

PINE MEADOW RANCH OWNERS' ASSOCIATION
MONTHLY BOARD MEETING
IN-PERSON & VIA ZOOM VIDEO CONFERENCE
OCTOBER 18, 2022

In Attendance: George Sears, President; John Adams, Vice-President; Michelle Sutor, Secretary; Dwaine Anderson (Area 1); Marty Hansen (Area 2); Sam Vincent (Area 3); Katie Winters (Area 4); Shaun Baker (Area 5); Paul Sutor (Area 6); Aja Martin (Area 7)

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

Excused: Andrew Pagel; Marty Hansen (Area 2)

George Sears called the meeting to order at 6:31 p.m.

Minutes

September 20, 2022

Michelle Sutor had submitted corrections to Carol before the meeting.

John Adams referred to page 8 of the Minutes, the second sentence under Committee Reports, "Mr. Adams reported that he had met with Derrick Radke, the Summit County Public Works Director, about managing Pine Meadow roads". He corrected the sentence to read, "**about how the HOA could better manage Pine Meadow Roads**".

Mr. Adams referred to page 8, second paragraph, second sentence, and changed the company "Substratum" to correctly read **Substrata**.

Mr. Adams referred to page 14, under PI-C-84-AM, and corrected the owner's name Kelly to correctly read **Cali**.

MOTION: George Sears moved to approve the Minutes of September 20, 2022, as corrected. Michelle Sutor seconded the motion.

VOTE: The motion passed unanimously.

Ranch Manager Report

Jody reported that they were trying to finish everything before winter. The culverts were installed today. The potholes were filled on Forest Meadow yesterday.

Mr. Sears asked if Jody was able to get the new spreader. Jody replied that he did, and it was ready to go. He still needed to purchase a couple of sets of tire chains for the trucks.

Jody stated that sand was coming to fill the sand shed. It was difficult getting trucks to come up, but they were slowly getting sand.

Mr. Sears remarked that John Adams had asked whether to put in the plans for the Perma-Zyme trial on Forest Meadow. Mr. Adams stated that after the Board spoke about Perma-Zyme last month, they pulled 9 core samples on roads throughout the Ranch and sent them off to see whether the product would be compatible with Perma-Zyme. The samples report said that Pine Meadow roads have between 9.5-12.9% clay. For Perma-Zyme to work well, it needs to have at least 15% clay in it.

Mr. Adams commented on other options the HOA could pursue. One option is to put down 3-5 inches of *limestone* on top of the roads, mix it up with a limestone solution and compact it in. Another option is to find a source of clay. Summit County had recommended Crandall if they need a material with a lot of clay. Mr. Adams contacted Crandall and the two samples they obtained were 21%-100% clay.

Mr. Adams remarked that the full cost of the clay material was still unknown. The full cost to treat a quarter of a mile with pure limestone is between \$16,000-\$25,000. Most of the cost is the delivery of the product. In terms of the clay product, he was trying to estimate how much time would be spent on drivers at a current cost of \$120 per hour. If it takes 1.75 hours for a truck to come and go, a quarter mile of clay solution would cost approximately \$23,000 to \$30,000. The actual material is \$80/load.

Mr. Adams thought the HOA should pursue one of the options because the road base washes away frequently. He noted that the solution lasts up to eight years, which is a cost-benefit. Mr. Sears remarked that with an eight-year solution they would not need to redo the roads every year except for minor repairs or updates. Mr. Adams pointed out that it could also potentially replace the mag water seal.

Mr. Adams stated that for the clay material if they went with the minimum 6" base, they would need at least 50-55 loads for a quarter mile.

Jody stated that with either solution, they would need to find a way to keep the traffic off the road until it cures.

Mr. Adams explained the process for laying the material when it is delivered. Mr. Sears explained that this was only a pilot program and that they would look into whether it could still be done this year. If not, it would be done in late Spring.

Mr. Vincent asked about the long-term vision and how many linear miles of road would be treated. Mr. Adams clarified that this was only a pilot program to see how well it works within the mountain community. Mr. Vincent pointed out that if they were to treat 30 miles of road, it could cost \$2.3 million. Mr. Adams stated that the question will come down to whether this is cost-effective or if

they need to consider something else. He did not have that answer at this point. Derrick Radke with Summit County recommended that they try something else, otherwise they will continue to waste money doing the same thing each year.

Mr. Sears stated that from a financial perspective if the HOA decided to start using this type of solution, it would be on the primary roads and not the secondary roads. Mr. Suitor assumed that from this point on they will purchase a road base with a higher clay content for the secondary roads.

Water Board Report

John Adams attended the Water Board Annual meeting. Only seven or eight people attended. They voted to raise the annexation fee which is voted on annually. The fee was \$21,898 and it will now be \$22,686. If a property owner is not in the HOA and the owner wants to annex into the water system, they will pay a minimum fee of \$22,686.

Mr. Adams reported that over the summer the weekend of July 24th is the only time they needed to draw water from Mountain Regional. Since the Water Company found the leak, they have not needed to purchase much water from Mountain Regional. Mr. Adams stated that Mountain Regional now provides approximately 150 gallons per minute capacity, and the average homeowner uses approximately 40 gallons per day.

Mr. Adams stated that next year they can expect to see 800 feet of new water line installed along Forgotten Lane. The Water Company still needs to install the meter pit at Stagecoach. The Water Company also hopes to see the third-party engineering analysis from Mountain Regional by the end of the year. The analysis will highlight any deficiencies that need to be addressed.

Mr. Adams remarked that Scott Smith and Steve Anderson were running again for their current positions on the Board.

Mr. Adams reported that on August 22 the EPA issued new water system requirements for system operators. The new requirements mean that over the next two years Brody and Trevor need to physically identify each line that has or could potentially have any lead. It applies from the main to the meter and the meter to the home. The Water Company has a rule of thumb that will cut down on some of the work. If a cabin was built around 1986 or later, there are probably no lead issues. If a cabin was built before 1986, the owner should inform Brody. Brody will be going through all the historical permits to figure out when each cabin was built and it would be helpful if an owner can let him know when their property was built, especially if it was before 1986.

Michelle Suitor recalled from the last meeting that Mr. Adams was going to ask if the Water Company has a schedule for flushing the fire hydrants. Mr. Adams stated that he did ask, and he

was told that every hydrant was working except two. They did not mention a schedule.

Monthly Budget Review.

Mr. Sears reviewed the unpaid bills.

MOTION: George Sears moved to approve the unpaid bills as presented in the amount of \$27,225.89. John Adams seconded the motion.

VOTE: The motion passed unanimously.

Snowplowing RFP

Mr. Sears stated that they only had one response to the snowplowing RFP for the connector. Mr. Adams remarked that he placed four ads and as in the past they only received one bid from BTM Construction. Paul Suitor stated that two people reached out to him earlier in the year expressing an interest in plowing the connector. Both said they were given the short notice and would have liked the RFP two months earlier. They are two big companies out of Salt Lake.

Mr. Sears noted that BTM provided the same value as last year; however, they also offered to give a fixed fee for a three-year contract, and they would add a front-end snowblower to their equipment to improve the snowplowing process. Mr. Sears stated that the Executive Committee thought it would be a good opportunity to lock in a contract and to have improved plowing capability. Paul Suitor was not comfortable with a three-year contract.

Mr. Vincent asked if there was evidence that this was a competitive price. Mr. Sears replied that in previous years the prices were \$31,000, \$33,000, and \$35,000. Last year the bid was \$35,000 and BTM was willing to lock in that same price for three years regardless of what might happen. BTM is based out of Summit County, which is an advantage. Michelle Suitor referred to a comment on chat stating that BTM did a great job last year. Mr. Sears remarked that there would be the ability in the contract to terminate if something changes.

Mr. Suitor thought they should ask the entire community about a three-year contract before voting to spend \$105,000 over the next three years. Mr. Sears stated that the Board has the role and responsibility to make decisions on maintaining the roads. Mr. Suitor thought it would be different if they had other bids to consider. He was not comfortable with the fact that they only have one bid, and that person wants a three-year contract. Mr. Sears pointed out that if they stay with a one-year contract they will not get the equipment that BTM will leave on the Mountain. Mr. Suitor remarked that if they put the bid out two months earlier next year, they might get a better response. They will never know if they enter into a three-year contract now.

Mr. Sears did a roll call vote on a three-year agreement versus a one-year agreement. Katie, John, Shaun, Marty, Sam, Aja, and George favored a three-year contract. Paul and Dwaine preferred a one-year contract.

MOTION: George Sears moved to move forward with the RFP as currently stated with a three-year agreement at \$35,000 per year, contingent upon negotiations to make sure the HOA does get the equipment that was reflected in the bid process, and also understand how a termination could occur on either side should circumstances change. John Adams seconded the motion.

VOTE: The motion passed unanimously.

Budget Meeting

Mr. Sears reported that the Executive Committee held a budget meeting and after some discussion, they prepared a budget for 2023 which will be presented to the owners at the Annual Meeting.

Mr. Sears highlighted the major points in the budget. The annual fee will be increased from \$500 to \$600; however, the \$100 increase includes the \$60 special assessment fee from last year for fire mitigation. A line item will be created in the budget for fire mitigation for \$7,000 for 2023, as requested by the Fire Committee. Mr. Sears pointed out that the net increase to the owners will be \$40.

Mr. Sears stated that \$150,000 will go into the capital reserve fund. They are obligated to increase the reserve fund each year. A reserve analysis will be done again next year to make sure they are on track to replace the equipment if it breaks down in the future. Mr. Sears stated that by law the HOA is required to do a reserve analysis every six years because they are a non-profit. In the third year, they are required to do an update. Mr. Sears noted that they were able to put more into the capital reserve this year from impact fees due to the number of new builds. Ms. Suitor recalled that the Board decided in September to raise the impact fees. Mr. Adams replied that the impact fees will increase but they do not budget based on the impact fees. Mr. Sears stated that the goal is not to rely on impact fees for new buildings. They try to do everything that needs to be done on the Ranch within the \$600 per year assessment that is budgeted.

In response to a question on chat, Mr. Sears reported that as of October 6, 2022, the current checking account and the money markets had a balance of \$474,000. The reserve accounts had a balance of \$324,719.

Mr. Adams stated that the long-term goal that came out in the last study was to make equipment investments. Mr. Sears remarked that if the equipment continues to age at the current rate, it should have \$1 million in the reserve account. And, if everything goes as planned, by the end of 2022 they will be approximately halfway to \$1 million.

MOTION: George Sears moved to approve the 2023 Budget as currently prepared, and it will be shared with the Board before the Annual Meeting. John Adams seconded the motion.

VOTE: The motion passed unanimously.

Annual Meeting

Mr. Sears reported that the Annual Meeting was scheduled for November 15, 2022, at the Sons of the Utah Pioneers building. The meeting will begin at 6:30.

Elections

Mr. Sears noted that there were two candidates for Treasurer. Marty Hansen and Paul Sutor applied to run for their seats in Area 2 and Area 6. Aja Martin did not intend to apply for Area 7 Rep. There were no candidates for Secretary. Friday, October 28th was the deadline to apply.

Open Public Forum

Someone asked if there were discussions about reclaiming the 3-acres of HOA land that was donated to North Summit Fire District, or whether they were hopeful that a fire station was still a possibility in the future.

Mr. Sears replied that they have had a dialogue with Summit County and the Fire District about that issue. They were told that the outstanding issues needed to be resolved, one of which was the land, as well as the facilities and the equipment that is stored on the Mountain. Mr. Sears had not heard back regarding a follow-up and he intended to reach out to Summit County and the Fire District for the next steps to understand their intentions. Mr. Sears pointed out that the Fire District was currently moving ahead with plans for a fire station in Wanship. They were told that based on cost, the logistics do not justify having a fire station of that nature in Tollgate. Mr. Adams stated that Pine Meadow would need to fund it and they would also need to improve the roads significantly for year-round access for every full-time resident.

Committee Reports

Michelle Sutor reported that the Strategic Plan was implemented, which was gravel, lumber, and culvert. Per her motion, it was the Plan that would move forward on October 15th. The motion passed by a majority vote.

Mr. Adams noted that the motion that was done electronically was not seconded. Ms. Sutor replied that the rules state that a motion does not need to be seconded; however, Andrew Pagel

did second the motion.

Mr. Sears stated that he had spoken with Robert Rosing regarding their voting procedures. In the past, Mr. Rosing provided guidance to the Board and it is very challenging when email is used for voting. He has not pushed back on the electronic voting process because the Board ratifies their vote at the next meeting before actually implementing it. Mr. Sears thought they needed a more formalized voting process if it is not part of an actual Board meeting. He noted that Google docs is a better documentation process with all the information behind it. Mr. Sears stated that if the Board continues to make motions and vote outside of a Board meeting, this was how they needed to do it to have proper documentation going forward. An electronic vote will always come to the Board for ratification. Mr. Sears emphasized that Mr. Rosing advised the Board to be careful in how they vote and that it needs to be better documented and a better process than what they do currently if they intend to use email.

Ms. Suitor did not have a problem with more documentation; however, she stated for the record that she had followed the process that is currently in Dropbox. Mr. Sears clarified that he was only commenting on how he wanted the process to move forward.

Mr. Adams stated that after some of their meetings, he was under the impression that they would collect information from people who are experts in the field and have different proposals for them to look at. They would then take that information and present it to the Board and take one solution to the community to give them a voice. The Board will make a final *decision* based on the feedback. Michelle Suitor wanted to know who determines an expert and how many they use. Mr. Adams stated that they can never use too many. He did not believe a handful of people should be determining the direction of the Ranch. Ms. Suitor agreed. Based on everything that has happened, Ms. Suitor did not think the Board should discuss this further in open session.

Mr. Vincent thought it was worth acknowledging that this was a Board mistake and not a mistake by Michelle Suitor. He was part of the email conversation, it happened very fast, and no one stopped it. Mr. Vincent wanted to take responsibility for his part and emphasized that it was a Board mistake that was shared by everyone.

Mr. Adams stated that the Board needed to find a way to work through it so they do not lose trust in each other or lose the trust they built with the community over the past year.

Mr. Sears noted that Michelle Suitor had proposed to continue this discussion in a closed meeting for further discussion. He thought Mr. Vincent's point was well taken and acknowledged that he also voted to purchase the playground equipment. Mr. Sears was comfortable with a closed session if it helps them move forward.

Marty Hansen pointed out that the Board already approved getting the equipment and it will be

stored with the HOA. The Board can decide where to locate the playground and do it in the Spring. Mr. Sears agreed.

Communications – Marianna stated that she had put her comments on the chat. Ms. Sutor noted that there were a lot of comments on the chat. Marianna remarked that she is with the Fire Safety Committee, and she recalled that the HOA was going to do some due diligence in finding out a couple of options that were presented by two different people, and then putting those options to people who have experience in this type of deal. They talked about having Lori and John Pettingjohn give their opinion. They also talked about presenting it to the Board and the public and based on that feedback, deciding the best location for the playground. Marianne believed there was more than one possible location for a playground. However, there was not more than one possible location for a fire safety evacuation. She asked the Board to consider which was more important and suggested that they focus on that first, and then focus on the playground.

Ms. Sutor stated that one of the questions she raised was who they would go to as experts. Being Jeep Trail leaders, they meet a lot of search and rescue people, and she reached out to one of them. She showed them an aerial photograph of the lot as a landing zone and the person she talked to said that the ground could be soft and have holes. She pointed to a nice road that is black and hard and she would land right there at the intersection. Marianna felt that went to her point that they should be focusing on the best location for a safety evacuation zone as a priority. Mr. Sears thought Marianna made a good point; however, it would not be decided this evening. The Board would discuss this in closed session. It needs to happen promptly and her point was well taken. Mr. Sears stated that the evacuation point is a high priority, and they know where it needs to be. The question is how to do it.

Kathy Reiner agreed that it is important to have an evacuation location. However, being in the EMS, dispatching, and working with GPS, emergency help may not be able to get there if there is a fire, and if they can, they will land wherever they can find a spot. She did not think they should focus on only one spot. The pilots are trained and can land just about anywhere. She encouraged having backup plans. Mr. Sears noted that the current Fire District Chief has identified at least three other evacuation zones. Ms. Sutor stated that the website has a list of all the helicopter pads designated on the Ranch.

Marianna thought they originally talked about a mass evacuation zone. Mr. Sears remarked that there is no decision at this time and all the issues are valid. The points are well taken and there is still a lot of work to do.

Google Enterprise – Mr. Adams proposed that the Board move forward with the backup communications and storage strategy. He has been using Google Enterprise for the past year for all surveys and electronic voting. Mr. Adams believed it could help them replicate the email distribution list without the failure loops they currently experience.

Mr. Adams stated that Google Enterprise provides a backup system with unlimited storage. Records that Carol has kept regarding their historical background would also be available to the Executive Committee and would continue to be updated. Mr. Adams proposed that Carol should also have access and control so they can keep the files current. Mr. Adams felt strongly about having a requirement that everything remains two authentication keys for security. He met with Carol and gave her two authentication keys. He has the other key.

Mr. Adams thought Google Enterprise should become an official HOA platform. It is set up with two main seats and each seat costs \$30 per month. If they want other officers on this package, the cost would be \$30 per officer per month. Mr. Adams noted that it also has a massive email platform that can send out 500 emails to external accounts at one time.

Mr. Sears asked Mr. Adams to put his proposal in writing so the Board members can look at it in written form. Mr. Sears stated that he had no problems with the technology. His biggest issue was security. The written proposal should include a justification, why it would benefit the HOA, and how the board would go about justifying it. Mr. Sears remarked that they also needed to seriously consider how they look at the current technology and how it might integrate if they update or redo the website with another technology. He did not think they could move forward without a broader communication plan.

Architectural Review Committee

Impact Fee

Mr. Adams reported that last month the Board made a motion and voted to pass increasing the impact fee from \$6,000 to \$8,000, effective 2023. He clarified that they currently charge an additional \$2.40 per square foot on any square footage above 3500 square feet. That requirement was not addressed in the previous motion.

MOTION: John Adams moved to clarify that the \$2.40 per square foot charge is still in place on any square footage above 3500 square feet. Paul Suitor seconded the motion.

VOTE: The motion passed unanimously.

Mr. Adams stated that the ARC discussed several issues, and one was how to let people know what they should be doing as winter approaches. One idea was to replace the No Hunting sign at the base of the Mountain, as well as an End of Construction Season sign. He noted that the End of Construction Season sign needs to reference that large equipment cannot come up the Mountain after November 1st.

Mr. Adams clarified that his draft for the Lot Improvement Plan states that from November 1st through May 1st only four-wheel drive pickup trucks are allowed and when roads are snow-covered chains are required. Prohibited vehicles include box trucks, trailers, cement trucks, semi-trailer trucks, and large delivery trucks. Ms. Suitor remarked that typically box trucks are allowed if they have chains. Mr. Sears agreed. Ms. Suitor stated that they also need to make sure they do not prevent repair trucks from coming up when someone needs a plumber or some other repair or maintenance. They also allow snowmobile trailers.

Michelle Suitor stated that they will not be able to draft language in this meeting and that they should move on.

PI-E-47

John Adams reviewed plans for a new home on Lot PI-E-47, 2021 West Valley Vista. The owner is proposing a 2,184 SF new home on 1.01 acres. The material is very straightforward. Mr. Adams noted that it was a little different than what they saw in the ARC meeting. He provided feedback to the owner and instead of the light color, they went back to the originally planned dark sage. The only difference is that the trim of the house will be the same color as the roof, which is dark bronze metal. The house will have a metal standing seam roof.

Mr. Adams stated that currently there is a 400 SF cabin on the property as an accessory dwelling unit. The new house will be the primary residence. Summit County gave the owner written approval to classify the 400 SF cabin as an accessory dwelling unit. The new house will be the primary residence.

The Architectural Committee had no issues with the request.

Mr. Suitor asked if Mr. Adams verified whether the shed would be attached to the house. Mr. Adams stated that he spoke with the owner and that the shed is a temporary structure that was built a year ago. They shoved it against the house so they could enter and exit during the winter. They had a baby and need more space, and the shed will be shoved out as soon as possible. It is not permanent. Mr. Suitor suggested getting that in writing. Mr. Adams thought it would be considered a remodel. Mr. Suitor pointed out that Summit County did not approve the initial square footage of the additional shed. Michelle Suitor noted that they also enclosed the deck and deck square footage is not counted unless it is enclosed. Mr. Suitor was concerned about pushing the limits without proper permitting.

Mr. Adams thought the Board could move forward with approving the new home. If the shed is a problem, it could come back to the Board for separate approval. Mr. Suitor wanted to see the Summit County permit or whether it has been permitted. Mr. Adams stated that the information he has was obtained from Summit County. The owners were permitted to move forward. Mr. Sears

thought they could approve the new building and follow up with the owner on the shed and the porch at a later date.

MOTION: John Adams moved to approve a 2,184 SF new home on 1.01 acres for Lot PI-E-47, 2021 West Valley Vista. Michelle Sutor seconded the motion.

VOTE: The motion passed unanimously.

PI-E-92

Mr. Adams reviewed plans for a new shed on Lot PI-E-92. The owners, Shawn and Heather Broderick were proposing a 160 SF shed on 1 acre. The shed is almost constructed.

Mr. Adams spoke with the owners, and they said they were unaware that sheds under 200 square feet needed to be approved. The owners wrote a letter and paid their fees. They sent in a lot of pictures and the colors and materials they were using were acceptable.

MOTION: John Adams moved to approve the new shed as proposed on Lot PI-E-92. Michelle Sutor seconded the motion.

VOTE: The motion passed unanimously.

PI-68A-AM

Mr. Adams reviewed plans for a replacement gate for PI-68A-AM, 1835 Tollgate Canyon Road. The owners would like to replace Boyce's old collapsed gate that no longer exists. The question is not whether they are allowed to have a gate. The question is whether they are allowed to have the proposed gate. The gate will be dark brown hammered steel.

Mr. Adams asked if the gate proposed satisfies the Mountain vernacular. Sam Vincent was comfortable with it.

MOTION: John Adams moved to approve the replacement gate for PI-68A-AM, 1835 Tollgate Canyon Road. Michelle Sutor seconded the motion.

VOTE: The motion passed unanimously.

Open Public Forum

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There were no comments or questions.

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

The meeting of the Pine Meadow Owners Association Board adjourned at 8:25 p.m.
