

PINE MEADOW RANCH OWNERS ASSOCIATION  
MONTHLY BOARD MEETING  
SHELDON RICHINS BLDG.  
KIMBALL JUNCTION  
PARK CITY, UTAH  
JANUARY 21, 2014

Board Members: Tony Tyler – President; Pat Kreis – Treasurer; Honey Parker – Secretary; Jeremy Jespersen (Area 2), Alan Powell (Area 3), Tom Deaver (Area 4); Mike Gonzales (Area 6); Nick Boyle (Area 7),

Matt Brown (Area 1); Mark Hogdson (Area 5); Dan Heath were excused.

Ex Officio: Jody Robinson, Ranch Manager

Guests: Leo Moshier, Lot D75; Bob Bethke, Lot D-69

Tony Tyler called the meeting to order at 6:32 p.m.

### **Approval of Minutes**

#### Budget Meeting – November 5, 2013; Regular Meetings - November 19, 2013 and December 17, 2013

Nick Boyle referred to the December 17<sup>th</sup> minutes, page 11, regarding the discussion on Mike Olson's lot. He noted that the name was correct at the beginning of the paragraph and then was inadvertently changed to Mr. Bowen. He corrected the minutes to correctly read Mr. Olson.

Mr. Tyler referred to the December 17<sup>th</sup> minutes, page 2 and the discussion regarding the fire restrictions. He clarified that Jody Robinson mentioned that there were no fire restrictions but it was in relation to the Summit County fire restrictions and not the HOA policy. Mr. Tyler corrected the minutes to accurately reflect the intent of Jody's comment.

On the same page, Mr. Tyler corrected the minutes to reflect that Bryce Boyer was with Wildland Fire and not the Fire Department.

Mr. Tyler referred to page 12 of the December 17<sup>th</sup> minutes and the discussion regarding building plans for PI-E-65. He corrected the minutes to show that the building plans were submitted to Summit County. Mr. Tyler did believe the plans had been approved at that point in time.

MOTION: Tony Tyler moved to APPROVE the minutes of November 5, 2013; November 19, 2013 and December 17, 2013 as corrected. Honey Parker seconded the motion.

VOTE: The motion passed. Alan Powell was not present for the vote. Mike Gonzales abstained from the December 17, 2013 minutes since he was not present at that meeting.

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

Mr. Tyler reported on an email he received related to the parking on the road on Pine Meadow Drive at Oak Road. The email was from Bill Pugh, who owns the house by the orange gate. Mr. Pugh was having difficulty getting to his property with his track vehicle because trucks were parked in the middle of the road.

Mr. Boyle stated that in this particular situation they were guests of a residence. The owner was not there but apparently the guests were told to park where they did on the road. Mr. Boyle was trying to contact the owner. He noted that at one time there were two rental vehicles parked on the road.

Mr. Tyler reminded the Board members to use their signs when they see someone parked on the roads and to snap a photo of the car when the sign is placed on the windshield. He had placed signs on a few cars last week and the cars were moved fairly quickly. Mr. Tyler reiterated that the Board has the ability to have a vehicle towed immediately if it is blocking the road.

Mr. Boyle explained that the guest vehicle got stuck Thursday night when they first arrived and they called Park City Towing. It was hearsay, but he was told that Park City Towing told the guests that they would not come up because of the possibility of getting stuck themselves. Mr. Boyle was unsure how the Board should handle that type of situation.

Mr. Tyler stated that he had spoken with *Mr. Scow* and he is willing to tow from anywhere. He thought the Board should call *Mr. Scow* in those cases and let him decide if he wants to respond.

Mr. Tyler reported on another email he received regarding a lot that has several old vehicles, parts and structures stockpiled. The sender asked if the Board had any recourse from an eyesore perspective, such as removing the items or requiring an enclosure structure to store the items. The Board has the power to enforce established regulations, but there is not a specific regulation for eyesores.

Mr. Gonzales thought there was a regulation regarding structures and eyesores. Mr. Tyler stated that he would research minutes from prior years, as well as other documents, to see if he could find a regulation that would give them the ability to enforce this specific issue.

Mr. Boyle asked if the Board wanted to address the issue on Oak Road regarding the Moosman cabin. Mr. Moosman keeps getting stuck as well. Mr. Boyle stated that when he visited that area on Saturday it looked like someone has been clearing a good section of Oak Road. Mr. Tyler stated that it is the end of his plow route on Pine

Meadow. He suggested that Mr. Boyle ask Mr. Moosman if he had been plowing.

Mr. Deaver understood that Mr. Moosman had blower mounts on the front of his four-wheel drive pickup. He recently told Mr. Deaver that he had not mounted the blower because he did not have the funds. Mr. Tyler stated that if Mr. Moosman gets it mounted he would have to sign the snow plowing contract and provide liability insurance. Mr. Tyler noted that anyone who signed the snow plowing contract has the ability to plow the road. If someone is plowing the road without a signed contract and the required insurance, Mr. Tyler should be informed so he could send a violation notice. He pointed out that the regulation also applies to hand-held snow blowers.

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

Jody reported that the transmission went out in the grader since it was overhauled. He believed it was due to the overhaul because the engine has nearly three times as much power on a 25 year-old-transmission. The grader ran only a few hours before the transmission went out without warning.

Mr. Tyler pointed out that they have never had an issue with the transmission and it has never been worked on. He stated that the grader was stuck at the lower winter parking lot and could not be moved. Jody had obtained an estimate of \$29,123.25 to rebuild the transmission. It would have the same warranty as the engine and chassis, which is a 3 year/5,000 hour warranty.

Ms. Kreis asked if they typically get one quote. Mr. Tyler stated that the Board solicited another company for a quote on the grader overhaul, but they did not respond. He clarified that the grader is a specialized piece of machinery and not everyone can work on it. Wheeler is their only option.

Jody reported that he was having problems with the transmission in the tractor. After having a serviceman look at the tractor, Jody decided to work on it and he fixed it. There is still a problem but the tractor is running. He informed the Board that it would eventually have to be repaired.

Jody stated that the dump truck was in good shape other than needing a couple of rubber bushings on the suspension, which he already had.

Mr. Tyler gave the background as to why they were able to purchase the tractor at a lesser cost. They always knew there was a transmission issue, but for Ranch purposes it worked fine with the blower. Mr. Tyler stated that at some point the transmission would have to be rebuilt at some point or they will have to sell it and purchase another

tractor. However, for now the tractor is usable.

Mr. Tyler stated that the service people would have to tear down the transmission in order to determine what was wrong, and it would cost \$2,000 to \$4,000 to find out. Mr. Deaver asked for the price of a complete transmission overhaul. Mr. Tyler replied that the cost is approximately \$10,000 if the parts could be reconditioned instead of replaced. If the parts have to be replaced, the cost could be as high as \$16,000. Mr. Tyler stated that in his opinion, if the cost is \$16,000, a better option would be to sell the tractor and purchase another one.

Mr. Tyler pointed out that the tractor was still working. The immediate issue was the grader. He noted that the Association has three funds. One is an operating fund, which they should not consider using. The second fund is the \$75,000 emergency fund; however, he did not believe the transmission was a justifiable emergency. The last fund is the capital reserve fund. The \$57,000 for the grader overhaul came from that fund and he believed the \$30,000 for the transmission should come from that fund as well. There is currently \$120,000 in the capital reserve fund.

Ms. Parker recalled that the Board set aside money from last year to fix Tollgate. She understood that the Water Company was potentially going to work on Tollgate. If that is the case, she asked if they could use those funds for the transmission. Mr. Gonzales was uncomfortable using that money without knowing for sure what the Water Company intends to do. Mr. Gonzales agreed with Mr. Tyler that it was a capital repair and it should come from the capital reserve fund.

Mr. Tyler suggested that they could pull the \$30,000 from the capital reserve account. Once they do the summer projects, if the money allocated to Tollgate is not used, \$30,000 of the \$65,000 could go back into the capital reserve fund. The Board favored his suggestion.

**MOTION:** Tom Deaver made a motion to take \$30,000 from the Capital Reserve Account for the transmission overhaul on the grader. If there is a surplus in the money allocated to asphalt Tollgate Road, a portion of the surplus would go into the Capital Reserve. Pat Kreis seconded the motion.

**VOTE:** The motion passed unanimously.

As suggested earlier by Ms. Parker, Mr. Boyle requested that Jody obtain a second bid before moving forward with Wheeler Machinery.

Jody stated that he has primarily been pushing snow and sanding roads.

Cody was trained and to this point he was paid for 42 hours. Mr. Tyler stated that Cody has done a great job. He pointed out the benefits of having two employees and he believed it was working the way the Board had anticipated.

Mr. Deaver asked if they were sanding Forest Meadow. Jody answered yes. Mr. Deaver asked if they were sanding further up from Glass Hill. Mr. Tyler did not believe they have ever sanded further up. Ms. Parker did not think that area needed to be sanded.

Mr. Jespersen referred to the winter parking lot and asked if it was possible to push some of the snow with the truck. Jody stated that he would do that.

### **New Construction/Additions**

#### PI-A-73 - New Construction follow-up on roofing material.

Mr. Powell stated that he spoke with the owners and they felt strongly about using the proposed color and believe it complies with the natural look and non-shiny roof. The owners requested a vote tonight on whether or not to approve the material. If the Board does not approve it, they would decide what to do. The owners were tired of the drawn out process and wanted a decision.

Mr. Tyler remarked that the structure itself, and the siding materials and roof material comply. The only issue is the roof color. Mr. Tyler read from the Architectural Guidelines, "Roof, gables, A-frame or other pitched roofs are acceptable. Roof coverings may be asphalt shingles, composites, painted or rusted steel or painted aluminum. All roof colors should be earthtone and visually non-reflective. Roof colors shall be brown, black, dark green or dark gray. White, red, blue or other bright or reflective roofs will not be approved. Wood shakes cause a fire hazard and will not be approved." Mr. Tyler stated that there was a lot of discussion at the last meeting about whether or not copper is an *earthtone* and should or would be approved under the Guidelines. He noted that the copper color is not specifically allowed or disallowed.

Ms. Parker recalled that another issue was whether or not the roof was reflective and they had a difficult time determining that from the small sample. Ms. Kreis also recalled a discussion about the Board being arbitrary. She understood that others have asked for this color in the past and they were denied. Ms. Kreis felt that as a Board they needed to be more specific in what they allow. If she came in to look at the properties, she could see blue roofs and red roofs. Without having the guidelines in front of her, she would assume that she could have whatever color roof that she sees on the Ranch.

Ms. Kreis thought the Board needed to be consistent and treat people fairly. Mr. Tyler concurred.

Mr. Tyler stated that there are situations on the Ranch where people put on roofs that did not match the guidelines without asking for permission. He pointed out that people are not required to come to the Board for approval when they re-roof their cabin. He thought the Board needed to address that issue. In addition, the Board has never enforced that violation and they need to have that discussion.

Mr. Tyler stated that the two roofs in question at the last meeting were the copper roof across from the gravel pit and the red roof next to it. He understood that the copper roof building was built first and before the architectural guidelines had regulations regarding roof colors. The red roof that was installed next door was the reason why the regulations were written as they were. Mr. Tyler believed there were a number of mixed-messages, which is why he started with this agenda to revise the architectural guidelines for better clarification. The guidelines need to be clear for future Board members and for homeowners.

In terms of the issue before them, Mr. Tyler thought the Board needed to make a decision based on the information they have and live with whatever they decide.

MOTION: Alan Powell made a motion to approve the copper roof color as an earthtone color.

Ms. Kreis requested that the motion address the architectural guidelines so this issue does not come up again. Mr. Powell clarified that his motion was simply whether or not to approve the color for this specific roof. Mr. Powell clarified that the proposed roof was packed clad steel copper penny roofing.

Mr. Boyle was concerned about setting a precedent if they keep pushing the boundary of the guideline. He thought it was important to stick with the colors specifically listed in the guideline because everyone can justify a color.

Mr. Tyler pointed out that regardless of what happens with this particular roof color, the Board would still revise the Architectural Guidelines and that would address future issues.

Mr. Tyler seconded the motion to approve the copper color proposed.

VOTE: The motion failed 2-6-1. Ms. Kreis abstained because she felt it was a subjective process.

Ms. Kreis stated that if the Board voted to approve the copper color, she would want the Architectural Guidelines amended this evening to include copper as an acceptable color. She was concerned about being subjective by telling some people no and others yes. Mr. Tyler respected her concern.

Mr. Powell noted that the vote was to deny the proposed copper color. Mr. Powell would inform the owners that they could choose a different color or challenge the Board's decision.

#### FM-D-87-B-AM – Treehouse follow-up (final square footage)

Mr. Tyler noted that Matt Brown was sick. However, he had received a check for the impact fees for the treehouse. Mr. Tyler was waiting to get the final square footage calculations from Mr. Brown. Once he has the calculations the item would be scheduled on the agenda for the next meeting.

Mr. Deaver asked if the check was for the impact fee on the addition or the treehouse. Ms. Kreis had the same question because she recalled two issues. Mr. Tyler agreed that there were two issues. One was the treehouse which was over the 120 square foot requirement for the application. The owner sent in the application showing the plans and the square footage. At the last meeting it was discovered that the owner had also enclosed a porch. The owner was unsure of the exact size and whether or not the size met or exceeded the 10' x 12' requirement for the purpose of impact fees.

Mr. Deaver asked if Dan Heath had paid the impact fees for the porch enclosure on his house. Mr. Tyler stated that Mr. Heath had not yet submitted an application. Mr. Heath was also sick.

Ms. Kreis asked if they were talking about 2013 impact fees or 2014 impact fees. Mr. Tyler recalled from the last meeting that if the owner paid the impact fee in 2013 it would be the 2013 fees. If he paid the impact fee after December 31<sup>st</sup>, he would be charged the 2014 fees.

#### **Water Board Update**

Mr. Tyler reported that a significant discussion at the Water Company board meeting was the issue of annexation versus the foreclosure of the Water Company stock. Mr. Tyler explained that the Pine Meadow Mutual Water Company is set up as a corporation. As property owners, they are all shareholders in that corporation and it is treated as stock. When one lot is purchased, that lot maintains its one share of stock in

the Pine Meadow Mutual Water Company. If that lot does not pay their assessment, the Water Company does not have the right to foreclose on the property, but they do have the right to foreclose on the water share and sell the stock. The Water Company forecloses on the water share, which is considered personal property, sells it back to the company for the amount owed, and the Company itself owns and maintains that share for that owner to purchase back. Mr. Tyler noted that the calculation to purchase back the share was posted online. He recalled that it was 110% of the back amounts owed plus interest that is charged on an annual basis. Mr. Tyler clarified that when someone purchases a lot, rather than get a water right they get a share in the Company that owns the rights.

Mr. Tyler explained that the Water Company was set up as an entity that services only the Pine Meadow Homeowners Association boundaries. Only lots within the Homeowners Association are allowed to have access to the Pine Meadow Mutual Water Company's system, unless they sign an annexation agreement and pay an annexation fee. At that point, you cannot be a shareholder in the Water Company and not be a member of the Homeowners Association. A person would have to join the Homeowners Association and the Water Company and pay the annexation fee in order to become a shareholder in the Water Company.

Mr. Deaver asked about the procedure to become part of the HOA. Mr. Tyler replied that it is done through an annexation agreement. He believed the Board needed to relook at the current annexation agreement that is posted on the website and decide whether the HOA should also add an annexation fee. Mr. Tyler stated that an annexation fee would help reduce some of the cost of joining the Association and the benefits they would enjoy from what the other members have paid for years to fix the roads and improve the Ranch.

Mr. Deaver thought the Board needed a very distinct step by step process to revise the annexation agreement, similar to the process for revising the Architectural Guidelines. Mr. Deaver wanted Pine Meadow Ranch to be an affordable place to live. He would not want to create another Promontory.

Mr. Tyler stated that the Lower Tollgate Canyon Road project was also discussed at the Water Company Board meeting. He drew a diagram to show the area in question. Mr. Tyler noted that the Water Company paid an engineering firm to survey the lower section of the Ranch all the way up to just passed the cross-hatched fence on Tollgate and up to the switchback on Forest Meadows. There were approximately 9800 survey points. The Water Company has a good idea of the existing grades, the location of property lines, and the current road location.



Mr. Tyler reported that at the last meeting the Water Company Board agreed to spend another \$15,000 to have the road engineered. The goal is to identify two ten-foot wide lanes, a two-foot aggregate rollover and proper retaining where it needs to be retained. Mr. Tyler was unsure how the retaining would be accomplished, but it would only be necessary in a few places. Mr. Tyler stated that he and Jody met with Eric Cylvick and the engineer and they walked around the area. Mr. Tyler remarked that the Water Company plans on paving the road in addition to widening it. They originally intended to keep the design of the lower portion of the canyon, but they determined a better idea for how it should function. Mr. Tyler used his diagram to indicate a road that they suggested to make one-way. Another road is widened and the grade is much lower, and that would become a two-way road. As proposed, the blind corner would be eliminated. Mr. Tyler believed the road grade would average 8-9%. The existing grade is 13% and garbage trucks will not go up a 13% slope in the winter. Therefore, the garbage trucks would be able to access the lower parking lot year-round. Mr. Tyler indicated an area where he suggested creating a pull-in, and moving the mailboxes at some point in the future. He noted that when the Board approached the Post Office several years ago about moving the mailboxes, the Post Office would not approve it because of the road conditions. If the road is improved and widened and the grade is reduced, the Post Office might reconsider.

Mr. Tyler suggested that there may be an opportunity for the Owners Association to spend some of the funds they would normally spend on the roads to improve some of the structures at the bottom.

Mr. Tyler noted that the road plan currently proposed would go up to the other side of the top switchback on Forest Meadow and include widening the corner to 30-feet. Mr. Deaver asked about a guardrail. Mr. Tyler replied that the Water Company did not intend to put guardrails anywhere on the Ranch. However, they did propose to remove the concrete barrier in one location and replace it with a guardrail.

Mr. Deaver was told that Promontory owns the lower parking lot. Mr. Tyler replied that Summit County owns the lower parking lot. Mr. Deaver thought someone should check with Promontory because they emphatically told Hutch Foster that it was Promontory property.

Mr. Tyler asked the Board to consider streamlining the signage at the bottom. People miss the important sign requiring four-wheel drive, snow tires and chains because it gets lost in the maze of other signs. He identified a section that is owned by the Owners Association where they could put a small bulletin board for information pertaining to the HOA. He indicated another area that is owned by the Summit County and he suggested that the real estate signs should go there.

Mr. Tyler clarified that at this point the Water Company has not committed to actually doing the road, but for now it appears that was the direction they were headed.

Ms. Parker asked if Mr. Tyler had a sense of when the Water Company could make the final decision. Mr. Tyler stated that it will go out to bid once they have the engineering package. The question will be whether or not the Water Company has the money to do it.

Mr. Deaver noted that the conversation they had with Mr. Bonnitt and Mr. Rouse about fundraising was now a dead issue because they could not agree with each other.

Mr. Tyler reported that the survey showed that the road was where it was designed to go and it follows the property lines very well. It encroaches in a few spots, and a significant portion of the road has a legitimate 60' wide road easement. Mr. Tyler voiced concerns. His first concern was whether it makes the road nicer than what they want on the Ranch. The second concern was that the Water Company would be investing a lot of money; however, it is actually homeowner money that filters through the Water Company because they obtained the loan to improve the water system.

Mr. Deaver pointed out the Water Company is in a difficult position because they obtained the loan and they have to spend it. They cannot keep the money or give it back to pay down the loan. Mr. Tyler agreed. However, his concern was that if the Water Company spends the money to improve the road, the HOA would be responsible for maintaining it. Mr. Gonzales stated that the HOA was not obligated to maintain it. He suggested that the Board ask the Water Company to spend the money on property that everyone owns as a whole through the Water Company and through HOA dues.

Mr. Tyler believed there was a misconception that has been perpetuated over time, that the Owners Association does not own or control the road. While that is partially true, the HOA owns any easements that exist. Because the HOA has been maintaining the road for a very long time, it has in essence become their road. At some point, they need to take ownership and maintain it like it is theirs. Mr. Boyle did not agree and was concerned about taking on the liability. Mr. Tyler replied that the Association already has the liability.

Ms. Parker noted that the HOA spends money on that road every year. She asked if the amount to maintain what the Water Company creates would be more than what they currently pay. Mr. Tyler was unsure. If the road is improved, the Board would need to plan for road renovation 30 years from now as well as regular road maintenance. Mr. Tyler could see it as a mixed blessing with pros and cons. The reality is that the Water

Company has stopped prospecting for additional water because they were told by the hydrologist that the capacity they need does not exist.

Mr. Deaver asked if the Water Company would need the money within five years to connect to Mountain Regional. Mr. Tyler stated that there have been discussions with Mountain Regional; however, to his knowledge nothing has been decided.

## **On-going Business**

### Sledding Hill

Mr. Tyler did not think the sledding hill needed further discussion. They had discussed the banners at the last meeting and nothing more could be done until next year.

Mr. Tyler noted that there have been a number of instances of people sledding in the road and he wanted to make sure that the Board was united in either prohibiting or strongly discouraging sledding in the road. Currently, sledding in the road is not prohibited and at the very least he thought they should strongly discourage it. Mr. Tyler recounted a personal experience he had at 10:00 at night coming around Boyce's Corner where five teenagers dressed in black were sledding down Pine Meadow Drive.

Mr. Deaver suggested that the Board make a motion to prohibit road sledding, and at the same time have the signs made and put up at the gravel pit and make it a place where kids can sled. Ms. Kreis was concerned about the sledding hill. She recalled a discussion at the last meeting about removing boulders at the bottom. Mr. Tyler agreed that the hill was not ready to allow sledding. Ms. Kreis stated that if a sledding hill is owned by the County or the City and there is an accident, the City and County have government immunity from liability. As a Homeowners Association, if they own the property and invite people to sled, there is a potential liability. Ms. Kreis recommended that the Board have a conversation with legal counsel representing the Ranch before they move forward with the sledding hill. Mr. Deaver reported on an experience he had with a young girl sledding on the road. Ms. Kreis agreed with the idea of a motion to prohibit sledding on the roads. Mr. Tyler pointed out that an outright prohibition would need to be included in the Rules and Regulations, but the Board could take a stance this evening through a motion.

MOTION: Tom Deaver moved to add into the Rules and Regulations that it is prohibited to be sledding and/or tubing on the plowed roads. Pat Kreis seconded the motion.

Ms. Parker stated that if the Board takes this action, it was important to send a postcard

to the homeowners informing them of the new rule and why the action was taken. She offered to draft the postcard. Mr. Tyler stated that the postcard could be approved by the Board through email and sent out rather than waiting until the next meeting.

VOTE: The motion passed unanimously.

#### PI-D-69 - Yurt

Mr. Tyler stated that the Yurt owner, Bob Bethke, had exceeded his 180 days of allowing a temporary structure as the Board defined in the July meeting. Mr. Bethke was in attendance to propose language for the Architectural Guidelines to allow Yurt structures within the Ranch.

Mr. Bethke thanked the Board for their time. For the benefit of the new members, Mr. Bethke summarized the events that led to his proposal this evening. He believed the issue started with his interpretation of the Summit Country requirement for number of days allowed for a temporary use. After several meetings with the Board, he came to realize that temporary use was a completely different issue and more about continuous use. Mr. Tyler replied that is more about existence, not number of days.

Mr. Tyler stated that the Board was not trying to enforce building permits or regulations. The issue is how the structure is defined by the Pine Meadow Ranch Architectural Guidelines, which the Board has the authority to enforce. Mr. Tyler clarified that the situation with Mr. Bethke was that a structure was installed and intended to be a permanent structure and not removed from the property. An application was not submitted to the Board for approval or payment of the impact fees. The Board spoke with Mr. Bethke after the structure was constructed and the Board wanted time to review and clarify the policy. Language was drafted to clarify the policy without changing the policy. The language clarified the historic stance of the Board on temporary structures. The definition of temporary use was updated in the guidelines as a result of Mr. Bethke's situation. Mr. Deaver pointed out that the Architectural Guidelines specifically says, "temporary structure". It does not say "temporary use", which is completely different.

Mr. Tyler noted that Mr. Bethke was looking for a mechanism to get the Yurt to be approved as a permanent structure. Mr. Bethke stated that the temporary issue was an interpretation issue and he went ahead and built the Yurt. After reviewing the situation, he has since decided that it was a permanent structure. Mr. Bethke stated that his goal was to request that new language be created within the Architectural Guidelines to allow Yurts in Pine Meadow. He wanted to talk about viable structures and whether or not the Yurt meets the traditional mountain vernacular. Mr. Bethke reviewed a specification

sheet from the company who built the Yurt. In addition to the specifications, Mr. Bethke further upgraded the Yurt with a snow and wind load that makes it almost indestructible compared to most structures in Tollgate. He believed it was a viable structure. In terms of meeting the traditional mountain vernacular, Mr. Bethke stated that Yurts were being erected all around the Country, and he presented evidence to support his comment. There was a lot of documented support for a Yurt fitting with the mountain vernacular.

Mr. Bethke stated that he was in the process of working with Summit County to obtain a building permit. Mr. Bethke was willing to pay the impact fee and go through the application process for the Ranch, as well as working with the County. He would do whatever it takes to get his Yurt approved, but he wanted to make sure the Board would support it before he spent too much time and money. Mr. Bethke also believed either he or Mr. Tyler could create effective language for the Architectural Guidelines. Mr. Bethke stated that he has invested a lot of time, money and effort on the Yurt and his family enjoys spending time on the Ranch.

Mr. Tyler believed the issue was two-fold. The Board has never officially had the opportunity to discuss a Yurt application with all the associated site plans and documents. Secondly, the exterior structure materials do not comply with current the Architectural Guidelines. As a result, the Board has no leeway to approve the Yurt without changing the Architectural Guidelines to specifically allow Yurts. Mr. Bethke clarified that his intent was to add a specific guideline associated with the Yurt approval. There are unattractive Yurts that can be constructed and he wanted to make sure that if Yurts are allowed on the Ranch that they are nice looking with specific colors and fabrics and certain quality aspects of the structure. He personally made an effort to make his Yurt a nice quality addition to the neighborhood.

Mr. Gonzales stated that aside from the quality, the Architectural Guidelines do not allow Yurts. Mr. Tyler agreed that under the current guidelines the Board does not have a mechanism to allow the Yurt. Mr. Bethke proposed that the Board amend the guidelines to allow the Yurt to exist. Mr. Tyler informed Mr. Bethke that a certain process needs to be followed in order to amend the guidelines.

In the interest of time, Mr. Tyler suggested that they table the Yurt discussion until the Board has the opportunity to discuss it further. In the meantime, he recommended that the Board not levy any fines in the interim, even though Mr. Bethke had exceeded the 180 days. Mr. Gonzales pointed out that the Board had already had the discussion and made a decision. Mr. Boyle agreed with Mr. Gonzales but he was conflicted. He felt there was room for additional discussion, but Mr. Bethke did not use the 180 days to present his case to the Board before his time expired.

Mr. Tyler clarified that his recommendation was based on the fact that they did not have the time to adequately discuss it this evening. If the Board wanted to levy the violation fine they could do it. He personally would not support it because he did not believe it was the right thing to do in this particular case. Mr. Powell agreed. He did not believe the Board gave Mr. Bethke adequate time this evening to address his issue. Ms. Kreis concurred. Mr. Gonzales reiterated that Mr. Bethke had adequate time over the past 180 days.

### **New Business**

The listed agenda items of Architectural Guidelines, Summer Projects and Long Term Planning were tabled to the next meeting.

### **Monthly Budget Review.**

Ms. Kreis presented the unpaid bills detail that Carol had prepared. She stated that she was still unfamiliar with the customary bills and unable to distinguish between what was customary and what was unusual. Ms. Kreis stated that in looking through the invoices she assumed the bills were customary. Unless the Board found any exceptions, she requested a motion to approve the bills as outlined.

MOTION: Alan Powell made a motion to pay all the bills as outlined. Tom Deaver seconded the motion.

Mr. Tyler asked Jody about the \$1341 charge from Wheeler Machinery. Jody stated that it was for the serviceman to come up and determine what the problem was with the grader.

VOTE: The motion passed unanimously.

The Meeting of the Pine Meadow Owners Association Board adjourned at 8:03 p.m.

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