plowing expense by \$215. He explained that when the culverts were getting plugged, he was contacted by Hutch Foster with approval to widen the emergency access road. Jody Robinson confirmed

that he was with Mr. Foster when he called Mr. Scaling. Mr. Burdette clarified that the approved budget for plowing the connection was \$6,500 for this winter. That amount was exceeded by \$215.

MOTION: Dan Heath moved to pay Sam Scaling the additional \$215. Susan Larson seconded the motion.

Dan Heath clarified that since it was an executive session, only the executive members could vote.

VOTE: The motion passed with executive members Susan Larson, Dan Heath and Bob Burdette voting in favor.

Minutes – April 26, 2011

Dan Heath referred to the approval of the February 22nd minutes and corrected the name Bruce Burdette to **Bob Burdette**. Tom Deaver referred to the paragraph indicating that because he was an area rep he could not approve his own plans and, therefore, went to Mike Gonzales. Mr. Deaver clarified that it took four phone calls before he could reach Mr. Gonzales and by that time he had met with Bob Burdette. Mr. Deaver corrected the minutes to change Mike Gonzales to **Bob Burdette**.

MOTION: Dan Heath moved to APPROVE the minutes of April 26, 2011 with the corrections as stated. Bob Burdette seconded the motion.

VOTE: The motion passed with executive members Dan Heath, Suzanne Larson and Bob Burdette voting in favor of the motion.

Water Board Report

Dan Heath had attended the Water Company Board meeting. He noted that I-plat was still without water. When the main line was down the tanks were filled from Bobcat. At that time Bobcat was producing 40 gallons per minute.

Mr. Heath reported that the Water Board discussed purchasing a vacuum machine. The vacuum sucks out the water to make it easy to read the old meters that are installed below the water line.

Mr. Heath reported that the Water Company was approved for a \$3.1 million loan, which will be rolled into the old loan. The length of the loan will increase from 20 years to 30 years. The Water Company will use the loan to replace the line that failed and to

drill the new well on Tollgate, which should produce 200 to 400 gallons per minute. In addition, all the old meters will be replaced with new Smart meters.

Jody Robinson explained that the Smart meter has an alarm that alerts the Water Company if water had been running continuously for 24 hours. The meters send a signal that can be read with a laptop and leaks can be detected early.

For the benefit of Mr. Betheke, who had stayed to observe the Board meeting, Mr. Deaver clarified that the Water Board Update was strictly for information purposes. The Water Company and its Board is a separate entity from the Owners Association. Mr. Heath clarified that even though they are separate, the two entities try to communicate and keep each other informed.

Ranch Manager's Report

Jody reported that he was having trouble in the lower canyon where the road was washed away. The biggest portion washed out because a culvert was plugged and put a creek over the road. Jody stated that there were mud slides at the lower canyon. The whole mountain was moving because of the wet weather and he was watching it closely.

Jody stated that the next day the County was going to install an overflow culvert by the mailboxes. Mr. Deaver remarked that the snow pack below Oil Well was gone and all the snowpack is now above Oil Well. He complimented Jody on the work he did putting rocks around the basin and for cleaning out and opening up the one culvert that remains. Mr. Deaver noted that the second culvert rusted out and collapsed. Due to the timing and the lessening snow pack, Mr. Deaver questioned whether it was necessary to spend \$6,000 to \$8,000 in material and labor to install the overflow culvert. Mr. Robinson felt the culvert was necessary because the amount of snow pack higher up was still significant.

Regarding the overflow culvert, Mr. Heath explained that representatives from the Owners Association met with the County and the need for the culvert was one of the questions asked. It was determined that the culvert will make the Ranch safer. Mr. Heath agreed, because if the road washes out it creates bigger problems. He remarked that the 3' culvert the County wants to put in will be dug up later in the summer and can be used next year wherever Jody needs it. Mr. Heath clarified that the County was supplying the labor and machinery and the Ranch was purchasing the material. When the culvert is removed, it will be replaced with an 8' squashed corrugate culvert. It would be extended further out to the west and into the creek in order to widen the area from a 90 degree turn to accommodate trucks and cars passing each other. It will be

an expensive project and Jody estimated the cost to be approximately \$10,000.

Mr. Heath reported that during the meeting with the County, Kevin Callahan stated that he had not seen the petition for an SSD. It appears that the County attorney's never passed it on to anyone. Mr. Heath noted that a new person, who is in charge at the County level, introduced himself and told him that he was aware of Pine Meadow's problems with the attorneys, and that those problems would end. A meeting will be scheduled in June to discuss the issues. Mr. Heath believed this would be the first time that the County works with Pine Meadow in a partnership. Mr. Deaver commented on the importance of making sure it is a smooth partnership.

Mr. Deaver noted that the road at the top area by Oil Well on Tollgate was washed out. Jody stated that he would add sand and fix that area when it quits raining.

Mr. Burdette thought it was obvious that unusual repairs would need to be made this year. He asked the Board to consider whether money budgeted for mag water should be used to fix the roads. He recalled that the mag water budget was approximately \$13,000 to \$15,000. Mr. Burdette commented on areas of road that need repair. Ms. Larson believed it would cost more than \$13,000. Mr. Burdette agreed, noting that additional money was allocated for asphalt work around the Ranch, primarily on Tollgate.

The Board concurred that it was best to use the money for road repair rather than mag water. Mr. Burdette suggested that they wait until the next meeting to make a motion after the full Board has the opportunity to discuss it.

Mr. Heath asked if something could be done in the areas that they know are susceptible to slides to stabilize the hillside in the future. Jody did not believe the Owners Association had the budget to stabilize the hillside. In addition, the area is in a water shed, which would involve the State and other government agencies. Mr. Deaver stated that it would be futile to try and stabilize the hillside because the entire mountain is moving.

Monthly Budget Review

Bob Burdette reviewed the unpaid bills detail report totaling \$14,678. Mr. Deaver asked if the bill from Sam Scaling included the additional \$215. Mr. Burdette answered yes. He explained that this was only the second payment to Mr. Scaling and it was for the final balance. There would be no other bill from Mr. Scaling this year.

Mr. Deaver stated that Mr. Scaling had done a good job, however, he had heard one

complaint from someone who uses snowmobiles and snow cats, regarding the nine foot vertical snow wall where Arapahoe continues over the crest and right on to Grandview. Mr. Scaling replied that the wall was created by the Water Company when they dug out the valve.

MOTION: Bob Burdette made a motion pay all the bills as outlined. Dan Heath seconded the motion.

VOTE: The motion passed with executive members Suzanne Larson, Dan Heath and Bob Burdette voting in favor of the motion.

Mr. Burdette noted that a budget is usually prepared for the annual meeting based on the best guess of what might occur. Once the budget is established other things come up and the budget needs to be revised. For the next meeting, he requested that the Board come prepared to discuss revising the budget for the remainder of 2011.

Dan Heath stated that he had purchased the signs for the lower parking and he was waiting on the bill for the printing. Bob Burdette noted that the signs were already posted saying that the lot is private and a Pine Meadow Ranch Owners sticker is required to park there. Beginning June 15, 2011 cars without the proper sticker will be towed. Mr. Burdette had taken pictures of the signs to document the date that the sign was posted.

Mr. Deaver suggested that they place printed notices under the wipers of every car parked in the lot, particularly the ones that have been there for two years. Mr. Heath thought the Board should also discuss future plans for those parking lots.

The meeting of the Pine Meadow Owners Association Board adjourned at 7:51 p.m.

Pine Meadow Ranch Owners Association
Monthly Board Meeting
May 24, 2011
Page 7