

PINE MEADOW RANCH OWNERS ASSOCIATION  
RANCH MANAGER'S OFFICE  
ARAPAHOE DRIVE  
PINE MEADOW RANCH  
SEPTEMBER 15, 2009

In Attendance: Hutch Foster, Dan Heath, George Ramjoue, Bruce Hutchinson, Sue Larsen, Scott Clausen, Duane Yamashiro

Bob Burdette was expected to arrive later in the meeting.

Ex Officio: Jody Robinson

Hutch Foster called the meeting to order at 6:40 p.m.

### **Approval of Minutes**

Mr. Foster referred to the first paragraph on page 5, the deposit for construction, and his statement that no winter construction was allowed. Mr. Foster clarified that he actually said that if one is to be eligible for a refund, no winter construction is allowed. He requested that the minutes be amended to reflect the correct statement.

MOTION: Sue Larsen moved to APPROVE the minutes of August 25, 2009 as amended. Dan Heath seconded the motion.

VOTE: The motion passed unanimously. Bruce Hutchinson abstained since he had not attended the meeting. Bob Burdette and Duane Yamashiro were not present for the vote.

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

There were no comments.

### **EEC Plan Review**

There were no comments.

### **Water Board Update**

Mr. Foster provided an update on the September 10<sup>th</sup> Water Board meeting. Eric Cylvick was not in attendance and the meeting was short. Mr. Foster reported that the only item of interest was that the Water Board has condemned water shares for lot owners around the Ranch for non-payment. Under the bylaws of the Water Company, the shares will be auctioned but the Water Company is the only body eligible to purchase the water shares. On September 24<sup>th</sup> at 10:00 a.m., the Water Company will be purchasing those condemned water shares. Mr. Foster recalled that there were

approximately six or seven condemned shares for non-payment. The owners who wish to have water again would need to re-purchase their shares at the current retail rate.

Mr. Foster reiterated that the Water Company has the authority to condemn the shares and per the bylaws they are the only ones with eligibility to purchase back their own shares.

Bruce Hutchinson questioned whether that would hold up in a court of law. Mr. Foster agreed that the situation was interesting but he did not have the knowledge to comment on the legalities. Mr. Foster felt the bylaws of the Water Company are written to say that the only eligible owners of water shares are landowners and the Water Company. Therefore, if it is not one, it has to be the other. Mr. Hutchinson wanted to know why another landowner could not purchase a water share. Mr. Foster understood that a lot owner only has the right to own a share. There is no way an individual owner could have more than one share associated with their lot. Mr. Foster believed the only other person who could purchase a share would be a lot owner who does not already have a share.

Mr. Heath explained that the Water Company owns the shares and the lot owner is shareholder of the Water Company. A lot owner cannot own a water share.

Mr. Foster reported that the Water Company changed the meter reading schedule to a month earlier and meters were being read in September. He noted that the bill for this year would be based on 11 months; however, it would return to a twelve month cycle next year when meters are read in September. He pointed out that it is easier to read the meters in September before the snow falls.

Mr. Foster reiterated his request for any Board member to volunteer to be a permanent representative on the Water Board.

### **Ranch Managers Report**

Jody Robinson stated that he put a new pump on the fire trailer and purchased a new sander. He has been cleaning culverts, fixing signs and doing regular maintenance on the Ranch.

Mr. Foster stated that he and Jody had talked about subbing out placing one of the culverts because it crosses the main power line and an excavator would be insured. He had suggested that Jody contact Jed for a quote. The quote from Jed was one day of labor at \$80 per hour, which was a discounted rate, plus the cost of the culvert. Mr. Foster noted that they are planning to move the flow off one section on the north side of

Alexander and move it over to the main drainage side on the south. The runoff on the north side does road damage every Spring.

Mr. Hutchinson suggested making sure there is cobblestone at the entrance of another line to keep from clogging Alexander. Mr. Foster recalled setting a policy to place cobblestone at the entrance of the culverts and he wanted to make sure that was done. Mr. Foster was unsure about the budget, but it was in the projects plan as a project to complete this year. Mr. Robinson estimated that the cost would be slightly over \$1,000. The price of the pipe is \$17.19 per foot and he estimated they would need approximately 60 feet. The price did not include bands. Mr. Foster believed the total project would cost approximately \$2,000. He preferred to wait until Mr. Burdette arrived before voting on the project.

Mr. Foster stated that they already have pipe for the culvert on Navaho. Mr. Robinson stated that he would to do that culvert and another one on Alexander.

Mr. Clausen noted that Mr. Robinson had talked about pushing the material back up against the caving in road mentioned at the last meeting. Mr. Robinson stated that it is a necessary project and he planned to do it as soon as possible.

## **Old Business**

### Architectural Guidelines

Mr. Foster noted that he had located the missing guidelines document, but Sue Larsen did not believe it was the most current version. The guidelines were printed on the back of the agenda and he had provided copies of the entire document. Mr. Foster did not think drastic changes needed to be made because the spirit of the document appears to be appropriate. He believed some few details were not user friendly and may need to be tweaked. Mr. Foster suggested that the Board members review the document over the next five weeks and consider ways it can be edited to embrace new ideas, such as evolving building techniques and progressive materials, and still preserve the desired aesthetics on the Ranch.

Mr. Foster requested that the Board Members come prepared to discuss the guidelines at the next meeting.

### Fire Awareness Event

Mr. Foster reported that the Fire Awareness Event that was held a few weeks earlier was surprisingly successful. More than 125 people attended. Several State and

County officials spoke about safety and emergency programs. Mr. Foster stated that there were 100 sign-ups for the Code Red and he obtained 100 new names for the Ranch mailing list.

#### Appraisal for Lot SS-BDY-15-1

Mr. Foster asked if an appraisal had been done on Lot SS-BDY-15-1. Mr. Heath stated that the appraiser is still working on it. He had a difficult time finding an appraiser who was willing to do the work. Mr. Foster asked if anyone knew what the County appraisal was on the lot. Mr. Heath was unsure. He noted that if the taxes are \$800 per year, the appraised value must be high. Mr. Foster asked Mr. Heath to clarify that there is not a building permit currently available for that lot. If it is an unbuildable lot, there is no reason for the County to appraise it that high. Mr. Foster thought they should look at all their options for lot SS-BDY-15-1.

#### Special Service District

Ms. Larsen asked for an update on the Special Service District. Mr. Foster replied that it is tied up in the wheels of government and continues to sit in limbo. He noted that neither he nor the attorney, Ted Barnes, have had the time to follow through on the matter. He explained that the County Attorney is requiring a written agreement donating the easement from a 100% of the landowners on both sides of the Canyon that the road crosses. The County is nervous about allowing the County Council to grant an SSD where there is no written easement over the road, even though there is a well-established historic easement on the road. Mr. Foster stated that he and Ted Barnes believed that setting a threshold of a 100% written agreement was unreasonable. Mr. Foster knew of one or two landowners who would refuse to sign. Therefore, rather than expending the effort and failing, which would justify the County's position, they are going to make the case that the historic easement that the County gave to Pine Meadow in 1999 should be adequate.

Mr. Foster pointed out that the County Attorneys were the same ones who were involved when the original SSD was dissolved. Because that dissolution was disastrous, they are hesitant to give the Ranch any leeway. Mr. Foster believed the matter would be resolved. Mr. Barnes is helping with the budget, and should that fail, Mr. Foster would personally sit down with County Council members to try to move things forward. Mr. Foster preferred to accomplish what they want by working through the County Attorneys rather than going around them. If that reaches a dead-end, he would be willing to try another approach.

**Duane Yamashiro entered the meeting.**

Mr. Hutchinson asked if Ted Barnes had spoken with the County Attorneys. Mr. Foster replied that Mr. Barnes has done some research but he has not yet drafted a formal letter. Mr. Hutchinson recalled that the Board had voted to authorize for Ted Barnes to work on the SSD issues. Mr. Foster stated that the Board hired Ted Barnes on this matter because of his historic and institutional knowledge and they need to be patient.

### **New Business**

Mr. Foster reported that George Ramjoue, Areas 3; Jen Kanzler, Area 4; Bruce Hutchinson, Area 5; Hutch Foster, the President and Sue Larsen, the Secretary were up for re-election. Ms. Larsen stated that she would have been willing to continue her Board position if she had not taken on the responsibility of Relief Society President.

### **Area Representative Issues**

Mr. Ramjoue reported on a conversation he had with Ken and Sue Smith, the owners to the west of his lot. The Smith's have been diligently working on their house for over three years and he believes they have done a great job. Mr. Ramjoue stated that he had talked to them about the color of the house. He was not on the Board when the Smith's started work on their house and he was unsure if the paperwork had been submitted. Mr. Foster could not recall exactly what the house looked like three years ago but he did not think it resembled its current form. Mr. Ramjoue believed he could not say anything more about the color unless they could produce paperwork that would indicate otherwise. Mr. Foster personally did not think the color of the Smith house was offensive. Mr. Ramjoue agreed that it was a color he could live with.

Mr. Hutchinson pointed out that the environmental committee is charged with enforcing colors that fit with the land. The Smith house sticks out because of the color and that violates the guidelines, regardless of the construction.

The Board discussed problems with people parking and storing items on vacant parcels. Mr. Foster stated that per a Board vote several years ago, Jody dropped the rippers in the road, tilled it and will seed it. Once that is done, the road access will be eliminated. Pine Meadow Ranch has a sufficient number of parking lots and every piece of open space does not need to become another parking lot. Mr. Foster noted that the open space would still be available to snowmobiles. He stated that winter access on snow pack is allowed on the Ranch because snowmobiles do not permanently damage the landscape, unlike four-wheelers and cars during the summer.

Mr. Foster explained that the plan to till and seed the open space was stalled because of the historic cabin, but it has again been put in motion.

Mr. Ramjoue reported that he had investigated the Pinebrook situation regarding their relationship with the County and found that they have no special arrangement with Pinebrook, contrary to the rumors.

Mr. Foster clarified that the interest in Pinebrook resulted from a previous discussion on whether or not the Pine Meadow HOA could engage the County Building Department to require Board approval before issuing a building permit. The answer is that the County would not participate in that request.

### **Monthly Budget**

Bob Burdette had not arrived. Mr. Foster believed the Board could review the bills and vote to pay them in executive committee. The Board concurred.

Mr. Foster reviewed the bills submitted for payment. He noted that Sheldon Smith, Whiskey's attorney, had reappeared and sent a bill. The charges were included in the bill from Ted Barnes. Mr. Foster stated that Mr. Smith would be informed that the HOA closed their accounts with Wind River Trucking over a year ago. A payment amount had been agreed upon and paid and he would resubmit those documents to Mr. Smith.

Mr. Foster referred to the bill from Home Depot and recalled a discussion at the last meeting regarding monthly finance charges from Home Depot because the billing period occurred after the monthly meeting. He noted that Carol had contacted Home Depot and requested a new billing date. Therefore, the current finance charges will be waived.

Jody submitted a bill for truck repairs that were done that same day in the amount of \$203.25. Mr. Heath submitted a bill from Staples for reimbursement to cover the cost of signs and printing. Mr. Foster submitted a \$10 bill from Summit County Landfill. He had loaded as much junk from the dumpsters that would fit on his trailer and took it to the landfill.

**MOTION:** Hutch Foster made a motion to authorize the executive committee to pay the bills as detailed.

Mr. Hutchinson noted that from years past Carol's invoices have increased, and he assumed it was due to the fact that they are now having their minutes transcribed in more detail. Mr. Hutchinson pointed out that Carol would also incur additional costs for the election and those costs would be higher than in past years.

Duane Yamashiro seconded the motion.

VOTE: The motion passed unanimously.

Mr. Foster explained that the Executive Committee would pay the bills in executive session once Bob Burdette arrives.

#### Future Meeting Locations

Sue Larsen asked if the October meeting would be held at the Trailside Building. Mr. Foster did not believe the Board had made a decision on where to meet. He understood that the Board preferred to keep the winter plan of one meeting at Trailside and one meeting in Salt Lake City. At the last meeting, it was still unclear as to where they would meet in Salt Lake and the November meeting was not committed as the first meeting to be held in Salt Lake.

Ms. Larsen stated that she needed to know meeting dates before she could arrange a location. Mr. Foster stated that currently the Board is scheduled to meet on November 24<sup>th</sup>. In December the scheduled meeting would be December 22<sup>nd</sup>. The next meeting would be October 27<sup>th</sup>. After further discussion, the Board agreed to meet at Trailside on October 27<sup>th</sup>, and in Salt Lake City on November 24<sup>th</sup> at a location yet to be determined.

Mr. Clausen noted that the annual meeting is usually held in early November. Mr. Foster remarked that they need to look at location availability. The last few annual meetings were held at Jen's school and he asked if the Board wanted to meet there again. Mr. Foster thought they should plan on seating a minimum of a hundred people. Mr. Foster asked Sue Larsen to research meeting locations in the Valley and available dates in early November for discussion at the next meeting.

Mr. Foster would post the regular meeting schedule on line with a note that they would be returning to the winter schedule and that the Valley location would be announced once it is determined.

Mr. Foster reiterated that the regular meeting would be adjourned and the Executive Committee would re-convene to pay the bills when Bob Burdette arrives.

The meeting of the Pine Meadow Owners Association Board adjourned at 7:40 p.m.

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