

PINE MEADOW RANCH OWNERS ASSOCIATION

MONTHLY BOARD MEETING
RANCH MANAGER'S OFFICE
MAY 21, 2019

In Attendance: Pamela Middleton – President; Tom LeCheminant, Vice President; Jann LeVitre, Secretary; Andrew Pagel, Treasurer; Stephanie Coleman (Area 1); Jeremy Jespersen (Area 2); Ted Bonnitt (Area 6)

Ex Officio: Jody Robinson, Ranch Manager; Randy Larson, Assistant Ranch Manager; Robert Rosing, HOA Legal Counsel.

Excused: Joe Pagel (Area 3); Nicole Irving (Area 4); Bruce Hutchinson (Area 5)

Guests: Alan & Lisa Powell Lot PI-16; Roy Parker, Lot PI-G-85; Brent, Architect representing Doug and Tess Saarel, Lot FM-B-36 on Bull Moose; David Klco, Lot PI-C-70; Marty Jemison, Lot PI-C-66; Carolyn Scott, Lot PI-I-29; Leo Moshier, Lot PI-D-75; Mike Bowen, FM-C-47; Rocky Kerr, Lot PI-D-88; Matt McWhirter, Lot FM-C-43; Brian Lamb, Lot PI-D-91; Gary Birch, PI-61

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

Approval of Minutes

April 16, 2019

Pamela Middleton had sent her edits to Carol.

Ms. LeVitre referred page 6, last paragraph, the discussion about whether the draft would be included in the email to the membership regarding the CC&Rs. She thought there was a misunderstanding between Bruce Hutchinson and Ted Bonnitt and the Minutes did not reflect that the misunderstanding was resolved and the intent all along was to send out the draft with the email to the membership. She corrected the statement to read. *“Ted clarified that the intention was to send the draft with the letter.”*

Ms. LeVitre referred to page 13, third paragraph after the vote, she felt her statement regarding paying Robert was misrepresented. She clarified that she enquired about other options and if they would need to use reserves for legal expenses to get through the rest of the year. Ms. LeVitre wanted the Minutes corrected to reflect that she was not suggesting that they should pay Mr. Rosing from the reserves; and that she was only asking for options since they had gone over budget on that line item. She corrected the statement to read *“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. LeVitre stated that she has probably never mentioned that her name is spelled J-a-n-n and she made that clarification for future Minutes.

MOTION: Stephanie Coleman moved to Approve the Minutes of April 16, 2019, as corrected. Jann LeVitre seconded the motion.

VOTE: The motion passed. Jeremy Jespersen abstained since he was absent from the April 16th meeting. Tom LeCheminant abstained because he had not read the Minutes.

Vote on Area 7 Representative

Ms. Middleton asked all non-Board members to step outside while the Board voted on a representative for Area 7.

Ms. Middleton reported that at the last meeting the Board moved into closed session and unanimously voted for Stephanie Coleman to be the Area 1 Representative. She suggested that the Board ratify the vote again, so the vote is formally on the Record.

MOTION: Ted Bonnitt moved to Approve Stephanie Coleman as the Area 1 appointed Representative. Ted LeCheminant seconded the motion.

VOTE: The motion passed unanimously.

Ms. Middleton noted that Scott Boyle, Connie Perkins, George Sears; and James Bagwell were the four candidates running for Area 7 representative. She asked if the Board members had read their bios. Ms. Coleman had not received the bios.

The Board discussed the pros and cons of each candidate.

VOTE: Ted Bonnitt nominated George Sears as the appointed Area 7 Representative. Stephanie Coleman seconded the motion.

VOTE: The motion passed unanimously.

Ms. Middleton commented on the importance of the Board being a team and supporting each other as they discuss revisions to the CC&Rs. It is imperative that they remain a cohesive group and not undermine each other. She wants to hear opposing arguments and it is natural to disagree, but if they start infighting it undermines the Board and the process. If someone has an issue they should approach the committee to work it out.

Ms. LeVitre commended Ms. Middleton for the tone she set and the unified values that were put forth; as well as the way the meetings were conducted. She believed they all have a strong love and appreciation for the Ranch.

The Committee had received many comments from various means of correspondence that would be compiled into one list. The process will be fully transparent and everyone can see all the comments. Ms. Middleton stated that the committee will consider all the input in trying to find the best way forward. She pointed out that there are 800 lot owners and everyone will not like everything, but the goal is to end up with CC&Rs they could live with.

Mr. Bonnitt remarked that inviting someone outside of the committee to attend a committee meeting in an open forum puts their disagreements in public and forces the committee members to externally air their positions. It puts the Board in an awkward position. Mr. Bonnitt was not opposed if someone wanted to invite another person to a committee meeting; however, the committee, as a process, should have the opportunity to have their internal discussion first.

The non-Board members returned to the meeting.

Fire Station Discussion

Alan Powell provided an update on the Fire Station. He stated that a motion was filed in Third District Court on May 17th to use Eminent Domain and condemn the Pine Meadow parcel. He had not yet heard from the Summit County Attorney on whether a court date had been set and whether someone needed to be present for the actual judgment.

Mr. Rosing stated that he had spoken with the County Attorney that morning and suggested a process that would move things along quickly. She was receptive to his suggestion and offered to look into it.

Mr. Powell stated that he was also working with Tyler at the North Summit Fire District to start the RFP for the design process on a simple garage building. Mr. Powell stated that the Board would see all the designs before anything moves forward.

Burn Form

Ms. Middleton noted that the Board discussed the Burn Form at the last meeting. She recalled that the only change was to add language requiring an owner to contact the

North Summit Fire District before a burn and after the fire is out. Mr. Powell stated that a new requirement for a bonfire is that people now need to get a DEQ permit from the Department of Environmental Quality. It is a year-round requirement and Summit County will ask if the permit was obtained when a burn is reported. If the permit has not been obtained, it violates the Summit County regulations. The form can be filled out online. Mr. Pagel thought that information should be posted on the website.

Ms. Middleton noted that snow must be on the ground in order to do an open burn. However, fire pits need to be approved for the summer. The Board had received a request for a fire pit that she believed was sent to Alan Powell. Mr. Powell had not received it.

Mr. Powell clarified that any open flame fire pit that is not propane needs to meet specific regulations and must be approved. Someone asked if the clearances around the fire pit apply to liquid fuel. Mr. Powell replied that currently it does not apply to propane-fueled fires because they can be turned off and they do not emit sparks. Someone asked if fire pits are allowed on a deck. Mr. Powell stated that solid fuel pits should not be placed on a deck because it is too risky due to combustible decking. He advised that only propane fire pits should be used on a deck. He noted that solid fuel fire pits or grills are not allowed when the fire risk is considered high or above.

Mr. Powell remarked that another question that has been debated is the issue of what counts as an enclosed fire. A wood stove inside a house is allowed. A pizza oven fully enclosed in brick is allowed. If a smoker is fully sealed and fully enclosed, it would also be allowed. However, he recommended observing the restrictions for a smoker.

Ms. Middleton stated that when the Area Reps receive a burn request in the winter, they are welcome to approve the request if they feel comfortable that the person making the request understands the rules and know they have to contact Summit County and fill out the DEQ Form. She suggested that the Area Reps cc Alan Powell to keep him in the loop when a burn request is approved. Mr. Powell stated that the Area Reps could be present for his approval and inspection and he would inform the Board that it was inspected and approved. The Area Reps could then do the final approval.

Mr. Powell stated that he would be training with Bryce the following day to do the wildland fire assessment for homes. After his training, he should be able to help with those assessments since Bryce is already booked out until late June or early July. As part of his Fire Fighter 1 and 2 Training, he will also be able to do interior fire prevention home assessments.

Ms. LeVitre reported that she sent an email to everyone who volunteered to be on the

committee last year and no one responded. *She was trying to find out who wanted to be on the fire committee* and for the next two months, prior commitments will not allow her the time to do committee work. Ms. LeVitre had spoken with Alan Powell and he had answered a number of questions and provided a wealth of information. He recommended having a neighborhood picnic in June to focus on fire safety and educate everyone on the Mountain. She asked for a volunteer to head up that effort.

Ms. Coleman offered to pass on the information and try to get people involved.

Someone had spoken with Alan Powell about encouraging mitigation and fire protection around homes. He asked if it made sense through grants or other means to have a larger gas operated brush cutter that people could borrow to cut the brush around their homes.

Ms. LeVitre asked if anyone else was available to work with Ms. Coleman this summer. She would ask Nicole Irving if she would be involved. Mr. Pagel volunteered and he offered to ask his brother, Joe. Mr. Jespersen offered as well.

Fire Fines Document

Ms. Middleton thought the Board needed to look at the documents to make sure they were consistent with the fire fines and the new rules published in January. She asked for volunteers to review those. Mr. Powell noted that the summer burn policy includes the current fine schedule. The fine starts at \$500 for the first offense. Mr. Rosing advised the Board that they need to give a warning before implementing a fine. He stated that they could set the first fine at \$500, but under State Law, there is no distinction between different types of fines and they still need to send a warning. Ms. Middleton believed it was still consistent with the rules. Mr. Rosing would review the documents.

Ms. Middleton thought it was critical for the committee to move forward to get the evacuation route in place and coordinate with Jody to install the emergency evacuation route signs. It is important to have proactive measures in place.

Someone noted that in some neighborhoods the HOA distributes a fire package with a flyer that people can put in their window saying the home is clear and there are no pets. Mr. Powell replied that if a homeowner talks to the right authority they will be given a packet. There is a lot of literature available. Mr. Powell remarked that all the resources are out there, but it takes effort to obtain it. He likes email chains where people can share information.

CC&R Meeting Update

Mr. Bonnitt reported that two member meetings were held on May 18th. He estimated that between both meetings 200-250 people had attended. He thought the meetings went well. Based on the comments during the meeting and comments from people who talked with them after the meeting, he felt they were on track with the CC&Rs. Ms. Middleton was pleasantly surprised that everyone was so nice.

Mr. Bonnitt stated that the committee pushed for data to reflect consensus, and asked for questionnaires to be filled out. The committee also received emails, and he was personally contacted by phone and email from owners offering their support.

Mr. Bonnitt remarked that they reached the first stage and made the draft available. Now people have stepped forward to help with the language. He believed the next step would be to compile all the information and data, analyze it, and then tweak the next draft to be more specific and readable. The intention is to create a draft that is close to being ready for a vote and have another public meeting to make sure they are on the right path. Mr. Bonnitt remarked that they were trying to reflect the overall concerns of the Ranch, which is the preservation of the wildlife and natural environment. It needs to be well articulated so the Board can take the actions necessary to ensure it is preserved. Another draft will be presented to the members and once that draft is tweaked based on their comments, the third draft should be the final draft to be voted on.

Mr. Bonnitt pointed out that passing the revised CC&Rs requires 544 votes. It is all about momentum and being thorough.

Someone asked how they could help the CC&Rs committee accomplish this gigantic task. Mr. Bonnitt stated that the most important help is input from the members.

Ms. Middleton explained that the committee will give Carol all the comments and she will compile them in a format with the Article, the Subsection, and the Comment. Everything will be in one place and they can see the feedback on each item. The committee will try to achieve the best CC&Rs possible given all the feedback. She acknowledged that some items need to be rewritten and other things that do not apply to the Ranch need to be removed. She stated that the committee may form subcommittees to work on language and other items.

Mr. Bonnitt thought the public meetings were a good step forward and helped to advance the CC&Rs rewrite. The committee was gratified by the tone and the support they received. Ms. Middleton thanked all the members who were able to attend and

participate.

New Construction and Additions

Lot FM-B-36

Mr. LeCheminant noted that the architect for Tess Saarel, Lot FM-B-36, was present.

Mr. LeCheminant stated that the owners had revised their plans for an extremely large structure back to 994 square feet; not including the garage. It will be one story above the garage.

The Architectural Committee members agreed with the revision and the proposed earthtone colors.

MOTION: Tom LeCheminant moved to Approve the revised plans for FM-B-36. Pamela Middleton seconded the motion.

VOTE: The motion passed unanimously.

Lot FM-C-43

Tom LeCheminant stated that Matt McWhirter, Lot FM-C-43, wanted to put a shed on his lot but he has not received any paperwork. Mr. McWhirter stated that he had emailed Carol and he also mailed her 11 x 17 paperwork of the survey. Carol had said she would put him on the schedule. Mr. McWhirter remarked that he had also paid the \$460.80 fee. A-shed was installing a 12' x 16' shed at 192 square feet. He had not brought the paperwork to the meeting because he assumed the Board had it since it had been mailed and emailed.

Mr. McWhirter stated that the color is dark gray with a dark gray metal roof.

Ms. LeVitre found the plans in the dropbox. She noted that Carol is diligent about putting plans in the dropbox when she schedules an item on the agenda. She encouraged Mr. LeCheminant to check the dropbox if he does not have plans for a specific property on the agenda.

The Board reviewed the plans and colors for the A-shed. Ms. Middleton asked if there would power or water to the shed. Mr. McWhirter answered no.

MOTION: Mr. LeCheminant moved to Approve the dark grey shed with no power or water on Lot FM-C-43, Matt McWhirter, as presented. Stephanie Coleman seconded the motion.

VOTE: The motion passed unanimously.

Lot PI-E-30

Mr. LeCheminant had received multiple complaints on the greenish-blue color on Lot PI-E-30.

Mr. Bonnitt remarked that he had abstained from the discussion at the last meeting because he was on the phone and looking at a photograph. However, after being on the Ranch and seeing it in person it is a bold teal color. The structure is prominent because of its large size and the Board cannot let this slide in terms of compliance with the required colors in the Architectural Guidelines. Mr. Bonnitt did not believe this was what the owners agreed to do.

Mr. Pagel asked if the signed documents were available this evening. Ms. LeVitre did not believe they had color samples. She noted that the owner-signed document in the drop box for Lot PI-E-30 specifically said earthtones. Mr. Rosing asked if the owner had submitted physical plans. Mr. Pagel believed they did because the Board would not have given approval without seeing the plans. Ms. LeVitre noted that it was approved by a previous Board. Mr. LeCheminant stated that he reluctantly signed the paperwork when the Board approved it because he was not in favor of approval. He had the paper plans but they were small and did not specify colors. He did not believe the owners had submitted color samples because the Board did not require color samples at that time.

Mr. Bonnitt stated that even if the Board had not asked for a color sample, the owner might have submitted a color sample to make sure the Board agreed that it was an earthtone. However, he did not believe the Board would have considered the teal color to be earthtone.

Mr. Rosing clarified that to this Board's knowledge, it was approved as an earthtone. Mr. Bonnitt answered yes. Ms. Coleman asked if anyone had spoken with the owners about the color concerns. Mr. LeCheminant stated that he asked Carol to invite the owners to this meeting, but they had not come. Ms. Middleton thought the Board should write the owners a letter to ask whether it was a primer color or the final color they intend for the house. The letter should let them know that the Board has concerns. Mr. Bonnitt emphasized that the color was not compliant with earthtones. Ms. Coleman

commented on the issue of setting a precedent. They would have to make it clear that this color was approved before the CC&Rs and Architectural Guidelines were rewritten, and it would not pass under the current rules and regulations. The letter should state that if teal is the finished color, the Board opinion is that the color does not comply with what the owners agreed to do, and they need to come back to the Board with another alternative.

Mr. Rosing pointed out that the owners have an attorney that he has communicated with in the past. He thought Carol could send the letter; however, if the issue escalates Mr. Rosing and the other attorney would need to get involved. Mr. Rosing commented on the possibility that the color might only be a primer.

Mr. Pagel thought the Board should put the final signed architectural documents in the dropbox. He suggested pulling documents from Summit County if necessary. For a house that size, he thought a rendered image would be on file somewhere.

Ms. LeVitre understood that most people thought the greenhouse was clearly not an earthtone; however, she did not believe it was that clear. She deferred to the Board's opinion, but she wanted her opinion known as well.

Ms. Middleton would follow up with Carol.

Lot PI-D-91

Mr. LeCheminant presented plans for PI-D-91. The owner, Maria Lamb, wanted to build a shed on her property. The Board approved the greenhouse with a sloped roof last winter but he was unsure whether a building permit was ever obtained through Summit County. Brian Lamb was present to represent his wife who was not able to attend. Mr. Lamb had mailed the documents to Mr. LeCheminant and he had brought two copies of the proposed shed.

Mr. LeCheminant recalled that it was a standard 8' x 12' shed. He clarified that the shed would not be used as a living structure. Mr. Lamb replied that he was correct. There would be no plumbing or electrical.

MOTION: Ted Bonnitt moved to Approve the 96 square foot shed with no power or water on Lot PI-D-91, Maria Lamb. Jann LeVitre seconded the motion.

VOTE: The motion passed unanimously.

Deer Meadows -DMS-4

Mr. LeCheminant stated that the property owner had not submitted paperwork to the Architectural Committee or to Summit County. Carol has spoken with the property owner a few occasions and she was going to invite the property owner to attend the meeting this evening.

Mr. LeCheminant stated that the plan is for a two-story shed. Ms. Middleton noted that the property is past the church camps and the owner started building without permits and the construction was stopped by Summit County. Mr. LeCheminant would ask Carol to send the property owner a warning letter.

Lot PI-D-88

Mr. LeCheminant presented plans for a log cabin approximately 1500 square feet on Lot PI-D-88, Rocky Kerr. The exterior will be brown log siding and a green roof. The power, water, and septic were put in years ago. Mr. LeCheminant recalled that Summit County was also requiring another line off the septic.

MOTION: Tom LeCheminant moved to Approve the green roof log cabin on Lot PI-D-88 for Rocky Kerr. Stephanie Coleman seconded the motion.

VOTE: The motion passed. Jeremy Jespersen abstained.

Winter Plowing

Ms. Middleton wanted the Board to discuss the options for winter plowing next season. She asked if they should put out an RFP in hope of finding someone less expensive than Brian Myers; or whether the HOA should purchase a piece of equipment and hire someone to plow. Ms. Middleton pointed out that if they purchase new equipment it will be one more piece for Jody to work on. In addition, if they purchase new equipment they will need to hire another employee to work for Jody. Ms. Middleton asked Jody for his feedback.

Jody stated that the issue was finding someone who is dependable and will always be there. Someone asked about a cost breakdown comparison. Ms. Middleton believed the equipment cost would be approximately \$55,000. She was not sure what wage they would have to pay. She recognized that the first year of the purchase and hiring another employee would be very expensive. However, over time the cost would level out and possibly be equal to or less than hiring a private contractor. Ms. Middleton

believed the cost comparisons would be similar for each option. The Board agreed.

Mr. LeCheminant stated that at the current rate, the cost to hire a private contractor would be \$90,000 over three years. In his opinion, for \$90,000 they could buy a tractor and pay a year of wages. Mr. Rosing suggested that the Board try to find someone dependable to hire before purchasing the equipment since that was Jody's primary concern.

Ms. Middleton stated that her primary concern is the burden on Jody to manage another employee and maintain another piece of equipment. Jody understood that it would only be during the winter. Mr. Pagel asked if that person would be hired as a 1099 contractor. Ms. Middleton thought that was a question for the Board to discuss.

Mr. Rosing understood that it would be more work for Jody, but he asked if more snow could be pushed with two people and whether that was a trade-off. Ms. Middleton replied that last winter the plowing was done by an insured private contractor so Jody was not doing that work. If the HOA hires an employee, it would still be more responsibility for Jody because he would have to manage that employee to do the same work and maintain the equipment.

Mr. Pagel thought it was a two-part conversation involving the financial aspect and actual management of assets and people.

Ms. Middleton noted that Brian had done a good job and he was interested in submitting a proposal to plow again next winter. Mr. Pagel thought the Board should have another conversation to see what Jody and Randy really want. He asked if they thought it was best to hire a contractor for another season or to hire another employee. Ms. Coleman asked if having the equipment and another employee would provide needed resources in other places on the Mountain. Jody replied that a new employee would be dedicated to the connector route. Mr. Rosing pointed out that unlike a private contractor, an employee of the HOA would not have to be dedicated to the connector route. If someone is hired for full-time during the winter, that person could be allocated to work wherever he is needed.

Mr. Pagel stated that a new hire could be a 1099 contractor and the HOA would pay on an hourly basis. They could have a 40-hour per week contract and if he did not work all 40 hours he would only be paid for the hours he worked. Ms. Middleton commented on the expense of paying someone 40 hours per week all winter because the season typically stretches into 8 months. Mr. Jespersen thought a 1099 made sense, but they also needed to look at the cost of maintaining and insuring an additional piece of equipment over the years.

The Board discussed the cost of other pieces of equipment they recently approved to purchase, and the total spent this year on equipment. Mr. Pagel stated that the trackhoe was purchased with the excess from last year's budget. However, he preferred to keep excess funds in the budget rather than purchase \$100,000 in equipment. Ms. Middleton agreed. She was concerned that purchasing two pieces of equipment in one year seemed frivolous. Ms. Middleton stressed the importance of addressing snow removal on the emergency exit and noted that either option would result in a significant cost.

Mr. Jespersen was the Area 2 Rep in a portion of the connector that was plowed. He thought Brian had done an excellent job all winter but it was very expensive. Mr. Jespersen had only heard positive feedback from the people in his area. He was in favor of hiring Brian for another year if the HOA could afford it. Mr. Jespersen thought they should ultimately try to reach a point where the HOA could purchase the equipment and hire another person.

Ms. LeVitre pointed out that the contract with Brian was a flat \$30,000. It was a heavy snow year and they used the service a lot; however, in a light snow year paying \$30,000 would be a loss for the HOA. Mr. Pagel stated that he was leaning towards paying the contractor \$30,000 for another season and then look into purchasing equipment next year. Ms. LeVitre suggested that if they decide not to purchase the equipment, they could put out an RFP to see if they could get a lower bid for plowing the connector. Ms. Middleton thought they could use the RFP that Jonathan Hoffman sent out last year with minor updates. Ms. LeVitre thought the Board would be doing their due diligence by looking for a more affordable bid.

Ms. Middleton would work with Carol to update the RFP. The Board would revisit the options next winter.

Monthly Budget Review

Andrew Pagel reviewed the detail of the unpaid bills. Mr. Pagel reported that a pre-existing attorney bill for Wrona/Dubois did not get paid for March. He had a copy of the current invoice and Carol had attached the missing invoice listing a previous amount of \$1827. The invoice was never sent for March. After approval, a check needed to be written.

MOTION: Andrew Pagel moved to Approve payment of the Unpaid Bills as presented, in the amount of \$24,610.64, plus the overdue attorney balance, for a total of \$26,471.64. Jeremy Jespersen seconded the motion.

VOTE: The motion passed unanimously.

Open Forum

Someone stated that Pamela Middleton, Ted Bonnitt, and Robert Rosing were magnificent at both weekend meetings. They all did a great job.

Carol Scott, Lot PI-I-29, asked if the parking lot with the trailers is included in the HOA plowing. There is so much snow that people had to manually dig out their trailers. Mr. LeCheminant stated that the lower lot is cleared until New Year's and after that they let it go. Ms. Scott pointed out that the problem is with the upper lot where people have trailers. The Board wanted trailers parked in the upper lot and people have been compliant but the snow was so deep she could not get equipment out of her trailer.

Jody stated that the HOA has never maintained the upper lot. The lower lot is cleared all winter.

Mr. LeCheminant offered to help Ms. Scott move her trailer to the end of the lot to make it easier to access. Randy stated that people have asked that he and Jody to help them get equipment out of their trailers and they are willing to help. Ms. Scott stated that she is not always on the Ranch and Jody and Randy are not always there when she comes up. Ms. LeVitre suggested that she work out a plan with Jody before next winter.

On the issue of hiring a 1099 employee, Ms. Scott wanted to know who would pay the insurance for that employee and whether they are required to carry their own worker's comp. Mr. Rosing pointed out that the Board decided not to hire an HOA employee this year. Ms. LeVitre explained that the person they used over the winter is a private contractor who has his own company and carries his own insurance.

Ms. Scott asked if there was enough water to run all the fire hydrants in the entire Ranch. Mr. Rosing stated that it was a question for the Water Company and he urged her to contact the Water Company.

Ms. Scott offered to help with the Fire Training and the CERT Teams.

Non-Compliance

Someone thought the topic of the shack on PI-63, Modoc Loop, had been forgotten. Mr. LeCheminant stated that the Board would be discussing it. He noted that an email was sent about the trailer on PI-E-59 and Bruce Hutchinson, the Area 5 Rep, was going

to send the owner a letter. A building on Modoc has been vacant for a very long time, and there is another vacant structure on PI-E-12, Willow Circle. Mr. LeCheminant would ask Carol to send letters to the property owners regarding the abandoned buildings. Mr. Rosing thought the letter should be a warning letter. If nothing is done or there is no response, the Board could then begin the fines.

MOTION: Pamela Middleton moved to authorize Carol to write the three warning letters as discussed for the abandoned buildings on PI-63, Modoc Loop; PI-E-12 Willow Circle, and for the trailer on Lot PI-E-59, Uintah View.

The motion was not seconded before the vote.

VOTE: The motion passed unanimously.

Someone stated that as a resident observing this evening, he commented on the teal house color that the Board discussed. He and his wife drive by that house every day and his wife actually like the color. If the Board did not ask to see a color sample before voting to approve, he did not think they should spend HOA money or hire a lawyer to fight the color. If a previous Board made a mistake or was negligent in asking for a material sample, this Board should just live with it. He also commented on the shed approvals this evening where the Board members asked the owner if it complied with setbacks and other regulations. Rather than taking the owner's word for it, he suggested that the Board require a print to make sure it is right.

The Board informed him that they already have the plans and the required documents.

He also commented on the log cabin that was approved and the owner's comment that the roof would be green. He urged the Board to request a sample to make sure it is an approved color. Mr. LeCheminant noted that the plan says dark green but the owner had not submitted an actual sample. Ms. Middleton thought dark green was a straightforward color on a metal roof.

Ms. LeVitre asked if requesting physical color samples was part of the architectural requirements. Mr. LeCheminant stated that the Board typically goes by the colors indicated on the plan unless there is a specific issue with a color or material. Ms. LeVitre thought it was reasonable to require the owners to provide a color block going forward. The gentleman remarked that there are many houses on the Ranch that are colors other than earthtone. He personally has no issues with house colors but he did not think the Board should say no to this house when so many other house colors have been allowed.

Mr. Bonnitt stated that this particular house was an anomaly due to the large size. He did not believe that past behavior should dictate future behavior. Mr. Bonnitt remarked that the residents are providing feedback and they want their Area Reps to act. With the increase in development, the Board will need to be more stringent going forward. He thought the Board should have samples on file as approved materials and colors.

The Board members and the members discussed briefly terms of the best way to handle the teal color of the house.

Someone asked if there is a rule to obtain Board approval for color when people repaint their house. Mr. Rosing stated that if it was a rule it would only be triggered when they go to repaint. Mr. Rosing believed there was a provision in the new CC&Rs that talks about obtaining Board approval for repainting if the house color will be changed.

Carol Scott, Lot PI-I-29, expressed a concern she had after attending the CC&Rs meeting. In her opinion, it was highly inappropriate in a public venue to be discussing specific homes. Ms. Middleton agreed. Ms. Scott stated that she had voted no on everything because of the inappropriate things that were said. She hoped the Board would not allow that behavior to continue in front of other people like herself. If that was her home being demeaned in a public environment, she would not be happy. Ms. Scott wanted the Board to be professional in their presentation of the CC&Rs. Her take away from that meeting was that there are personal vendettas on the Ranch and personal issues; as well as certain people who want to see someone's personal things gone. That is not appropriate or professional.

Someone asked if the Board would consider repairing *BG* corner when they talk about summer road work. Mr. LeCheminant replied that it was already on the list for discussion. Mr. Rosing urged the Board to make *BG* corner (Alexander and Pine Meadow Drive) a priority.

Mr. Pagel agreed with adding the requirement for color and siding samples into the Architectural Guidelines. He thought it was important to have an additional layer of transparency to the Board and making sure the Board documents it.

Ranch Manager's Report

Roads

Jody named roads that people have requested to be repaired. The list included Heather Lane, Forest Circle, Porcupine Loop, Navaho Drive, Forgotten Lane, Hidden Lane, Hi Dri Circle, Artist Point, Upper Alexander, Valley View, Navaho Road, Willow

Circle, and Bear Tooth and the end of Arapaho Drive where it meets Forest Meadow. He stated that none of those roads have gravel.

Ms. Middleton recalled that \$50,000 was set aside for gravel. Jody replied that \$40,000 was set aside for gravel for this summer, and an additional \$10,000 for the sand shed.

Ms. LeVitre asked Jody to explain the procedure for roadwork every summer for the benefit of the new Board members. Jody stated that the primary goal is to gravel all the roads so they can be graded. Ms. LeVitre remarked that Alexander needs a ditch and a culvert on the lower portion. Ms. Middleton asked about Elk Road. Jody stated that Elk Road was done last year and it was not on the list this year.

Ms. Middleton thought the top priorities should be the most-used roads in the worst condition. Jody stated that it would be the main artery. Ms. LeVitre asked if Jody could just grade some of the roads that have become impassable until gravel can be laid. Jody replied that he has been doing that. Jody clarified that he only named the roads that have no gravel at all and are straight topsoil and rocks. Ms. Coleman thought the roads with the most people and the most frequent use should be the top priority.

Jody stated that Navaho Road from Arapaho to Pine Meadow Drive is the first priority. He estimated that he would need 20-25 loads of gravel for Tollgate Canyon from the end of the asphalt up to Bobcat.

Ms. Middleton stated that she was asked about mag water. She recalled that the last couple of years the roads were mag watered just before the Fourth of July and it was torn up due to the amount of traffic. She asked if they should do mag water earlier this year. Jody replied that mag water gets washed away with one rain storm. He intentionally waits until the Fourth of July because most of the storms are over and the weather is hot and dry. Jody preferred to wait until mid-July because it would last longer. The Board agreed.

Ms. LeVitre thought they should use text to let people know which roads would be mag watered and when.

The north end of Porcupine needed to be graded and graveled. Jody thought the bottom of Bull Moose needed another load of gravel. Ms. Middleton thought Bull Moose was a lower priority.

Ms. LeVitre noted that Heather Lane needed to be a priority. Jody stated that Crow Loop needed gravel and should be on the list. Hi Dri and Modoc were added to the list for grading.

Someone stated that Bull Moose from the top down towards the freeway is very bad on the south side. Ms. Middleton noted that her neighbors had asked her about that same road.

Ms. Middleton commented on the hill coming on to Forest Meadow going towards Catarina's house and asked for the name of the road that branches off. Jody stated that it was Valley View coming up the steep hill. Jody stated that they needed to have the steep hill on the list because it is the detour route when they do mag water. The steep hill on Oil Well should be a top priority.

Mr. LeCheminant added to the list the blind corners on Elk Road. He did not believe they needed gravel but the road needed to be widened.

Mr. Pagel asked Jody for a realistic timeframe for the listed roads. Jody stated that he was waiting for the roads to dry out more and then intended to grade and compact all the roads and asked the Board to prioritize the list for gravel.

- 1) Navaho Road down to Pine Meadow Drive
- 2) Tollgate Canyon
- 3) BG Corner (Alexander & Pine Meadow Dr.)
- 4) Heather Lane
- 5) Bull Moose – grade and roll after the bar ditch is down each side.
- 6) Valley View and the steep hill
- 7) Porcupine

Jody thought they should wait until the next meeting when he will have the load count before adding additional roads.

Based on Mr. Rosing's recommendation, Jody switched BG Corner to Priority Number 1.

Mr. LeCheminant asked Ms. LeVitre if she would edit the Building Section on the webpage to add "color samples are required". Ms. Middleton stated that the Board needed to vote before making that change. Ms. LeVitre thought it should be included in the Architectural Guidelines and questioned whether they could change that document without approval.

Color Samples

Ms. Middleton suggested that the Board vote this evening and she would check with Mr. Rosing to make sure it could be added without notifying the membership. Mr.

LeCheminant stated that if they could not add it to the Architectural Guidelines, it could still be added to the printed Lot Improvement document.

MOTION: Pamela Middleton made a motion to check with the Attorney on whether the Board has the authority to make clarifications to the Architectural Guidelines without going through the full notification and approval process. The Board should add language to require physical color samples for roofs and all exterior surfaces to be provided at the time of approval by the Architectural Committee. The samples should be physical copies to be put on file. Jann LeVitre seconded the motion.

VOTE: The motion passed unanimously.

Ms. Middleton offered to email Robert Rosing the next day for his advice.

Mr. LeCheminant clarified that he also wanted the language to be on the webpage.

The meeting of the Pine Meadow Owners Association Board adjourned at 9:00 p.m.
