

Approved  
June 15, 2021  
as written

PINE MEADOW RANCH OWNERS' ASSOCIATION  
MONTHLY BOARD MEETING  
VIA ZOOM VIDEO CONFERENCE  
MAY 18, 2021

In Attendance: George Sears, President; Michelle Suito, Secretary; Dwaine Anderson (Area 1); Jill Wilson (Area 3); Nicole Irving (Area 4); Bruce Hutchinson (Area 5); Paul Suito (Area 6); Scott Boyle (Area 7)

Ex Officio: Jody Robinson, Ranch Manager; Robert Rosing, Legal Counsel

Excused: Bennett Wetch (Area 2), Jill Wilson (Area 3); Andrew Pagel, Treasurer; Nick Jackson, Vice-President

Guests: Cari Bobo, Lot PI-B-46; Josh West, Lot PI-E-41; Ed and Kathleen Deffner, Lot PI-I-41 & 37; Ethan Lamiman, Lot FM-D-158A; Lynne Kerr, Lot FM-C-41; Chris and Cassie Hahn, Lot PI-C-26; Chris Bell, Lot PI-D-35

George Sears called the virtual meeting to order at 6:35 p.m.

### **Approval of Minutes**

April 20, 2021

Some of the Board Members had not received the full transcribed set of Minutes. Mr. Sears noted that the Minutes were sent to the entire Board on Wednesday, May 12<sup>th</sup> along with the meeting reminder and the financials. Mr. Sears had reviewed the Minutes and found no corrections.

Mr. Sears tabled the Minutes to the next meeting since not enough Board members had read the Minutes to vote.

### **Ratify Email Vote**

Mr. Sear stated that the Board needed to ratify the approval of the Colby cabin on 2273 Deer Loop, Lot PI-D-46, which was voted for approval via email.

MOTION: George Sears moved to Ratify the Board's vote to approve the Colby Cabin on Lot PI-D-46. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

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

Jody reported that June 3<sup>rd</sup> and 4<sup>th</sup> were the scheduled dates for the slurry seal on Tollgate Canyon. He would be directing all the traffic around Oil Well Road and down Forest Meadow on those days. The Canyon will be closed. If the slurry seal is not finished on June 4<sup>th</sup>, it will be completed on June 7<sup>th</sup>.

Mr. Suitor noticed this winter that the crack seal that was put in last year had lifted and was not connected to the ground. He asked if that would be patched. Jody replied that the company will clean up the cracks that popped up before they do the slurry seal. Jody noted that it is typical for the crack seal to pull up during the winter.

Mr. Hutchinson asked if there was a contingency date in case of foul weather. Jody had not heard from the company, but if there was a contingency date, he would provide an update.

Mr. Sears noted that the HOA needed to put out a communication to the owners with the information and dates.

Jody stated that all the equipment was in good condition and running well. They were doing a lot of grading around the Ranch on the roads dry enough to work on. One or two roads still have a few drifts of snow, but they are passable.

Jody stated that they have started standing the signs back up after the winter. They were also spraying weeds per the Summit County requirement. They will be laying gravel and getting ready for mag water. Jody did not have a scheduled date for the mag water at this point.

Mr. Sears asked if Mr. Boyle wanted to address the list of roads while Jody was still on the line. Mr. Boyle wanted Jody included in the discussion.

### 2021 Roadwork Discussion

Mr. Boyle noted that there were two changes since the list was sent out. The first was the addition of Navaho Drive from the right S curve turn up. Mr. Boyle clarified that the costs shown on the current list are prices that Jody negotiated specifically for Pine Meadow Ranch.

Mr. Boyle noted that the total cost on the list was more than the general budget and the Board needed to go through the list and set the highest priorities. Mr. Hutchinson pointed out that many of the issues that currently exist on the Ranch are due to excessive use in construction delivery. He thought the funds from impact fees could be diverted to increase the budget. Mr. Boyle agreed. He also commented on a recent discussion about starting to look at a variable cost on those impact

fees. For example, construction in Plat-I will have a greater overall impact on the Ranch roads. Mr. Boyle suggested the possibility of adjusting the impact fee based on the number of miles or number of roads that will be impacted for a construction project. Mr. Sears noted that in the past the Board talked about having a variable impact fee based upon when, and where they construct and the size of the construction. He believed there were justifications for variability, and he looked to the Road Committee to determine a structure for the Board to review. Mr. Sears thought Andrew Pagel should also be involved in that analysis.

Mr. Boyle noted that the spreadsheet he provided showed the cost of different loads of gravel. He also thought they needed to include the line items for maintenance on the grader so people can understand the cost effects of tearing up the roads from four-wheelers, etc. Mr. Sears noted that equipment maintenance is a line item in the budget. He thought they needed to look at Mr. Boyle's suggestion from a financial standpoint to make sure it could be accommodated. Mr. Boyle pointed out that if all the roads on the spreadsheet were accomplished they would be spending approximately \$151,000 on road base, but that did not reflect the actual cost. He thought it would be more informative to break down the actual costs for the property owners rather than just show a line item on the budget.

Mr. Boyle asked for a discussion on the best way to decide which roads on the spreadsheet should take priority. Mr. Sears pointed out that Forgotten Lane has serious damage from non-compliance issues and the HOA will be receiving additional funds from the individual who caused the damage. He stated that Forgotten Lane should be addressed as a separate entity relative to how much of the \$14,000 will be associated with the repair. Mr. Boyle used Forgotten Lane as an example of a road where damage was done on one end by a certain individual and the repair cost has been worked out with that individual. However, to do Forgotten Lane from end to end would take the entire budget that is allocated for roads because Forgotten Lane is in such poor condition. Mr. Boyle thought the Board should look at the best use of the available funds and determine how much of the entire Forgotten Lane is used. He noted that the west entrance needs repair, and there are cabins and more people on the east end. However, he questioned whether some portions in the middle of Forgotten Lane should be addressed now, or whether the money would be better spent on other roads.

Mr. Sears stated that the Area Reps reached out to the owners in their area and the owners identified some of the roads that need to be addressed. Some of those roads were carried over from last year because they ran out of time and money. Mr. Sears thought it was important to make sure that the roads that were carried over from last year are prioritized. They could then begin prioritizing the remaining roads. Mr. Sears suggested that Mr. Boyle and Jody prioritize the roads based on what they know. He also suggested that they contact the Area Reps to find out what they see as priorities in their area.

Mr. Boyle stated that he would like to begin that process tonight with the Board. They do have input from the Area Reps, and they know that Forgotten Lane, Bull Moose, Navaho Road, and Navaho Drive need to be fixed. Mr. Boyle was looking for input this evening so everyone hears the same comments, and can decide where to start.

Mr. Sears asked if Mr. Boyle had identified specific roads in each area. Mr. Boyle answered yes. He had marked them on a map and the spreadsheet. He noted that some of the roads will require a lot of effort and a lot of road base. In some areas, Jody can use the existing material to fill in some low spots and potholes. However, other roads will need many loads of gravel. For example, it will take 23 loads to do Navaho Drive and 64 loads for Navaho Road.

Mr. Hutchinson referred to the 23 loads for Navaho Drive and noted that some areas are still in satisfactory condition. He asked if 23 loads would cover the entire road or just the sections in need of road base. Jody replied that the 23 loads on Navaho Drive are for the areas where there is no gravel. Mr. Hutchinson pointed out that Navaho Drive is not used as heavily as other roads. Ms. Irving stated that Navaho Drive is in poor condition. All the residents on Navaho Drive have requested that the road be fixed because it has not been touched in years. Mr. Hutchinson thought Jody would have a better feel for what is needed based on traffic use of the different roads. Mr. Boyle remarked that usage was less of an issue than what needs to be done on each road. Regardless of usage, he felt that the people who live on those roads have a right to have roads as good as other places on the Ranch. Mr. Hutchinson agreed; however, the main roads that Jody works on all the time are in good shape, but they are heavily used and have continual maintenance issues. He thought those roads should be the priorities.

Mr. Boyle stated that rather than usage, he thought a better option would be density and the number of cabins on a particular road. Mr. Sears stated that the Board needed to identify the priorities, but the process for identifying specific roads would not happen in this meeting. He believed they needed a separate meeting to prioritize the roads. Each Area Rep should go through the list and identify what they believe are the priorities and bring those to the Board for discussion. In the meantime, Jody will get started on the roads he already knows need attention. Mr. Sears thought Jody should prioritize the roads that were carried over from last year, and the Board could prioritize the rest with input from Jody.

Mr. Sears suggested that Mr. Boyle and Jody identify the priorities and schedule a special Board meeting within the next 2 weeks. Mr. Boyle asked the Area Reps to send him an email or text with times they are available to meet next week. Mr. Hutchinson suggested that Mr. Boyle schedule a meeting date and time and send a text or email to the Board members. Mr. Sears agreed. If an Area Rep cannot make the scheduled meeting, they should send Mr. Boyle a priority list for the roads in

their area with an explanation of why each road should be a priority.

### **Water Company Report**

Paul Suitor had attended the Water Company Board Meeting.

Mr. Suitor reported that the Water Company held their Board meeting, but nothing new was discussed. Brody Blonquist's son will be working on the Ranch to help Brody install the meters. Mr. Suitor noted that Brody and Trevor Townsend will both have a different pay structure for being on-call.

Mr. Sears stated that he communicated with Eric Cylvick and Mr. Cylvick told him that the annexation was not moving as fast as he would like. The Water Company was waiting on Mountain Regional at this point.

Mr. Suitor noted that the Water Company was very willing to have the HOA use their building for their Board meetings. Mr. Sears announced that the Board will begin holding in-person meetings next month, but Zoom will still be available for those who would like to participate remotely. The in-person meetings will be held in the Water Company's meeting room.

Ms. Irving stated that Cheryl Groot, Lot PI-E-70, helped with a lot of the signs in the neighborhood. Ms. Groot noticed that the Tollgate map at Bobcat is falling over, and Ms. Groot suggested attaching it to the north side of the pump house, similar to how the Bobcat Springs sign is attached on the south side. Ms. Irving was unsure who they should ask about using the north side of the pump house. Mr. Suitor thought it was a good idea. Even if it is not attached to the building, moving it over against the building would help. Putting the post in the ground at the base of the building would give it more support, especially in the winter. Jody offered to look at it because there is a power box in between the building and the road.

Mr. Sears noted that the current maps do not include all the properties on the Ranch. At some point, the Board will need to look at redoing the maps to include the properties that have been annexed so people understand that the Ranch has grown.

### **Recent Area Items or Issues**

#### Area 1

Dwaine Anderson stated that he would be on the Ranch Monday, and he looked forward to meeting with Jody and the people in his Area. He represents Bull Moose and Forgotten Lane and there were a lot of complaints regarding road issues.

Mr. Anderson supported the Zoom option for Board Meetings. He looked forward to meeting people face to face but Zoom allows the flexibility for a larger group.

Area 2

Bennett Wetch was excused and not in attendance.

Area 3

Jill Wilson was excused and not in attendance.

Area 4

Nicole Irving had nothing to report for Area 4 other than the road work for Navaho Drive, which was discussed earlier in the meeting.

Area 5

Bruce Hutchinson thanked Jody for removing a huge tree that was blocking one of the routes in Area 5.

Area 6

Paul Suitor reported that the issue with a shipping container at 1710 Navaho, Lot PI-E-41, still needed to be resolved. The owner of Lot PI-E-41 was on the line and asked about the certified survey he intends to get. He would also like to increase the size of the deck over the next year and move the front shed because it is on top of his septic tank. He asked if he needed to add that to the survey as well before he submits the site plan.

Mr. Sears stated that to modify the deck and do the expansion requires a Lot Improvement Plan and going through the Architectural Committee process.

Mr. Suitor asked for an update on the shipping container. The owner stated that the container would be moved to the other side of the cabin and sided and roofed. However, he could not get it to where it needs to be in its current size. He plans to cut the container to move it, and then side and roof each piece as two separate sheds. He anticipated doing this over the next couple of months; however, he needed to submit the plans and documents and get them approved before he starts the project.

Area 7

Scott Boyle had nothing specific for his area to report.

**Committee Reports**

Architectural Committee – Nick Jackson was not in attendance. He had sent a note to the Board stating that he currently did not have anything on the docket. Some people were still looking to submit plans for approval. Mr. Sears stated that both he and Carol had been contacted by property owners asking about the process to build and he anticipated seeing more building plans soon.

Roads and Parking Committee – Mr. Sears noted that roads were discussed during the Manager's Report.

Fire Committee – Mr. Suitor stated that the Fire Committee had met five times since the last Board meeting. The meetings were productive, and they were close to putting together a plan of action. The big fire event is scheduled for June 5<sup>th</sup>. Mr. Suitor reported that two homeowners had volunteered their properties for home inspections. He was looking for additional volunteers.

Mr. Suitor stated that the Fire Committee will be meeting again this coming Saturday to drive around the Ranch and look at the fire exits. They will also look for other properties around the Ranch that need to be prioritized for cleanup.

Mr. Suitor remarked that the Fire Committee needed funding. Mr. Sears thought the email they sent highlighting the need for \$5,000 was reasonably thought out. He would ask Andrew Pagel to look at the budget and identify where money could be pulled for the Fire Committee. Once Mr. Pagel has that information, the Board would collectively discuss whether they would support giving \$5,000 to the Fire Committee.

Ms. Irving noted that Dave Tellian, Lot PI-44, had put the proposal together with all the numbers and it was supported by the Fire Committee. She would send it to the rest of the Board members for a vote. Mr. Sears thought the structure, the timing, and the different elements they would provide are valuable, and they should circulate it to the property owners so they can decide what parts they want to participate in and when it will occur.

Mr. Suitor stated that some of the fire experts mentioned moving the burn pile below where it is and over by the airstrip. Mr. Suitor was initially concerned about that area having so much scrub oak, but apparently, it is a much better location from a fire safety standpoint. He thought it was also important to get input from Jody on moving the burn pile. Mr. Suitor noted that there are concerns with the current location due to the proximity of the burn pile to vehicles and other items. There was a proposal to move it up higher but that resulted in other issues such as destroying the area and not being able to contain the ashes.

Ms. Irving stated that in walking around with Dave to find a potential location to move the green waste pile, when they walked to the back of the upper winter lot, they found that the back half of that lot was eroding significantly, and she believed drainage issues were coming down the mountain. Ms. Irving thought that should be addressed soon. She suggested that they discuss it with Jody because it will probably take a lot of time and have a significant cost.

Mr. Sears thought it was important to consider how they utilize both parking lots. They have been trying for years to get rid of a couple of abandoned vehicles and he thought it might be time to pay someone to haul them away.

Mr. Boyle noted that the parking lots are a safe zone and if there is a fire on the Ranch, they could put everyone up there in that parking lot. When talking about moving the burn pile, they should keep in mind that the parking lot should be a safe zone and a place to land a helicopter. Mr. Sutor replied that this was the biggest reason why the fire experts recommended moving the burn pile down lower.

Nolan Mitchell, Lot PI-F-17, stated that currently those lots are not a safety zone, and the goal is to get them to the point where they can be a safety zone. That includes removing the vehicles and deciding where to move the burn pile. Mr. Nolan stated that they still needed Board members to help with the barbeque and other things at the Fire Safety Day event on June 5<sup>th</sup>. Anyone interested should contact Paul Sutor or Mr. Nolan.

Mr. Sears encouraged the Board members to attend the Fire Safety Day to help out and to support the event.

Communications Committee - Ms. Sutor reported that the Communications Committee has heard positive feedback on the Newsletters. Mr. Sears stated that approximately 60% of the owners opened and read the newsletter in the first few days. It is a better way to communicate with the owners as opposed to waiting until the owners visit the website or contact a Board Member.

Mr. Sears stated that if any Board member wants to put an article in the newsletter they should write it and send it to him and he will make sure the article gets published.

Compliance Committee - Mr. Sears stated that the Compliance Committee has not met as a group, but he has spoken with a couple of the members. He reported that there were two compliance issues and compliance warning letters were sent out. One regarded Forgotten Lane, and they received a positive response from the owner on getting the issue corrected. The second was related to the Dark Sky County Ordinance. One individual has a bright light on their cabin every night and they were still waiting to hear from that property owner.

Mr. Sears asked the owners to let their Area Reps know of compliance issues so they can ask people to comply with the rules and regulations in place, especially if they are nuisance issues that cause problems.

Mr. Sutor thought it would be helpful for the Area Rep to be blind copied (BCC) on the non-compliance letter. As Area Reps, they have no idea when a letter is sent, the timeline, the fine schedule, or when the Area Rep should follow-up to make sure the issue has been resolved. Once he reports an issue, he has no way to know what follows.

Ms. Sutor pointed out that it was mentioned in the past that the Board members should be copied



on a letter when it goes out. Mr. Sears noted that the Dark Sky compliance that was sent out last week was sent to the Area Rep and he will make sure the other Board members receive it as well. Ms. Suitor stated that if Mr. Sears could provide information on the Dark Sky Ordinance, she will post it on the Facebook page and the website. She knows of at least 5 houses on the Ranch in violation of the Dark Sky Ordinance. Mr. Sears would send all the Board members a copy of the actual Lighting Regulations.

Community Improvements Committee - Ms. Irving stated that in terms of moving forward, the HOA needs to commit to a location to use as a community area. She noted that there were several options, all with pros and cons. Ms. Irving remarked that the potential of moving the green waste to the lowest section of the winter lot creates a couple of options. The Committee will be putting together a proposal on which option they would like to move forward on and prepare a firmer budget and fundraising.

Mr. Suitor noted that in addition to talking about moving the burn pile, the Fire Committee also talked about looking for a community area. It was noted that moving it to where it was originally considered at the top of the hill above the upper parking lot would be beneficial because it would be an easy area to have as a safety zone for fire. It would serve a dual purpose.

Ms. Irving believed that of the two options, the one that works the best would be the upper section because it is already cleared out. It is open and it would be easy to make improvements. The other option was to use the lower winter lot, which would involve moving the green waste pile. Since moving the pile is already up for discussion, that would be an easy option as well. There is already a parking lot and transitioning to a community space would be fairly easy.

Regarding the option on the upper section, Mr. Sears pointed out that moving the easement for the road last year opened up more space and that should be taken into consideration.

Rentals - Mr. Sears reported that no progress was made on rentals. He had prepared a new outline based on input he recently received. He will be sending out that information to the individuals who originally wanted to be on the Rentals Committee.

### **Rules and Regulations**

Mr. Sears noted that anyone with proposed changes or new rules and regulations was to have their proposals available for the Board to review by June 1<sup>st</sup> and no later than June 15<sup>th</sup>. He reminded everyone that they were approaching those deadlines.

Mr. Suitor referred to the fee schedule and asked if there are deadlines for when the Area Reps are supposed to begin implementing a fine. Two of the three cases in his area have been ongoing for three years without any follow-up. Mr. Sears thought Mr. Suitor had a valid point. The Board is

getting good at warnings, but they are not good at moving to the next level, which is the first fine. There is a timeline once they start the fine process but getting the first fine schedule needs to be addressed. Ms. Suitor reiterated the importance of the Area Rep being aware of what to fine and when.

Mr. Hutchinson suggested that the notification of non-compliance and the warning letter could require the lot owner to notify their Area Rep when they have complied. They could include a form that the owner can fill out when the issue has been resolved so it can be verified.

Mr. Rosing thought a form filled out by the property owner was a good idea, but he thought the Area Rep should still go to the site to confirm that the violation is resolved. Mr. Hutchinson agreed. He also thought they should give the property owner a specific amount of time in the notification for compliance.

Mr. Sears recognized that this issue still needed to be worked out and the process needs to be refined.

### **Monthly Budget Review**

The Board reviewed the unpaid bills detail.

Mr. Hutchinson asked about the bill from Century West. Mr. Sears replied that it was the annual insurance premium. He noted that the detail on individual items was in Dropbox. The name was different because they changed insurance companies last year.

Mr. Sears noted that Carol had provided significant detail for her charges per the discussion at the last meeting.

MOTION: Mr. Sears moved to approve the unpaid bills as presented. Paul Suitor seconded the motion.

VOTE: The motion passed unanimously.

### **Public and Open Forum**

Nolan Mitchell, Lot PI-F-17, asked if Mr. Sears had a timeline for Andrew Pagel to look at the budget to find the money for the Fire Committee. Mr. Sears stated that he would send Andrew an email. Mr. Pagel was out of town and should be back before the end of the week. Mr. Sears would like a

response no later than Monday if possible.

Mr. Sears referred to a question about Oil Well Road and clarified that the road is maintained by Pine Meadow Ranch. The HOA went through court years ago to make sure that Axel did not close it off because it was used since the 1980s for access. Mr. Sears stated that Oil Well Road is like all the roads on the Ranch, once you leave the freeway all roads are private, but they do have public access. He emphasized that Oil Well Road is a private road with public access and Pine Meadow Ranch is responsible for maintaining that road, as well as Forest Meadow Road and Tollgate Canyon Road.

Mr. Suitor stated that the parking lot at Oil Well is privately owned, and the HOA helps to keep it clear. Ms. Suitor clarified that Oil Well Road is not plowed during the winter. Mr. Sears agreed. It is only maintained during the summer as a way of getting in and out of Pine Meadow Ranch.

Mr. Sears read a chat question asking what constitutes a large home. He believed the larger homes on the Ranch were above 3500 square feet. Ms. Suitor noted that the question was asked when Mr. Sears talked about altering the impact fees based on home size for large homes.

Kathleen Deffner, Lot PI-I-41 & PI-I-37 stated that she had asked the question. They heard larger homes mentioned several times and they wondered what constitutes the size. Ed Deffner asked if the square footage is based on the main living levels or whether it includes a finished basement. Mr. Rosing stated that if the Association decides to move in the direction of variable impact fees, all those issues will need to be addressed and clarified.

Mr. Sears stated that the intent is not to constrain. They were only trying to understand and implement guidelines. He noted that the Board is getting pressured to approve larger and larger homes and they need to make sure those homes are appropriate for the environment they are trying to maintain on the Ranch.

Mr. Deffner asked how the HOA would enforce that since the vote last year did not approve amending the CC&Rs. Mr. Sears explained that the owner cannot obtain a building permit from Summit County without approval by the HOA Architectural Review Committee. Summit County requires the owner to go to the Architectural Review Committee first and get their approval before the County will issue a building permit.

Chris Bell, Lot PI-D-35, commented on compliance with the Dark Sky Ordinance and asked at what point they engage the Summit County Code Enforcement. He wanted to know if the County will engage in enforcement of that issue so the HOA is not left entirely to drive compliance. Mr. Sears stated that the HOA can report the violation to Summit County. He understood that some people

have reported Dark Sky violations directly to the County. Mr. Sears pointed out that the ordinance was only put in place a few years ago and some of the older locations were given a time frame to come into compliance with the ordinance.

Mr. Deffner asked if someone should approach the homeowner first when they see a violation before contacting the Area Rep, or whether they should not get involved. Mr. Sears stated that he has the attitude of being a good neighbor by talking to his neighbor before reporting them. He has done that in the past and his neighbors are usually responsive. However, if you talk to your neighbor and they do not resolve the issue or seem to care, then it should be reported to the Area Rep.

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

---