

PINE MEADOW RANCH OWNERS ASSOCIATION
MONTHLY BOARD MEETING
WRONA LAW OFFICE
1745 SIDEWINDER DR.
PARK CITY, UTAH
APRIL 16, 2019

In Attendance: Pamela Middleton – President; Tom LeCheminant, Vice President; Jann LeVitre, Secretary; Andrew Pagel, Treasurer; Ted Bonnitt (Area 6) via telephone. Bruce Hutchinson (Area 5) via telephone. Nicole Irving (Area 4) participated via telephone to give the Board a quorum to start the meeting and then disconnected. Bruce Hutchinson (Area 5) joined the meeting via telephone after the meeting started, giving the Board a quorum to vote.
Ex Officio: Jody Robinson, Ranch Manager; Randy Larson, Assistant Ranch Manager; Melissa Davidson, Robert Rosing’s partner, representing the HOA Counsel.

Excused: Jonathan Hoffman (Area1); Jeremy Jespersen (Area 2); Joe Pagel (Area 3); Byron Harvison (Area 7);

Guests: Stephanie Coleman, FM-C-59; Melissa Raymond, Lot C-74, and her architect; Stephen Poll, Lot FM-D-181; Bill Groot, Lot E-70-AM; Donna Leighton, Lot FM-D-114; Martin Tillison, Lot 66; Ginger Garson, Lot PI-50; Debbie LeCheminant, Lot D-29

Pamela Middleton called the meeting to order at 6:38.

Approval of Minutes

March 19, 2019

Jann LeVitre referred to the top of page 2, CC&Rs, and the sentence, “Mr. Bonnitt had submitted all the comments to Robert Rosing categorized by Article”. She thought it would read clearer if it said, “grouped by Article”.

Ms. LeVitre referred to page 12, Mailboxes, and the sentence, “Ms. Perkins stated that when she originally started the mailboxes”. Ms. LeVitre thought the sentence was confusing because it implies that Ms. Perkins collected money when in fact, she only headed up the effort to collect the money, and then it was turned over to the Board. Ms. LeVitre reworded the sentence to clarify that Ms. Perkins put out the request to see if people wanted to participate, but ultimately the HOA took of over.

MOTION: Pamela Middleton moved to Approve the Minutes of March 19, 2019, as corrected. Tom LeCheminant seconded the motion.

VOTE: The motion passed. Bruce Hutchinson had not read the Minutes and abstained from the vote.

Fire Station

Ms. Middleton provided an update on the Fire Station. She reported that she and Tom LeCheminant attended the Summit County Council meeting last week. The County Council voted on the friendly condemnation of the three-acre parcel by the winter parking lots to allow the North Summit Fire District to build the Fire Station.

Ms. Middleton stated that there was discussion about putting together a waiver for the 30-day protest period for the Board to sign it this evening; however, the letter was sent almost a month ago and the 30-day period was close to ending. Ms. Middleton noted that Alan Powell has been heavily involved with Summit County and they would inform the HOA if there is additional information.

Ms. Middleton pointed out that the temporary fire building will be turned over to the HOA when the new station is built and the HOA can use it to store equipment. The Fire District is also paying the HOA a fair compensation for the land.

Mr. LeCheminant understood from a previous conversation with the County Attorney that checks may need to be exchanged for everything to be official.

Burn Approval Form

Ms. Middleton commented on the Burn Approval Form. She stated that the Area Reps need to make sure that the property owner states the date and time they intend to burn, and whether there is snow on the ground. She pointed out that even though it was not on the form, the property owner must contact the North Summit Fire District to inform them about the intended fire; and inform them again when the fire is out. Ms. Middleton remarked that it is important to notify the Fire District before a burn to avoid having fire trucks and helicopters converge on the Ranch when they see fire and smoke.

Ms. Middleton stated that there are a lot of parameters in the Burn Approval Form and the instructions are very thorough and must be followed.

Ms. Middleton commented on the importance of reviewing all the fire documents and the fine schedule for fire violations. Mr. LeCheminant thought the current fines should remain, provided there can be a secondary fine. Ms. LeVitre thought the Board had agreed not to change the fines. The concern was that the Board had created a conflict with the Rules document, and it was important to make sure that was legally managed. She assumed they would need an opinion from Mr. Rosing on how to proceed. Melissa Davidson suggested that the Board work with Mr. Rosing about this matter in a closed Executive Session.

Ms. LeVitre asked Mr. LeCheminant if the fire/emergency evacuation route would be agreed upon by this summer. Mr. LeCheminant reported that Marty Seelos was not opposed to going through his property for emergency evacuation; however, the route would loop through another property and that property owner was asking for a water share or financial compensation to cross their property.

Mr. LeCheminant believed that if there was a fire, the Fire Department could force the property owner to use his property as an exit. Some Board members were not convinced that the Fire Department would have that authority on private property. Ms. LeVitre thought the Board needed a definitive solution so the residents would know the actual evacuation route. The Board cannot tell people to use that route if the property owner is not in agreement.

Mr. Bonnitt asked about reviving the system that was in place several years ago where volunteers would put on special jackets and stand in key areas on the roads to direct people off the Ranch in an emergency. None of the current Board members were aware of that system. Mr. Bonnitt stated that it was a system that was in place when Pine Meadow Ranch had a Fire Awareness Day several years ago. He suggested that the Board re-examine that system because there was a lot of confusion during the fire last year. If the system had been in place, four or five people would have been directing traffic, so people knew the best way to get out. Mr. Bonnitt remarked that signage alone was not abundantly clear for new owners or guests.

Ms. Middleton noted that Ms. LeVitre had set up the emergency text system, which provides some direction in an emergency. Ms. LeVitre thought it was also important to officially put out a map that shows evacuation routes, so people have that information in advance of a fire. Mr. Bonnitt remarked that the text system assumes that visitors, renters, and others in a panic during a fire would know exactly where they were and what they needed to do. He believed that was a false expectation.

Mr. Bonnitt thought another plan would be to have signs ready that could be put up at pre-determined key intersections. Ms. LeVitre thought that was a more reasonable plan because everyone will want to get out and she thought it was unreasonable to ask individuals to stay behind to direct traffic.

Jody stated that he already has fire exit signs that could go up in the event of an emergency. Mr. Bonnitt asked Jody if the infrastructure was already in place to put up the temporary exit signs quickly if there is a fire. Jody answered yes.

Ms. Middleton thought the Board needed to revisit the plan to make sure everything is

in place before summer in case there is another fire like last year. She recalled that some of the Board members previously volunteered to form a fire/emergency committee and she would follow through with them. She welcomed anyone else who was interested in volunteering for the committee.

Ms. LeVitre asked about the possibility of repairing the egress on Alexander Canyon. Mr. LeCheminant stated that he was told by Alan Powell that Summit County was looking into it so there would be an additional fire exit. Ms. LeVitre offered to follow up with Alan Powell.

Ms. LeVitre reported that she would send a test text in May to the emergency text list. It will be the last time she texts to that list unless there is a true emergency.

Ms. LeVitre noted that there is a second list that people can subscribe to and she will use that list to notify people of Board Meetings, CC&R meetings and other pertinent Ranch information. Instructions are posted on the website on how to subscribe to both the emergency text list and the informational text list.

P.O. Box Proposal

Ms. Middleton reviewed a proposal that Connie Perkins had submitted as an alternative to the mailboxes. Ms. Middleton had researched annual mailbox fees at Coalville and Kimball Junction. She noted that Kimball Junction was \$250 per year. Ms. LeVitre noted that the USPS site for the Coalville Post Office indicates that fees can be paid in three months, six months, or 12-month increments. The fee for three months is \$23. The total annual fee is \$76. Ms. Middleton noted that the annual cost was higher than Pine Meadow Ranch and the boxes are smaller. She thought the Ranch fee for a mailbox was reasonable and less than the market rate.

Ms. Middleton noted that Ms. Perkins was proposing a one-time fee of \$150. Ms. Middleton pointed out that currently not all the mailboxes are rented, and they would not recoup the expense with a one-time fee. In her opinion, people who wanted a mailbox on the Ranch could rent one. Everyone else would have the ability to rent a box in Coalville or Park City. Ms. Middleton remarked that the HOA paid the initial cost for the mailboxes and the fee was established to recoup that money. If the HOA ends up collecting more than the initial cost, the extra revenue will help to maintain the mailboxes.

Ms. Middleton appreciated Ms. Perkins efforts; however, she felt that the Board had set up the mailboxes and the fee in a way that benefits everyone. Mr. Pagel agreed that the Board had given it a lot of thought and incurring revenue made sense. He stated

that if they choose to change the process in the future, the appropriate way would be to change the annual rate as opposed to a singular fee.

CC&Rs Update

Ted Bonnitt reported that last week he received a new draft of the CC&Rs from Robert Rosing, which incorporated all the discussions and consensus. Mr. Bonnitt was still reviewing the document, but he thought it represented the consensus well. Mr. Pagel had completed the calculations on maximum building size per lot; however, he still needed to obtain the mass flow maximum thresholds from the Water Company to be incorporated into the draft.

Mr. Bonnitt would send a draft to all the committee members within the next day or two for their review. Any additional changes should be made quickly so they could send notice for the first public meeting. Mr. Bonnitt stated that Carol had inquired about using the Library room at Kimball Junction; however, those rooms are not available on the weekends. Fortunately, Jody was able to reserve space at the Wanship Fire House for a meeting on May 18th.

Mr. Bonnitt commented on the importance of getting feedback from the membership to see where people stand on issues such as building limits, winter road access, and short-term rentals. He explained that the draft will have options. Through two or three membership meetings they hope to gain an understanding of the most popular options. Mr. Bonnitt suggested that the HOA should give a three-week notice to the membership and provide the draft to give everyone the opportunity to study it before attending the membership meeting. He thought the committee could make the draft presentable for the public in one meeting. There is no time to re-write the draft, but the changes would be incorporated.

Mr. Bonnitt stated that it is important to keep the membership engaged throughout the entire process to hopefully lead to a successful and adequate vote. He noted that 544 owners must vote in favor for the Revised CC&Rs to be adopted. Any owner who does not cast a vote is counted as a vote against the Revised CC&Rs. Mr. Bonnitt questioned whether a second meeting should be scheduled in the Salt Lake Valley to accommodate those who do not want to drive to Wanship as an effort to maximize membership engagement. Mr. Hutchinson agreed that it would be worthwhile to have a meeting in the Valley. He offered to arrange a facility where they could hold the meeting. Mr. Hutchinson believed a majority of lot owners on the Ranch were in the Valley.

Mr. Bonnitt had asked Carol about the facility where they hold the Annual Meeting and

she said the rental cost would be \$200. Mr. Bonnitt thought it was worth the cost since the building is familiar to the members. The cost to rent the Wanship Fire House was \$35.

Mr. Bonnitt asked the Board to vote on whether the HOA should invest \$200 to hold a meeting in the Valley at a familiar place. Ms. LeVitre thought they should first try to find a place that is less than \$200. She believed most people use a GPS to find an address. She did not think the space needed to be familiar as long as it is within the Salt Lake Valley. Ms. Middleton noted that the Main Library in Salt Lake has a large room upstairs and smaller rooms in the basement. She thought they needed to reserve a space as soon as possible. Mr. Bonnitt was open to any other rooms or buildings that Mr. Hutchinson could suggest in a central location. Mr. Hutchinson thought the City Library was the best option if a room was available.

Mr. Bonnitt suggested Friday evening, May 17th, in Salt Lake; and Saturday afternoon, May 18th, in Wanship. Ms. Middleton would ask Carol to check on reserving a room at the Salt Lake Library for May 17th.

Mr. Hutchinson asked if the general membership would receive a draft copy of the CC&Rs with options in advance of the May 17th meeting; or whether they would wait until the first meeting to see how well it is accepted. Mr. Bonnitt thought they should keep the draft preliminary in the first meeting to gauge the interest. They would let the members know that their input is important, and they will come back to a subsequent meeting with a more refined draft based on their comments. Mr. Bonnitt hoped that with each pass of the draft it would get more refined so when the vote is taken, the majority of the membership would agree with the revised document.

Mr. Hutchinson believed that the owners would want to know why the changes are necessary because they have lived with the current document for 50 years. He thought a good approach would be to make the members aware that the Board is very concerned with the issues and the purpose of the meeting is to hear member feedback. They should give the membership enough information to pique their interest. Mr. Bonnitt asked if Mr. Hutchinson was suggesting that the Board give three options on the most contested points. Mr. Hutchinson thought the majority would prefer to make a few necessary changes without rewriting the entire CC&Rs. Mr. Bonnitt felt certain they could address that question quickly at the beginning of the meeting. He recalled having that same discussion at the informal community meeting in July. Mr. Hutchinson thought it was better to provide a draft that would encourage the membership to attend the meetings. *Ted clarified that the intention was to send the draft with the letter.* Ms. Middleton noted that for nearly a year there has been a post on the website explaining why the CC&Rs were being re-written. Ms. LeVitre thought they could also

include an explanation in the email when they send out the draft. Mr. Bonnitt had no concerns regarding awareness because the purpose of the July community meeting was to inform the membership that the CC&Rs were being rewritten, the reason for the re-write, and the importance of engaging the community in the process. Mr. Bonnitt noted that of the 200 people who have been involved, the vast majority offered to volunteer. He intends to use volunteers to knock on doors and make phone calls as it gets closer to the time to vote.

Mr. Pagel explained that in terms of house size calculations, he did two different extrapolation methods based off current data and based upon the Summit County Health Department water consumption per bedroom. Mr. Pagel stated that he was looking for the maximum mass flow emit which factors into the water system. He had emailed Brody Blonquist and Mr. Blonquist suggested that Mr. Pagel attend a Water Board meeting to obtain that information. Mr. Pagel noted that the Water Board meeting for last Thursday was postponed to this Thursday and he planned to attend. Once he obtains the number, he will email the Board with the final calculation.

New Construction and Additions

Lot FM-C-74

Melissa Raymond, Lot FM-C-74, stated that the first set of documents she submitted had the site plan, the septic plan, the stamped survey, and other required information. The rendering was the only change.

Mr. LeCheminant stated that he reviewed the plans when they were submitted and made comments and suggestions to make things look more natural and compatible with the Ranch environment. Based on the new rendering, he thought the structure looked woodsy. Ms. Raymond clarified that the materials initial proposed were compliant. The difference was that she changed the ratios. The garage is slate to withstand the elements but nothing else except for the chimney.

Mr. LeCheminant noted that Ms. Raymond had submitted a site plan and survey showing water and power.

Mr. Hutchinson thought one section looked like it was on piers. Mr. LeCheminant replied that it was not on piers. The Architect explained that there was a 4-foot cantilever on one side. Mr. Hutchinson had no issues, other than the fact that he did not think it had the mountain vernacular. Otherwise, he thought it met all the criteria.

Mr. Pagel clarified that there was no basement and the garage was included in the

square footage. Mr. Pagel noted that the Architectural Guidelines specifies dark green, dark grey and brown colors. However, he recalled that the Guidelines permitted a rust color since he has been on the board. He asked if the Board intended to continue to allow rusted colors and materials. Ms. Raymond remarked that the roof would be matt metal. There will be no shine and possibly not rusted. Mr. LeCheminant pointed out that rusted metal gets darker with age.

Mr. Pagel noted that stone is listed in the Guidelines as a secondary siding. Ms. Raymond stated that natural stone was also listed in the Guidelines as a primary siding material. Mr. Pagel asked if the siding would be an actual natural stone siding. Ms. Raymond answered yes. Mr. Pagel was comfortable with the square footage and the materials met the requirements.

Ms. Raymond stated that she has been a full-time resident on the Ranch for eight years and she understood the concern about mountain vernacular. However, while she agreed that the design was more modern than the desired A-frame, the visibility from the road will be low profile and the structure has a natural feeling. The Architect remarked that as they work through the detailing, they will achieve the contemporary mountain aesthetics. Before reaching that point, they wanted feedback from the Board on massing and the preliminary selection of materials.

Mr. Hutchinson had concerns about snow load on the roof. Ms. Raymond stated that they were doing 200 lb. per square foot, and the roof will shed. It is a 3/12 pitch on both sides.

MOTION: Tom LeCheminant moved to Approve the building plans for Lot FM-C-74, Melissa Raymond, as submitted. Jann LeVitre seconded the motion.

VOTE: The motion passed unanimously.

Mr. Pagel asked if Ms. Raymond had paid the impact fee. Ms. Raymond stated that the water was paid but not the impact fee. She had requested a water letter. Mr. LeCheminant stated that the Water Company would issue the water letter now that the plans have been approved; however, Carol will hold the water letter until the impact fee is paid.

Lot FM-B-36

Ms. Middleton noted that this was the breezeway follow-up. She recalled from the last meeting that Joe Pagel was going to talk with the owners.

Mr. LeCheminant reported that the architect had submitted a sketch reducing the size to 900 square feet, but he had not seen or heard anything since then. Mr. Pagel has had back and forth discussions with the owners.

FM-D-114

Donna Leighton, FM-D-114, presented an updated site plan. Mr. LeCheminant asked if the proposal was for two homes. Ms. Leighton answered yes and explained that one home was an auxiliary dwelling unit. The auxiliary unit is 900 square feet. Mr. LeCheminant was unsure whether Summit County would allow the auxiliary unit unless it is over a garage.

Mr. Pagel stated that in general, there are a number of restrictions on approving auxiliary dwelling units. Ms. Middleton pointed out that the Architectural Guidelines only allow one dwelling building per lot. Mr. Pagel recalled that in the past the Board has discussed approving ADUs. Mr. LeCheminant clarified that secondary dwellings were part of the Deer Meadows discussions.

Mr. LeCheminant presented the plans for the log home primary structure. The upper level is 714 square feet. The main level is 1,096. The unfinished lower level is 612 square feet. The total living space, including the unfinished space, was 2,422 square feet. Mr. Pagel was comfortable with the square footage. He pointed out that with the garage the total square footage was slightly over 3,000 square feet. Mr. Pagel liked the dimensions and he thought the design and materials looked like a cabin.

Mr. Pagel was comfortable approving the primary structure; but he thought the Board needed further discussion on whether to approve the secondary structure. Ms. Layton remarked that both structures would not be built at the same time. The secondary structure would not be built for a few years. Ms. Layton clarified that she only showed it in the plans because she wanted the Board to understand that it was something she planned to do in the future.

Ms. Middleton reiterated her understanding that the Architectural Guidelines only allow one dwelling per lot. Mr. LeCheminant clarified that the Guidelines stated that a secondary structure can be approved at the Board's discretion. Mr. Pagel agreed. He thought the secondary structure should be a separate discussion. He informed Ms. Leighton that whenever she intends to build the auxiliary structure, she would need approval from both the Board and Summit County. Mr. LeCheminant advised Ms. Layton to check with Summit County regarding her plans for an auxiliary unit to make sure it is allowed as a standalone structure, or whether it needs to be over a garage. Mr. Bonnitt asked if Ms. Leighton was aware of the possibility that even if the Board

approved the primary structure this evening, that the Board might not approve the secondary structure in the future. Ms. Leighton understood. She explained that she has a lot of kids who visit often.

Ms. Layton showed the roof plans. The roof is metal. The color is bronze, but it looks more charcoal with a brown undertone.

Mr. Hutchinson thought the design and colors had a mountain look.

MOTION: Tom LeCheminant moved to Approve the building plans for Lot FM-D-114, Donna Leighton, on the primary home only. The plans for the auxiliary unit will need to be re-submitted in the future. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

Mr. Pagel wanted it written on the form that the approval was only for the primary structure.

Ranch Manager's Report

Jody reported that all the equipment was running well. He and Randy were taking care of the spring runoff and getting ready for the summer road maintenance. They were also fixing signs that were down.

Mr. LeCheminant asked if the HOA pulled up the barricades or whether it was done by Summit County. Jody stated that Brian Myers took the loader out and did it.

Ms. Middleton noted that the Board had received an email about Heather Lane needing maintenance. If a Board Member receives an email regarding specific road work, they should forward the email to Jody.

Ms. Middleton stated that the Board will discuss roadwork at their May meeting at Jody's Office. Jody will have a list of roads prioritized for roadwork based on what he believes are the most important roads to get done this summer. If Board members have other roads, they think are important and should be included, the Board will have that discussion and determine the cost. Jody will work off the finalized list for the summer.

Mr. Hutchinson pointed out that most of the roads could still be snow covered in May and they will not be able to determine their condition. He thought they could identify the condition of the plowed roads but not complete the list until all the roads could be

evaluated. Ms. Middleton stated that the Board would do a follow-up to the road list at their June meeting.

Ms. Middleton announced that typically the road meetings are long, and she wanted the new Board members to come prepared for a late meeting.

Ms. Middleton stated that if owners in a neighborhood want to attend the road meeting to ask for their road to be reviewed, their input is welcome. Ms. LeVitre would post on Facebook that roadwork will be discussed in May and June; and people should contact their Area Rep if they think their road should be included on the list. Mr. LeCheminant stated that if the Area Reps can highlight the problem areas on the Ranch map, it is easier for Jody to evaluate the road and determine whether it should be added to the list.

Large Equipment Purchases.

Ms. Middleton announced that the HOA would be purchasing a mini-trackhoe for summer roadwork. The Board had discussed purchasing versus renting, and for this piece of equipment it made sense to purchase the mini-trackhoe and a trailer.

Ms. Middleton stated that the equipment they were looking at purchasing was approximately \$50,000 and could be paid over 90 days in three separate payments. Jody noted that the mini-trackhoe is used but it was still under warranty for another year. It had 159 hours on it.

Mr. Pagel recalled that the Board had approved up to \$52,000 for the mini-trackhoe and another \$5,000 for a trailer. After going through the budget, he recommended that they wait to purchase the Kubota. However, Mr. Pagel was comfortable moving forward with the mini-track-hoe and trailer.

Mr. Hutchinson asked if Jody could negotiate a lower price. Jody stated that he had already negotiated the price as low as he could.

MOTION: Andrew Pagel moved to Approve the purchase of the CASE Trackhoe, including two buckets, at a value of \$50,651.00. He had no preference as to purchasing the equipment outright or in three payments, as long as there was 0% interest and no financing fee on the three payments. The motion includes approval to purchase a trailer for the Trackhoe at a value up to \$5,300. Tom LeCheminant seconded the motion.

VOTE: The motion passed unanimously.

Jody noted that the Chevy truck needed new tires and an alignment

Mr. Pagel asked Jody about the invoice from BTM Construction in the amount of \$10,600. Jody stated that it was from Brian for plowing the connector. Ms. Middleton believed this included the last payment. Jody noted that Brian had taken the loader off the Ranch.

Mr. Pagel asked Jody about the invoice from White's Auto Parts. Jody stated that it was parts for the dump truck and the grader. He put new back brakes on the dump truck and a new alternator. The grader needed hydraulic fittings. It also included spark plugs for the Ranger and miscellaneous items for the shop.

Mr. LeCheminant stated that he had been in contact with the company who laid the fiber regarding the hole at the bottom of Forest Meadow. Jody stated that it was too wet right now to grade or do anything to fill the hole.

Ms. LeVitre asked if the Board wanted to continue their discussion about purchasing a tractor for snow blowing for next winter. Mr. Pagel preferred to hold that discussion until the end of June after they purchase the mini-trackhoe and trailer and have a better idea of the roadwork projections.

Ms. Middleton was under the impression that the better approach would be to purchase the equipment rather than hiring a contractor to do the plowing. However, after speaking with Jody, he recommended that they first put out another RFP to see if they could find a less expensive contractor. Ms. Middleton felt that Brian had done exceptional work and the roads were always cleared by the end of the day. Mr. Pagel was not opposed to hiring Brian again if the Board thinks it is the best decision. However, from a budgeting standpoint, he would not be in a position to make a decision on purchasing additional equipment until after the road projections.

Ms. LeVitre remarked that Brian was hired at a high cost because they had no other choice, but she thought the Board could explore other options for next year if they start thinking about it now. Ms. Middleton agreed that if they send out the RFP sooner than last year, they might get additional bidders.

Jody noted Mr. LeCheminant had found a tractor to purchase and he preferred that the Board make the decision sooner rather than later. Ms. Middleton noted that if they purchase the tractor the HOA would have to hire another employee to plow. Jody stated that the issue was finding someone who is dependable. Ms. LeVitre thought the Board should have this discussion next month. Ms. Middleton would put it on the

agenda for May.

Monthly Budget Review

Andrew Pagel reviewed the unpaid bills detail.

MOTION: Andrew Pagel moved to Approve payment of the Unpaid Bills as presented, in the amount of \$13,251.12. Tom LeCheminant seconded the motion.

VOTE: The motion passed unanimously.

Ms. LeVitre recalled from the last meeting that the Board was going to look at the percentage of legal fees. Mr. Pagel stated that currently they were at 117% of what was budgeted. Ms. Middleton asked if the legal fees were broken down by normal legal fees and the CC&Rs because they were separated into two separate line items in the budget. Mr. Pagel stated that the budgeted amount for normal legal fees was \$11,600 and they had already spent \$14,500. The legal fees for the CC&Rs was budgeted at \$2,700 and they had spent \$2400.

Ms. LeVitre thought the Board needed a plan for how to pay legal fees for the rest of the year. Mr. Pagel stated that the HOA was under budget in several other areas of budgeted expenses. The CC&Rs were a large expenditure and this was a difficult year because many other legal items needed to be addressed.

Ms. LeVitre asked the Board *about other options and if they would need to use reserves for legal expenses to get through the rest of the year.* Ms. Middleton stated that the HOA collects impact fees on new construction and some of that money could be allocated towards the budget to pay the additional expense.

Mr. Pagel was not concerned about allocating funds for legal fees for the CC&R review because they could find money in other areas of the budget. However, if the expenditure becomes excessive, they may have to minimize the number of times they reach out to the lawyer before trying to resolve the issue as a Board; or getting consensus from other Board members via email before calling the lawyer

Open Forum

Bill Groot, Lot PI-E-70, stated that the HOA has never applied road base to Evergreen Circle. He noted that when Jody inspects the road he will see road base because he and his neighbor purchased road base and spread it with their own equipment. However, the road base is getting thin and the road needs some attention. He

requested that the HOA allocate money this year to put additional road base on Evergreen Circle.

Stephen Poll, Lot FM-D-181, stated that he purchased his lot last year with the intention of building this summer, but he still had a long way to go in the process before starting construction. He had questions regarding exterior siding and stated that he would like to use a new type of metal exterior. Mr. Poll noted that they now have wall style metal that looks wood-like and in dark tones. He had pictures he could email to the Board if they were willing to discuss it. He commented on the benefits of metal siding; including fire protection, durability, longevity, and lack of maintenance. Before he submits his plans, Mr. Poll wanted to know whether metal siding would even be possible. Based on the renderings he has seen, Mr. Poll believed the new type of metal siding meets the mountain vernacular.

Mr. LeCheminant stated that vinyl and aluminum siding was not included in the CC&Rs because they did not want the Ranch to look like a housing community. Ms. LeVitre noted that the Architectural Guidelines that were recently passed specifically states that metals are unacceptable exterior materials. She felt strongly that the language is clear and does not leave it open to discussion. It was voted on by the Board and the membership. Ms. LeVitre recalled that metal siding is allowed as secondary siding as long as it does not exceed 10% of the total surface area. Mr. LeCheminant understood that metal was not allowed in the revised Guidelines that were recently approved; however, the language was carried over from the original CC&Rs. Ms. Middleton agreed with Ms. LeVitre. The Board had not changed it when the revised Guidelines were voted on. She believed it was left unchanged for a reason.

Ms. LeVitre was not opposed to looking at the new metal siding material, but the Architectural Guidelines would need to be changed to allow it before the Board could approve it. Mr. Pagel was willing to look at the proposed material and make a decision from an objective standpoint. Ms. Middleton pointed out that if the Board decided to approve metal, the difficulty would be in defining what type of metal and which metals are acceptable. In addition, changing the Architectural Guidelines is a process that requires membership input and approval.

Mr. Poll commented on the houses that were previously built with a 3/12 pitch even though the Architectural Guidelines require a minimum 4/12 pitch. He wanted to know why those roof pitches were approved when it also went against the rules. Mr. Pagel replied that the 4/12 requirement was not a rule when those houses were approved. Mr. LeCheminant remarked that the 3/12 pitch is the gable. He stated that the Guidelines also allow a flat roof if it is underneath a deck.

Mr. Pagel stated that he was less concerned about the roof pitch and more concerned about the roof material. If the roof calculations do not meet Code, Summit County will not approve it. The strength of the roof is a County issue. Mr. Page wanted to make sure that the roof meets the HOA Guidelines. Metal siding is part of the aesthetics and the Board is strict about aesthetics.

Mr. Bonnitt stated that when he was contacted by Mr. Poll the Architectural Guidelines were not his expertise, but he told Mr. Poll that things were changing in terms of fire and vulnerability. Mr. Bonnitt remarked that new materials are constantly being created, and in his opinion, anything that can maintain a look within the vernacular and at the same time be more resistant towards fire hazards is a good thing. He thought the Board needed to be progressive.

Ms. LeVitre thought the Board should at least look at the new metal material. Ms. Middleton agreed; however, she cautioned that they would need to be very careful and define it very clearly if they choose to allow it. Ms. Middleton thought it was smart to look at progressive materials. However, the Board should look at other areas they would like to revise and compile a list so everything could be voted on at one time.

Ms. LeVitre asked Mr. Poll to send the information on the metal siding to the Board at pinemeadowranch.org. Mr. LeCheminant suggested that it would also be helpful if Mr. Poll could bring a material sample to the next meeting.

A member commented on the different revisions of the CC&Rs the drafts, and asked if anyone had proposed doing a Google survey asking the members which Articles they are interested in changing and which ones should remain the same. She thought it would be beneficial to put out a simple survey to the membership versus having several submissions to the attorney.

Ms. LeVitre believed that information was gathered from the members during the community meeting last summer. In addition, the HOA had collected some of that information from the survey that was sent to the membership a year ago. She was unsure whether the survey addressed all the subjects, but the basis of the revisions came from member input.

Ms. Middleton pointed out that currently there are three versions of CC&Rs. The main objective is to combine them into one document and revise what needs to be updated so the CC&Rs can be enforced. A primary issue is safety and protecting the residents, as well as maintaining the look and feel of the Ranch. Ms. Middleton noted that no major changes were in the proposed revisions.

Pine Meadow Ranch Owners Association
Monthly Board Meeting
April 16, 2019
Page 16

Ms. Middleton noted that the Board needed to move into closed session to vote on Stephanie Coleman for Area 1 representative.

The Board adjourned the meeting and moved into Closed Session.

Next Board meeting May 21, 2019 at the Ranch Manager's Office on Arapaho

The meeting of the Pine Meadow Owners Association Board adjourned at 8:24 p.m.
