

Approved  
October 19, 2021  
as corrected

PINE MEADOW RANCH OWNERS' ASSOCIATION  
MONTHLY BOARD MEETING  
IN PERSON & VIA ZOOM VIDEO CONFERENCE  
SEPTEMBER 21, 2021

In Attendance: George Sears, President; John Adams, Vice-President; Michelle Suitor, Secretary; Andrew Pagel, Treasurer; Dwaine Anderson (Area 1); Marty Hansen (Area 2); Nicole Irving (Area 4); Bruce Hutchinson (Area 5); Paul Suitor (Area 6); Scott Boyle (Area 7)

Ex Officio: Jody Robinson, Fire Safety Coordinator, Nolan Mitchell; Robert Rosing, Legal Counsel

Guests: Bill Broyles, PI-I-33-34-AM; Brad Gannon PI-B-26; Zach and Courtney Kenney, PI-37; Sam & Heidi Vincent, PI-19

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

### **Approval of Minutes**

August 17, 2021

Paul Suitor referred to the bottom of page 4 and changed be added to the loan amount to correctly read, **be added with the loan amount.**

MOTION: Paul Suitor moved to approve the Minutes of August 17, 2021, as corrected. John Adams seconded the motion.

VOTE: The motion passed. Michelle Suitor abstained from the vote.

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

Jody reported that all the equipment was running well. The roller will be returned on Friday.

Jody stated that the majority of the roads that were washed out were cleaned up. They were now focusing on cleaning culverts. Some are completely plugged, and they were trying to flush them out as best as possible.

Jody reported that they were also doing sign repairs.

Jody stated that even with the extra gravel they were not able to complete the entire roads list for this year because they ran out of money. However, the majority of the roads were done. Mr. Sears asked which roads on the list were not done. Jody replied that the far end of Willow Circle and the steep hill on Forest Circle were not done.

Paul Suitor commented on a culvert that goes across Uintah View Drive at the corner by Lot PI-F-45 and Lot PI-F-46 that had completely collapsed. He asked if that culvert should be fixed before winter. Jody clarified that Mr. Suitor was talking about the culvert on the corner at the lookout on Uintah View. Mr. Suitor did not believe it was on the corner. It was right where Lots PI-F-45 and PI-F-46 meet. Jody did not have a map in front of him to identify the location. Mr. Suitor believed the culvert had collapsed because there was not

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 2

enough road base. He thought the culvert could hopefully make it through the winter but suggested that Jody look at it to make sure. Jody offered to check it out.

Michelle Suitor had read in the Minutes that Scott Boyle had met with Jody to update the spreadsheet on which roads were done on a the three-to-four-year cycle. She asked Scott Boyle to send the spreadsheet to the Board so they would all know the status of each road. Mr. Sears thought it was important for the spreadsheet to be updated because people were already asking about roadwork for next year.

Jody asked the Board about putting Porter back on salary. Mr. Sears noted that Jody has been working with Porter all summer, and Porter stepped up and really performed at a level that they originally expected. Mr. Sears stated there was a period of time where the Board needed to decide whether Porter was the individual they wanted. He suggested that the Board make that decision, especially as it gets closer to winter, because the hours they manage Porter against in the winter is an unknown based on snowstorms.

Mr. Suitor was comfortable with Porter if Jody was comfortable with him. The Board members agreed. Mr. Sears did not believe it required a formal approval.

Mr. Sears suggested that the Board discuss the financials in case anyone had questions for Jody.

### **Monthly Budget Review**

The Board reviewed the unpaid bills.

Mr. Sears asked about the invoice from White Auto Parts in the amount of \$331. Jody replied that it was a new fuel pump for the Ford F-350.

John Adams assumed the invoice from Summit Ops was for the aggregate they get throughout the year. He asked if the entire \$14,160 was for the loads of aggregate. Jody answered yes. Mr. Adams noted that the amount translates into approximately 40 truckloads. Jody thought 40 truckloads was accurate. Mr. Sears pointed out that 40 truckloads is a lot of rock, but it is still not enough to accomplish everything because they are challenged every year with so many requests. For that reason, they have a prioritization process.

Ms. Suitor asked for the approximate cost of a truckload of aggregate. Jody replied that the cost is approximately \$300 for 14 tons. Mr. Sears pointed out that another factor in cost is the price of fuel.

Ms. Suitor asked if they could ask Carol to send the unpaid bills in the same email with the meeting reminder and the P&L. Mr. Sears noted that Carol posts the unpaid bills detail to Dropbox. Andrew Pagel stated that Carol usually just emails the high-level financials which is the Balance Sheet and the Profit and Loss. Ms. Suitor thought it would be helpful to have the unpaid bills in the same email.

Nicole Irving asked Jody if he got the bench from Amy and Jason before they left. Jody answered yes. It is in

his office, but he has not had a chance to work on it. Ms. Irving stated that once Jody gets the bench in position, she would be happy to help seal it. Jody will let her know when he gets to that point.

### **Water Company Report**

Paul Suitor had attended the Water Company Board Meeting.

Mr. Suitor reported that 30 endpoints for the new meters are still on order, and it is uncertain when they will arrive. It is likely that the 30 meters waiting for endpoints will not be installed before winter.

Mr. Suitor stated that the water line goes up the driveway on the Zimmerman lot and it froze last winter. The water line feeds three lots. He explained that the plan was to re-level the driveway, insulate the line with foam, which has been done many times on the Ranch, and build up more road base on top to prevent the line from freezing this year. However, Mr. Zimmerman does not like that plan and is reluctant to approve it. The Water Company has no authority to go onto Zimmerman's property because they do not have an easement for the water line.

Mr. Suitor reported that after the last Water Board meeting Mr. Zimmerman reached out to the Water Company. The Water Board gave Mr. Zimmerman a deadline of October 1<sup>st</sup> to give approval; otherwise, nothing will be done before winter. Mr. Suitor stated that the line has not frozen in the past because the driveway was never plowed until last winter. The snow acts as an insulator.

Mr. Suitor noted that Mr. Zimmerman would prefer to have the line dug up and rerouted, but that approach is too costly.

Mr. Suitor reported that the Assessment for Mountain Regional has been signed and will move forward. Mr. Sears asked if a date has been set for Mountain Regional to begin their review of the water system. Mr. Suitor replied that Mountain Regional only said they would get to it right away. He was unsure when that would occur.

Mr. Suitor stated that Eric Cylvick accused him of saying that the Water Board has taken bribes, which *Paul* emphatically denies. He was ambushed at the meeting, and he was not prepared for Mr. Cylvick's statement. Mr. Suitor stated that he did the best he could to explain what actually happened. He believes he knows how it transpired.

Mr. Suitor explained that while Dwaine Anderson was trying to get information from the Water Company a few months ago, Mr. Cylvick was not providing the information in a timely fashion. It was clear that the information was not going to be provided before the scheduled vote at the next Water Board meeting on the Assessment agreement, which would commit Pine Meadow to spending \$350,000. Mr. Suitor stated that he asked why Mr. Cylvick was unwilling to share the requested information, because in the June meeting he said any shareholder could have the information. However, he was not providing it now. Mr. Suitor quoted what he believed was his conversation with a neighbor that Mr. Cylvick used to make the

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 4

accusation. Mr. Suitor had said, "Is it possible there is some sort of a backroom deal that we don't know about, we're not aware of, and I have no idea because I'm not privy to that, but I can't understand why he's not willing to share this information". Mr. Suitor believed it was derived from that comment.

Mr. Suitor remarked that he had mentioned it to several of the Board members, including George Sears, and the one neighbor. He had no idea whether his comment was misconstrued or simply altered, but he wanted everyone to know what had transpired. Mr. Suitor stated that in his statement to the Water Board he tried to explain that his motivation was only to push the Water Company to be transparent. It came from his experience with their own HOA in dealing with trying to change the CC&Rs. When that failed, everyone was up in arms about the HOA Board spending \$20,000. He said that during the Water Board meeting and Eric interrupted him and said, "no, it was \$120,000". Mr. Suitor stated that at that point he was done arguing and "didn't want to push it" so he let it go. Mr. Suitor clarified that after his experience with the \$20,000 uproar, they were signing a document committing to \$350,000 and he could not even imagine the uproar from that if something were to go wrong. Mr. Suitor stated that his motivation was to try and get the information to Dwaine Anderson, which he eventually got.

Mr. Suitor stated that he sent out an email to the Water Company Board Members apologizing for what had transpired. He also thinks that having him serve on the Water Board is not beneficial to anyone. Mr. Suitor thought the Board needed to appoint someone else to sit on the Water Board to represent the HOA.

Mr. Suitor stated that he had sent in his bio for the Water Company election, and Carol confirmed that she received it. He was unsure what would transpire with that. Mr. Suitor remarked that "he was sorry that all of this happened, but that is where its at".

Andrew Pagel appreciated the time that Paul Suitor put in to attend the Water Board meetings when others were not able to, especially during Covid. Mr. Suitor has been very helpful thus far in translating all the information. He thought it could be a difficult relationship. Comments were made on both sides, and he thought Mr. Suitor was being very mature and doing the right thing. He liked the idea of Mr. Suitor running in an elected position. Mr. Pagel thought the Board should agree that its members should be civil, but they should represent the vote of the people who elected them.

John Adams thought they should all continue to find ways to be as transparent as possible and to encourage those on both boards to find those means that help everyone within the community feel like they have the information they want to have and the information they deserve to have. Mr. Adams understood how some of this could transpire. He noted that Mr. Suitor has said to him, "I'm not very good at politics", and maybe that is simply all it is. He suggested that maybe Mr. Suitor got into something that required a little more finesse. Mr. Adams believed Mr. Suitor's intentions have always been good and he appreciates everything Mr. Suitor has done for both boards.

Mr. Sears stated that even before Mr. Suitor was the appointed person to the Water Board, he was always there for the owners. He is an owner who represents himself and others. Mr. Sears emphasized that they need to encourage more owners to be engaged because it is not easy for where they are at and where they

need to be. Unless the owner is informed it will be a surprise and they do not deserve to be surprised because this is too big of a deal. Mr. Sears thought Mr. Sutor had done a good job of trying to make sure everyone is informed. He thanked Paul for his efforts. Mr. Sears did not believe they were ready to make a choice or a decision based on Paul's position this evening, but he believed it should be done before the next Water Board meeting.

Ms. Sutor pointed out that the next Water Board meeting is the Annual meeting. She thought it was important to encourage the members to attend since people are not allowed to vote at a Water Company meeting unless they attend the meeting in person. The Water Company does not support Zoom or any type of digital participation. Mr. Pagel noted that people can vote by proxy if they give someone signed authority.

Mr. Pagel emphasized that the Area Reps should do whatever they can to encourage the owners in their area to attend the Annual Water Company meeting next month in person to cast their vote.

Michelle Sutor noted that the Annual Water Company meeting was scheduled for Thursday, October 14<sup>th</sup>.

#### **Monthly Budget Review (Continued)**

Andrew Pagel reviewed the Capitol One statement since that bill is automatically paid.

Mr. Pagel also indicated the reimbursement for Michelle Sutor and Nolan Mitchell. He asked whether the committee expected to use the full \$5,000 set aside for fire mitigation by the end of the year. Paul Sutor answered yes. Mr. Pagel asked what the remaining \$3500 would be used for. Mr. Sutor understood that the \$5,000 was only for the burn pile. Nolan Mitchell stated that the first stacking came out of the \$5,000, as well as the buck and roll fences. The third expense coming out of the \$5,000 would be the next stacking. Mr. Pagel clarified that the \$5,000 was contributed towards the initial fire mitigation strategies, and his question was whether all those funds would be used by the end of the year. Mr. Mitchell stated that the \$353 Mr. Pagel mentioned was not part of the fire mitigation fourth burn. He was unsure if it was used to purchase meat for the Fire Safety Day picnic or if it was used for something else.

Mr. Sears agreed they needed a budget for fire. Regardless of the expense, if it goes to the Fire Committee it should be noted in that line item. Mr. Mitchell remarked that when the Fire Committee asked for \$5,000, it was specifically and only for mitigation of the burn pile. Mr. Pagel stated that the \$5,000 was set aside for spending by the Fire Committee. Mr. Sutor disagreed. It was specifically spending for the burn pile. Mr. Sears recalled that it was initially set up for the Fire Committee to use. He noted that Jody has expended other expenses on fire that came out of his budget as part of the maintenance.

Mr. Pagel believed the reason for setting aside a lump sum of \$5,000 towards the Fire Committee was to see how it was spent and to be able to create a projection for the future in terms of effectiveness and how much more effective additional funds would be. At this point, the Fire Committee has not provided any line-by-line breakdowns, which he did not expect at this point. This year was a test run to help create a line-by-line

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 6

breakdown in the future.

Mr. Mitchell stated that when the \$5,000 was set up and voted on by the Board, it was specifically for fire mitigation according to the plan for the burn pile. It was not for anything else. If they had known that it was supposed to include everything else, they would have asked for more money. Mr. Mitchell stated that with the two stackings, the buck and roll fence, and necessary signage, in addition to being able to take the char off the Mountain, they will spend more than \$5,000. He noted that they would take out the char removal for now until they get the new budget for next year.

Mr. Pagel noted that they were looking at \$3,000 in stackings, additional expenses of \$300, \$800, and \$158. And additional \$300 in signage. Potential additional stacking is an additional \$1500. Mr. Pagel noted that based on those totals, the approximate amount needed will be \$6300. Mr. Suitor pointed out that it does not include removing the char because that will be in the budget for next year. Mr. Sears noted that the expenses incurred earlier in the year came out of Jody's normal budget.

Mr. Mitchell stated that the fire safety budget committee was putting together a budget proposal for when the Board meets to discuss the budget. The intent is to put a budget proposal together to talk about the long term needs of the Ranch. Based upon the survey they sent out, fire is a huge concern for everyone. Mr. Pagel agreed. He clarified that his comments were not meant to be negative.

Mr. Pagel assumed the projection was \$6300 minus the char and asked if there would be additional expenses. He wanted to know if they intended to use any funds on char this year. Mr. Mitchell replied that it would be an expense for next year because they do not have the funds for char this year. He emphasized that the goal for this year was still \$5,000 or less. Mr. Pagel thought \$6300, including the third stack, was still reasonable. He anticipated discussing budget projections for next year. Paul Suitor stated that they would like to have a third burn pile, but the vehicles need to be removed before that can happen.

Mr. Pagel believed whatever proposal the Fire Committee comes up with will be well received by the owners. He doubted anyone would object to a slight increase in dues to provide fire safety measures.

Mr. Adams asked Mr. Mitchell if the Fire Committee could have their proposal prepared if the Board has a budget meeting next week, or whether they would need to circle back around. Mr. Mitchell thought they would need to circle back around. He noted that they were putting some things together tomorrow and they were still waiting on some numbers. They have not completely gone through the survey and extrapolated all the information. When he heard that the Board was holding their budget meeting on September 29<sup>th</sup> it was too late for the Committee to prioritize the proposal. Mr. Sears noted that the Board needs to approve a proposed budget before the Annual Meeting. Mr. Mitchell agreed with the process. The issue was that they were only told this week that the budget meeting would be next week. Mr. Suitor asked if the Fire Committee could give the Board a figure for the budget meeting without detailing each expense. Mr. Mitchell did not favor that approach. He noted that the Fire Committee wants to give a presentation and talk about the specifics.

MOTION: Andrew Pagel moved to approve the unpaid bills in the amount of \$19,994.36 as presented. Michelle Suitor seconded the motion.

VOE: The motion passed unanimously.

Mr. Pagel noted that the legal fees were significantly lower this year. He thanked Robert Rosing for helping to keep the fees down.

### **Rules and Regulations**

Mr. Sears reported that a meeting was held last week on the Rules and Regulations, and he was asked to send out a document with as much information as possible on the proposed changes to the Rules and Regulations already submitted.

Mr. Sears wanted the Board to discuss next steps. He was willing to schedule another meeting, but he wanted to make sure that everyone on the Board takes the time to go through the information and provide feedback on each of the rules and regulations proposed. He noted that they do not yet have language on everything that was proposed. Mr. Sears stated that he tried to highlight what was discussed, as well as the changes that were submitted but not discussed due to the lack of time. He noted that Paul Suitor was the only one who requested a Word version so he could make adjustments. Mr. Sears offered to send a Word version to all the Board members.

Mr. Sears wanted to have another meeting on the Rules and Regulations before the next Board meeting. Mr. Suitor thought a lot of what was done looked good. He had made wording changes and other notes. He agreed that another meeting was definitely needed.

Mr. Sears wanted to accomplish as much as possible so people will know where they are headed with the Rules and Regulations.

Mr. Suitor thought they would need advice from Robert Rosing. Mr. Sears intended to send Mr. Rosing the current document so he could see what they were doing. He agreed that it is important for Mr. Rosing to review the final Rules and Regulations document to make sure they are in compliance with the State and other regulations.

Mr. Sears stated that the process takes time, but at least now they have a document to look at.

### **Committee Reports**

#### Architectural Committee

John Adams reported that the Board voted via email on two Lot Improvement Plans since the last Board

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 8

meeting. Both Lot Improvement Plans were approved.

The first one was a motion to approve the dog run on Lot PI-E-37. The motion passed with 8 votes in favor and 1 against.

The second was for new construction on Lot FM-D-88 of a modern cabin at 2,792 square feet. The motion passed with 10 votes in favor and no one against.

Mr. Adams stated that unless there were questions on those two properties he would like to ratify the motions.

MOTION: John Adams moved to Ratify the votes to approve the dog run on Lot PI-E-37 and the new cabin on Lot FM-D-88. Paul Suito seconded the motion.

VOTE: The motion passed unanimously.

Mr. Pagel asked if both properties had provided color samples. Mr. Adams replied that the owners submitted digital samples. He noted that the stone is real stone and not engineered stone as they originally thought. Mr. Pagel clarified that the owners had submitted two color samples and they were stated on the Lot Improvement Plan agreement. Mr. Adams answered yes. Mr. Sears stated that the samples were also in the dropbox.

Lot FM-D-92

Bruce Hutchinson commented on plans for an accessory structure on Lot FM-D-92. It is a 3-acre lot, and the proposal is for a garage with a two-bedroom living quarters above it. The accessory building itself is primarily garage. The living quarters is less than 1,000 square feet, which meets the Summit County requirements.

Mr. Hutchinson remarked that this was the first of several property owners who would like to do something similar.

Mr. Hutchinson stated that the structure will be quite a distance from the original cabin structure, and there are roads going between the two structures. He stated that when the ARC initially looked at the plans it looked like a motocross set up on the lawn. Mr. Pagel asked if the existing road is on the lot. Mr. Hutchinson answered yes. It is a large driveway. Mr. Hutchinson was unsure whether the driveway was permitted. The roads go all around the 3-acre lot.

Mr. Hutchinson indicated a non-compliant chain link fence used as a dog run that needs to be addressed as a separate issue.

Mr. Hutchinson remarked that the ARC believed this proposal meets all the criteria of the Rules and Regulations. It is quite large, and it does not necessarily look like a cabin type structure, but it is also not



Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 9

objectionable. Ms. Suitor asked for the square footage. Mr. Hutchinson stated that the total square footage is 3410 square feet, including the garage. The owner had paid the \$6,000 construction fee. Mr. Hutchinson stated that this would be like a second structure on a lot. Under the HOA rules only one cabin is allowed on a lot; but Summit County allows an accessory structure as long as the dwelling was under 1,000 square feet.

Mr. Hutchinson stated that the Architectural Committee had an extensive discussion and determined that it meets all the criteria. He noted that the garage structure will be very similar to the current cabin structure.

Mr. Suitor had looked at the plans in dropbox and he thought they were acceptable. He agreed that the chain link fence needs to be addressed, but that is a separate issue.

Mr. Hutchinson stated that the owner said they need the extra bedrooms for when their family gets together.

The Architectural Committee recommended approval.

MOTION: Bruce Hutchinson moved to approve the 3410 sf garage structure and 3762 sf accessory living quarters for Lot FM-D-92. Paul Suitor seconded the motion.

VOTE: The motion passed unanimously.

Mr. Pagel was unsure whether the \$6,000 construction fee was accurate for a second structure.

Mr. Pagel wanted to know how much of the overall siding would be stone or rock. They need to make sure that the secondary siding is in compliance, since they only have a picture of the existing siding.

The owner, Dwaine Anderson, stated that he was doing an addition and an accessory building on his lot. He was not too concerned about the fee, but there was some debate on the fee, and it needs to be worked out. He interpreted the construction fee as being \$6,000 for any new structure. An addition would be new, and the fee would be \$6,000. However, once it exceeds 3500 square feet, there is an additional \$2.40 per square foot. He came up with the \$6,000 number because it is under 3500 square feet.

Regarding the stone, Mr. Anderson stated that he was matching all the colors. However, the current structure is a little reddish and he would like the new structure to be more brown. It will have log siding and a green roof. The accessory building and the main building will be the same color and the roof will be the same color. He explained that the only stone is the fireplace on the front facing Grandview. Most of the cabin is log siding. The stone for the new structure is a golden chestnut brown. It is a Sherwin-Williams product and a very warm color. The color on the existing structure has a tinge of red to it and he prefers a more natural brown. It would be the same color he presented on the initial presentation.

Mr. Pagel provided an example of how the fees work when building a cabin and later adding a shed or other

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 10

small structure on the lot. The Board discussed the calculation. Mr. Anderson suggested that the Board ask Robert Rosing for his interpretation and to draft a definition on how the construction fee is charged to make it clearer to people in the future. Ms. Suitor was under the impression that \$6,000 was the initial fee for the primary build, and anything after that would be the \$2.40 per square foot. Mr. Sears agreed. He stressed the importance of being consistent in whatever they do. Mr. Pagel stated that the initial thought was that the first new construction has the largest impacts to the roads, which is why it was originally set up the way it is. Ms. Suitor pointed out that a lot of times people will put a shed on the lot first and then build their house or cabin second.

Mr. Rosing agreed with how the current language works. Mr. Sears informed Mr. Anderson that the Board was comfortable with his plans; however, the financial fees need to be re-calculated based on the existing formula.

Mr. Adams clarified that the Board voted on the Lot Improvement Plan for the 3410 square feet accessory building. There is a second proposal for the addition to the existing building, which is 3,762 square feet. Mr. Pagel thought the addition was only 262 square feet. Ms. Suitor recalled that Mr. Anderson had said the addition to the existing house was 3,012 square feet. Mr. Adams emphasized the need to get clarification from the owner.

Mr. Adams read the square footage from the plans. The addition to the existing structure is 1102 square feet, the garage is 2,100 square feet, and the living area is 560 square feet, for a total of 3,762 square feet. There was some confusion as to whether that was accurate.

Dwaine Anderson stated that the existing structure was drawn on the plans for comparison. It is a 28x28 square cabin with a loft and an attached garage with living above the garage. The square footage is 800+ square feet from the basement to the upper floor, and then the bedroom above the garage. Mr. Suitor asked if that was the addition or the existing structure. Mr. Anderson stated that for comparison he tried to represent the old versus the new. Mr. Suitor asked for the square footage of the original existing structure. Mr. Pagel thought the only issue is the square footage of the addition because that is what was being presented this evening. Mr. Adams referred to the Lot Improvement Plan agreement where it states, "improvement to existing", and noted that Mr. Anderson listed the gross square footage of improvement as 3,762 square feet. He asked if that was the amount of new building Mr. Anderson was proposing to build. Mr. Anderson replied that the new addition is what was calculated. Mr. Pagel clarified that Mr. Anderson was adding 3,762 square feet to the existing structure.

Mr. Anderson stated that the math he did for the new addition was shown in a shaded area. He did not calculate anything on the existing structure. Ms. Suitor pointed out that between the existing house and the proposed additions, the square footage would be over 6,000 square feet. Mr. Pagel remarked that the additional cost would be \$2.40 per square foot multiplied by 3,762 square feet for one of the Lot Improvement Plan agreements. The cost for the other one is based on 3,410 square feet. He thought both fees needed to be adjusted.

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 11

Mr. Anderson stated that he was comfortable paying whatever the math determines he should pay. He did the math based on his understanding after reading the language several times, and he paid over \$12,000. Mr. Anderson reiterated his suggestion to have Mr. Rosing or someone else with a good understanding of the formula revise the wording and give it some clarity. The wording could address the fact that people who only build a shed should not pay \$6,000.

Mr. Adams asked Mr. Anderson if the two Lot Improvement Plans would add a total of 7,172 square feet of new construction. One is the accessory building and the second is the addition to his home. Mr. Anderson believed that number was correct. Mr. Suitor stated that based on his math, Mr. Anderson should pay an additional \$5,212.80. Mr. Anderson questioned why his fee would be \$20,000. He had already paid \$13,000. Mr. Anderson reiterated that he was willing to pay the accurate fee, but he wanted the same fee that other people pay. Mr. Suitor clarified that he calculated \$2.40 per square foot of additions, which is a total of 7,172 square feet. He noted that  $7,172 \times \$2.40$  equals \$17,212.80. Mr. Anderson had already paid \$12,000 leaving a balance of \$5,212.80.

Mr. Anderson believed there was some discrepancy in interpretation over how they do the math, and he would like that clarified. Mr. Sears stated that the ARC needs to clarify the interpretation using the existing policy. Mr. Anderson remarked that if he could get Board approval this evening, he could move forward with the Summit County Building Department. He would pay the additional fee, but he still did not agree with the math.

Mr. Pagel stated that the Board could not make a motion to approve until the appropriate costs are designated on the Lot Improvement Plan agreements. He assured Mr. Anderson that he was being treated the same as all the other owners. There is a cost deviation and that needs to be fixed in the Lot Improvement Plan agreements. Once that is done, the Board can make a motion, vote, and sign the agreements.

Mr. Adams suggested that the ARC could work out the final numbers with Mr. Anderson and follow up with an email vote as soon as the issue is resolved, and the documents are modified.

Mr. Adams asked if the Board members had questions regarding the structures, the materials, or anything else architecturally related. The Board had no issues and agreed that the proposals meet the requirements.

Mr. Anderson appreciated their consideration.

Lot PI-I-33-34-AM

Scott Boyle noted that William Broyles was on the agenda to talk about plans for a garage.

Mr. Broyles stated that he wanted to build a 22'x28' foot garage, 15-1/2' tall. He plans to build the garage at the end of his driveway. Mr. Broyles remarked that it will be a dark brown russet color. The sides will be dark redwood. His original plan was to use a Smart siding like they use on Tuff-sheds; however, he would change it if he could find a more fire resistant, more durable material. Currently, his plan calls for Smart siding.

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 12

Mr. Hutchinson informed Mr. Broyles that his plans need to be documented. He should go online and download the Lot Improvement Agreement and sign it so the Architectural Committee knows exactly what he is proposing. Mr. Broyles should also include a copy of the most current survey. Mr. Pagel clarified that the ARC needs an engineered, stamped survey. For sheds or small garages, he thought it was more pertinent to have a stamped survey site plan with the structure designated on the site plan versus the actual details.

Mr. Broyles stated that he contacted a surveyor, and the surveyor wants to charge \$3400 to tell him what he already knows. He indicated the original survey pin that was there when he purchased his lot 30 years ago. He indicated an area that was recently surveyed for the lot above. Mr. Broyles pointed out that the original survey pin was 18" off. He stated that if it is off, but it is not off by 41-1/2'.

Mr. Broyles stated that he has combined two lots. Lot 33 is 1.1 acres. Lot 34 is 1 acre. The shed will be located on a the acre. Mr. Suitor was certain that Mr. Broyles could find a surveyor for less than \$3400.

Mr. Broyles commented on the cabin that was built above him and pointed to all the survey pins. They were all in line of sight. Mr. Broyles stated that there is no question in his mind where the boundaries are. Mr. Pagel informed Mr. Broyles that the Rules and Regulations requires every Lot Improvement Agreement submission to include a site plan and signed stamped survey. Mr. Broyles wanted to know what he needed to do to get a site plan. Mr. Pagel replied that he needed a survey. He also needed to fill out the Lot Improvement Agreement form and submit it. Mr. Sears informed Mr. Broyles that it is important to submit those documents because when he goes to Summit County for a building permit, they will know that he has met all the requirements for HOA approval.

Mr. Broyles stated that the engineer who reviewed his plans recommended that he draw it out, take pictures of it, and take it to Summit County. Mr. Pagel noted that he needed to deal with two different departments at Summit County, the Engineering Department and the Building Department, and each require separate documents. Mr. Pagel explained that the HOA strictly requires a stamped survey because they have a duty to the rest of the owners to make sure their neighbor does not build a building on their lot. It has happened in the past and a stamped site survey avoids that consequence. It is important for everyone to follow the same rules. The surveyor needs to physically survey the property and mark the corners where the shed will be on the property.

Mr. Suitor thought Mr. Broyles would have a problem submitting the paperwork to Carol without documenting the color samples. Mr. Hutchinson suggested that Mr. Broyles could put it on a printer and digitize the colors and submit everything electronically. He noted that Mr. Broyles would need to pay the impact fee before the ARC could review his plans.

Mr. Broyles stated that he would move ahead as directed and do as much as he could. If he does not get it submitted before the next meeting, he will come back to the Board meeting next month. Mr. Suitor informed Mr. Broyles that submitting it electronically would save time. Mr. Broyles stated that he would try

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 13

to get everything completed as quickly as possible.

Other HOA Business

Paul Sutor referred to the area known as Little Switzerland and noted that the people who own it have given permission to someone else to fence it. They have been doing archery hunting. The property is non-HOA and there is nothing the Board can do, but he wanted everyone to be aware of it. Michelle Sutor remarked that a lot of people hike in that area. Mr. Sears pointed out that they were putting the fences back up that were there years ago. It is the area north of I-Plat.

Mr. Sutor believed the Board had received a number of emails regarding the Area 3 Rep position that has been open for a while. He noted that Sam Vincent had expressed interest in filling that position. Mr. Sutor stated that Lee Merryweather also sent an email this week indicating his interest in the position. Mr. Sutor understood that the Board was planning to vote in Mr. Vincent this evening. He called Lee Merryweather to let him know that Sam Vincent had volunteered a few weeks ago. Mr. Merryweather was unaware that Mr. Vincent was interested. He only volunteered because he thought the position was still vacant and thought it was important for Area 3 to be represented. Mr. Sutor stated that Mr. Merryweather was happy to have Sam Vincent as the Area Rep.

Mr. Hutchinson asked if the open position had been advertised to the owners in the Area. Mr. Sears answered yes. Mr. Sutor noted that the Area 3 rep position would also be on the ballot in November.

Sam Vincent was on the line.

MOTION: Michelle Sutor moved to appoint Sam Vincent as the Area 3 Rep to fill the position for the rest of the term until the election in November when the Area 3 Rep will be elected officially. George Sears seconded the motion.

VOTE: The motion passed unanimously.

The Board thanked Mr. Vincent and welcomed him to the Board.

Roads and Parking

Scott Boyle had checked with Carol and the HOA had done its due diligence on notices for the snowmobiles. He had the name of a person who collects scrap metal that he would try to contact. Mr. Boyle had contacted two other people who were not interested in traveling that far to pick up the old snowmobiles. They also had an issue with the rubber tracks and the plastic hoods. If they had come up, they would not dispose the plastic or the rubber and those would need to be cut off.

Mr. Boyle asked the Board how they felt about putting an ad on KSL to find individuals who would come up and see what they wanted to take.

Mr. Sutor stated that his only concern with KSL is that they would be inviting outsiders to see what they

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 14

have on the Ranch. He also worried that people would be removing specific parts and leaving a mess. He preferred to contact the State or County about recycling. Mr. Boyle stated that he found recycles that will take the snowmobiles, but because the vehicles have a VIN number, they either need to show a title or cut them into pieces. Mr. Suitor thought they were investigating obtaining a title for those vehicles. If they have a title, he would be comfortable listing the vehicles on KSL as long as people take the whole machine. Mr. Boyles stated that the agreement would be to take the whole machine. He noted that the paperwork for titles has been submitted to the State.

Mr. Boyle reported that he still could not get a VIN on the AMF trailer, and he was unsure what to do with it. Mr. Boyle stated that Carol has sent out enough notices and they did enough due diligence to let people know that those machines need to be cleared out.

Mr. Boyle was unsure about the scooter. Mr. Sears replied that the scooter was loaded onto a trailer, but the trailer was still there.

John Adams asked Mr. Rosing if the HOA could legally go through a process to issue a public notice stating that there is specific abandoned property within the HOA, list out the serial numbers they have, and state that the owners have two weeks to claim their property or the HOA will dispose of it.

Robert Rosing clarified that these were not abandoned cars. He was told they were snowmobiles and a trailer that did not have a VIN number. There were also flatbed trailers without VIN numbers. Mr. Rosing stated that he was not aware of a specific legal process, but he thought the process Mr. Adams had suggested was acceptable because the vehicles are abandoned.

Mr. Adams recommended that the HOA begin that process. Mr. Sears remarked that Mr. Boyle did not need to do everything himself. He should tell the Board members when to show up and they will come in and help him. Mr. Boyle noted that the State process requires 90 days to obtain a title after the paperwork has been submitted for a lost or stolen VIN inspection. Mr. Boyle emphasized that the paperwork had been submitted on six machines. The others were waiting on a police officer to come up and physically inspect the vehicle.

Mr. Sears stated that cleaning out the lower lot should be a priority so they can ignite the burn pile in November. The plan is to ignite the pile the week after Thanksgiving, and they have until then to get everything removed. If the burn does not occur by then, they will not have a parking lot for the entire winter.

Mr. Suitor stated that he had not seen one email this year about cars in the parking lot. He thought it was important for Carol to send an email to all the owners. Some of the Board members had seen emails from Carol. Mr. Sears remarked that the problem with emails is that some people get them, and others do not.

Michelle Suitor recalled a discussion in an executive meeting about signing up for Constant Contact for email. The cost is \$20 per month, and they can control when emails go out, the frequency, etc. Mr. Adams

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 15

asked if Constant Contact has the capacity for up to 800+ emails. Ms. Sutor offered to double-check. She pointed out that Carol sends out the emails in batches. Mr. Sears stated that Carol told him about some of the difficulties she has with the emails, and one is that she is constantly having to make the batches smaller in order to get everything out. Ms. Sutor commented on emails that she and Nolan Mitchell asked Carol to send. One did not go out right away and the wording was changed in another one. She thought the Board should make a motion this evening to sign up for one of the services. She would research which one is the best, so the Board has control over what emails go out to better handle communications.

Mr. Sears thought it was more important to continue working on the lower parking lot. Mr. Boyle should continue what he is doing, and he should not hesitate to ask other Board members for help in the process. Mr. Boyle stated that at some point he will need help loading all the snowmobiles on a flatbed trailer to haul them off.

Mr. Boyle would try to start dismantling the trailer this weekend. He would also try to get the police to come for the gray truck. Mr. Sears stated that a gray truck needs to be removed. The car was removed last week. They still need to find the owner of the big black snowmobile trailer. It has a Massachusetts license that expired in 2019. Carol has a picture and was trying to track down the owner.

Nolan Mitchell asked Mr. Boyle to put together a spreadsheet on what vehicles he has already started the process on so he can add to it. He has contacts that he might be able to persuade to come up, but he needs to know which vehicles they are talking about. Mr. Sutor suggested marking the vehicles as well with spray paint.

Ms. Sutor noted that she requested a motion to sign up for Mail Check or Constant Contact and it was glossed over.

MOTION: Michelle Sutor moved to sign up for Mail Check or Constant Contact. Andrew Pagel seconded the motion.

VOTE: The motion passed unanimously.

Ms. Sutor stated that she would investigate costs and services on both and determine the best one to use.

#### Fire Committee

Nolan Mitchell reported that another large cleanup was scheduled for Saturday, September 25<sup>th</sup>. People were meeting at 8:45 am at the winter lot. They will pick up where they left off after the last cleanup and continue up the road. The focus will be slightly different, but they will continue to do what they can. Mr. Mitchell stated that 500 manhours were donated the first time; however, he was certain they would not hit that number this time.

Mr. Mitchell noted that based on the survey, over 90% of the owners believe it is extremely important or

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 16

very important to do fire mitigation. That same 90% want a fee increase to help pay for fire mitigation. He stated that once they figure out how those groups break down more specifically, the information will be included as part of their presentation.

Mr. Sears asked for the number of people who responded to the survey. Mr. Mitchell stated that 157 responded, which exceeded his expectation.

Mr. Mitchell stated that after their work on Saturday, the winter parking lot will be closed off on Sunday. He spoke with Jody and it will be closed off at the bottom so there is no option of going down the road. For the vehicles in the lot that need to be moved, Mr. Mitchell noted that Mr. Boyle and others will need to work with Jody to get those buck rail fences moved.

Mr. Mitchell thanked Michelle Sutor for putting together the “thank you” party this last weekend. He also thanked the Board members who came and showed appreciation for all the people who volunteered and donated their time. The Fire Chief and his personnel also attended, and they are very grateful for the mitigation they are doing. Ms. Sutor reported that 35 people came to the ice-cream social and she thought it was very successful.

#### Communications

John Adams reported that the Annual Meeting is scheduled for November 9<sup>th</sup>. Carol mailed out the Call for Candidates cards on September 17<sup>th</sup> and people should begin receiving them.

Mr. Adams noted that there are seven open Board positions this year, which include President, whose term is through 2024; the Vice-President through 2023; the Secretary through 2024; Area 2 Rep through 2022; and Areas Reps for Areas 3, 4, and 5 through 2024. Mr. Adams stated that the bios need to be returned to the HOA by October 22<sup>nd</sup>. That is not a postmarked date. The card needs to be in their position by October 22<sup>nd</sup>. He noted that the bios can be emailed or sent through regular mail. The email address is elections@pinemeadowranch.org. The mailing address is P.O. Box 95567, South Jordan, UT 84095. Those bios should not be more than 100 words. However, the HOA is also requesting that the candidates submit a 500-word bio. Mr. Adams explained that the 100-word bio will be provided with the ballot. The 500-word bio will be posted on the HOA website. The 500-word bio will help everyone get a better idea of who they are voting for in the community. The longer bio will enable candidates to talk more about their qualifications and their motivations for running for a board position.

Mr. Adams stated that the Annual Meeting will be held at the Sons of Utah Pioneers building in Salt Lake at 6:30 p.m. He explained that half of the lot owners on the Mountain live in the Salt Lake County area. The other half live in the Summit County area. The Sons of Utah Pioneers building is a neutral location and easy for everyone to access.

Mr. Adams stated that in the Executive Committee meetings they have discussed the idea of introducing electronic voting. They came to the conclusions that instead of just doing mail-in ballots, they need to move forward and introduce something that makes it easier for those who want to take advantage of electronic



voting. Mr. Adams remarked that everyone should expect the Board to introduce an amendment to the Bylaws, which would affect Article 6.2, the section that governs how they conduct elections. It would be an amendment to modify Article 6.2 stating that the HOA Board has the option to provide a secure electronic voting system and mail-in voting. The members will have the option for both. Mr. Adams anticipated a lot of support for the electronic voting option. Ms. Suitor noted that Article 6.2 specifies a paper ballot and that would be the language change.

Mr. Adams noted that Carol pointed out that each ballot has a pre-stamped specific numerical order number attached to it, which allows her to go back and compare and verify who is returning that ballot and whether they are in compliance. Any electronic process will need to have a verification process to verify each individual. He noted that they have a few names for electronic voting, but those companies still need to be vetted. Mr. Sears pointed out that electronic voting will not be done this year and they have a year to look into it.

Ms. Suitor asked when the bios should be posted on the website. Mr. Sears stated that the bios need to be received, reviewed, and validated that the candidate is eligible. He noted that the candidates will have the opportunity to introduce themselves to the members at the Annual Meeting. The actual ballots will go out the same day as the Annual Meeting and they must be returned by the end of November.

Mr. Adams reported that Carol also pointed out that per the Bylaws, the election committee must have all the qualified people back to Carol by October 25<sup>th</sup>, which means they have two days.

#### Community Improvement

Michelle Suitor reported that the Community Improvement Committee met a few times in the last week. They were reviewing some of the HOA lots and plan to make a recommendation to donate one of the lots for a preservation easement and to create a 501(c)3. It will allow them to do non-profit fundraising for a pavilion, community garden, community park, or whatever they want it to be.

Ms. Suitor understood that Nolan Mitchell was meeting on the Fire Station this week. One of the options is to put a pavilion on the fire station land so they can use the kitchen and bathroom in the fire station. She noted that the HOA owns a piece of property on both sides, and they could possibly carve off a corner for the easement.

Mr. Sears understood the committee was getting close to submitting a proposal. Mr. Rosing clarified that the easement mentioned would be a conservation easement and the 501(c)3 would be the easement holder. Mr. Sears answered yes. Mr. Rosing recommended that he look at it before they do it. Ms. Suitor stated that an attorney needs to be involved and they intend to have Mr. Rosing review it. She remarked that they were still evaluating which piece of land to consider.

Mr. Pagel asked about a timeline for the community area and the fire station. Ms. Suitor was unsure about plans for the fire station because that would be North Summit Fire District. Mr. Mitchell stated that the Fire District has the water letter, and they were in the process of writing the RFP for the architect. The next step

Pine Meadow Ranch Owners Association  
Monthly Board Meeting  
September 21, 2021  
Page 18

would be to put together a site plan. Once that is done, it will go to the ARC since the fire station will reside inside the HOA.

Paul Sutor stated that Lee Merryweather also expressed an interest in being involved. Mr. Mitchell noted that the committee working on the fire station is not an HOA committee. The Fire Chief determines who sits on that committee, and he wants to avoid any conflict of interest or any builder that could possibly present a conflict.

In terms of timeline, Ms. Sutor stated that the committee would like to have the property identified to suggest as a preservation easement in the next month or two. The pavilions would be a cement pad. They still need to obtain bids. Ms. Sutor remarked that there is enormous community support for a pavilion.

**Open Public Forum**

Due to time constraints, the Open Public Forum was deferred this evening. Mr. Sears stated that owners could email their questions or comments to the Board members, and they would be addressed.

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

The meeting of the Pine Meadow Owners Association Board adjourned at 8:44 p.m.

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