

*Approved
July 20, 2021
as corrected*

PINE MEADOW RANCH OWNERS' ASSOCIATION
MONTHLY BOARD MEETING
VIA ZOOM VIDEO CONFERENCE
JUNE 15, 2021

In Attendance: George Sears, President; Michelle Suitor, Secretary; Andrew Pagel, Treasurer, Dwaine Anderson (Area 1); Bennett Wetch (Area 2); Jill Wilson (Area 3); Nicole Irving (Area 4); Bruce Hutchinson (Area 5); Paul Suitor (Area 6)

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

Excused: Scott Boyle (Area 7)

Guests: Nolan Mitchell, Lot PI-F-17; John Adams, Lot FM-D-136; Lee Merryweather, Architectural Committee consultant; Chief Nelson, North Summit Fire District; Marty Hansen, Lot FM-D-166; Sam Vincent, Lot PI-19; Joe Dunbar, Lot PI-G-55; Lynne Kerr, Lot FM-C-41; Stephanie Warren, Lot FM-D-96-A; Karen O'Rourke, Lot PI-E-16; John Pettijohn, Lot PI-1; Kelly Hannah, Lot PI-F-25, Barry Eisen, Lot PI-E-1

Michelle Suitor called the meeting to order at 6:30 p.m.

Approval of Minutes

May 18, 2021

MOTION: Bruce Hutchinson moved to approve the Minutes of May 18, 2021, as written. Paul Suitor seconded the motion.

VOTE: The motion passed unanimously.

Ratify Email Vote

George Sears noted that the Board had approved the Minutes of April 20, 2021, via email and that vote needed to be ratified.

MOTION: George Sears moved to ratify the email vote to approve the Minutes of April 20, 2021. Paul Suitor seconded the motion.

VOTE: The motion passed unanimously.

Ranch Manager's Report

Jody reported that Porter quit his job on the Ranch and Jody was now working alone.

Jody was trying to get all the roads graded at least once before they get too dry to grade. Once the grading is finished, he will start laying road base. Jody also intends to start spraying weeds per Summit County Code.

Ms. Sutor asked if the last time they hired for Porter's position whether a job description was posted for that position. Jody replied that Carol posted it when Porter was hired, and she could do it again.

Ms. Sutor asked if the Board should review the job description before it is posted to include fire mitigation. Jody answered no. Ms. Sutor thought the Board still needed to review the job description to make sure it is grammatically correct and that the job duties are correct.

Mr. Sears recalled that either Michelle Sutor or Nick Jackson also posted the job description on Facebook when Porter was hired. He suggested that they look at the job description to make sure it is consistent. Ms. Sutor stated that she posted the RFP for the connector plowing. She thought Mr. Jackson had posted the job description for the Assistant Ranch Manager. She would ask Carol to send the job description she has for the Board to review.

Water Company Report

Paul Sutor had attended the Water Company Board Meeting.

Mr. Sutor noted that the *Mountain Regional* is unsure whether the current Pine Meadow Mutual Water Company water shares will transfer if there is an annexation, which could result in additional cost.

Mr. Sutor reported that the Water Company Board was open to the possibility of the HOA still being able to charge the SS lots to join the HOA when a lot is annexed in.

The Water Company is looking at selling their mini-x and they have a potential buyer.

Mr. Rosing asked for clarification on why the water shares would not transfer. Mr. Sutor understood that apparently the Ranch is not in Mountain Regional's area and there is some question as to whether the water shares will transfer.

Mr. Sears explained that it is not the water shares that the owners have in the Water Company. He believed they were talking about the water shares that the Water Company obtained from the State of Utah that gives them the ability to have water. He had also received the email and his impression was that the Pine Meadow shares are in one area and Mountain Regional is in a separate area. Mr. Sears assumed they would review the water shares to make sure one way or the other.

Open Board Positions

Ms. Sutor commented on a recommendation to make Nolan Mitchell an appointed member of the Board. Mr. Mitchell would not have voting rights, but he would be an appointed member as the Fire Safety Coordinator. Ms. Sutor noted that Alan Powell held an appointed position on the Board when he was the Fire Safety Coordinator.

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MOTION: Paul Sutor moved to nominate Nolan Mitchell the position of Fire Safety Coordinator. Nicole Irving seconded the motion.

VOTE: The motion passed unanimously.

Ms. Sutor commented on two other open positions on the Board. Three people applied for Vice-President and three people put their name in for the Area 2 Rep. She asked each of the individuals who submitted bios for each position to introduce themselves and state why they believe they are best suited for the job. The Board would then discuss the candidates in closed session and fill the two Board positions. The Board would notify everyone of their decision within 24 hours.

Bruce Hutchinson was interested in the position of Vice President. He thought it was important to have someone who is familiar with the Ranch and the Board, and he was willing to fill that position until the next election. Mr. Hutchinson noted that he was already taking over a lot of Nick Jackson's responsibilities, and in his opinion, stepping into that position made sense.

Mr. Sutor pointed out that if Mr. Hutchinson became Vice-President, the Board would need to fill his position as Area 5 Rep. Mr. Hutchinson believed several people in his area would be willing to step up.

John Adams had submitted his name for both Area 2 Rep and Vice-President. Mr. Adams stated that he has been on the Ranch since 2017. He has a love for the area, and he understands that everyone struggles with all the changes they face from time to time. Mr. Adams would do his best to find as much balance and compromise as possible in everything they are trying to do on the Ranch. He understands that everyone has individual rights, and they are protective of those rights. However, this is also a community, and it is important to find that balance especially as more people come to this community. Mr. Adams was willing to take the time necessary to fill the position of Area 2 Rep or as Vice-President until the next election.

Marty Hansen was interested in the Area 2 position. He has had a cabin on Porcupine Loop since 2001. He is a part-time resident however, in the summer, he spends a lot of time on the Ranch. Mr. Hansen has an accounting background, and he has been retired for 11 years. He believed he has the time to respond to people's needs as an Area Rep, and to also coordinate with other people in Pine Meadow Ranch. Mr. Hansen loves the Ranch and would be pleased to serve.

Ms. Sutor noted that Michael Carlin and Tom LeCheminant had also submitted their bios, but neither were on Zoom nor present at this time.

Fire Committee

Ian Nelson, the North Summit Fire District Chief, stated that he replaced Ken as the District Chief last July. Chief Nelson remarked that losing Alan Powell put a delay on the fire station and everything else related

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to fire on the Ranch. It is important to get back on track and he proposed forming a committee to oversee the development and construction of the fire station. Nolan Mitchell would be on that committee, as well as Chief Nelson. The rest of the committee would be comprised from other community members and/or Board members.

Chief Nelson commented on Wildland Mitigation. He understood that the Board had met with Bryce, who is the Summit County Fire Warden. Chief Nelson also offered to do whatever he could to help with the mitigation.

Chief Nelson asked if the Board had other needs that he was unaware of being new to this position.

Mr. Suitor stated that the biggest need right now is fuel reduction. Chief Nelson remarked that he and Nolan Mitchell discussed some of the issues. They need to set up an evacuation plan and other measures and make sure the community knows where they are and how to use them. Chief Nelson stated that he would also talk to Bryce about mitigation. He noted that rather than having individual counties pay for wildfire insurance, the State allows the counties to pay for it through in-kind services. Any mitigation an individual property owner does on their own property is recorded and can be counted towards the County's deductible. He would talk to Bryce about sending a crew to see what they can do.

Ms. Suitor stated that there is a form set up on the website for people to record their hours and submit them. Chief Nelson asked where those hours are sent. Ms. Suitor thought the hours were submitted to the Fire District. Chief Nelson replied that he has not seen any hours submitted from Pine Meadow Ranch. Ms. Suitor understood that Jann LeVitre had compiled most of the hours in an electronic form. She thought Ms. LeVitre had submitted the hours from last year to the Fire District but there was some confusion on what to do with them after Chief Nelson took over. Chief Nelson suggested that they resubmit the hours from last year.

Ms. Suitor noted that in past years they were able to use in-kind dollars for a chipper; however, she was told that it was no longer offered. Chief Nelson would look into it. He explained the process in Morgan County for chipping.

Nicole Irving thought the Board could set up a committee to head up the fire station. She asked if Chief Nelson had suggestions on how to move forward besides having a committee. Chief Nelson replied that they would look at financing and hiring an architect. He noted that there are a lot of options for building the fire station. He would put together a presentation of different ideas for fire stations. They also need to consider the CC&Rs Architectural requirements for building.

Ms. Suitor understood that Alan Powell had a set of floor plans for a fire station and that Ken now had them. Someone stated that Alan Powell had a set of plans from a station that was built in Eagle Mountain. Chief Nelson remarked that the Mountain Green Fire District has the perfect station for the Ranch. They could redesign the floor plan, but the footprint of the building would be perfect for this area.

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Ms. Suitor stated that she and Mr. Powell also talked about being able to use the fire station as a community building similar to the one in Wanship. Chief Nelson remarked that several fire stations have a training/community room and he thought it was an important element.

Someone asked if a pole barn with a loft would be appropriate for the fire station to keep the cost down. Ms. Suitor thought it was something to consider. here was a question about whether the Fire District had a budget from the County. Chief Nelson stated that as a Special Service District the fire district funds itself. He thought they would do some type of municipal lease and make a payment each year.

Chief Nelson and the Board discussed the necessities to include in the floor plan. If they need to add on in the future, they have the property to do so. At this point, it was most important to have an apparatus bay and the community room.

Andrew Pagel stated that for the Pine Meadow Ranch Fire Building they were looking at a ballpark figure of \$300,000. Running utilities and water should be simple and the cost minimal. It was noted that the Water Company was going to do the trenching and put water in at no cost, and Jody would dig a trench for the power. Mr. Pagel suggested that they have the Water Company put in the meter now to reduce the cost when they transition. He stated that \$8,000 is the actual cost to do the initial water main feed. He asked Paul to address that in the next Water Board meeting.

Mr. Pagel did not believe there would be any cost savings from Rocky Mountain Power. He estimated approximately \$3,000 to put in a secondary. He thought they could hold off on power for now and have the Water Company do the water meter connection. Mr. Pagel believed they could do a nice size pole barn within that cost range.

Ms. Irving commented on fuel mitigation and asked if the Fire Chief knew where the easements would be and if the HOA would have permission to clean up along the road passages. Chief Nelson replied that it is up to the HOA to determine what is allowed. It was noted that the HOA does not actually own the lower Tollgate Road, but they do have access. Ms. Irving offered to contact Summit County to see what would be allowed.

Ms. Suitor opened up the meeting to the public if anyone had questions for the Fire Chief. There were no other questions or comments.

Area Items or Issues

Area 1

Dwaine Anderson stated that the primary issues in Area 1 were the roads on Bull Moose and Forgotten Lane and he believed those had been addressed. People have asked whether Shady Lane would be graded.

Mr. Anderson stated that some people in his area had questions regarding fire pit eligibility and he needed help to answer those questions. Ms. Irving suggested that Mr. Anderson refer people to the Fire

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Committee for those questions. Ms. Suitor believed the requirements for a fire pit were also listed on the website. Mr. Anderson can reach out to Paul Suitor, Nicole Irving, Nolan Mitchell or Michelle Suitor they will direct him on where to find that information on the website.

Nolan Mitchell stated that the Fire Committee still needed to determine who would be the one approving the fire pits; however, Mr. Anderson could reach out to him for general information.

Area 2

Bennett Wetch reported that people in his Area have asked questions about fire pits. One unsanctioned fire pit needed to be addressed. Mr. Wetch stated that he has heard standard requests regarding roads. He sent those requests and the rationale for priority consideration to Jody. Mr. Wetch understood that with Porter gone Jody was stretched thinner on doing road work.

Ms. Suitor reported that the Roads Committee met and prioritized the roads that Jody would be working on for as long as possible. That list was posted on the home page of the website. She thought it might help the Area Reps answer questions from the homeowners in their area.

Mr. Suitor noted that the homeowners need to be patient considering that Jody is shorthanded and doing the work himself.

Area 3

Jill Wilson had nothing new to report for Area 3. However, there was continued concern for fire mitigation on the side of the main roads that everyone travels, including Tollgate Canyon.

Area 4

Nicole Irving had nothing to report for Area 4 other than the road work for Navaho Road. There were also concerns related to fuel mitigation.

Area 5

Bruce Hutchinson had nothing to report from Area 5.

Area 6

Paul Suitor reported that the only issue for Area 6 was from a person who started building without a permit and he has his own fire pit.

Mr. Hutchinson suggested that they talk about this issue during the compliance discussion.

Area 7

Scott Boyle was excused this evening and no report was given.

Committee Reports

Architectural Committee

PI-G-55 Dunbar

Mr. Hutchinson stated that the Board previously discussed plans for PI-G-55, but they had a slope issue with the shed. The lot is on Uintah View. The application is complete. All the documents were signed, and the fees were paid. The only issue was a single slope on the *shed*. The property owner was willing to change the slope from *3:12 to 4:12 pitch*.

MOTION: Mr. Hutchinson recommended ratifying PI-G-55 for 2765 square feet. Michelle Sutor seconded the motion.

VOTE: The motion passed unanimously.

Mr. Hutchinson stated that he spoke with the owner and the size of the structure will require a larger than normal staging area. Mr. Hutchinson thought they should consider adding this into the rules because it is becoming more and more of an issue due to the size of the structures being built.

Lee Merryweather stated that as part of the site plan they were required to have a concrete washout area, a staging area, a dumpster, parking, and other requirements before they could obtain a permit.

Lot PI-I-30, Schaeffer

Mr. Hutchinson reported on plans that he received last night. He thought the plans were straightforward. Mr. Pagel stated that as a committee member he was still doing additional review, but so far it looked good.

Lee Merryweather stated that he was the building supervisor for the property owner, and he had no idea that his client had submitted their plans to Bruce Hutchinson last night. He had already told them that it was too late and that the plans needed to be submitted two weeks prior to the meeting. Mr. Merryweather understood that there was an issue with the pitch of the roof, and he was prepared to address that issue.

Mr. Hutchinson remarked that he brought it up this evening because everything is near completion, the committee has seen it, and the only outstanding issue was a paint sample. They said they sent it in, but Carol had not received it so the Board could not act on it. Mr. Hutchinson remarked that if the owner needs to move faster than waiting until the next Board meeting, he believed the Board could approve the plans via email.

Roads and Parking Committee – Mr. *Boyle* was excused. No report was given.

Compliance Committee

PI-G-21 Castleberry

Mr. Hutchinson stated that Neal Castleberry, PI-G-21, put up a 96 square foot shed that he is living in. There was no application and no permit. There is no water and no septic system. There is a porta-potty.

Mr. Hutchinson stated that the owner basically has a temporary structure. He recommended that the owner has 180 days to be in a temporary structure unless the owner wants to submit plans according to the HOA building standards. Mr. Hutchinson noted that fire was another concern.

Mr. Hutchinson remarked that if the HOA allows this to occur without addressing the non-compliance, they will see these structures pop up everywhere without permits or applications and people will be living in them.

Mr. Suitor stated that this particular individual approached him months ago about putting up a 100-square-foot shed on his property while he built. He informed the owner that he did not need to obtain a permit from Summit County because it was only 100 square feet, but he did need to submit his plans to the HOA.

Mr. Pagel read from the standards for Construction on the Ranch that is on the website. "The Ranch Owners Association regulates all construction within its boundaries and any structure exceeding 120 gross square feet". He noted that the HOAs jurisdiction is under the temporary use definitions. The 96 square foot shed is considered a temporary structure. Mr. Pagel stated that the HOA could impose fines; however, he believed the best approach would be through Summit County because the County does not allow someone to live in that space as a residence. It does not meet the Summit County occupancy requirements.

Mr. Rosing stated that there were three issues. One is that it is an unapproved structure. Second, the owner is living in a temporary structure. There is a difference between living in a temporary structure versus having a home and putting up a temporary structure for temporary use. Third, there is also an unsightliness issue. With regard to unsightliness, Mr. Suitor had seen the site and he did not think it was unsightly. Mr. Hutchinson pointed out that the structure does not meet Code standards.

Mr. Rosing agreed that having Summit County deal with it was the best approach if the County will do it. In his experience with other Associations, Summit County has been hit and miss on these situations. Mr. Rosing liked the idea of sending a letter to the property owner giving him a deadline, and still try to get Summit County to address it. If the County acts on it, that would be great. However, if the County does not address it, the HOA has sent the owner a warning letter giving him notice and they can begin taking further action.

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Mr. Suitor stated that since the structure is under 120 square feet and does not require a Lot Improvement Plan, he wanted to know how the property owner can prove that he is not living in it, and how the HOA can approve of it to stay there. Ms. Irving thought the letter could say that they are aware of the temporary structure and that it needs to be off the Mountain by the end of October under the definition of a temporary structure. If the structure is not removed by the end of October, it will be considered a permanent structure subject to HOA approval. They could also report it to Summit County and let the County take care of him living in it.

Mr. Pagel asked Mr. Rosing to create the communication with Summit County. He also wanted Mr. Rosing to advise the Board on the fine schedule and initial response for action. Mr. Rosing stated that he would send an email to the Board with that information. Mr. Hutchinson would take care of communicating with Summit County.

PI-E-41

Mr. Hutchinson reported that this issue relates to a storage container that the owner brought in last Fall, and it has been on his site all winter in non-compliance. A letter is ready to go out but as of today. Mr. Hutchinson stated that the Catch-22 was that the owner was now proposing to cut that container in half. He learned yesterday that the owner intended to cut a metal box while the Ranch is basically in a fire risk. Ms. Suitor thought cutting it would be against the Summit County fire regulations. Mr. Hutchinson stated that the owner has the option to basically build a structure over the Conex container to meet the HOA standards. It would need to be an engineered hip roof, gable, and siding to meet the standards. The owner was working on doing that.

Mr. Hutchinson noted that there can be no cutting because of fire restrictions. The question is whether the owner should be required to move the container off the mountain or whether they should fine him if it stays.

Mr. Hutchinson noted that another problem is that the container is positioned over a septic tank. He thought they should tell the owner to either remove the container or be fined. If the owner wants to cut it off and then bring it back up, he has that option. Mr. Suitor remarked that the owner should have a permit and approval for a structure before he brings it back.

MOTION: Bruce Hutchinson made a motion for Carol to send out a fine letter to the property owner of Lot PI-E-41. Paul Suitor seconded the motion.

Michelle Suitor thought there should be a caveat that the Board review the letter and be cc'd on it before it is sent.

Mr. Hutchinson accepted that caveat to his motion.

VOTE: The motion passed unanimously.

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FM-D-101

The owner was requesting to use his lot for temporary parking because he cannot build on it this year. Mr. Hutchinson thought there would be a problem if they allow it for this property because the Board has cited several other properties for non-compliance over the years. The contractors bring in heavy equipment without paying an impact fee and move dirt around. The lots are sometimes sold as an improved lot, or the owner keeps it. Mr. Hutchinson objected to this in either case.

Ms. Sutor did not think it mattered because Summit County will not allow a property owner to move dirt without a permit. Mr. Hutchinson explained that the owner was proposing to use the HOA prescriptive easement and make it a little larger.

Mr. Hutchinson proposed that the Board seriously consider changing the rules to add that any development on the Ranch is subject to an impact fee. Mr. Sutor noted that the Board has talked about doing that in the next round of rule changes.

After further discussion, Mr. Hutchinson stated that he highly encouraged the property owner to hold off until he reached the point of submitting full plans. Mr. Pagel stated that regardless of the structure size, the Board cannot ethically approve any plans unless a certified survey is provided.

Ms. Sutor thought the Board needed to research the issue before making any decisions. Bruce offered to research it further and send the info to the Board.

Fire Safety

Nolan Mitchell reported that Fire Safety Day was held a few weekends ago. It was very successful, and they had good community attendance. Air-med, the County Fire Warden, and people from the State were there to answer questions and give instructions.

Mr. Mitchell announced an upcoming event to clean up lower Tollgate Canyon. Some people have already given them permission to clean up alongside the road. He still needed to contact a few more owners. The event is scheduled for Saturday, July 10th from 9:00 a.m. to 3:00 p.m. The goal is to have enough volunteers to complete the project on Saturday, so they do not need to come back the next day. He welcomed anyone with trucks and trailers to bring them up to help with hauling. They need people on Tollgate to fill the trucks and trailers and people at the winter lot to unload. The road will be shut down on that day for safety. Three people will be using chain saws. They also need volunteers to help direct traffic. Chris Bell will be the foreman. They will be putting out flyers around the Ranch and sending more information through email.

Mr. Mitchell named some of the committee's current projects, which include the Community Wildland Protection Plan, emergency exits, evacuation plans, burn pile mitigation management plan, signage, education and other information and priorities. Other projects are waiting in the wings.

Mr. Mitchell stated that 20 people have volunteered to be on the Task Force Groups. Anyone interested in volunteering should reach out to him. His goal is to have enough people to keep from over tasking anyone. There is plenty to do and the more people they have, the more they can get done.

Mr. Mitchell asked everyone to do their part. The property owner is the only one who is responsible to clean up their own property. An individual cleaning up their property might be the difference between a small fire and stopping a deadly fire for humans and wildlife. People should also let their Area Rep and the Executive Committee know where they stand on fire safety concerns.

Mr. Mitchell encouraged the property owners to record their in-kind hours on the webpage. He pointed out that if a property owner hires someone to clean up their property the owner can also claim those hours. They can also claim the hours for any cleanup equipment used. Anyone with questions should reach out to the Fire Safety Committee.

Monthly Budget Review

The Board reviewed the unpaid bills detail.

Mr. Hutchinson asked for clarification on the charge for \$4,000. Ms. Suitor stated that she spoke with Jody and the charge was the monthly rental for a roller from Howe Rental.

MOTION: Michelle Suitor moved to approve the unpaid bills as presented in the amount of \$59,549.01. Andrew Pagel seconded the motion.

VOTE: The motion passed unanimously.

Public and Open Forum

There were no comments.

The Board adjourned the regular meeting and moved into closed session.

The meeting of the Pine Meadow Owners Association Board adjourned at 8:00 p.m.
