

PINE MEADOW RANCH OWNERS' ASSOCIATION
MONTHLY BOARD MEETING

VIA ZOOM VIDEO CONFERENCE
JANUARY 18, 2022

In Attendance: George Sears, President; John Adams, Vice-President; Michelle Suitor, Secretary; Andrew Pagel, Treasurer; Dwaine Anderson (Area 1); Marty Hansen (Area 2); Sam Vincent (Area 3); Katie Winters (Area 4); Shaun Baker (Area 5); Paul Suitor (Area 6); Scott Boyle (Area 7)

Ex Officio: Jody Robinson, Nolan Mitchell, Fire Safety Coordinator; Robert Rosing, Legal Counsel

George Sears called the meeting to order at 6:30 p.m.

NOTE: *The majority of the meeting was recorded with the recording beginning after the introductions and a full quorum were present.*

Water Company Report

Mr. Sears reported that the Water Company held a short meeting last week. The most important item is that a general timeline has now been established in conjunction with Mountain Regional. Based on the information he received, they were now looking at a transition of ownership in the first quarter of 2023. Due to the required steps and the bonding process, Mountain Regional did not believe a transition could occur prior to that timeline.

Mr. Sears stated that the concern relative to that timeline is that everyone expected the annexation could occur in July and Brody Blonquist was already looking for other employment. The Water Board will have to evaluate and determine a mechanism to provide support if Brody leaves earlier than the actual merger.

Shaun Baker stated that the Water Company was working on an operational agreement with Mountain Regional to begin maintaining Pine Meadow Water sometime next summer if Brody leaves. Even if the annexation has not occurred, Mountain Regional will do the maintenance and other services.

Someone noted that Scott Morrison was stepping down from Mountain Regional and asked if that would negatively affect the annexation. Mr. Baker replied that the Water Board had that discussion, and most of what Mr. Morrison was involved with is already done. What is left is in the hands of legal and engineering for both parties.

Mr. Sears remarked that Mountain Regional provided the Water Board with a tentative timing schedule and how each step would occur.

Mr. Baker stated that Mountain Regional surveyed the Ranch, and they were very impressed with

the system and everything the Water Company has done. He thought timing was the only issue with completing the annexation.

Monthly Budget Review

The Board reviewed the unpaid bills detail. Mr. Sears went through all the financials and did not find any discrepancies.

Mr. Sears wanted to make sure all the Board members had the opportunity to review the bills and financials. He was willing to defer the approval until the end of the meeting if necessary. John Adams recommended deferring until the end.

Mr. Sears noted that the financials also include the Property Owner Assessments that were approved at the Annual Meeting and became effective January 1st.

Andrew Pagel referred to the Unpaid Bills and asked Jody to verify the Century Equipment Systems invoice in the amount of \$863. Jody explained that the expense was for cutting edges for the blade on the grader.

Mr. Pagel was comfortable with the actual budget and unpaid bills, and he was prepared to make a motion. It was straightforward and he could see no reason to defer it to the end of the meeting. The invoice from Robert Rosing for legal services had not yet been received and that would be deferred until next month or approved via email before the next meeting.

Mr. Pagel asked Jody for a breakdown of the White's Auto Parts invoice. Jody stated that he purchased chains for the grader. The chains and the cutting edges were the largest expenses. The remainder was for general maintenance. Jody recalled a \$400 bill for the front shaft on the Ford Truck.

Someone referred to the Budget for 2022 and thought the road maintenance budget was less from previous years. Mr. Pagel explained that once they create the budgets Carol enters them into accounting and sometimes items get miscategorized. He intends to walk through the budget sheet and begin validating that the correct amounts get printed in the correct columns. Mr. Pagel clarified that those situations would be corrected. He will have everything validated with Carol before next month.

MOTION: Andrew Pagel moved to approve the Unpaid Bills in the amount of \$3,665.23. John Adams seconded the motion.

VOTE: The motion passed.

Rules and Regulations

Mr. Sears noted that the Board discussed Rules and Regulations at the last meeting and identified a series of six or seven rules. Since the last meeting, he and John Adams had reviewed and prioritized those rules. Mr. Sears stated that the first priority is the effort that the Fire Committee did to compose rules and regulations.

Mr. Sears stated that the Board will address one or two rules and regulations each time and they will all be completed before sending them out to the owners as the ones the Board intends to propose. Mr. Sears recalled that proposed rules were sent out last year but only one person provided comments.

Mr. Sears explained that each rule and regulation will be addressed one at a time in a one-hour work session for review. He reiterated that the first one will be the Fire Committee's recommendations for rules and regulations relative to requirements for the Lot Improvement Plan when a new build is approved. Mr. Sears pointed out that it is difficult to get all 11 Board members together at the same time. As they announce a meeting, if someone cannot attend, they should review the proposed rules and provide feedback.

Committee Reports

Architectural Committee

John Adams presented plans for Lot PI-I-33 and 34. The two properties are combined as 2.0 acres. The owner, Bill Broyles, was proposing a 616 square foot garage. All the required documents had been submitted, which included a hand sketched site plan, a survey from 1994, and color samples for the building exterior. Mr. Broyles was proposing a redwood color exterior and a brown roof. The roof will be metal. The siding would either be a hardie board product or a smart board product. There were no issues with the roof pitch.

Mr. Adams stated that in general, it was a good plan; however, Mr. Broyles had put it together and presented it in a very unconventional way.

Mr. Adams shared his screen to show the proposed color palette and the hand sketched site plan. He noted that the hand sketch sits well within the combined lots. He used a GIS map to show how the property looks currently.

Mr. Adams pointed out that ARC committee was scaled down at this time and he was looking for guidance and feedback from the other Board members. Depending on what everyone was comfortable with, Mr. Adams suggested that they could move forward with a conditional approval

and ask Mr. Broyles to determine the actual siding material. He understood that Mr. Broyles was waiting to see what material options would actually be available this Spring, and then choose an available material.

Mr. Adams was unsure whether Summit County would require Mr. Broyles to provide a more current survey. However, he believed Summit County would accept the hand sketched site plan.

Mr. Adams noted that the garage will be 19' from the adjacent property. It is approximately 60' from the road.

Mr. Pagel stated that the purpose of the ARC is to verify that the structure's placement and appearance complies with the HOA rules. For that reason, the ARC needs a clearly defined siding sample and color, as well as a roof sample and color.

Scott Boyle thought the garage would be a significant distance from the neighboring property.

Mr. Adams reiterated that the Board could table this item and ask Mr. Broyles to come back with a siding sample, or they could move forward and vote to conditionally approve it. A conditional approval will require a second approval once they receive the final siding material. Mr. Adams was comfortable with either option. Considering that the survey is very old, Mr. Pagel wanted to know if the adjacent neighbor had any concerns about the property line. He asked whether the Board should request an updated survey.

Mr. Adams asked the people who have lived for a long time on the Mountain whether there have been enough boundary issues with the old surveys in the past to require a new survey.

Someone stated that he has serious issues on his property based on the old survey. His neighbor's driveway is on his property and his other neighbor goes through his property. Mr. Boyle thought the majority of the old surveys were within a couple of feet from the actual boundary.

Mr. Sears asked if the Board wanted to vote this evening or defer it until they see the actual material and color samples. The majority of the Board preferred to defer the vote. Mr. Sears pointed out that if Summit County was willing to accept the 1994 survey, the Board would have no control to request a new survey.

Roads and Parking

Mr. Sears noted that John Adams personally got involved in the parking challenge during the holidays. Jody cleared it and John went back and did more work. Mr. Sears stated that he only got two complaints about the lower lot not being open, and both were before the holidays. Mr. Sears gave a shout out to Mr. Adams for doing an incredible job. It was well done, and people were really appreciative to have a place to park during the holidays.

Mr. Sears understood from Facebook that there were parking issues on the roads. They have the same issue every year during the winter.

Scott Boyle had nothing more to add. He understood the frustration; however, they should try to be patient because the same thing occurs each year and it is usually the new people on the Ranch. Mr. Boyle stated that they had resolved some of the issues of people trying to get up without the proper vehicle. There have been emails and he has contacted the individual.

Mr. Boyle stated that he intended to work with Summit County regarding the suggestions for down by the mailbox.

Mr. Sears reported that John Adams had posted on the Facebook page a desire to get a discussion started on winter parking. Mr. Adams provided a visual showing the questions that were asked and the responses. He noted that he had sent the questions through email as well as posting it on the Facebook page.

Mr. Sears stated that there are options to look at, but they need to come up with a long-term parking solution looking towards buildout. Mr. Baker asked if the Board had considered the parking solution recommended by Eric Cylvick last year to park on top. Mr. Sears replied that the Board talked about it, and he had shared the plan with a number of people. Mr. Baker noted that the location was right above the gas line to the south of the current parking at the bottom on the flat area on top. He recalled that Promontory was the biggest obstacle.

Someone asked about limits for parking on Jonathan's property at Oil Well. Paul Suitor replied that Jonathan does not want the parking to be abused. There is no set time limit, but he would like it to be short time periods. It is private property and for the most part people are respecting Jonathan's wishes. Mr. Sears stated that last year a notice was sent stating that anyone who parks there must have a parking permit.

Mr. Sears noted that several people commented on road issues this week, particularly the ice, and they do not think the HOA is sanding. He wanted everyone to understand that Jody sands every day. Mr. Suitor stated that the people who drive the roads every day know that the roads get sanded. Mr. Sears explained that Jody sands every morning, but it is not practical, so he does not sand throughout the day. Jody will be trying new things to melt some of the ice during the day. Mr. Sears stated that Jody is almost out of sand already and they still have two months left. He expected the Board would need to discuss sand from an expense standpoint in the next few weeks.

Fire Committee

Nolan Mitchell reported that the burn piles were lit, and they burned for several days. Jody did a

fantastic job keeping the fire going. The fires are out, and everything was cleaned up. Mr. Mitchell stated that they got a big donation of manhours from Alpine Forestry to help start the burn. He was grateful to Dave and his crew for their help.

Mr. Mitchell heard concerns from several people about having a burn pile due to the fear of it catching fire during the year. Mr. Mitchell noted that they have the same problem of a fire starting anywhere on the Mountain. He pointed out that having a burn pile in a controlled environment is better and safer, and it allows people to clean up their own lots and bring the debris to a general area instead of having 400 small burn piles all over the Mountain.

Mr. Mitchell commented on the Fire Station. He noted that Mariana Mavor was spearheading a group of people to make sure everyone is on the same page and giving out the same information. He stated that currently Summit County is getting different stories from different people depending on whether they are talking about the HOA or Tollgate Canyon itself.

Mr. Mitchell commented on the Fire Safety Committees. He put out an email after the holidays asking people to let him know if they are interested in being on these committees because they still need more help. Mr. Mitchell emphasized that they cannot do what is required with the number of people they currently have on the committees. They need more people and more Board members to get involved.

Communications-Comcast Update

Mr. Sears noted that John Adams has had ongoing communications with Summit County and with Comcast. Mr. Adams shared a screen showing the responses from a new survey. He explained that the impetus behind the survey was to be completely transparent with the entire Ranch on what is going on and why. He noted that last Fall, he, George Sears, Andrew Pagel, and Michelle Suito received an email from Summit County with ideas that tied into the grant money that would be coming from Build Back Better bills being floated at the time.

Mr. Adams reminded everyone that after their conversation with the County an initial survey was sent out about Broadband. They continued having conversations and Comcast has asked whether they would be willing to do some type of negotiation on behalf of the entire community. Mr. Adams stated that Comcast was asking for a minimal amount of financial commitment for a long period of time and whether the community would be willing to move forward with something like that. Mr. Adams emphasized that rather than two or three Board members having that discussion, they decided to reach out to the community for their input. He pointed out that the second survey was sent out and he had received 74 responses with differing comments. Mr. Adams stated that the intent is to figure out if there is consensus either for or against, or whether they should look at something else or abandon the idea altogether.

Paul Suitor recalled that Mr. Adams had said that Comcast would need a commitment from each lot to pay for minimal service. Mr. Adams clarified that Comcast mentioned it, but it does not mean they need to do it. Mr. Suitor asked if it would only be the 800 plus lots within the HOA, whether it would include the surrounding areas, or if it was only the HOA lots that have structures. Mr. Adams stated that Comcast would like the HOA to think about a master franchise agreement that would bring in all the existing structures, which is approximately 450 lots.

Robert Rosing pointed out that they cannot bind the lots outside of the HOA to an agreement. Mr. Adams believed Comcast could talk about any of the lots. He explained that Comcast was looking for some kind of commitment that they will have customers if they spend two years dropping in fiber optic cable on 32 miles of roads. Mr. Rosing stated that it was not uncommon in Homeowner Associations where people move in and are required to get Comcast. Mr. Sears agreed that this was exactly the concept that Comcast would like. He was familiar with it in another HOA where everyone who moves in must have Comcast. Everyone in the HOA has Comcast; however, is up to the individual owner whether they choose to upgrade from the basic service.

Someone asked if the owners who do not want internet would still need to pay for it. Mr. Adams replied that this was a question they were still trying to clarify.

Mr. Sears thought it was most important that the HOA Board understands that Mr. Adams was trying to obtain as much information as possible to see how this might move forward. Mr. Sears did not believe they have a deep enough understanding to know exactly what Comcast will propose until they understand what money is available from the grants.

Mr. Suitor stated that when the Board sends out correspondence on this matter, they should emphasize how much grant funds they would actually be getting to alleviate some of what the owners will be paying. He thought they should also emphasize how much it would increase the property value for lots that currently do not have structures.

Someone asked if the amount per owner would theoretically be added to everyone's annual assessment. Mr. Adams answered yes. He pointed out that everything is negotiable. Comcast just wants to be assured they will have customers. Mr. Adams stated that some people were asking why Comcast was not laying fiber optics all the way to the house. He explained that Comcast was proposing fiber optics to the curb and coaxial to the house. Mr. Adams suggested the possibility of negotiating for a lower speed, and those who want high speed internet can pay for it.

Mr. Sears thought a lot of questions still needed to be answered beyond internet. He stated that the owners could never pay for the actual cost without grant money, and they need to know what kind of grant they would get. Summit County would submit the grant application. Mr. Sears noted

that John Adams was staying on top of the issue and keeping communications ongoing. They were hearing from both Comcast and Summit County. Mr. Sears suggested waiting for the next steps and keeping the Board apprised during the process. It could ultimately come down to either making a good business decision on behalf of the owners, or the owners themselves may need to vote on it.

Area Rep reports

Area 1 – Dwaine Anderson had nothing to report.

Area 2 – Marty Hansen had nothing to report.

Area 3 - Sam Vincent had nothing to report.

Area 4 - Katie Winters had nothing to report.

Area 5 - Shaun Baker stated that parking was an issue and the Board already addressed it this evening.

Area 6 – Paul Suitor had nothing to report.

Area 7 - Scott Boyle had nothing to report.

Miscellaneous

Mr. Sears noticed a new shed was going up at the bottom of Tollgate and he was certain that the work was not being done by the HOA. Mr. Sears noted that it was a lot of work and he thanked John Adams and other volunteers for their efforts.

Public Open Forum

Zach, PI-E-96, asked if the Comcast cable would run along the side of the road and be completely buried. Mr. Adams replied that he has raised the concept of an oversight committee where individuals who have concerns can be involved to make sure that whatever is negotiated is what is actually done. He stated that Comcast has said that their primary method would be to use a giant rock cutting sawblade on a backhoe and boring equipment wherever possible. He was unsure what method would be used in situations where they might need to move across something or around something. Those are the questions that need to be answered.

Zach volunteered to be on the oversight committee. He has worked with Comcast in the past and they will do the cheaper option unless it is writing. Zach stated that in many areas Comcast will put in massive junction boxes. Sometimes they are placed in unobtrusive places and sometimes they are not buried, leaving a hazardous hole for a couple of years. Zach asked if there is a problem with the system once it is installed, whether the community will pay the expense for repairs or upkeep. Mr. Adams thought that was a good contract question. He noted that the actual contract for fiber is only for five years; however, Comcast has asked for the ability to make upgrades and repairs for 15 years. Mr. Adams stated that they had not yet discussed who would pay for it. Zach assumed there

would be zero support from the community if those questions are not answered. Mr. Adams looked forward to having more conversations with Zach as this matter progresses.

Zach remarked that if they could get a perfectly installed high-speed fiber optic, it would be a win/win for everyone, as long as they make sure that Comcast installs it as they agreed, and there is no fine print that leaves the owners with substantial costs in the future. Mr. Sears noted that most of the money would be coming from the Federal Infrastructure Bill. Zach thought it was a great plan, but they need to keep an eye on Comcast. Mr. Sears explained that Summit County is involved because Tollgate Canyon is the darkest area in all of Summit County as far as availability of internet services. Everywhere else within Summit County has quality internet capability.

Ed and Kathleen Deffner, PI-I-37, stated that they were on the cusp of submitting plans for architectural review on a new cabin. They hoped to have their plans reviewed and approved next month. Mr. Deffner commented on the issue of procuring available materials as discussed earlier on another project. He would like a conditional approval if at all possible so they can work within this year's building season. Mr. Deffner asked if there is a process to allow some interaction if it comes before the Board and there are questions or concerns. He wanted to know how they could help achieve success.

Mr. Adams explained that the owners would need to complete the Lot Improvement Plan, which is online and outlines a very specific list of items. He emphasized that the owners should also go through the Architectural Guidelines. Once they have done that, and the Lot Improvement Plan is completed, they should contact Carol and she will explain what they need to do to obtain a water letter and what fees need to be paid to the Pine Meadow Mutual Water company. Mr. Adams stated that they will need to provide a survey, a site plan, and to the best extent possible identify color choices and the exterior materials. He noted that the owners can start building an electronic link to all of that information as it is assembled. They need to provide a hard copy of all the required information to Carol, as well as an electronic format. Once the file is complete, the Architectural Committee will meet and review and discuss the full submission. A member of the Architectural Committee will keep in touch with the owner as the process begins. If there are deficiencies in the submission, the ARC will notify the owner as quickly as possible for the missing information.

Mr. Deffner stated that the ARC meetings answered his question. They reviewed the list with their architect today and were moving forward. He asked if the ARC meeting was a regular meeting. Mr. Adams replied that the meeting is scheduled based on receiving submittals. If there are no submittals, there is no reason to hold a meeting. Once they determine that a file is complete, the ARC will meet and begin asking questions if they find that something is missing.

On another issue, Mr. Deffner asked if there is an opportunity to speak with Google Fiber or whether Comcast was the only option. Mr. Adams stated that when the process started, Summit

County was out talking with carriers and internet service providers before Pine Meadow knew anything about it. He noted that Summit County did the work and then came to the HOA with this opportunity because Comcast was the only provider interested in doing it.

Mr. Sears stated that there are other providers, but Comcast was the only one that came up with a significant approach. It is all about the grant money and how it can be applied. Without a grant no provider will come up and they will continue to have Wi-Fi models and satellite. The question in the long term will be which one they want. They will need to make that decision as a group. Mr. Sears believed they needed to consider 20 years into the future.

Mr. Adams stated that based on the survey, even though there are a majority of people who truly want this, another group of people are strongly concerned about what this will do to the Mountain. Some are worried that it will encourage more development. He has encouraged people who have serious concerns about what is occurring or could occur on the mountain to provide their input to the Architectural Review Committee because that is where changes can happen. Mr. Adams stated that Bruce Hutchinson was on the ARC and provided valuable opinions and insight. He is no longer on the Board and the ARC was looking for additional members. Shaun Baker volunteered to sit on the Architectural Committee.

Mr. Sears stated that they are in a new year, and he anticipated great opportunities as they move forward collectively. As a community a lot is going on and there are serious challenges and serious opportunities whether it is infrastructure related, parking, how to manage the roads, etc. Mr. Sears was pleased with the great turnout for fire mitigation to clean up Tollgate Canyon. However, more work still needs done in terms of managing the community relative to fire so they can stabilize things and make it a safer environment for everyone.

Mr. Sears stated that he was speaking with the Senator from his area before the Legislature went into session. He said that broadband in remote areas is an issue that the Legislature would try to address and make sure appropriate funding is available. Infrastructure and broadband are issues that affect homes, families, and institutions overall. Mr. Sears thought it was appropriate that Mr. Adams, Summit County, and everyone in the community have an opportunity to participate in how they might move forward.

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