

PINE MEADOW RANCH OWNERS ASSOCIATION  
MONTHLY BOARD MEETING  
RANCH MANAGER'S OFFICE  
ARAPAHOE DRIVE  
PINE MEADOW RANCH  
JUNE 22, 2010

In Attendance: Hutch Foster, Bob Burdette, Dan Heath, Bruce Hutchinson, Scot Erickson, Scott Clausen, Tom Deaver, Alan Powell, Amy Jackson

Suzanne Larson and Duane Yamashiro were excused.

Ex Officio: Jody Robinson

Guest: Mike Gonzales, Lot G-53. Saundra Diehl, Lot PI-2. Don Boyce, PI-68-69 Pine Meadow Ranch, Michael and Linda Collins, SS-145-A-3 or 3345 South Forest Meadows Road

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

### **Approval of Minutes**

MOTION: Bob Burdette moved to APPROVE the minutes of May 25, 2010. Dan Heath seconded the motion.

Bob Burdette referred to a statement that he made on page 8 in the minutes, "If they added \$4,000 to the SSD legal fund, would that get us to completion." Mr. Burdette felt that statement should have a question mark and not a period, because he had asked a question. Mr. Foster clarified that Mr. Burdette was indicating that the sentence should read, "Mr. Burdette **asked**..." instead of "Mr. Burdette stated..." Mr. Burdette replied that this was correct. Mr. Foster read the corrected statement, "Mr. Burdette **asked** if they add an additional \$4,000 to the \$2,000 already approved, would they have a chance to get it to the County Council(?)". Mr. Burdette replied that this was correct.

Mr. Foster called for a vote on the minutes with the correction on page 8.

VOTE: The motion passed unanimously.

### **Owner/Visitor Open Forum and Owner Communications**

Mike Gonzales, Lot G-53

Mike Gonzales planned to build a garage on his property. He had worked through the County requirements and understood that the Owners Association also has their own requirements. Mr. Gonzales stated that he could identify where he proposed to place the garage on his lot and the size. At this point he was unsure of the exact design, but it would match the general architectural design of the home. Mr. Gonzales understood

that the impact fee was based on the square footage.

Mr. Foster replied that a garage would be a \$2.00 per square foot impact fee. As with any permanent structure on the lot, the Board would look at architectural style, roofing, colors, materials, etc.

Mr. Gonzales presented a drawing and asked if additional information was needed. Mr. Foster stated that the Board requires the type of drawing he presented, as well as a site plan showing how the garage is sited on the property, with colors and materials. Mr. Gonzales stated that the colors and materials would be green metal roofing and wood siding to match the home. Mr. Foster clarified that the Board needs that information on record. There would also be a construction agreement, the same as with building a house or any other structure.

Mr. Gonzales asked about timing because he was anxious to get started. Mr. Foster replied that if the materials and design are approved by the Board this evening without any concerns, Mr. Gonzales could move forward with his area representative, Duane Yamashiro. Mr. Foster asked if Mr. Gonzales had pulled a building permit. Mr. Gonzales answered no and explained that he still needed to finalize the location on the lot to make sure he meets all the requirements. The Board agreed that Mr. Gonzales could move forward with his area representative.

Bruce Hutchinson asked for the purpose of the upper level of the garage. Mr. Gonzales replied that it would be storage.

Mr. Burdette informed Mr. Gonzales that on the construction agreement he would be asked to sign, he would need to specify in writing the roof color, the siding color, and other requested information. His Area Rep, Mr. Yamashiro would go through the construction agreement with him. Mr. Gonzales remarked that he was using the same builder that Mr. Yamashiro used for his garage. In addition, they both have the same house plan.

Mr. Hutchinson asked if Mr. Gonzales would have a dumpster on site. Mr. Gonzales did not anticipate needing a dumpster. Any material would be removed from the site daily. He was not opposed to getting a dumpster if one is needed. Mr. Foster remarked that some type of trash receptacle is required for building. If the trash is a small enough amount to be hauled off each day that would be acceptable, however, anything left on site would need to be confined in an appropriate trash container.

#### Street Name Change and Signage, Lot PI-2

Sandra Diehl, Lot PI-2, stated that she had attended the meeting for an update on the

signs for Hi Dri Circle.

Mr. Foster remarked that the matter was on the agenda for discussion in a different context. He explained that Hi-Dri Circle is not an actual platted road name. It was an adopted nickname for the road. Mr. Foster clarified that Hi-Dri Circle is located across from Bobcat Springs. Sandra lives on Hi-Dri Circle and had asked Mr. Foster about creating a legal name for the road so it would have an actual designation. She also suggested changing the name away from Hi-Dri or at least change the spelling of Hi-Dri to the way the words are actually spelled.

Mr. Powell asked if this issue was relevant to an email the Board previously received from someone objecting to a road name change. Mr. Foster replied that the email addressed this same issue. Mr. Powell stated that the road has been called Hi-Dri for the nine years he has been on the Ranch.

Sandra stated that the issue was raised because she wanted the road signed. She went to the County Office and found that her road has never been legally named and it must be platted in order for the Board to allow a sign. The County told Sandra to suggest five names and she and her kids created five nature names and submitted them to the County. She was required to send letters to all the property owners asking them to agree to the name change and offered the suggested name. The property owners needed to be unanimous in their decision. Sandra reported that two people agreed, two people did not respond and one letter was returned. The Iverson family indicated that the Hi-Dri name was from their family history and it was important to them that it remain.

Sandra stated that when she received the letter from the Iverson's expressing their family history, she was willing to honor that heritage. She planned to resend letters to the seven owners and ask them to agree to name it Hi and Dri. The one compromise she requested was to change the spelling and use English words. Sandra remarked that the name comes from hyphenating members names in the Iverson family. Therefore, the name is actually Hi, hyphen, Dri. She stated that when she built her house in 2006 the name was very problematic in terms of giving out her address and trying to explain a hyphenated initialized road name. To avoid problems, she began calling it High and Dry and spelling it out. Consequently, the post office and the County began using that spelling, however, it is not legal.

Sandra clarified that she is trying to be a good neighbor and respect the Iverson's history, and in turn, she would like them to compromise by changing the spelling to English words. Sandra clarified that the County was unable to name the road because it is private. She then asked the County if the HOA could name the road, but she was still waiting for a response. Mr. Foster stated that he would find it surprising if the HOA

did not have that ability to name it, since they have control over that road.

Saundra pointed out that she is the only owner on that road who lives there year-round. Mr. Burdette asked if the road had a homemade sign. Saundra replied that there is an old stop sign that is painted white that says Dead End and Hi-Dri Circle. She noted that it is a dead end street, therefore Circle is not accurate. Mr. Foster remarked that many of the streets with the name Circle are dead end streets. Saundra stated that she would follow up with the County and let the Board know if they are allowed to name the road. She reiterated her request for proper spelling.

Mr. Foster pointed out that this discussion responded to the email that he had received from Carol after the last meeting.

Don Boyce, Lot 68, 68

Mr. Boyce stated that his comments related to Jody Robinson's report and he preferred to hold his comments until the Manager's Report.

Michael and Linda Collins - SS-145-A-3 or 3345 South Forest Meadows Road

Ms. Collins noted that an item on the agenda for this meeting was to discuss the S-turns on Pine Meadow Road. She was interested in knowing the status of the Special Service District. She also wanted to know what was planned for the lower portion of Forest Meadow Road for the summer.

Mr. Foster provided a brief update on the Special Service District. He stated that it is not a dead issue but it has taken a long time to work its way through the County Legal process. It is still mired in that process. The Ranch is investing their money in legal fees in an effort to move the petition forward. Mr. Foster remarked that there were enough signatures and most of the components were in place. There was some question about whether or not they needed a physical survey of the entire canyon. That survey would be cost prohibitive unless individual owners contributed thousands of dollars. Mr. Foster believed they had crossed that hurdle, but they are currently working with the County Legal Department on other issues. He was still hopeful that it would come before the County Council this summer for a public hearing.

Mr. Foster assumed that even though the Collins' were outside the Ranch, that they contribute to road maintenance through Pine Meadows. Mr. Collins replied that they have in the past, although not consistently, because they have seen very little work on their side of the road. Mr. Foster pointed out that the Owners Association does not own Forest Meadow Road or Tollgate Canyon Road. Therefore, over the last six or seven years, the Ranch spent a lot of money trying to patch the road that gets 90% of the

traffic. He recognized that it was not the Collins' side of the road. Mr. Foster explained that the hope was to have enough funding to completely resurface this side of the road and then start resurfacing the other side. The cost to lay asphalt is 50% more than the annual operating budget, which is prohibitively expensive for the Owners Association at this point.

Mr. Foster remarked that the Collins' side of the road was Roto-milled a number of years ago; however, that material cannot be effectively graded or removed because it is technically hazmat. It is also difficult to patch. Mr. Foster acknowledged that the road should have never been surfaced in Rotomill on steep terrain.

Mr. Foster explained that because they are waiting on the SSD project, both of the lower roads have been minimally maintained in hopes of creating a new funding source to repair them effectively. For this summer, recognizing that the road is fairly potholed at the bottom, the worst areas would most likely be patched and graded with 3" minus. This would be the same plan for Tollgate Canyon Road. Mr. Foster remarked that it was all the budget would allow this year. If the SSD does not become reality and the Owners Association is the only organization that takes responsibility for the roads, the Board would need to seriously discuss ways to fund the road work.

Mr. Collins stated that builders have told him that Rotomill is a valuable substance. Mr. Foster replied that Rotomill is valuable when its taken off the highway, cleaned, newly ground and somewhat cohesive. He understood that it is difficult to dispose as trash. He agreed with the builders that as they are grinding it off the highway when its hot and sticky, it can be laid on driveways and places that have light traffic.

Mr. Boyce pointed out that when the Rotomill was laid on Forest Meadow Road, it came out in large chunks and it was difficult to lay. That was the reason for all the problems and why the Rotomill was not a successful approach.

Ms. Collins had heard from different sources that the Ranch owns the bottom part and the parking lots. Mr. Foster explained that Ranch property is the section below the storage units, down past the last hairpin, and then from there past the parking lots. At least one side is Ranch property. Ms. Collins clarified that the Ranch property is above the big hairpin turn. Mr. Foster stated that without looking at a plat map he could not say for certain.

Ms. Collins stated that she would be delighted if the road was all dirt, because the pot holes are the problem. Mr. Burdette noted that the Ranch has the equipment to repair it if it was dirt. Mr. Foster understood that in order to make it a dirt road, they would need to skim off all of the Rotomill. At this point, he believed it would need to be hauled to Tooele for disposal.

Mr. Boyce remarked that most of these questions would be answered when he and Jody Robinson have the floor.

### **Environmental Control Committee Plan Review**

There was no discussion.

### **Water Board Update**

Mr. Foster reported that the Salt Box well was re-drilled with a larger casing for a couple hundred feet and then dropped an 8" line 1900 feet. Unfortunately the Water Company still has not found sufficient water for buildout.

Mr. Foster commented on emails regarding a prospecting drill on a piece of land that the Owners Association has down the canyon. It specifically had a flat spot to put the drill rig. Someone else has drilled a well near there and hit water so the Water Company was hopeful. However, it turned out that the flat spot does not belong to the Ranch and the rig is mobilizing and no drilling will occur.

Until the next Water Board meeting, Mr. Foster had no comments on the long term prospects of fulfilling the needed water supply. The current water status is sufficient to service what is built now at the current usage levels.

### **Ranch Managers Report**

#### Asphalt

Jody Robinson reported that he researched the cost of asphalt and it was \$51 per ton. He estimated that it would take approximately 180 tons to patch lower Tollgate. Mr. Boyce stated that the approximate cost estimate of \$10,000 would do the roads a little better than more conservatively. Jody pointed out that the cost did not include truck time. Jody would lay and roll the asphalt. Mr. Boyce stated that if they could get four loads down at the bottom, they could go around where the mailboxes are located. They could continue up the road and fill in those grooves, and take it up further where there are real side issues. The road is narrow and if someone goes off the side, it would knock out an oil pan.

Mr. Boyce remarked that they could also put three or four loads on the right side going up to repair most of the chuckholes. He pointed out that even when the price of oil was lower, they were quoted \$51 a ton. Mr. Boyce stated that the cost at Wilkinson's was

\$55 per ton; however, it would be a shorter drive for truckers and could save some money.

The Board discussed roads and areas that would be patched with 180 tons. Mr. Foster did not think the Board had to decide on the amount needed to complete the job this evening. He suggested doing a \$1,000 experiment by bringing in two truckloads and spreading and packing to see how it works. Mr. Boyce and Jody concurred. Mr. Boyce felt that since they have the equipment they should do what they can to fix up the Ranch if they have the money. He was willing to contribute his effort and work with Jody.

Mr. Boyce asked if Mr. Foster, as President, could get a committee to work on an appropriate entrance to the Ranch. Mr. Foster agreed with the idea of a dressed up entrance. Scott Clausen stated that he and Dan Heath has spoken with a gentleman who was very interested in helping with that project. Mr. Foster informed Mr. Boyce that the entrance is being addressed. Mr. Heath invited Mr. Boyce to participate once they hear back from this gentleman.

Mr. Burdette pointed out that no money was allocated in the budget for an entrance. If they are talking about doing it with contributions from people outside of the Owners Association, he was in favor. However, if they are talking about it as a budget item, it is not in the budget. Mr. Boyce believed they could ask people to contribute a small amount towards the project.

Mr. Burdette remarked that \$5,000 was budgeted for asphalt. That money would be for purchasing asphalt and hauling it in. He was supportive of the issue if it stays within that amount. If they go above that amount, the Board would need to decide where the money would come from.

Mr. Collins stated that he would be happy to contribute a significant amount if it would go to their side of the road. Mr. Burdette asked the Collins' if there were other members in their community who might also be interested in contributing funds if they could be assured it would fix Forest Meadow Road. Ms. Collins believed others would be interested and offered to make phone calls for contributions. She emphasized that they would need a real guarantee that the money would be spent on the Forest Meadow side. Mr. Foster stated that if they reach the point of taking contributions from people outside the Ranch on the Forest Meadow side, the Board would provide written documentation on the amount of material purchased and laid on that side.

Ms. Collins remarked that the road would be asphalt but still very steep. If they continue letting cement trucks use them, she questioned how long the road would last. She was concerned that in five years they would be back to where they are now. Ms. Collins asked if there was a way to assure that these construction vehicles would go around.

Mr. Foster clarified that they could not make that assurance because it is public access and not a Ranch road.

Mr. Boyce stated that there has been talk about redesigning the way Tollgate Canyon and Forest Meadow roads come together. The way they come into the Y creates an unsafe situation and how the road comes up steep and turns sharp is also dangerous. Mr. Boyce referred to the road that comes in at a T and stated that if they could take out that road that comes up from the parking lots, it would force everyone to go around and up the other side. If they could make that the main road that goes up and over, instead of going up and around the parking lot, it would resolve a number of logistical issues. Mr. Foster pointed out that engineers would need to look at the road design.

Mr. Deaver stated that on the \$1,000 that was mentioned for the asphalt experiment, he suggested that they look at increasing that amount and using more of the \$5,000 budget. He suggested \$1500-\$2000 for the experiment.

Mr. Hutchinson recalled a Board discussion last Fall, where Jody claimed that the mag chloride and the special aggregate mix would hold up equally as well as pothole patching. Jody explained that it is a temporary fix for the summer but it does not work in the winter. Mr. Hutchinson believed they had budgeted \$5,000 based on that conversation, and now they are talking about a material that is significantly more expensive to do re-paving in significant areas. Mr. Hutchinson remarked that the conditions are now changing again. Mr. Foster pointed out that significant re-paving is not in the budget. Mr. Hutchinson wanted to make sure that was understood.

Mr. Burdette stated that they are at the point where significant patching is necessary. Mr. Foster agreed that some sections of the road go beyond patching because the road is gone. He suggested that they take at least a quantity of the asphalt patching budget, find out how well it covers and how well it rolls in over the base material, and determine the coverage from that amount to see if it is a useful technique within the patching budget for this year. If not, they will need to discuss other options.

MOTION: Scot Erickson made a motion to do an asphalt experiment as outlined by Hutch Foster and to allow Jody Robinson to determine the amount of asphalt needed for a significant portion of road, to find out if it is a useful technique.

The Board preferred that the motion include an exact dollar amount. Jody suggested \$2500.

Mr. Heath understood that the Board had received a \$5,000 road impact fee from a property owner. Mr. Burdette confirmed that they had receive that \$5,000, but in looking at the budget, that was the amount they expected in impact fees and that expected

income was budgeted out in all the expenses. He clarified that they did not have an extra \$5,000 to spend.

Mr. Erickson amended his motion to specify \$2500 as the amount to experiment with asphalt.

Mr. Deaver was uncomfortable spending half of their entire budget on an experiment, because if it fails there is no slush fund to back it up. Mr. Foster clarified that the motion on the floor was \$2500.

Mr. Erickson remarked that he stated \$2500 in his motion because that was the amount Jody had suggested. Since Jody does the work, he deferred to his suggestion.

Scott Clausen seconded the motion.

Mr. Collins offered to donate \$1500 towards the experiment. Mr. Foster preferred to wait and see if the asphalt works before taking Mr. Collins' money and other donations.

Mr. Burdette asked Jody if the experiment could be done before the July meeting so he could report back to the Board. Jody stated that he would try.

Mr. Foster called for a motion on the floor to budget \$2500 for Jody to use towards purchasing asphalt, which he will spread and roll with Ranch equipment.

Mr. Hutchinson clarified that the motion allocates a portion of the money that has already been budgeted. Mr. Foster agreed that it is money from the existing budget for asphalt repair and not a new budget.

VOTE: The motion passed unanimously.

#### Mag Water

Jody reported that the next day was mag water day and the Canyon would be closed from Oil Well Road up as far as Switchback Corner. Mr. Boyce and Mr. Burdette had volunteered to help. Mr. Deaver offered his help if needed.

#### Equipment and Ranch Work

Jody presented a quote for tires for the grader in the amount of \$2197.

Jody stated that he has been doing runoff control, weed spraying, mag water prep, culvert cleaning and equipment repairs.

MOTION: Alan Powell made a motion to APPROVE the purchase of tires for the grader in the amount of \$2197. Tom Deaver seconded the motion.

VOTE: The motion passed unanimously.

Jody would keep two of the old tires as spares.

### Summer Projects

Mr. Foster had received project lists from most of the Board members. He stated that once the mag water project is completed and Jody is back to regular maintenance projects, the next thing in his priority list is the re-surfacing of Arapaho from Valley View to Forest Meadow Drive. That section of road has been so slippery when wet that people are afraid to go to their cabins. Mr. Foster noted that money was budgeted to purchase material for those roads and Jody has been working on anticipated load estimates. Jody found a trucker who can take 17 ton loads at \$85 an hour. This effectively reduces the hauling costs by approximately 50%. Mr. Foster believed they should start with Arapaho then see where they are with the budget before moving forward with other roads.

Mr. Deaver thought it was important to consider the road into Modoc. Mr. Foster replied that it was on the list, along with many other roads the Board has committed to fix.

Mr. Foster asked Mr. Burdette for the dollar amount budgeted for materials and hauling for road resurfacing. Mr. Burdette replied that there was \$24,900 for the entire Ranch. Mr. Foster recalled that Jody's original estimate was \$17,000 on Arapaho, which would leave enough budget to look at Modoc, the steeper parts of Aspen Ridge, and other roads on the project list.

Mr. Foster suggested that the Board generate a list of missing road signs so they can begin replacing them.

### **Old Business**

#### Insurance Liability Information for Volunteer Equipment Operators

Mr. Foster recalled a discussion at the last meeting to find out what the insurance covers and the Ranch liability for volunteer operators or equipment. He noted that the Water Company employees are covered on Ranch equipment and the Ranch employees are covered on the Water Company. He was still unclear on the status for volunteers and had hoped to hear from Carol before this meeting. He would follow up with Carol and in the interim, they would proceed with the same practice they have for

years and take volunteers. He would continue to get the paperwork in order for the future.

### **New Business**

Mr. Foster reported on an email he received from Tom LeCheminant. Mr. LeCheminant had collected donations and stocked the Bobcat pond with 45 rainbow trout. The pond is catch and release and Mr. LeCheminant has asked that people use barbless hooks or flattened barbs on the hooks. Mr. Foster expressed appreciation to Mr. LeCheminant for organizing this project. Mr. Foster noted that when the storage unit was cleaned out in Salt Lake they found really old marketing pictures, and one of those pictures was of kids fishing in Bobcat Springs.

Mr. Powell stated that a suggestion was made for people who have left over logs from their cabins to make benches for the pond so people can sit and watch their kids. It was noted that trash receptacles will not be provided and people need to carry out their own trash. Mr. Foster stated that the land at Bobcat belongs to the Water Company. Last year when Mr. LeCheminant took his proposal to the Water Company they had no objection to park-like improvements. Mr. Foster suggested that they avoid any permanent construction since it is not HOA property.

### Collection Issues

Mr. Foster stated that when Frieda with Recovery Services spoke to them at the last meeting about collection issues, she noted that they had conflicting information in how the collection process worked. Based on that discussion, he asked Carol to write up a collections policy. He noted that the policy was a written version of the policy they are currently using, but the point of raising the issue was to have it approved eventually and add it to the rules and regulations.

Mr. Foster read the Collection Fee Policy Carol had drafted. "Invoices for roads and HOA assessments are to be mailed out in or before February and paid within 30 days. A \$25 late fee will be added after 60 days from the invoice date. Interest of 1.5% will begin to accrue each month on all unpaid balances after 90 days from invoice date, and will continue until all unpaid charges are paid in full. A demand for payment letter will be mailed to the lot owner allowing 20 days to pay before the account is turned over to a third party collection agent with lien and collection fees of a minimum of 100%. Legal and court fees will also be assessed with non-payment." Mr. Foster assumed that written behind that "should be and will be the responsibility of the debtor".

Mr. Burdette thought the language should read, "assessed and collected". Mr. Burdette asked if the language states that the assessments will be billed on or before February.

Mr. Foster read, "...in or before February." In the month of February or before. Mr. Burdette stated that he was trying to push for billing in January because by December the

money is already gone. Sending invoices the first week in January would start money flowing in earlier in the year.

MOTION: Mr. Burdette moved to ACCEPT the policy as read with the amendment to add "and collected" behind assessed in the last sentence. Dan Heath seconded the motion.

VOTE: The motion passed unanimously.

### **Monthly Budget Review**

Mr. Burdette reviewed the unpaid bills. He outlined additional items that were added. Capital One was a purchase made at Walmart for parts for the grader. Home Depot was for building materials. The last two items were payroll for Jody and to reimburse him for his mileage. All the bills totaled \$8,285.

MOTION: Mr. Burdette moved to APPROVE all the bills as outlined. Scot Erickson seconded the motion.

VOTE: The motion passed unanimously.

Amy Jackson asked about the \$3,000 in legal fees. Mr. Burdette stated that it would take him a while to go back through each month that legal fees were approved. He noted that there have been significant collection matters on issues that are either going to court or close to going to court. He expects to recover all legal fees if the court rules in their favor. Mr. Foster updated Ms. Jackson on the major legal issue they are currently pursuing. He explained that Ted Barnes, their attorney, fully expects that Pine Meadow Ranch would collect full legal costs of their continued efforts to collect from this particular owner.

Ms. Jackson noted that someone in her area had asked her for Brody Blonquist's phone number. Mr. Foster stated that Brody and Trevor do not give out their phone numbers and no one else should either. The Water Company has a company phone with voicemail and Brody picks up messages on a regular basis. He noted that the same is true with Jody Robinson. It is important to protect their employees and personal numbers should not be given out. Mr. Foster stated that the Board members should have Jody's number in case they need to contact him for emergencies, but it should not

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be given out to other Ranch owners. Mr. Foster stated that he can be contacted by owners for problems and questions.

The meeting of the Pine Meadow Owners Association Board adjourned at 7:59 p.m.

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Recorded and prepared by: Carol Steedman