

PINE MEADOW RANCH OWNERS ASSOCIATION
MONTHLY BOARD MEETING
RANCH MANAGER'S OFFICE
FEBRUARY 18, 2020

In Attendance: Pamela Middleton - President; Nick Jackson – Vice President; Michelle Sutor, Secretary; Andrew Pagel, Treasurer; Tom Brace (Area 1); Bennett Wetch (Area 2) Nicole Irving (Area 4); Bruce Hutchinson (Area 5); Paul Sutor (Area 6); George Sears (Area 7). Bruce Hutchinson (Area 5) participated via telephone.

Ex Officio: Jody Robinson, Ranch Manager; Randy Larsen, Assistant Ranch Manager; Robert Rosing, HOA Counsel

Excused: Joe Pagel (Area 3)

Guests: Tom and Debbie LeCheminant, Lot PI-D-29; Laura Brown, Lot FM-C-77; Roy Parker, Lot PI-G-84.

Pamela Middleton called the meeting to order at 6:37 p.m.

Approval of Minutes

January 21, 2020

MOTION: Pamela Middleton moved to *approve* the Minutes of January 21, 2020 as written. Nick Jackson seconded the motion.

VOTE: The motion passed. Pamela Middleton and Nicole Irving abstained.

Ranch Manager Report

Jody reported that he and Randy had been doing snow removal and sanding.

Jody stated that the tractor was having brake problems. They can get by through the Winter, but it will need to be repaired in the Spring.

Jody remarked that Randy Larsen would be off work for a week or two, due to a medical issue.

Jody reported that the HOA would be receiving a bill for four loads of sand.

Mr. Brace asked if Jody needed help with snow plowing while Randy was recovering. Jody thought he could handle it without Randy.

Paul Sutor asked if Jody could fix a pothole that was developing between Rocky Point and above the turn. Jody stated that he would get cold mix from Home Depot and see if it holds.

Jody stated that he would be running the grader Wednesday and Thursday this week and he asked Michelle Sutor to put out the notification.

Mr. Pagel asked if they should be aware of other upcoming bills. Jody replied that the Ford truck was repaired last month. Ms. Middleton recalled from the last meeting that the dump truck needed a new plow blade. Jody stated that he also needed new chains for the grader.

Mr. Brace clarified that when Jody does the grading the road is not in danger of a head-on collision. The intent of the notification is for preventive safety. Jody replied that he was correct.

Water Company Board Meeting

Mr. Hutchinson reported on the Water Company Board meeting.

Mr. Hutchinson stated that the Water Company was still losing water. They were not able to determine exactly where the water is being lost but it is consistent. They were waiting until Spring to try and identify it further.

Mr. Hutchinson reported that the Water Company is testing new monitoring for each connection. It will be a SCADA type system that is able to be picked up by cellphone. Mr. Hutchinson stated that the Water Company was testing 10 meters to see if it reads through the snow. There are concerns because it is not working as well as anticipated. The company who owns the system and the meters was coming up to the Ranch to give Brody and Trevor additional information and to see whether they can work out the problems. At this point, the Water Company is unsure whether the property owners will be required to go to a new system.

Mr. Hutchinson stated that Pine Meadow Water has an agreement with Mountain Regional Water to supply water to the Pine Meadow system in an emergency. He noted that currently, the Water Company is only capable of producing 35-40 gallons per minute total from all the wells. That is a small amount and if there is a fire emergency it would drain the tanks quickly. Mr. Hutchinson stated that the Water Company and Mountain Regional have a Memorandum of Understanding, but nothing is official. The Water Company is working towards getting an official agreement formalized in writing so if there is an emergency, they can purchase water from Mountain Regional. It would be a mutual agreement and Pine Meadow Water could pump water to Mountain Regional if they have an emergency.

Mr. Hutchinson also had information on the parking issue, but he would give that report

during the parking discussion this evening.

Parking Updates & Signs

Nick Jackson reported that he had been looking at the Summit County owned lot by the mailboxes. However, Summit County is not motivated to work with Pine Meadow Ranch to come up with a solution because they are not concerned with the parking lot issues. In addition, Summit County is currently involved in discussions on a plan to extend that parking lot through the easement. Mr. Jackson stated that he was still talking with Summit County about getting permission for the HOA to tow cars that are abandoned or blocking the road.

Ms. Middleton noted that there was the area in front of the mailboxes, and then another area across the road from the mailboxes. She asked which one Summit County was talking about expanding.

Bruce Hutchinson stated that after the Water Company meeting, he spoke with Mr. Cylvick to get a better understanding of the parking plan. Mr. Hutchinson noted that the area across from the mailboxes that currently have cars parked on it is quite small. There is a fence behind that parking lot, and there are gas pipes up a little further. Mr. Hutchinson remarked that the area behind there is open space that was purchased by Promontory when they needed additional open space for their development. Promontory purchased that space and turned it over to the county. It is now owned by Summit County as open space. Mr. Hutchinson stated that according to Mr. Cylvick, the terms of the deeded open space is that it needs to be used as open space. The land is unbuildable, but there is nothing in the language that prohibits parking. Mr. Cylvick has communicated with the Summit County Manager and the County Attorney, and they both concur with the fact that there is a parking problem and they are not against allowing Pine Meadow to use that land. However, Mr. Cylvick had involved Promontory and they were very much opposed to Pine Meadow using the land for parking. Promontory has lots that look down on that property and people do not want to look down on a parking lot. Mr. Hutchinson stated that technically the property was turned over to Summit County and Promontory should not have any say in the matter. Mr. Hutchinson remarked that there was still a possibility to come to some agreement.

Mr. Hutchinson remarked that the parking would be in two tiers. Nothing would be improved, and the area would still be open space.

Ms. Irving stated that if Summit County is not interested in giving Pine Meadow permission to help maintain what they currently have, she questioned why they would want to create a bigger issue. Ms. Middleton agreed with Ms. Irving. Pine Meadow will

need to manage the parking lot and that presents other issues. Ms. Irving pointed out that Pine Meadow does not even have permission to manage it. Ms. Middleton thought there were too many complications. She wanted to know who would manage it and who would pay for it, especially if they need to hire someone to do it. The HOA does not have the money or the personnel.

Mr. Sears asked Mr. Jackson if Summit County talked at all about the safety issue. He thought the county would be liable if they do nothing towards resolving any of the problems. If they do not allow the HOA to tow cars that are blocking the road, the county could come up against some liability. Mr. Jackson stated that he emphasized that the issue was about safety and the road being blocked or creating risk of accidents, as well as taking away the emergency chain up area. Mr. Jackson remarked that the person at the county was having a hard time getting an answer because the concurrent negotiations were causing an issue. Mr. Jackson was unsure whether the HOA would even want another parking lot. The Board concurred. He wanted to know who was advocating for extending the parking lot.

Mr. Hutchinson stated that the President of the Water Company, Eric Cylvick, investigated it on his own. It was not done on behalf of the Water Company. Mr. Sears preferred to see what the HOA could do with the piece they control and not get involved with Mr. Cylvick's plan.

Mr. Pagel wanted to know who would pay to develop the parking if they did expand the easement area. Mr. Hutchinson stated that Pine Meadow HOA would pay for it if they wanted to use it. Mr. Pagel stated that in his opinion, there was no reason for the HOA to pay to develop an area they would have no control over. They should only be concerned about the area by the mailboxes. Mr. Jackson remarked that the HOA would need permission from Summit County before they could expand anything, and they first need to take care of the problems they already have.

Mr. Rosing agreed that the important issue is to maintain what they currently have. He recommended requesting an in-person meeting with Helen and Margaret in the County Attorney's Office to let them know that the HOA is not interested in expanding, but they do need flexibility to control what they have. If that is not an option, Mr. Rosing recommended sending Board members to County Council meetings to raise their concerns during the open forum portion of the meeting.

Mr. Hutchinson thought it was important to determine whether the people creating the problems are part-timers or people on the Ranch full-time who use that lot to park a second car. The Board concurred that it was both scenarios.

Mr. Pagel believed that since Pine Meadow bears the cost to maintain the road, they would also have the jurisdiction to enforce parking on the road and have the car towed. Mr. Hutchinson pointed out that Pine Meadow does not own the road; it is an easement. Mr. Rosing thought the easement might give the HOA the right to tow if a car is parked or abandoned on the road. However, he had not read the easement agreement to know that for certain.

Mr. Sears stated that if the HOA has the property by the mailboxes, they should be able to post signs regarding parking in the area. Ms. Irving noted that there is already a sign at the bottom that reads, "Anything beyond this point is subject to towing without notice", but that refers to anything beyond the parking lots.

Mr. Rosing stated that when they meet with Summit County, they should be able to ensure that the HOA is maintaining and has operational control over that parking lot. If they have an agreement with the county that should create an insurable interest, the HOA should be able to insure the lot for liability protection. If they do not have an insurable interest, the HOA cannot insure the property and if someone gets hurt, that person would sue Summit County. If someone tries to sue the HOA, the Board will use the letter as proof that the HOA wanted to insure the property, but Summit County would not allow it. Mr. Rosing believed an in-person meeting with the County Attorney should be the next step if possible.

Ms. Middleton asked Mr. Jackson to try to schedule an in-person meeting with Helen and Margaret of Summit County.

Paul Suitor reported that the DOT does not own any of the areas where people are parking. The DOT owns a sliver, but it is not part of the parking lot. He did not believe there would be any issues with DOT.

Paul Suitor had spoken with McNeil's Towing and they were willing to tow on any HOA owned property as long as the HOA has permission from Summit County and the required signs are posted. He also contacted Park City Towing and they were supposed to send him a copy of the contract and call him two weeks ago. He had not heard back and only received the contract today after numerous phone calls. In contrast, McNeil's has been very receptive and *responsive*.

Mr. Jackson asked if any of the Board members thought expanding the lower parking lot was a good idea. Mr. Pagel did not think it was a good idea at this point. It might be something to consider if the HOA is given the ability to manage it.

Ms. Irving noted that at the last meeting the Board discussed potentially putting in

additional parking lots this summer above the dumpster lot. She thought that was technically Summit County land as well. Mr. Pagel remarked that the HOA owns some areas that were slated for parking that have not been maintained. Ms. Irving understood the interest in getting permission from Summit County to control and maintain county land, but even if they get that permission, there would still be the issue of spending HOA money to develop and maintain county land. Mr. Pagel agreed.

There was agreement among the Board to do something with the lower lot.

Ms. Middleton moved the discussion to the dumpster lot. Ms. Suitor passed around stickers. The stickers should be distributed evenly and there needs to be a consistent process to follow. Ms. Suitor had set up a Dropbox file to communicate with people. The suggestion was made to set up an email address to communicate with people so they will have written documentation. Ms. Suitor explained that she put a spreadsheet in Dropbox that the Board can use to fill in pertinent information and everyone can see who was warned and when.

Ms. Middleton noted that there is already a process for handling parking on the Ranch. If the Board is interested in changing the process, it needs to be in writing and there needs to be a protocol that everyone is expected to follow. There needs to be documentation of the steps to follow and how everything will be recorded. The protocol needs to be carefully laid out and very clear.

The Board discussed several scenarios and how those should be handled under a new protocol. Someone asked if a tow company would be able to get to some areas on the Mountain during the winter. Mr. Hutchinson noted that Park City Towing has refused to come up on the Mountain in winter conditions. Since McNeil Towing is in Salt Lake, he assumed they were not familiar with winter conditions on the Mountain and questioned whether they would be willing to come up.

Mr. Hutchinson thought the Board needed to discuss snowmobiles. He had pictures of snowmobiles that block the road. He asked if the same rules would apply to snowmobiles. Ms. Irving thought it would if snowmobiles are parked in the road. It should apply to any vehicle. She asked if they should do booting instead of towing in the winter. Mr. Hutchinson stated that people have never had to worry about this before, and he thought the stickers would put people on notice that this is an issue that the HOA is enforcing. He believed most people would move their car and not do it again to avoid getting another sticker.

Bennett Wetch thought booting was counterintuitive and would exacerbate the situation. If a car is booted it will be left on the road longer.

Ms. Middleton stated that every Board member will get stickers. They would also come up with a protocol that the Board could edit and post on the website. The protocol would only apply to HOA roads and the dumpster area. It would not include the mailboxes because the HOA does not have jurisdiction at this time.

Ms. Irving commented on signs. She was trying to work with an owner on the Mountain to purchase the signs, but she had not heard back. A backup plan is to purchase signs online for \$20 per sign. Ms. Irving asked if the Board wanted to vote on the verbiage and she would order the signs. Mr. Suitor noted that most signs either say no parking between these two signs and others say parking allowed between signs. Ms. Irving noted that the area was very large.

Mr. Sears thought it was a requirement for owners on the Ranch to register their vehicles. When they register the vehicle, they get a sticker to put in the window. He noted that if someone is an owner and they have a sticker, it would be easy to identify who owns the car. Ms. Middleton noted that Carol has a list of everyone who purchased a sticker.

Mr. Sears stated that years ago he purchased five stickers; two for his cars and the other three he could give to his invited guests so he would be notified immediately if there was a problem. He asked if the Board wanted to reinitialize that process because many owners on the Mountain do not have stickers on their vehicles. Ms. Middleton pointed out that the policy was still in effect and Carol has stickers available to purchase at every Annual Meeting. Some Board members stated that they do not have stickers, but unless they intend to park in one of the parking lots, they did not think it was necessary for every property owner to have a sticker. Mr. Sears understood from the process years ago that every owner who intended to have vehicles on their property were still required to register their vehicles. He suggested that the Board revisit the policy.

Mr. Wetch was not opposed to revisiting the issue at a later time, but he preferred to get the signs in place and resolve the dumpster lot first.

Ms. Irving reported that the cost for three signs was \$60 at \$20 per sign. For an additional \$11 they could add sun protection. It was suggested that multiple signs were needed. Ms. Irving would double the order. Ms. Irving noted that currently there is a sign stating, "This lot is for short-term parking only. Anything longer than seven days is subject to being towed". She asked if the Board wanted to keep that sign. It was noted that some owners have larger vehicles parked in the lot they drive around the Ranch and also park a smaller car that they use to drive to Salt Lake. The Board agreed to

keep the sign because seven days is better than removing the sign and leaving it open-ended.

It was noted that the sign without the arrows should be clear that having a sticker does not allow parking outside of the arrows. The wording as read by Ms. Irving could imply that if someone has a sticker, they could enter the lot or park anywhere. The wording was changed to "parking in designated areas". Ms. Suitor stated that if Ms. Irving lets her know when the signs are being posted she would put it on the website and Facebook.

It was noted that they would need stakes for the signs. Ms. Irving pointed out that she could not order stakes with the signs. It was probably a question for Jody.

MOTION: Pamela Middleton moved to budget \$400 for parking signs, posts, hardware, and other necessary items for posting signs at the dumpster lot. Nick Jackson seconded the motion.

VOTE: The motion passed unanimously.

Mr. Hutchinson noted that the HOA has been very reactive because of the issue of safety in the winter. He proposed that the Board consider issues that need to be addressed in the HOA parking lot during the summer. He asked if the parking committee would consider things such as charging people for storage of their personal trailers and other vehicles as an effort to clean out the lot. He noted that currently both lots are very congested.

Ms. Middleton stated that she has been thinking about *this* as well, but the problem is having to pay someone to enforce it and to manage the payments. If they charge people to park there, the Board needs to set up a protocol and have someone manage it. Mr. Hutchinson thought the HOA could issue stickers and tags. In terms of managing it, Carol currently manages the parking stickers for the car, and she could manage this as well. Ms. Irving thought Carol could send a different sticker using the same procedure. Ms. Middleton thought it would be better to have a plan. Mr. Hutchinson clarified that he was only suggesting that the Board ask the parking committee to discuss it because it is becoming a storage area. They need a plan where everyone uses the lot under the same conditions without exception, and the HOA needs to be able to control it.

Mr. Sears reiterated that the owners should be required to register their vehicles. He was certain that many of the vehicles parked in the lot today do not have owner stickers, and they have no idea who owns the vehicle.

Ms. Middleton asked if the HOA should pay someone to manage it or whether it would be a volunteer. Mr. Rosing stated that enforcement does not need to be constant and volunteer Board members could do it. He believed that once a few people are towed and word gets out, the enforcement would require less time.

Ms. Middleton emphasized that she was not opposed, but she wanted the logistics on how to do it. Ms. Suitor offered to send out a reminder that any car parked on HOA lots needs to have a parking permit. Ms. Irving thought it was better to wait until the signs are posted so Ms. Suitor can put out all the parking information at one time to avoid confusion.

Mr. Brace asked Nicole if she would put a procedure together for how the HOA responds to stickering. Ms. Irving answered yes.

Ms. Middleton noted that Roy Parker, Lot PI-G-84, previously raised the issue of signs on the Ranch. She had asked Mr. Parker to put together a protocol and wanted to know if he was still willing to do that. Mr. Parker stated that he was only curious as to whether signs are allowed on the Ranch. He has heard conflicting answers. Mr. Parker pointed out the proliferation of real estate and other signs and wanted to know the rule. Ms. Middleton replied that the Rules and Regulations prohibit signs. Bulletin boards were placed at the bottom for real estate agents to put their postings, but it has never been enforced. Ms. Middleton thought the Board needed to discuss whether they were interested in formulating a plan for this issue. They would need to telegraph their decision to the real estate agents to let them know that the HOA was starting to enforce the rules on signs.

Tom LeCheminant, Lot PI-D-29, recalled that in the past the HOA was sued by the realtors and the HOA lost. The issue was about allowing real estate signs on the owner's property. Mr. Sears thought the HOA could allow a small real estate sign on a property that is for sale, and still prohibit large real estate signs that encourage people to come to the Ranch.

CC&R Update

Mr. Sears stated that a statement that was included on all the billing statements encouraging members to vote.

Mr. Sears reported on the current numbers as of last Friday: 367 owners had voted.

Ms. Middleton stated that in order to be fiduciarily responsible for all the time and money

spent on the CC&Rs, she thought it was important to have Carol send an email to the owners who have not voted reminding them to vote. Mr. Sears stated that he had spoken with Carol about it. He agreed that rather than broadcasting it to everyone she can narrow it down and only email the individuals who have not voted. Carol could remind the owners to vote and to contact her if they needed additional copies of the packet that was originally sent out. The email would encourage them to vote.

Mr. Sears stated that at the current voting rate, nothing could be passed because only 45% of the members have responded. He pointed out that even if they decide to do something different with the CC&Rs based on the work that they know needs to be done, they need to find a way to get a least 600 of the 800 owners involved. Mr. Sears remarked on the importance of getting the owners engaged if they have any hope of passing something.

Mr. Wetch stated that at the organization he works for they found a 300% increase in the voting process when they included the ballots with the bills. He suggested consolidating some of the communications. For example, when he receives his statement, he sees it immediately. When he receives the emailed ballot, it goes into his inbox to be dealt with later. Mr. Wetch thought there were mechanisms to help encourage increased participation. He asked for the actual number of votes needed. Mr. Sears recalled that it was 542 votes. It was noted that once they reach 267 votes against, the voting is over because it would fail. Mr. Sears noted that 367 people had voted so far, and they needed at least 200 additional people to get involved if they ever want to pass something. The CC&Rs is a controversial issue, and if they cannot get a majority engaged on this item, the Board will never be able to make changes or modifications over time. He felt this was their biggest challenge even before he came on the Board.

Paul Suitor thought people needed to understand that the majority of the expenses are legal fees to fight legal battle. They need to make that association as a reason to vote, because if the CC&Rs cannot be changed to prevent lawsuits, everyone will end up paying more in dues to continue fighting legal battles. Ms. Middleton noted that people were told that, but it did not make a difference. Mr. Suitor stated that he was still being contacted by people who did not vote or who lost their ballots because they did not think voting was important, but they all want to know why their HOA fees are so high. Mr. Sears pointed out that those are the people who do not participate. He noted that years ago, 600 people would attend the Annual Meetings. Mr. Hutchinson also pointed out that the crowd was large and the meetings were confrontational every year.

Mr. Suitor believed that when someone receives a 30-page document, they read the first paragraph and throw it away. Mr. Wetch added that there is always a huge time

gap with mailings. He is new on the mountain so his ballot went to a P.O. Box in Texas that he checks twice a year. There is also an issue of general information and whether they communicate with the members in the most efficient way possible to get a response. He thought it was especially important for the owners who increasingly use the Ranch for investment properties or for second and third homes.

Ms. Suitor asked if Carol has a way to track those who voted by mail and who voted by email. Mr. Sears answered yes. Carol knows how many voted, who they are, and how they voted. Carol can parse the list so if another email goes out, she can see who does not have an email. Mr. Sears noted that Carol has email addresses for all but 40 people.

Mr. Rosing highly favored the suggestion of sending the ballots with the bills.

Mr. Sears noted that Carol was getting calls and emails from people requesting another ballot, which was positive. However, he thought it was important to send another reminder email encouraging people to vote. It was noted that Carol would not need to send the same packet of information each time, and instead the email could include a link to the information on the website. It was also suggested that Carol send a reminder postcard to the people who do not have email addresses. Mr. Sears noted that the full packet was initially sent to the 40 people without email addresses.

Ms. Suitor asked if she could post that 367 people have voted and ask those who have not voted to please do so. She could include the link to the website where people can find the ballot. Ms. Middleton was unsure if the ballot was on the website with the documents. Ms. Middleton noted that Carol is the point of contact as a separate neutral party handling the logistics.

Mr. Brace asked if the Board could request a list of those who have voted or not voted by lot number so the Area Reps can personally contact those in their area if they wish. Mr. Hutchinson stated that Carol has been very careful not to distribute that information to anyone. Mr. Brace clarified that he was only asking for a list of those in his area who have or have not voted. He did not want to know how they had voted.

Mr. Sears stated that when he came on the Board last year, Carol told him he could have the Area 7 list, but not a list of the other areas. He thought Carol should be able to provide the information Mr. Brace was requesting to the appropriate area rep per area.

Mr. Rosing recalled that there was concern regarding misuse of the contact list, and the compromise they came up with a few years ago was that the Area Rep could get the list for their specific area. Mr. Rosing thought that same procedure could be done in this

case. Mr. Sears recommended compiling a list for each of the areas and offered to work with Carol to get it done. The list would show all the people in their area and identify those who had not yet voted on the CC&Rs.

Architectural

Lot FM-C-77

Mr. Hutchinson reported that the Architectural Committee had reviewed the plans for FM-C-77 and found no issues.

Laura Brown, the property owner, noted that she paid her impact fee two weeks ago.

Ms. Irving asked about building up Hillcrest because the road is steep. Mr. Hutchinson stated that it is a modular unit. He was concerned that it is 46' long and 15' wide. Ms. Brown explained that the modular company building the house measured all three routes to reach their lot. Hillcrest has the least tight turns. The house is only 46' long because that is the maximum length, they can get up there. Ms. Brown stated that the last portion will need to be pulled up with a tractor because the truck cannot make it up the grade. Ms. Brown reiterated that she had the company take the measurements before they chose their house. The company chose Hillcrest because they were concerned about the turns on the other routes.

Mr. Sears pointed out that the details show the intent to change from a truck to a tractor.

Mr. Pagel was in favor of modular structures, but for continued modular proposals, he thought the HOA should make it a requirement that the owners need to meet with the builder and have them come up to the Ranch to evaluate the road.

Mr. Hutchinson was concerned about the impacts of shutting down the road to bring up the modular home. The Board needs to know when that would occur because it should be done at a time that least impacts the rest of the Ranch. Ms. Brown noted that the plans detailed the amount of time it would take, but a delivery date was not specified. She would notify the Board when she knows that date. Ms. Brown anticipated an August delivery. She still needed to obtain a building permit from Summit County.

Mr. Pagel stated that he sent an email to Jody Robinson, the Ranch Manager, two weeks before his modular home was delivered. He suggested that Ms. Brown notify the Board and the Ranch Manager of the delivery date.

MOTION: George Sears moved to *approve* the modular home plan for FM-C-77 as

presented. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

PI-D-80

Ms. Irving noted that the owners of Lot PI-D-80 were requesting an asphalt shingle roof. Mr. Sears noted that it was an approved roofing material. Ms. Irving noted that the lot is back on Elk and she thought they should inform the owners that snow will not slide off an asphalt roof. Mr. Sears stated that the Architectural Committee can have that dialogue with the owners. He noted that he knew of two people put on an asphalt roof and removed it within two years. Ms. Irving thought that should be communicated to the owners.

The Architectural Committee had reviewed the plans and found no issues.

Mr. Pagel noted that the proposal was for a home and a separate garage. The garage is small, but it has a second floor that will have a mother-in-law suite with a kitchenette, bathroom, and bedroom. He thought the county may see that as an ADU (Accessory Dwelling Unit). Mr. Hutchinson stated that an ADU is permitted. Ms. Irving asked about the square footage of the ADU. Mr. Pagel stated that the square footage was 1392 square feet, including the garage. The ADU would be approximately half that square footage. The proposed square footage of the home was 2819 square feet.

MOTION: Paul Suitor moved to approve the plans for a 2819 square foot cabin on PI-D-80 as presented. George Sears seconded the motion.

VOTE: The motion passed unanimously.

Mr. Sears offered to communicate with the architect regarding the asphalt roof.

Impact Assessment for Construction

Ms. Middleton noted that Mr. Hutchinson had suggested charging the assessment for construction at the time of lot clearing rather than when construction begins. Mr. Hutchinson stated that historically assessing the impact fee at the time of construction has not been a problem. However, they are now seeing people who purchase a lot, install a septic system, purchase water, and use the roads without paying the impact fee until they are ready to build. He was suggesting that once lot improvements begin, the owner should pay the assessed impact fee at that time rather than when they decide to build.

Mr. Wetch asked if changing the time for charging the impact fee would better align with the Summit County Fee Schedule. Mr. Hutchinson answered no. He thought it would stymie a few people who purchase a vacant lot and do enough lot improvements to call it a developed lot. He did not think Summit County would care when they charge the impact fee because the county does not own the road or maintain it.

Mr. Wetch understood from the last meeting that the property owner needed to obtain a permit from Summit County to embark on lot improvement activities. Mr. Hutchinson replied that they should obtain a permit but no one from the county checks on it or follows through.

Mr. Hutchinson stated that another scenario is if someone decides to bring a trailer up to their lot rather than build a cabin. Unless they put in water and septic, they would need to move the trailer every two weeks. Under the current policy, that person would not pay the impact fee because they are not building a structure.

Mr. Sears pointed out that if they change the policy, the Board will need to define development. He thought they needed to be careful about the definition because when Pine Meadow Ranch was first platted there were small roads into some of these properties throughout the Ranch. Some people graded out a little more and put in a culvert. He asked if that would be considered development or improvement. Mr. Hutchinson answered yes.

Mr. Hutchinson remarked that another problem that exists is that when the Ranch was platted the lots did not come in exactly the way they expected. In many cases, a lot owner cut a roadway to their lot thinking they were on their property, when in fact it was cut through a neighbor's lot. Until there is an actual survey, it causes problems. Mr. Hutchinson stated that a survey would trigger the impact fee for development.

Mr. Sears clarified that he was not objecting to the principle idea; but he was concerned about the definition of development. If a property owner only intends to use their lot as a camping site and puts in a road to access an RV or trailer, he was not comfortable charging an impact fee at that time.

Mr. Hutchinson stated that the justification for charging the impact fee sooner rather than later is that any time people bring up a heavy truck with material, they should be assessed because it impacts the road. Mr. Sears remarked that in that case it is considered development. Mr. Hutchinson noted that the owners are not calling it development and they are using and abusing the roads without compensation.

Ms. Suitor agreed with Mr. Sears. If it is a tent trailer that is put there for summer use and the owner wants to put in a septic, it is not a huge impact to the road. Ms. Suitor was not opposed to charging an impact fee, but she did not believe is needed to be the full \$6,000.

Mr. Wetch thought the next step would be to establish a definition of development and then create a proposal for when to assess the construction impact fee based on that definition. Ms. Middleton pointed out that the Board will need to amend the Rules if they change the policy. If the Board has other rules to amend, they should do it all at the same time to reduce the mailing cost.

In the interest of time, the Board tabled this item to a future meeting.

Plowing Map

Mr. Brace thought the plowing map should only be HOA roads. It should not include any private plow routes. Ms. Middleton agreed. Mr. Wetch thought they needed to differentiate between what Jody and Randy plow and what the contractor plows because it is very different. The contractor only plows the connector loop as an emergency exit route. Mr. Wetch recommended that it should have a separate designation on the map.

Mr. Sears pointed out that the map shows a lot of neighborhood routes. Some of the Board members offered to work together to revise the map.

Monthly Budget Review

Andrew Pagel reviewed the unpaid bills detail.

Mr. Pagel noted that at this point the assessment collection was minimal. He assumed that number would be higher next month.

MOTION: Andrew Pagel moved to approve paying the unpaid bills as presented. Bruce Hutchinson seconded the motion.

VOTE: the motion passed unanimously.

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

The meeting of the Pine Meadow Owners Association Board adjourned at 8:08 p.m.
