

Approved  
February 20, 2018,  
as written

PINE MEADOW RANCH OWNERS ASSOCIATION  
MONTHLY BOARD MEETING  
SHELDON D. RICHINS BUILDING  
KIMBALL JUNCTION LIBRARY  
JANUARY 16, 2018

In Attendance: Tom LeCheminant - Vice President; Pamela Middleton, Secretary; Andrew Pagel, Treasurer; Jonathan Hoffman (Area 1); Joe Pagel (Area 3); Robert Walthall (Area 4); Kirby Wilson (Area 6); Byron Harvison (Area 7)

Ex Officio: Jody Robinson, Ranch Manager

Excused: Tony Tyler, Jeremy Jespersen (Area 2); Bruce Hutchinson (Area 5)

Guests: Ethan Lamiman, FM-D-158A; Jan Levitre, F-17; Gary Burch, PI-61; Paul Suitor; G-36; Michelle Suitor, G-36; Roy Parker, G-85

Tom Cheminant called the meeting to order at 6:30 p.m.

### **Approval of Minutes**

#### November 2, 2017

MOTION: Jonathan Hoffman moved to APPROVE the minutes of November 2, 2017 as written. Pamela Middleton seconded the motion.

VOTE: The motion passed unanimously. Robert Walthall was not present for the vote.

#### **Robert Walthall arrived.**

#### November 14, 2017

MOTION: Byron Harvison moved to APPROVE the Minutes of November 14, 2017 as written. Kirby Wilson seconded the motion.

VOTE: The motion passed. Jonathan Hoffman abstained because he was absent.

Mr. LeCheminant asked about the Minutes for October 17<sup>th</sup>. Ms. Middleton recalled that because the Board did not have a quorum at the meeting it was only a general discussion. She did not believe the Minutes could be approved. Mr. Hoffman suggested that the Board vote to approval the Minutes pending approval without a quorum. If there is no need to approve them the motion could be ignored.

#### October 17, 2017

MOTION: Mr. Hoffman made a motion to approve the Minutes of October 17, 2017 where the Board lacked a quorum. Kirby Wilson seconded the motion.

VOTE: The motion passed. Pamela Middleton abstained because she was absent.

Mr. LeCheminant noted that the Minutes of October 17, 2017 were approved if approval was allowed.

#### December 19, 2017

Pamela Middleton referred to page 4 and noted that the Minutes indicate that Jeremy Hoffman made a motion. She changed that to correctly read Jonathan Hoffman.

MOTION: Pamela Middleton moved to APPROVE the Minutes of December 19, 2017 as corrected. Jonathan Hoffman seconded the motion.

VOTE: The motion passed. Joe Pagel abstained.

#### **New Construction/Additions**

No plans were presented this evening.

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

Jody stated that he had been doing some snow removal and sanding, but there was very little that needed to be done.

Jody had been doing a lot of scheduled maintenance on the equipment. All the equipment was running well.

There were no projects other than snow plowing.

Mr. Hoffman asked if they should talk about Jody and Randy's ability to cover the plowing during the interim period until the RFP comes back. Jody replied that he was already plowing it.

Mr. LeCheminant suggested that when people get emails from people off the ranch when there is a problem, that they take a picture and send it in. Mr. Hoffman stated that it was discussed and Jeremy was aware of it also. Mr. LeCheminant remarked that when he received the email he asked Jody and Randy to go look at it. They drove from one end to the other and could not find the "lake" that was reported. Mr. Hoffman believed the snow barrier had broken by that point. There was some accumulation in the morning, but he would not have characterized it as a lake. He noted that it was just

below Goose Pond on the thin section of Lowest Forest Meadow. Jody asked if it was across the dyke of the pond so he would know where to look if it happened again. Mr. Hoffman answered yes.

### **Water Company Report**

Tom LeCheminant had attended the Water Company Board meeting. There was not much to report because not much happens this time of year.

Mr. LeCheminant noted that the Water Company had purchased a 2017 flatbed truck. They were able to trade-in the old truck for more than what anyone thought they would get.

### **On-going business**

#### Member Survey

Ms. Middleton had been working on the member survey. She had printed out copies but forgot to bring them to the meeting. She and Bruce Hutchinson had worked together and compiled a list of questions. They were in the process of refining the survey.

Ms. Middleton remarked that she and Mr. Hutchinson agreed that the point of the survey is to gather valuable information. They want to make sure that what they have will provide information that the HOA can actually use to help in revising the CC&Rs. It is important to get good information. Ms. Middleton noted that sending the survey will cost money and they want to make sure the money is well-spent.

Ms. Middleton reported that the list includes questions such as whether you own the lot, if you have built on your lot, if you plan to build on your lot. Other questions will ask what people like to do on the Ranch and if they would like the HOA to put parks, trails, etc. on the Ranch. Ms. Middleton noted that the questions also ask about plowing and whether the Ranch should be plowing more than just the main roads.

Ms. Middleton would bring the printout to the next meeting so the Board could review it and offer their suggestions. She stated that if any of the Board members have ideas they should email her their suggestions.

Someone asked if the questions could be used to form or modify the CC&Rs, or whether it would be more for the Rules and Regulations. Ms. Middleton replied that they were not thinking about the Rules and Regulations. They were thinking more

about the future of the Ranch and what the people who live there would like to see happen.

Kirby Wilson suggested that they could create a free survey on Survey Monkey and put it on the front page of the Pine Meadow Ranch website. It could be a short survey with a place for people to put their lot number before they fill out the questionnaire. Mr. LeCheminant believed that only 20-30% go on the website. Mr. Wilson assumed that only 20-30% of those who check their mail would send back the survey.

It was suggested that the survey also ask people to provide their email address so they could compile a list of emails for the Ranch. Mr. LeCheminant replied that the HOA was in the process of updating email and phone lists. However, that information could only be obtained by the Area Reps, Tony Tyler and himself. He clarified that the information cannot be used for personal reasons, which is why it is not made public. It can only be used for official HOA business.

Mr. Hoffman suggested questions about using homes for commercial use as a way to gauge the interest in allowing rentals; and also ask how many people currently use their homes for rentals.

It was noted that if the intent of the survey is to help in modifying the CC&Rs, they would need to break down the survey into multiple tiers of Ranch future direction on the recreational side, as well as opinions on the CC&Rs and other information they hope to obtain to gather data. Someone remarked that a lot of that information could be used to shape the rules and regulations in addition to the CC&Rs. Ms. Middleton stated that she and Mr. Hutchinson tried to focus the questions in a way that would provide the information they needed for the future of the Ranch.

The Board discussed the overflowing dumpsters, trash on the ground around the dumpsters, and problems with Republic, the service that empties the dumpster. In the past Kate Ray was working with Republic to help resolve some of the problems. Republic had offered to build an enclosure and possibly have a monitor on-site. Ms. Middleton recalled that Republic told Kate that they could not do anything at that time.

The dumpster is emptied once a week. It was suggested that it would take 45-60 minutes of volunteer time once a month to keep the trash off the ground. With organization and spreading the word he thought people would be happy to do it. Mr. LeCheminant understood that the dumpster was supposed to be emptied twice a week, but they are lucky if it is emptied once a week. The recycling bin is always full and they need a larger bin.

Ms. Middleton thanked everyone for their comments. If they had other suggestions, they should email their comments to her or Bruce Hutchinson.

#### Snowplowing RFP

Mr. Hoffman believed everyone had the opportunity to review the RFP. He had not heard any feedback from the Board and assumed that meant support. He would change the date to a week from tomorrow when it would be posted. Mr. LeCheminant thought it had already been published in the paper and should run again this week.

Mr. Hoffman summarized that the idea is to contract with an individual or group for snow removal between the winter parking lot, along Arapaho, down to the Forest Meadow intersection, and down Forest Meadow to Junction Court. Jody and Randy would be responsible for snow removal from Junction Court to I-80 and back up Tollgate Canyon Road to the winter parking lot. Mr. Hoffman clarified that the intent is to provide a clear access two ways on and off the Mountain.

Mr. Hoffman thanked Jody and Randy for plowing that route in the interim to keep safe passage while the RFP is out and awaiting bids.

#### Recreational Area

Mr. LeCheminant noted that he previously raised the issue of how to spend the contribution that Deer Meadows gave to Pine Meadow Ranch for some type of recreation area. He explained that Deer Meadows is a 200-acre parcel above the Ranch that is being developed by Doug McAllister. Mr. McAllister contributed \$5,000, as part of their Summit County agreement, for a park, gazebo or something similar for the community. Someone suggested the possibility of an off-leash dog park.

Ms. Middleton asked if the Board should set up a committee to move forward on a project to use the \$5,000 contribution. Mr. LeCheminant thought they could have a decent picnic area or a gazebo with enough volunteers. It was noted that Mandy had tried to spearhead a project for a park and playground but it never went forward. Mr. LeCheminant recalled that the idea died when Mandy asked the Board to consider an HOA special assessment to fund it. When she originally proposed the idea it was going to be funded through special contributions and private fundraising. The Board was opposed to a special assessment. Mr. LeCheminant noted that he had spearheaded the project to clean up Bobcat Springs and put fish in the pond, and that endeavor took nearly four years.

Someone asked if what the Board proposes to do with the money would be driven from

the survey. Ms. Middleton thought it could be. Mr. LeCheminant indicated the best location for a community recreation area, which is where they have the bonfire. That was where Mandy had proposed to put the park and playground. He believed the HOA had several acres in that area. He offered to help with the project since he had helped obtain contributions for the park and playground that was previously proposed.

Ms. Middleton asked if the Board wanted to use the survey as a starting point and use that information to move forward. The survey would give everyone the opportunity to provide feedback. Mr. LeCheminant noted that Mandy's proposal included four commercial swings and a slide. He recalled that the cost was approximately \$2500 for the swings.

Someone suggested picnic tables and barbeque pits because it was something everyone could use. Mr. LeCheminant pointed out that the barbeque pits might be restricted in the summer. However, if they build something where people could attach their own propane tanks, he thought that would be allowed because the flame could be controlled. Jody agreed; but noted that solid fuels such as wood and charcoal are not allowed.

### **Monthly Budget Review**

Andrew Pagel reviewed the unpaid bills detail. Jody noted that the charges on the Capital One credit card were for maintenance and parts for the trucks. Mr. Pagel noted that the bill for Sinclair Fleet was lower than usual because there has been less plowing. Mr. LeCheminant pointed out that Jody and Randy sometimes use their own vehicles and he thought the Board should reimburse them for gas. Mr. Pagel agreed if they were using their own vehicles for actual work on the Ranch. Jody stated that they use their vehicles to go fill up the gas cans.

Mr. Pagel noted that the bill for the attorney, Robert Rosing, varies from month to month. The most variable cost is to attend HOA meetings. Mr. Hoffman understood that the cost to attend HOA meetings was a fixed \$350. He suggested that the Board discuss what they were actually getting for the cost. Mr. Pagel thought they needed to understand the specific deliverables beyond the value of having an attorney at the meeting. Mr. Wilson understood that Mr. Rosing was originally hired to review and rewrite the CC&Rs rather than to be a consultant at every meeting. Ms. Middleton agreed. She also believed Mr. Rosing was working on other things that the Board requests him to do during the meetings. Mr. Pagel showed the general breakdown they are given every month, which is more of a general outline. The Board members were not surprised by the charges because they had expanded what Mr. Rosing was actually hired to do. Mr. Pagel agreed, but he thought they needed to see more tangible items

and descriptions for the hourly breakdown.

Roy Parker stated that a year ago when he sat on the Board they hired Robert Rosing to review the governing documents for inconsistencies and contradictions; and to make a recommendation to the Board and the HOA about how to address those contradictions and inconsistencies. Mr. Parker asked about the progress for that process in the scope of Mr. Rosing's work. He believed Mr. Wilson and others on the Board were asking that same question since that was the original intent.

Mr. LeCheminant asked if the Board members had seen the email that was sent. Mr. Hoffman noted that Kirby Wilson had asked that question and they received a long reply. Mr. LeCheminant stated that the Board was in the process of reviewing Mr. Rosing's recommendation and they would be discussing the recommendation in closed session. Once the Board addresses the recommendation it would be forwarded to the HOA. Mr. Wilson suggested that the Board schedule a closed session an hour or two before the next meeting; or earlier if possible.

MOTION: Andrew Pagel made a motion to pay the unpaid bills as presented in the amount of \$13,824.24. Tom LeCheminant seconded the motion.

VOTE: The motion passed unanimously.

Mr. LeCheminant noted that they already had 3.6% of the annual assessments collected.

The Board reviewed the Profit and Loss/Budget versus Actual and the Balance Sheet. Mr. LeCheminant noted that it was the first of the year and there was very little to talk about. They had only paid a few bank charges, payroll, and health insurance. The Board approved \$241,806 in the budget and they had spent \$5,845.11 to date, which is 2.7% of the budget.

### **Owner/Visitor Open Forum**

Mr. LeCheminant remarked that Jerry Burch had a question regarding the cabin next door. Mr. Burch stated that his question was answered before the meeting. Mr. LeCheminant noted that Mr. Burch wanted to know if anything could be done with a structure to the east of his house on Modoc that appears to have been abandoned for years. The windows were bashed out a couple of years ago. Jan Levitre noted that an owner who lived across the street from that cabin informed the owner last year on Facebook that their windows had been broken. The owner lives out of state and he replied instantly. She was unsure whether the property was abandoned or whether the

owner has not been able to get it fixed because he does not live here. Mr. Burch stated that it was beyond the broken windows. A good snow plow could knock it down and it had fire potential.

Mr. LeCheminant was unsure if the Board had any authority. He suggested that they contact Summit County to see if it could be condemned. Mr. Pagel remarked that the County would declare it unlivable, but it is difficult to tell someone that they have to pay to tear down a structure on their own property. It was noted that in some communities the HOA has the authority to make someone keep up their house. Mr. LeCheminant believed there was a clause about eyesore. It was noted that the Rules and Regulations address eyesores for temporary living units and the HOA has the ability to request removal after multiple notices. However, the Rules and Regulations did not give that ability for permanent structures.

Someone noted that some of the emergency exits are on an unplowed route where someone got stuck trying to follow the emergency exit out of the Ranch. She asked if it could be clearly marked as a summer emergency exit. Mr. LeCheminant remarked that there is already a sign identifying it as a summer emergency exit. Jody offered to pull down the sign so people are not aware there is a road.

Mr. Hoffman asked if there could be one exit for winter and summer. Jody pointed out that it was a route for the summer Church camps. It was noted that there was no reason for anyone to be on that road during the winter.

Ms. Middleton asked if anyone was involved with the snow cam. It was noted that Hutch Foster used to do it but he moved off the Ranch. Ms. Middleton asked if anyone else knows how to do it. She has been approached by one or two volunteers but she did not know how to set it up. Someone offered to help the volunteers navigate the snow cam. Someone else would have to help with the computer portion. Ms. Middleton pointed out that the HOA would need access to their server to access their camera. One volunteer offered to host the site.

The meeting of the Pine Meadow Owners Association Board adjourned at 7:30 p.m.

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Monthly Board Meeting  
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