

PINE MEADOW RANCH OWNERS ASSOCIATION
MONTHLY BOARD MEETING
RANCH MANAGER'S OFFICE
AUGUST 20, 2019

In Attendance: Pamela Middleton, President; Tom LeCheminant, Vice President; Jann LeVitre, Secretary; Jeremy Jespersen (Area 2); Nicole Irving (Area 4); George Sears (Area 7); Ted Bonnitt (Area 6) participated via teleconference. Stephanie Coleman (Area 1) arrived later in the meeting.

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

Excused: Joe Pagel (Area 3); Bruce Hutchinson (Area 5); Andrew Pagel, Treasurer

Guests: Noah Levine and David Levine, property owners on Deep Forest Road SS-143-5; Jessamyn Land, FM-D-95-A; Bill Benelli, Lot PI-E-85; Bill Groot, PI-E-70; Alfonzo and Alex Rodriguez, prospective owner of property on Elk Road

Pamela Middleton called the meeting to order at 6:35 p.m.

Approval of Minutes

July 16, 2019

Pamela Middleton referred to page 2, first paragraph "which require a notice of 50 days prior to the meeting for changing rules." She thought that it should be 15 days prior to the meeting. Mr. Rosing confirmed that it should be 15 days.

MOTION: Pamela Middleton moved to Approve the Minutes of July 16, 2019 as amended. George Sears seconded the motion.

VOTE: The motion passed. Jann Levitre, Nicole Irving, and Jeremy Jespersen abstained from the vote.

Noah Levine – PI-D-8

Noah Levine stated that he has lived in Park City for 25 years and his wife's family has lived in Park City and Salt Lake for over 100 years.

Mr. Levine stated that in 2004 they first saw their property, SS-143-5, loved it and ended up purchasing it. He explained that they acquired the property with the idea that it would be generational and owned by their family for a very long time. Mr. Levine remarked that it was a unique property and he explained the property in question in hopes of bringing context to the HOA. Mr. Levine indicated Pine Meadow and Forest Meadow as he pointed to a piece of open space that was the subject of this conversation. It was noted that his property is technically not part of Pine Meadow

Ranch, so it is not part of the HOA. Mr. Rosing thought it was questionable as to whether the property is part of Pine Meadow ranch.

Mr. Levine presented a survey from the time he purchased the property. He indicated two roads that go over his property. One is Forest Meadow Road and the other is an abandoned fire road. He pointed to lot PI-D-8 that is owned by the Pine Meadow Ranch. Mr. Levine had explored different ideas that he thought made sense. They ran water and power to the Deep Forest end of the property with the idea of building a cabin. However, the property is unique because the Deep Forest side is very different than the Forest Meadow side. Mr. Levine thought it made more sense for his lot to be divided into its own separate lot.

In 2017 they first presented their idea to the Board. Mr. Levine passed out copies of his proposed plan. He noted that Pine Meadow owns PI-D-8, which has a building right, and he pointed out all the reasons why it is not suitable for building. If he could purchase PI-D-8 and the building right from the HOA, it would put him in a position to donate PI-D-8 back to the HOA without a building right. The HOA would have PI-D-8 as well as the .75-acre orphaned lot by the roads. The HOA would end up with two acres of land with no building right, and the HOA would be able to control whatever occurs on that land in perpetuity. He suggested that it could be a community space for the Ranch. Mr. Levine stated that in exchange, he would have the ability to divide Deep Forest as one lot with the Forest Meadow parcel as a second lot.

Mr. Levine believed his proposal would benefit the HOA and his family as property owners.

Mr. Rosing wanted to know who owned Lot PI-D-7. Mr. LeCheminant replied that Paul Peters was the owner.

Ms. LeVitre asked Mr. Levine to summarize what he would gain from this proposal. Nicole Irving explained that Mr. Levine wanted the building right from the intersection in exchange for a sum of money and the addition of a donated section of his lot. He would then subdivide his property and the HOA would get the section in between. Mr. Levine stated that the entire piece, including the section that would be donated back to the HOA, is reference by Summit County as slightly over 20 acres. He has a survey that shows it as 20.3 acres.

Mr. Rosing asked if Summit County was comfortable subdividing the property into two buildable lots. Mr. Levine could not give a definitive answer, but he was under the impression from reliable sources that if it is mutually beneficial and everyone is in agreement, it could be done. Mr. LeCheminant noted that Mr. Levine would be required

to join the HOA to take the lot. Mr. Jespersen understood there was some question as to whether the 20 acres was part of the Ranch. Mr. Levine stated the HOA thought it was part of the Ranch; however, when he purchased the property it was communicated to him and documented that it did not belong to the HOA. Since 2004 he has made payments that he tagged as volunteer payments in case it ever came into question. Mr. Levine remarked that both parcels could join the HOA, and the HOA would collect dues from two additional lots.

Mr. LeCheminant stated that Mr. Levine could transfer the building right and subdivide the land, but he was unsure if he needed to take the PI-D-8 lot; or if he could keep the SS-143-5 and transfer the building right. Mr. Rosing stated that if the Board was interested in moving forward with Mr. Levine's proposal, he suggested visiting the Summit County Planning Department to find out what would be allowed. Mr. Rosing presented a map. He noted that the purple box contained the legal description that the original Pine Meadow Ranch CC&Rs were recorded in. He pointed out that other lands besides Mr. Levine's property was not shown on the plat. Mr. Rosing clarified that a recorded unconventional document encumbers PI-D-8 and PI-D-7 specifically. Mr. LeCheminant stated that the previous owners were a father and son, and they were known to have court documents on property they did not own. Mr. Rosing stated that the Board needed to make sure that whatever was done on PI-D-7 in the past would not prohibit the Association from accepting Mr. Levine's proposal. They also need to make sure that easement is not an issue and that Summit County is willing to accept it.

Mr. Rosing understood that PI-D-8 is owned by the HOA as a lot of record, as opposed to common area. The Board has the authority to sell the lot or to do something else as long as it is reasonable. Mr. Rosing remarked that gaining ownership of the land the road is on was a worthwhile goal. Mr. LeCheminant noted that the Fire Department had also designated the land as a helipad spot. Ms. Irving thought it would be worthwhile for the HOA to own the helipad.

Ms. Middleton thought this was a great partnership and plan because it benefits everyone, including the Ranch community.

Mr. Sears wanted to know where Mr. Levine had put in the water and power. Mr. Levine replied that it was on the Deep Forest side. It was done through the Water Company. Mr. LeCheminant remarked that every property owner must join the HOA in order to get water from the Water Company. Mr. Rosing assumed that was why Mr. Levine had been paying the assessment over the years. Mr. Sears stated that if the Levine's were not part of the HOA they would have paid an annexation fee to become part of the Water Company. He thought it was important to know because if the Water Company did not charge the annexation fee it would mean they considered Mr. Levine

to be part of the Ranch. Mr. Levine stated that he paid the annexation fee. Mr. Levine thought another question was whether there was a way to provide water to what would be the second lot. Ms. LeVitre stated that it was a question for the Water Company.

The majority of the Board favored the proposal presented by Mr. Levine. Mr. LeCheminant thought it was a logical plan. Ms. Middleton agreed. Mr. Rosing stated that the Board could vote to approve it subject to his review of the restriction to make sure the Association is not bound by the restriction; and subject to Summit County approving the transfer. If those two conditions were met, he would be comfortable moving forward. Mr. Rosing remarked that the Board could also vote to only proceed with reviewing the two items as outlined and approve the deal at a later meeting if there are no issues.

Ms. Middleton was more comfortable with the second option. The Board agreed. Mr. LeCheminant asked whether Mr. Levine would deed back the larger lot as common area or as a physical lot. Mr. Levine showed the entire area that would belong to the HOA; however, he deferred the common area designation back to the Board. Mr. LeCheminant noted that they would not pay taxes on common area. It was suggested that any land without a building right should be designated as common area.

Ms. Middleton was prepared to move forward if the Board was amenable to a land transfer with Mr. Levine pending the outcome of Mr. Rosing's review and the information from Summit County. Mr. Levine asked if it was possible to obtain a copy of the document for PI-D-8 that Mr. Rosing had referenced. Mr. Rosing offered to send him a copy. Mr. Rosing thought his review would take a few days. Mr. Levine thought it would be helpful to have Mr. Rosing's interpretation of that document before he goes to Summit County. Mr. Rosing offered to meet with Summit County if Mr. Levine preferred; or Mr. Levine could do it. He was comfortable either way.

Mr. LeCheminant had spoken with a surveyor on another matter and he was told that a survey from start to finish was approximately \$2,000 to \$3,000; including paperwork for Summit County. In addition, Summit County charges a fee for a parcel change that can be anywhere from \$500 to \$1,000. Mr. Levine asked if Mr. LeCheminant would go with him to meet with Summit County. Mr. LeCheminant answered yes.

Bill Benelli, Lot E-85, asked if anyone knew the opinion of the neighbors that surround this property. Mr. Levine stated that when he purchased the property his realtor articulated about a grand vision. Mr. Levine had spoken to Summit County and the County confirmed that it was a viable vision. The idea was to have a primary residence cabin on the Deep Forest property. The forest could be cleaned up and a trail system could be added down to the lower property and an auxiliary dwelling unit could be built.

Mr. Levine stated that he is a respectful neighbor and he would not do anything to disrupt neighborly relations. He remarked that either he or a future owner could do what they want with the lot, including building a very large structure. Mr. Levine stated that he is altruistic in nature and he intends to do no harm. They will work with the Board to do what is best for the Ranch. Ms. Irving did not believe subdividing into two lots would impact the neighbors.

MOTION: Pamela Middleton made a motion to authorize Robert Rosing to do the necessary legal research and to authorize Tom LeCheminant and Robert Rosing to meet with Summit County to determine the feasibility of pursuing the land transfer as proposed by Noah Levine. Nicole Irving seconded the motion.

VOTE: The motion passed unanimously.

Fund Reserve Analysis Study

Mr. Rosing asked if Pine Meadow currently had a Fund Reserve Study. Mr. LeCheminant answered yes. He thought the last study was done in 2005. Mr. Rosing suggested that it was time to do another study. He noted that technically a full reserve study should be done every six years with an update every three years. Ms. LeVitre asked about cost. Mr. Rosing was not sure, but it can be quite expensive. He pointed out that a fund reserve study for the Ranch would focus primarily on roads. Ms. LeVitre remarked that if they need a new study every six years and an update in the middle, the expense should be part of the ongoing budget. Mr. Rosing stated that because it is basically a road survey, he was unsure who should do the survey. Mr. LeCheminant thought the last study was done when Tony Tyler was HOA President. He offered to contact Mr. Tyler for the details.

Mr. Jespersen asked if the audit that was done several years ago would be released at that point. Mr. LeCheminant explained that an audit was done several years ago, but Tony Tyler did not sign it because of how it was written. Mr. LeCheminant thought the Board should discuss the audit. Ms. Middleton noted that the Board would go into closed session at the end of this meeting and they could discuss that matter.

Fire Station and Condemnation Process

Ms. Middleton understood that the paperwork was approved. Mr. Rosing stated that they were moving forward with the agreed upon friendly condemnation and the stipulated motion for judgement. It should be filed in the next day or two. Mr. Rosing remarked that the Court may just sign the order; or it might require a hearing, which would be minimal.

Ms. Middleton understood that construction could not begin because they were still in the legal process. Mr. Rosing replied that they were close to being able to begin construction.

Ratifying Minutes

Ms. Middleton asked when the Board votes on a matter via email, whether they need to formalize the vote on the record for the Minutes at the Board meeting; or whether they could send Carol the emails and she could add it to the record. Mr. Rosing stated that either way was acceptable. If the vote is called properly and it passes, that stands as the vote. Ms. Irving thought it was better to formalize the vote at a meeting and have it reflected in the Minutes so the Ranch owners who read the Minutes will know and issue was voted on. Ms. Middleton agreed that it was good for everyone to know what the Board has done, but the concern was more about whether a vote would hold up in Court if it was not ratified on the record. Mr. Rosing clarified that the emails should be collected by Carol and made part of the records of the Association. Ms. Middleton wanted to do whatever is best for the HOA. Mr. LeCheminant thought the Board should ratify to make sure it gets on the record.

Mr. Sears suggested that they could add it to the Minutes as an addendum. When the Minutes are published on the website everyone will see the addendum. Mr. Rosing thought they only needed to include the call of the vote itself. Mr. Sears agreed. He did not believe it was necessary to go through the entire process again because it was already done. Mr. Rosing favored the idea of an addendum to the Minutes. He explained that Carol only needed to put an addendum on the Minutes indicating that an email vote was called and the outcome of the vote.

Fire Fine Documents

Ms. Middleton asked if Mr. Rosing had the opportunity to compare the three documents as discussed at the last meeting. Mr. Rosing had not done the review. Ms. Middleton would ask Carol to include this item on the next agenda.

Ms. Middleton assumed from the discussion that it would require a change to the Rules, which will require the 15-day noticing process prior to the Annual Meeting. She would like the notice to be included in the same mailing for the Annual Meeting to avoid additional costs.

CC&Rs Update

Mr. Bonnitt reported that last week Karen Post joined the committee and she was an excellent addition. He and Roy Parker had a four-hour meeting with Mr. Rosing at his office. They reviewed all the collective notes and the hundreds of comments received, as well as feedback from the owners. They carefully conveyed that information through documents and discussions and now have a road map to begin work on the second draft.

Mr. Bonnitt stated that this was such a critical path in the process that they were taking the necessary time to discuss every point of the second draft as an effort to minimize the amount of time for redo's and edits after the second draft is completed. In four hours, they got through ten Articles and the Recitals. They also jumped to Article 18. They still need to complete Article 11 to the end, which they intend to do on Friday. At that point Mr. Rosing should have everything he needs to proceed to the second draft. Mr. Rosing understood the expedited timeframe for the draft to go back to the committee for review and tweaks and to be distributed to the owners by the end of September. The owners will have two weeks to review the document before a round of meetings in mid-October like they did in May. The second draft will be more focused and in a votable format. Mr. Bonnitt stated that an information effort will be launched with the draft to help the membership navigate through it. They will have the benefit of a newsletter and a short series of explanatory videos.

Mr. Bonnitt stated that the meetings in mid-October will be an opportunity for the membership to provide feedback on the draft. The committee will tweak the draft in enough time to get the final voting draft to the membership approximately two weeks before the Annual Meeting when the vote will be held. Ms. Middleton assumed the videos would be posted on YouTube with a link on the website. Mr. Bonnitt thought they should also put it on the HOA Facebook page and on the website. The videos will be a series of explanations. They were also creating a vision statement to go with the second draft as an overview for the members to understand the spirit of the document.

New Construction and Additions

Lot FM-D-181 – Stephen Poll

Mr. LeCheminant reported that the Board had approved the plans for Lot FM-D-181 pending receipt of the lot survey. The owner, Stephen Poll, had submitted the lot survey and he could start building.

Lot PI-I-20

Mr. LeCheminant reported that the owner of Lot PI-I-20 had submitted plans for a 10' x 12' Tuff-Shed at 120 square feet. The shed is brown siding with a green metal roof. Because the shed is 120 feet the owner will be required to pay the impact fee.

There is no water or electricity. The owner had planned to sell the lot and instead decided to move forward with building on the lot.

MOTION: Tom LeCheminant moved to Approve the 10' x 12' Tuff-Shed for Lot PI-I-20, at 120 square feet with brown siding and a green metal roof. There is no water or electricity. Pamela Middleton seconded the motion.

VOTE: The motion passed unanimously.

Lot PI-D-53

Mr. LeCheminant reviewed plans for a 10'x 11' shed for Lot D-53. The shed is under 120 square feet; however, the owners are still required to fill out the Lot Improvement Plan, so the Board knows a shed is being built.

Mr. LeCheminant remarked that this owner has two lots and the shed will be on the Lot off Elk Road. The shed will have a metal dark brown roof and sage green wood siding.

Mr. Sears clarified that the shed would be on Lot PI-D-53 rather than on the upper lot PI-I-6. Mr. LeCheminant answered yes. They own both lots and during the winter they snowmobile back and forth. They want the shed to store their vehicles when they are not on the Ranch.

A vote was not required because the shed structure is under 120 square feet.

Lot PI-C-26 – Running Deer Circle

Mr. LeCheminant reported that the owner of Lot PI-C-26, Chris Hahn, wanted to build a 2200 square foot log cabin. The metal roof and natural *log* siding would be brown tones. There was stone around the garage door. No other metals. The owner had submitted the plans and a lot survey.

MOTION: Tom LeCheminant moved to Approve the 2200 square foot cabin on Lot PI-C-26, Running Deer for Chris Hahn. George Sears seconded the motion.

VOTE: The motion passed unanimously.

PI-B-19 – The Pole Barn

Mr. LeCheminant reported that he had not heard back from the owner and he had not received the documents that were missing for the submission.

PI-E-30

Ms. Middleton recalled that the Board voted at the last meeting to authorize Mr. Rosing to send a letter to the property owner at PI-E-30, regarding the teal jewel house color. Mr. Rosing would send the owner a letter.

Mr. Bonnitt stated that he had asked Carol for an update. He stated that Carol had heard from the owners who said it would cost \$100,000 to re-side the structure in a different color, and they had contacted their attorney. Mr. Sears suggested that Carol send the Board collective responses, so everyone has the benefit of being updated.

The Board discussed why the structure needed to be re-sided and not just repainted. Mr. LeCheminant asked if they should ask the owner to bring in a sample of the material. Mr. Rosing pointed out that the color was the issue. The owner was approved for earthtone colors; not a blue jewel tone.

Mr. Rosing stated that if someone could send him the emailed response from the owner he would move forward with a letter.

Mr. Bonnitt mentioned that he was up there one evening and noticed decorative floodlights across the entire top of the structure. There were five or six large clustered lights that do not serve a utilitarian purpose. He wanted the Board to be aware in case they start getting calls because it is very bright and violates the Summit County dark sky ordinance.

Ms. LeVitre did not believe the color of the house was worth spending additional money on legal fees. When the Board voted to send a letter, it was an effort to hear from the property owner. If it escalates into a legal battle it is not worth it.

Mr. Bonnitt read the email he received from Carol dated August 14, 2019. At that time Carol had not received a written response. The owner called Carol on July 3rd and said it would cost \$100,000 to re-side the home and she would contact her attorney. Carol also noted that Mr. Rosing had said it would be better for communications to occur between the attorneys if they move forward with assessing a fine.

Mr. Bonnitt summarized that the owners received the July 1st letter that was delivered on July 3rd. They immediately called Carol with an explanation of how much it would cost to change the color.

Mr. Rosing suggested that he could contact the owner's attorney to ask why the home could not be painted. Ms. LeVitre was concerned that if the Board continued to escalate the situation, they would end up in a costly attorney war. Ms. Middleton agreed. She did not want to go to court on this matter. However, she was not opposed to asking the owner to follow the document they agreed to.

Mr. Bonnitt stated that since Carol already has a good rapport with the property owner, they should ask Carol to contact the owner and tell her that the Board discussed it and they want to know if the house could be painted rather than re-sided. He thought they could take that approach without using attorneys at this point.

Mr. Sears questioned whether the owner understood that the color was not an earthtone. Ms. Middleton replied that it was in the letter that was sent on July 1st.

Ms. Middleton stated that she would ask Carol to call the property owner to ask about painting.

DMS-4 – Deer Meadows

Mr. LeCheminant stated that this was a shed that has not moved forward. The property owner said they were not building in 2019. He understood that her son was building the shed and he had moved back to Florida.

Lot PI-E-19

Mr. LeCheminant reported that this project was on hold. The owner was supposed to send Mr. LeCheminant his lot survey before he left town, but Mr. LeCheminant never got it and the owner was gone. Mr. LeCheminant noted that the lot is next to Bobcat Springs and the owner would like to remove an existing shed and build a garage in the same location.

Abandoned Buildings and Trailers

Lot PI-E-12

Mr. LeCheminant reported that the trailer crushed by the snow is in Area 6. The owner

moved the trailer to the gravel pit; however, when the owners were asked to remove all vehicles and trailers from the upper gravel pit, the crushed trailer was taken back to the lot. Mr. LeCheminant noticed that the lot was now for sale.

Ms. LeVitre pointed out that the owners were sent a warning letter and they were continuing to violate. Ms. Middleton thought the Board should implement the fine. Mr. LeCheminant remarked that it was still summer, and trailers are allowed. Ms. Irving stated that an abandoned crushed trailer is different than having a trailer on the Ranch for the summer. It was now a nuisance.

Mr. Rosing questioned whether it could still be considered a trailer if it is crushed and unusable. Ms. Irving agreed. It is garbage that the owner keeps moving across the Mountain. He was sent a letter and he has not complied.

Mr. LeCheminant thought they should send the owner another letter indicating that he needs to meet with someone on the HOA Board to prove that the trailer is usable. They should give him the name and number of his Area Rep. If the Area Rep is not available, he could contact Mr. LeCheminant. If the trailer is unusable it needs to be removed. If it is usable, and that is verified by a Board member, the trailer needs to be moved off the Mountain by October 30th.

MOTION: Tom LeCheminant moved to authorize Carol to send a letter to the owner of PI-E-12 asking if the crushed trailer is usable, and if so, to verify it with an HOA Board Member. If the trailer is unusable it needs to be removed within 15 days. Ted Bonnitt seconded the motion.

VOTE: The motion passed unanimously.

Lot PI-F-67

Mr. LeCheminant showed a picture of the deck on Lot PI-F-67. He asked if the Board wanted to have Carol send a letter stating that it was an eyesore and needed to be cleaned up. He understood that the Area Reps or another Board member had the authority to ask Carol to send letters to owners to clean up eyesores. Mr. Rosing stated that the Board could authorized Area Reps to ask Carol to send letters on nuisance violations without taking it to the Board; however, initial authorization would need to be given through a motion and vote.

MOTION: Pamela Middleton made a motion to have Carol send a letter to PI-F-67 requesting that they clean up their property to make it safe and eliminate the eyesore. Tom LeCheminant seconded the motion.

VOTE: The motion passed unanimously.

Lot PI-63 – Modoc Loop

Mr. LeCheminant reported that Carol had sent the owners a letter regarding the deck and the rundown building. The deck was removed. It was evident that no one has been in the building for years. The shingles are off and the broken windows are boarded up. Mr. LeCheminant asked if the Board wanted to continue requesting that the owner fix up the building or tear it down.

Ms. Irving thought a boarded-up building qualified as abandoned.

MOTION: Tom LeCheminant moved to authorize Carol to send a letter to Lot PI-63 regarding the deteriorated and run-down building with lost shingles and boarded up windows. The deck listed in the first letter was removed. The building in the second letter needs to be brought up to standard condition or removed. Pamela Middleton seconded the motion.

VOTE: The motion passed unanimously.

PI-G-35 Trailer left on Lot

Mr. Bonnitt reported that he was contacted by Paul and Michelle Suitor about their next-door neighbor's trailer and the trees surrounding their home that they consider a risk. Mr. Bonnitt went to the lot, but it was difficult to get a look at the trailer because of where it sits on the lot. He did not go on the neighbor's property. He asked Paul and Michelle to get pictures of the trailer if they could.

Regarding the trees, Mr. Bonnitt observed a tall tree that is dead, but he was unable to determine if it was on Water Company property or HOA property. Paul and Michelle offered to remove the tree because it is a safety hazard, but Mr. Bonnitt thought they should first determine who owns the property and ask that Water Company to remove the tree for liability reasons. The tree is on Lot PI-G-33-X, which is where the water tank sits. Mr. LeCheminant remarked that if the tree is on Lot PI-G-33-X the Water Company owns the lot.

Mr. Bonnitt asked Paul and Michelle to talk to the Water Company about the tree to figure out whether they would give permission for them to cut it or if the Water Company wants to cut it. If the Water Company owns the property, the HOA could not address the issue.

Mr. Bonnitt was unsure how to proceed on the trailer. He asked Mr. Suitor to explain his concerns. Paul Suitor stated that he was in the trailer about five years ago and there were mouse droppings everywhere. It is underneath a structure because they built a structure over it. The trailer has been unused for nearly a decade. He noted that the owner also has a cabin on the lot. They no longer use the trailer because of the mice. Ms. LeVitre stated that if the trailer is left on the Mountain year-round for years it violates the Rules for temporary trailers. Mr. Suitor remarked that during the summer the trailer is less visible, but in the winter, he can see it from his house and from the road.

MOTION: Pamela Middleton moved to ask Carol to send a letter to the property owner on Lot PI-G-35 requesting that they remove the abandoned trailer for health and safety and nuisance purposes. Ted Bonnitt seconded the motion.

VOTE: The motion passed unanimously.

Mr. LeCheminant stated that he would meet with Paul Suitor during the week to determine exactly which Lot the trailer is on and to take a picture from the road.

Manager's Report

Jody stated that he was looking at the budget he has left for gravel. There was enough money for 40 loads and he still had a few roads to fix. Jody stated that he postponed doing road work on Navajo because other roads were in worse condition and needed work. Ms. LeVitre asked if the other roads were ones the Board had highlighted or roads they had not thought about. Jody replied that a lot of roads needed to be repaired after the harsh winter.

Jody reported that the equipment was in good condition. The dump truck needed front tires and an alignment before winter. He anticipated doing engine work on the dump truck and adding a glow plug so it will start in the winter. Ms. Middleton noted that the Minutes from the last meeting indicated that the dump truck needed an oil plug but that was incorrect. The Minutes should be corrected to say glow plug.

Jody stated that he and Randy have been installing signs and spraying weeds. Jody intends to keep working on the roads while the weather is good. He also plans to fix a water line under the office so they can use the bathroom.

Mr. LeCheminant stated that the street signs are on order and should arrive in the next few days. The speed limit signs were already in place.

RFP for Snow Removal

Ms. Middleton stated that the Board voted on the RFP at the last meeting, but she had not yet sent it out. Mr. Irving noted that she had volunteered to post it on KSL, but she was waiting for Ms. Middleton to send her the RFP. Ms. Middleton intended to make the one correction over the weekend then she would send it to Ms. Irving. Ms. Middleton asked Ms. LeVitre for help in posting the RFP on the Facebook page and then cross-posting it to the Ask Park City site.

Monthly Budget Review

The Board reviewed the unpaid bills detail.

MOTION: Ms. Middleton moved to Approve payment of the Unpaid Bills as presented in the amount of \$39,390.00. Stephanie Coleman seconded the motion.

VOTE: The motion passed unanimously.

\$5,000 Donation

Ms. Irving had looked at prices online and everything was considerably more than the \$5,000 limit. If they want a gazebo, it would require a community effort to build it. Ms. Middleton thought people would be willing to volunteer.

Ms. Irving noted that the cost to purchase picnic tables was approximately \$700 apiece. The cost to build a bring-your-own propane fire pit was approximately \$300. They would need to purchase the stone separately. Mr. LeCheminant thought Leo Moshier could build the picnic tables at a lesser cost. Mr. Irving stated that she had priced out the metal tables because they would last longer and not need to be maintained every year.

Open Forum

Mr. Benelli, Lot PI-E-85, stated that last week he spoke with Ted Bonnitt, the Area 6 rep about an abandoned trailer. Mr. Bonnitt asked him to provide a photo for the Board. He provided the photo; however, it was not included in the Board's discussion.

Mr. Bonnitt explained that he received Mr. Benelli's email, but he was unable to download the photo. Mr. Benelli handed the photo to the Board. The trailer has been on the lot for three years. It is on the corner of Uintah View and Pine Loop. He was

unsure of the exact lot number. Mr. Sears thought it could be Lot PI-E-59 on Uintah View. Mr. LeCheminant stated that he had been talking to Carol about this same trailer, but Carol thought it was Lot PI-E-12. He believed it was the same trailer the Board discussed earlier that had been moved to the gravel pit and back to the lot. Mr. Benelli stated that the trailer in the photo has never been moved. Mr. LeCheminant remarked that if the trailer was on a deck, it was the same trailer that was removed and then moved back to the lot. Mr. Benelli emphasized that he has never seen the trailer moved. It was noted that Lot PI-E-12 is on Willow Circle. Mr. LeCheminant thought there had been some confusion. Willow Circle did not have a crushed trailer. Willow Circle was the deck and they have had no response from the owner.

Mr. LeCheminant would ask Carol to send a letter regarding the trailer on Lot PI-E-59. He and Mr. Benelli would verify the lot number before talking to Carol.

MOTION: Pamela Middleton moved to have Carol to send a letter to Lot PI-E-59, pending confirmation of the correct lot number, regarding the abandoned trailer on the lot. Ted Bonnitt seconded the motion.

VOTE: The motion passed unanimously.

Alfonzo Rodriguez stated that he and his wife were trying to purchase a lot on Elk Road. The lot is very long and narrow. They went to Summit County and the County said they could build 55' from the lot line. The road also encroaches into the lot. Mr. Alfonzo pointed out that he would only have 45' at the back of the lot to build. It was noted that the measurement is 55' from the midline of the road.

Mr. LeCheminant had looked at this lot and the lot next door. The property line is the other side of the road. It is not in the center of the road. Summit County could do a grandfathered clause and give them a certain distance off the road.

Mr. Rodriguez indicated the only area he would be able to build on the lot. He asked if they ever grant a variance if he were to ask for 5' further up. Mr. LeCheminant stated that it was whatever Summit County would allow. In some circumstances Summit County has allowed property owners to put the house closer to the road. Mr. Rodriguez assumed he would need to make a case for a variance with Summit County. He was asking the question because he did not want to waste his money if the Board told him variances are never allowed.

Mr. Rodriguez asked if there was a rule or regulation within the HOA that would preclude him from building 55' down from the other side. Mr. LeCheminant stated that if Summit County approves his setbacks, it would not be precluded by the HOA. Ms.

Middleton emphasized that the HOA would not be opposed as long as Mr. Rodriguez would not be parking in the road.

PI-18

Betsy Bothe asked if the Board was going to discuss the land swap with Bob. Ms. Middleton informed her that the Board would have that discussion in closed session. Betsy noted that the Board previously discussed doing a land swap with Bob and selling the piece in front of her house at fair market value. She stated that fair market value is good if it is a buildable lot; however, the land is not buildable because there is an easement through there for a road and utilities. Ms. Middleton did not believe the HOA had any intention of selling that lot. Betsy stated that she owns Lot PI-17. If there is a possibility of turning the other piece into open space, they would be willing to purchase it for that purpose.

Mr. Rosing explained that PI-18 had built on the HOA lot. The Board was trying to work out a deal and if the deal goes through, Mr. Kendall would purchase that portion of the lot and combine it with his lot; and that piece would remain unbuildable. Ms. Middleton clarified that Lot PI-18 belongs to Mr. Kendall and his intention is to keep it.

Betsy asked if the Board was considering a land swap with Mr. Kendall. He explained that Mr. Kendall owns Lot PI-18 but he built his house on the lot next door, which is HOA property, SS-BDY-15-1. Mr. Rosing pointed out that the deal had not yet gone through and he was hesitant to discuss it in open forum until the Board had the opportunity to discuss it in Executive Session.

Betsy stated that her concern was that Lot PI-18 would be sold as a buildable lot. Ms. Middleton emphasized that Lot PI-18 would not be sold.

Betsy thanked the Board for all their hard work. It was not unnoticed, and she appreciates everything they have done and how they work together.

Forgotten Lane

Jessamyn Land, FM-D-95-A, asked about the possibility of adding Forgotten Lane to the plow route. Ms. Middleton noted that the HOA only plows the main arteries. She suggested contacting someone who plows in the area to see if they could add Forgotten Lane.

PI-1 Bowers/Smith

Mr. LeCheminant commented on a previous discussion on the garage across from Bobcat at 2480 High Dry Circle. The Board agreed to allow the garage to be changed to a living structure. He thought the Board needed to vote on making that change. Ms. LeVitre questioned why they would need to vote since the structure is already there. Ms. Middleton did not think a vote was required unless the owner was planning to add water and electricity. Mr. LeCheminant stated that there was already water to the structure. They were digging a septic tank. Mr. Sears noted that the septic tank required Summit County approval. Mr. LeCheminant stated that the owner obtained Summit County approval. The room was full and the owner was standing outside with his check and the Lot Improvement Agreement.

The owner, Tracy Smith, came in and presented his plans showing the square footage as slightly under 1300 square feet.

Ted Bonnitt disconnected from the meeting.

MOTION: Tom LeCheminant moved to Approve the existing garage as a living structure on Lot PI-1, 2480 High Dry Circle; per the previous Board discussion allowing the Tracy Smith to make the change from a garage to a living structure. Georg Sears seconded the motion.

VOTE: The motion passed unanimously.

The Board adjourned the Regular Meeting and moved into Executive Session.

The regular meeting of the Pine Meadow Owners Association Board adjourned at 8:36 p.m.
