

PINE MEADOW RANCH OWNERS ASSOCIATION  
MONTHLY BOARD MEETING  
RANCH MANAGER'S OFFICE  
MAY 19, 2015

In Attendance: Tony Tyler – President; Dan Heath – Vice-President; Pat Kreis, Treasurer; Honey Parker, Secretary; Jeremy Jespersen (Area 2); Alan Powell (Area 3); Tom Deaver (Area 4); Mark Hogdson (Area 5); Mike Gonzales (Area 6); Tom LeCheminant (Area 7).

Excused: Matt Brown (Area 1)

Ex Officio – Jody Robinson, Ranch Manager.

Guests: Joanna Brace, Lot FM-B-23; Mandy Deuel, Lot D-42; Cheryl Groot, Lot E-70; Terry Beever, Lot D-21; Greg Sperry, Lot FM-D-151; Rich Seely, Lot D-84.

Tony Tyler called the meeting to order at 6:32 p.m.

### **Approval of Minutes**

MOTION: Mark Hogdson moved to APPROVE the minutes of April 21, 2015. Tom Deaver seconded the motion.

Only three members of the Board could vote to approve the minutes. Mr. Tyler noted the lack of a quorum of Board members who had attended the April 21<sup>st</sup> meeting. Approval of the Minutes was tabled to the next meeting.

The motion was withdrawn.

### **Owner/Visitor Open Forum**

Cheryl Groot, Lot E-70, had attended the Planning Commission meeting and noted that two Commissioners wanted to see the Deer Meadows property. She asked Mr. Tyler if those Commissioners had visited the property. Mr. Tyler stated that he had asked the Planning Commission to notify him when they intended to come and he had not heard from anyone. To his knowledge they had not yet visited the Deer Meadows property.

Ms. Groot stated that a number of individuals were wondering whether the Board had given any consideration for adding a guardrail where Tollgate and Forest Meadow currently intersect. She asked if they thought it was necessary or even a possibility.

Mr. Tyler replied that it was considered and the Civil Engineer recommended not putting a guardrail in that location. The grade coming off of Forest Meadows meets the Summit

County guidelines as far as the percentage of slope. There should not be an issue at that intersection unless someone is driving too fast. He also discussed it with Summit County and they did not think a guardrail was necessary unless they started to see problems.

Ms. Groot offered to pass that information on to the individuals who had asked about the guardrail.

Ms. Groot noted that the sign she offered to make at the last meeting was not done because he was unable to get the lumber until yesterday. He presented a sketch of what the sign would look like. The approximate size is 8' x 44" tall and 3" thick with posts at the bottom. Ms. Groot commented on the sign location and asked when the hay bales, T-posts and silt fence at the bottom would be removed. Mr. Tyler stated that they were asked to keep those items in place for a year after the construction was completed. They would remain a few more months until after the spring runoff.

Ms. Groot asked if it was possible to consolidate all the signs by the mailboxes so everything beyond the fire sign would look neat and clean going into the Ranch. She also asked if the dumpster would remain in the current location or whether they would come back down. Mr. Tyler replied that the Board could discuss the possibility of moving the signage down to the lower area. He pointed out that the signs currently sit on HOA owned property. Moving them further down would put them on County property. He did not believe Summit County would have an issue if they decided to move the signs to that location.

Regarding the dumpsters, Mr. Tyler stated that he had spoken with Allied and he was waiting for them to come up and meet with him to determine whether they would service it during the winter. Based on his initial conversations with Allied the road meets County standards and they have indicated that the dumpsters could be serviced up there on a permanent basis. Mr. Tyler pointed out that Allied told him that before but it was never done. His intent was to have the person in charge look at where the dumpsters are located and to have that conversation with him.

Ms. Parker favored consolidating the signs by the mailboxes because people currently pull off the road haphazardly to read the signs and that creates traffic issues.

Ms. Groot thanked Alan for reinstalling the signs at the bottom.

Mr. Tyler had inadvertently left signage off of the agenda, but he had wanted the Board to discuss putting up entrance signs announcing that people were entering the Pine Meadow Ranch HOA boundaries at Tollgate and Forest Meadows. He primarily wanted

the signs posted because of the hunting and shooting restrictions. Another sign should be posted on the backside.

Someone asked about the requirements for constructing a small shed less than 120 square feet. Mr. Tyler stated that a permit is not required if the structure is under 120 square feet and the HOA would not require an impact fee. It would not have to come to the Board for approval. However, the structure must meet the architectural guidelines. Mr. Tyler asked the owner to confirm the calculation to ensure that the shed would be less than 120 square feet.

Mr. Tyler pointed out that the HOA had already received four new construction applications this year, which exceeded the impact fees budgeted for 2015.

### **Ranch Managers Report**

Jody reported that the mag water would begin on Friday, June 12<sup>th</sup>. The Canyon will be shut down on Friday night and reopened Saturday morning.

Jody stated that the equipment was running well. An engine leak in the dump needed to be repaired.

Jody had started the summer projects which included graveling and grading the roads. His primary focus was to work on the roads. Some material was necessary but it was mostly just grading. Jody stated that the main cost would be the price to have the material hauled up and delivered due to the road construction on I-80. He suggested that they use discretion on where to add new material this year.

Mr. Deaver asked for an update on the large erosion on the side of Tollgate. Jody stated that he was watching it but it was not moving so he was not doing anything with it at this point. He estimated that the repair would cost \$800 to \$1,000. Mr. Tyler noted that the new pavement was just laid and he thought they should wait to make sure it remains in good condition. He stated that asphalt costs were not anticipated in the budget, but he expected to purchase at least one load of asphalt at some point.

Jody reported that his priority has been to work on the main artery roads to get them ready for the Memorial Day weekend.

### **Water Company Board Report**

Mr. Tyler reported that the Water Board had not met in May.

Mr. Tyler commented on a number of Water Company related issues that needed to be addressed. First, if people with water meters had not scheduled a time for the Water Company to inspect their property for cross connection issues, they needed to do so as soon as possible. Mr. Tyler explained that it was a State requirement and if people with storage tanks have a cross connection the owner is required to fix it. Per State law, the Water Company has 2-1/2 years to prove that there are no cross-connections, which is the reason for the inspection process. If a property owner refuses to have their property inspected or does not schedule an appointment, their water meter will be removed because there is no other way for the Water Company to confirm that there are no cross-connections. Pine Meadow would lose its charter as a water company if they allow cross-connections to continue. Ms. Parker offered to post a reminder on the website.

Mr. Tyler commented on an issue with an owner of an SS lot, which are lots outside of the traditional platted lots of the Pine Meadow Ranch HOA. Over time some of the SS lots had annexed into the Water Company in order to have a water meter connection. Mr. Tyler explained that the Water Company is a non-profit, shareholder owned system and it only exists to service its members, which are designated as the Pine Meadow Ranch Homeowners Association. When the Water Company and the HOA split after the Summit County Special Service District took over, it was a requirement that anyone with a water meter connection and access to the water company system must belong to the HOA. That requirement is specifically spelled out in the Water Company Bylaws.

Mr. Tyler stated that in this particular case the property was being sold. The existing home owner has a water meter and has been paying dues to the Pine Meadow Ranch Owners Association, but claims they are not a member of the Homeowners Association and their dues were voluntary. The owner was informed that this was not the case and the attorney for the Water Company confirmed it. Mr. Tyler remarked that the buyer of the property does not want to be a member of the HOA but he wants the water. When the closing documents were sent from the HOA and the Water Company to be executed, the buyer refused to execute the documents for becoming a member of the HOA.

Mr. Tyler stated that 10 or 11 SS lots have a water meter, but the owners have never signed documents saying that they are part of the HOA. However, the fact that they have paid an annexation fee to the Water Company makes them a member of the HOA. Mr. Tyler suggested that the Board ask the HOA attorney to draft a letter to those lot owners informing them that if they have a water meter they are a member of the HOA, and asking them to sign attached documents that would be recorded against the lot to keep this issue from occurring again.

Mr. Heath reported that the seller had signed the necessary documents to join the HOA. Mr. Tyler stated that if the agreement had been signed it would resolve that particular issue, but he still recommended sending a letter to the other owners so it is clear to everyone.

MOTION: Tom Deaver moved to authorize the expense to have the attorney draft a letter to send to the owners of the SS lots outside of the Ranch boundaries. Pat Kreis seconded the motion.

VOTE: The motion passed unanimously.

Mr. Gonzales asked why Mountain Regional Water was on the Ranch. Mr. Tyler replied that Pine Meadow has a connection to Mountain Regional that goes out through the emergency exit. He explained that the connection was negotiated for two reasons. If there is a wildfire on the Ranch, Rocky Mountain Power shuts off all the transformers which would eliminate the water supply because the pumps quit working. The water stored in the tanks would only last approximately 17 minutes. With the connection over to the Silver Creek side, Mountain Regional agreed to feed Pine Meadow water in the event of a wildfire. The same is true in reverse, and Pine Meadow Water would provide Mountain Regional with water in the event of a wildfire. Mr. Tyler pointed out that the connection was a safety issue. It also comes down to a supply issue. He noted that the Water Company has adequate water rights to service all the lots within the Association, but there is not enough wet water to service those rights to full build out. An approved variance at the State level has allowed the Water Company to operate under the required limit of water supply for the number of available lots. The agreement with Mountain Regional was also a stop gap to prepare for some point in the future when the Ranch will definitely need additional water.

## **On-going Business**

### Community Playground

Mandy Deuel stated that at the last Board meeting she had presented the idea of a Tollgate community playground/park. At that time she and the Board agreed to look at potential sites on land owned by the HOA. Ms. Deuel had visited the sites with some of the Board members and she believed they had all agreed on the perfect site. She passed around photos of the area they were considering. The area being considered was the flat area up above the upper winter parking lot. They chose that area because it is already cleared of any trees, shrubs or large boulders. It has an existing access road and a very large flat area.

Ms. Deuel handed out packets which included a concept drawing to show what could fit in that area. She emphasized that this was not a final plan. Ms. Deuel clarified that in addition to the playground, the plan is to expand it into a community park in the future. There is space for a parking lot and playground equipment, as well as open space for picnic tables, horseshoe pits, etc. Ms. Deuel stated that the open fire pit area marked on the plan was the existing New Year's Eve pit.

Ms. Deuel remarked that because the suggested area was so flat it would require minimal excavating. They would need to put road base on the existing road and in the parking lot. They would also need to excavate the playground area approximately 6" to 9" in order to add the cushioning of bark mulch or whatever surface they choose.

Mr. Tyler thanked Ms. Deuel. These were the types of projects that he encourages the property owners to take on. It is a great project and he liked the concept. Mr. Tyler believed the space was suitable to accommodate a playground and eventual park.

Mr. Tyler suggested adding a much larger area that would be fenced as a dog park. Mr. Tyler noted that the existing road is an impromptu road that has been cut in over the years from ATVs, and the HOA has diligently tried to re-vegetate it. He stated that County Code will not allow a road in an intersection like it exists today. It has to be at least 50 feet away from any existing intersection. Ms. Deuel thought it would be possible to curve it and create a new entrance into the area. She explained that they were thinking of using the existing road because it was at the flattest portion of the property. Mr. Tyler believed they could change the orientation to get it out of the intersection.

Mr. Deaver asked if the tubing hill would be incorporated into the playground/park area. He also asked if Mr. Deuel had spoken with the insurance company regarding liability. Mr. Tyler stated that he had left a message for the insurance agent but he had not yet heard back. As soon as he hears back he would email the Board and Ms. Deuel. Mr. Tyler thought the tubing hill could be added with little effort.

Mr. Tyler remarked that the HOA requirements for the fire pit require a water source within 30 feet. The fire pit Ms. Deuel mentioned does not have the water source, even though it has been used in the past. However, winter fires are different than a fire pit that is there all the time. Ms. Deuel clarified that it would not be a usable fire pit for the summer. She only identified it as the location for the winter fire pit. The intent of identifying the location on the plan was to keep from building it in the middle of the playground or the parking lot.

Mr. Tyler commented on restrooms. Ms. Deuel had contacted Summit County and

restrooms are not required.

Mike Gonzales thought the parking lot was small. Ms. Deuel pointed out that it was possible to walk up from the other parking lots. However, they wanted some type of parking lot on site to accommodate people with strollers and small children. If there was a Tollgate-wide community event, people could park in the lower lots and walk up. Ms. Deuel noted that the parking area could be expanded if they wanted to remove some scrub oak, but she preferred not to do that. Ms. Gonzales clarified that he was not interested in a larger parking area. His concern was having the facilities to accommodate a lot of kids and multiple picnic groups.

Ms. Groot remarked that the funds were being donated and the intent is to add additional facilities as money becomes available. Mr. Tyler suggested that Ms. Deuel could call the initial playground Phase 1 and plan out additional space for future expansion as the demand dictates. Ms. Deuel reiterated that this was only an initial concept and it could be revised. She welcomed their input.

Mr. Tyler pointed out that the original vision of Tollgate Canyon had a number of pocket parks on HOA owned property. He named some of the locations where pocket parks were envisioned. He stated that when the HOA was taken over by Summit County as a Special Service District and they later redistributed the HOA and the Water Company back to the property owners, a number of those parcels were sold to individuals and it was no longer open space as originally intended.

Ms. Deuel stated that the playground would be privately funded, similar to how the fish pond was funded. Those who use it annually would contribute to maintain it. Ms. Deuel commented on the amount of interest in the community and the number of people who want to contribute.

Mr. Heath asked about fencing around the swing area. Ms. Deuel replied that there would be fencing around the perimeter. Ms. Parker asked if there were concerns with putting a dog park near a playground. She thought it made sense to put the dog park in a different location. The Board did not believe there would be issues if the two were close together. Mr. Tyler agreed that the dog park should not be immediately adjacent to the playground equipment, but it could be in the general area.

Mr. Tyler asked Ms. Deuel for a timeline on actual funding and construction. Ms. Deuel stated that she had not started the fundraising because she was waiting for Board approval. Mr. Tyler pointed out that they needed to find out about the insurance before the Board could approve it. Mr. Gonzales wanted to see the budget to make there was not a shortfall in the fundraising where the project may be started but not completed.

Ms. Deuel stated that she has already started getting bids and putting together a budget.

Mr. Jespersen was concerned about the fire pit and wanted to make sure that people would not think they were permitted to have a fire. With the threat of wildfires the fire pit could be a major safety issue. Mr. Tyler agreed. He suggested removing the fire pit from the plan entirely and moving the New Year's Eve fire to one of the parking lots.  
Accounting Firm Recommendation

Mr. Kreis reported that she had reviewed all four bids and decided to go with the lowest bid. At the last meeting she presented her recommendation to the Board and a motion was made and approved to hire the recommended firm. Ms. Kreis stated that had not yet hired the firm. She had disclosed to the Board that she was familiar with the firm on an unrelated project, and she would like them to complete the work they were currently doing before she hired them to perform the Ranch audit. Ms. Kreis did not believe they were under a time constraint as long as the audit could be completed by the end of the second quarter.

Mr. Tyler thought the only time constraint was to have the audit completed prior to the Annual Meeting so it could be presented to the members.

#### Lot PI-D-8 Update

Mr. Tyler noted that the HOA owns Lot PI-D-8 at the end of Alexander Road. Pine Meadow Road goes through the middle of the lot and Alexander Road comes into it. It is a lot of record with an attached density right. Mr. Tyler reminded everyone that the Board was approached by the owner of an SS lot directly below PI-D-8 in the area between the Pine Meadow and Forest Meadow boundaries. The owner would like to subdivide the lot into two parcels but he is unable to do that because it is not allowed by the zoning Code. Mr. Tyler remarked that the owner originally proposed to buy Lot D-8 from the HOA and use that density right to create the second lot by doing a lot line adjustment to create two lots.

Mr. Tyler stated that the Board had discussed the proposal and asked the owner to only purchase the density right from the HOA. They would submit a co-application to Summit County for a subdivision plat, whereby the density right would be moved from Lot D-8 to the owner's parcel and three lots would be created. Lots 1 and 2 could be buildable. Lot 3 would have no building right associated with it and it would be permanently deeded back to the HOA as open space. Mr. Tyler stated that the Board had proposed that the owner pay \$11,000 for the density right. The owner was working on a Letter of Intent, and the only thing he asked was for the HOA to split the cost of



surveying, producing the subdivision plat, and the cost of the application to Summit County. Mr. Tyler told the owner that he could present his proposal to the Board, and the Board would make the decision on what to accept. Mr. Tyler clarified that he has not made any representation to the owner on behalf of the HOA.

Mr. Heath recalled that at one time the owner had talked about giving the HOA a couple of acres. Mr. Tyler replied that it was still his intent to give back Lot D-8 plus a couple of acres. Ms. Parker asked if it would give the HOA enough usable area as community open space. Mr. Tyler answered yes.

Mr. Deaver was uncomfortable splitting the costs. The HOA has no reason to sell the lot and the owner approached the HOA with the proposal. He believed the Board had set the cost of the building right low enough that the owner should have to cover the additional cost.

Mr. Gonzales pointed out that when the owner splits his current property he will profit it from that as well. Mr. Deaver understood that the owner intends to use both lots for his personal use and to build another home for his extended family. The intention is not to build a home to sell.

Mr. Tyler expected to receive a Letter of Intent from the owner. Once they have the letter the Board could review it and talk to the owner personally. Until they actually see the proposal it is all speculation.

#### Fire Pit Regulations

Mr. LeCheminant stated that the fire pit regulations for a site require a screen with 1" inch holes. He noted that it should be  $\frac{3}{4}$ " holes. He understood that the requirement for a steel ring no larger than 3' to be buried at least 18 inches in the ground was to protect from roots that could catch on fire. He spoke with the Fire Marshall and the Fire Marshall wants to be able to center a 15' dome over the fire pit and not have trees touching within the 15' dome.

Mr. Gonzales thought the regulations were posted on the website. Mr. Tyler replied that this was an amendment to the regulations, addressing the screen and the 1" versus  $\frac{3}{4}$ " holes. Mr. Tyler suggested preparing a draft that could be circulated to the Board for comments and approval.

Mr. Deaver noted that there are a few existing fire rings that have signed formal letters of approval from the Board. He asked if those would be grandfathered or whether they would have to be modified to meet the amended requirements. Mr. Tyler thought it was

a good question and something the Board needed to consider. Mr. Tyler stated that personally he would be okay with not having a steel ring and instead having a non-combustible solid surface ring. He pointed out that steel has a better chance of catching on fire than concrete. He thought it was a matter of using common sense in determining which materials were acceptable. Mr. Tyler pointed out that the Board previously appointed Alan Powell as the "Fire Czar" and everything fire related needs to go through him.

Mr. Tyler stated that he would work with Mr. LeCheminant to draft an amendment to the fire regulations for the Board to vote on at the next meeting.

#### Deer Meadows Update

Mr. Tyler had attended the County Work Session for Deer Meadows. He noted that the HOA executed the agreement with Doug McAllister regarding Deer Meadows. The full agreement was posted on the Summit County Website. Mr. Tyler summarized that it is a seven lot subdivision that would retire existing lots within the Pine Meadow Ranch HOA boundaries from the ability to develop. The agreement recorded against those sending lots prohibits any structure from being built on those lots. Mr. Tyler pointed out that the agreement is more restrictive than just transferring a density right.

Mr. Tyler reported that the intent of the Work Session was to resurface the development proposal with the Summit County Council. Mr. McAllister asked him to talk to the Council about the proposal and Mr. Tyler made it clear that the HOA supports the application; and specifically agreed to this particular development because of the precedent it would set. He noted that it was well received by the Council. Mr. Tyler stated that the Council members plan to tour the Deer Meadows property to get a better feel for the development proposal before deciding whether or not to approve it.

Ms. Kreis stated that she was new to the topic and unfamiliar with the history. She asked if there were any implications for the HOA roads having to meet the specifications of Summit County over time. Mr. Tyler replied that a comment in the Staff report indicated that the roads to access the Deer Meadows Development were substandard and did not meet Summit County Code for a Class B road. The roads would have to be brought up to Code in order to comply with the development proposal. Mr. Tyler made it clear to the County Council that the HOA has no intention of upgrading the roads to County standards. He could see no liability for the HOA because their agreement is only the framework of how the HOA would support the applicant's proposal. The requirements relate to the development proposal and the developer is responsible for meeting the requirements. Pine Meadow Ranch is not a party to the development application. Mr. Tyler pointed out that even if Mr. McAllister agrees to improve the

roads to meet County Code, he still needs to get approval from the HOA because Pine Meadow owns the road system.

Mr. Tyler stated that he emphasized to the County Council that the public benefit from the Deer Meadow development is the precedent it should set for future development applications.

### Signs

The Board reviewed sketches of potential signs. Mr. Tyler suggested new church signs that would replace the giant white reflective signs that currently exist. He did not believe the Church would be opposed to paying for new signs.

Mr. Tyler commented on the number of old road signs. He thought it was likely that some people would like to purchase the old road signs to hang on their cabin wall. He suggested that they fund all or a portion of the new signs by selling the old signs.

Ms. Groot stated that an owner on Oil Well Road asked her to tell the Board that their small association would like to purchase the same signs for Oil Well road. They needed two signs, one on each end. She asked Mr. Tyler to contact them.

Mr. Tyler thought it was prudent to have a sign at the entrance to Pine Meadow Ranch on both Tollgate and Forest Meadow so people know that they are entering the Pine Meadow Ranch, a private community.

Mr. Tyler reported on a call he received from DWR informing him that a hearing date was scheduled for the Mountain Top CWMU. Pine Meadow Ranch has the opportunity to attend the hearing and voice their complaints. The DRW was by Mike *McFarland* of CWMU that the issues were resolved. Mr. Tyler found out that the CWMU had worked out a deal with Lewis Peak Estates not to use their access. Mr. Tyler later received a call from Mike *McFarland* guaranteeing that the CWMU had canceled their lease on the cabin and they have no intention of using Pine Meadow roads to access the CWMU. Mr. Tyler told Mr. *McFarland* that he would have the HOA attorney send him a letter stating what he agreed to, and under those terms Mr. Tyler would agree to cancel the hearing with the DWR. Mr. *McFarland* assured him that they would not be using Ranch property.

Mr. Tyler thought it was important to create a sandwich board sign for the hunting season stating "No Public Hunting Access" or "No CWMU Hunting Access" or similar language that could be posted at the bottom of the hill. Ms. Parker pointed out that someone could easily remove a free-standing sandwich sign. Mr. Tyler thought it could

be bolted to another sign if necessary. He noted that in the past someone was hired to sit at the bottom of the hill during hunting season to monitor access, and that could be another option.

The Board discussed pricing. Mr. Heath noted that the cost of the signs with shipping was \$2600; however, it did not include the church signs. The signs would be 6" x 18". Mr. Tyler suggested that they exclude the church signs because he intended to ask the Church to pay that cost. Mr. Tyler noted that \$2600 did not include posts or bracketing hardware. Ms. Kreis did not believe the Board should vote on a motion until they know the full cost including the posts and bracketing hardware.

Mr. Deaver remarked that Bill and Cheryl Groot were doing a community service by making the signs. He proposed that the Board should consider reimbursing the cost of the materials. Ms. Groot appreciated Mr. Deaver's proposal; however, her book club ladies and others have offered to donate to help with the cost and reimbursement was not necessary.

Mr. Heath counted 227 signs. Assuming two signs on a post because they were at intersections, they would need 113 posts. Mr. Heath pointed out that 227 may be overkill because he counted every possible place that could go into an intersection.

Ms. Parker estimated that the entire signage project would be approximately \$5,000. Ms. Kreis stated that they only budgeted \$1,000 for signage because they did not have quotes at that time. She thought they needed some indication of cost in order to set money aside from the reserve account. Mr. Powell pointed out that they were over budget on what was budgeted for impact fees. Ms. Kreis agreed, but she thought it was better to take money out of the reserve account. Mr. Gonzales understood from the new State law that reserves accounts could not be used for maintenance purposes. Mr. Tyler thought the signs could be considered capital improvement.

Mr. Deaver asked if Jody would have time to set the posts. Mr. Tyler thought it would be a good project for Jody since he would be doing less road work this year. Jody agreed that he and Cody would have time to do it this summer.

The Board discussed sign design and material. Mr. Tyler thought there were still too many unanswered questions to vote an approval this evening. Mr. Heath stated that if the Board would reimburse the cost he would pay to have a sample sign made. Ms. Parker would email a design to the Board before Mr. Heath would order the sample sign.

## **New Business**

### Fences

Mr. Tyler disclosed that he has a 20' section of decorative fence at his entrance. He noted that the Architectural Guidelines prohibits fencing property or restricting animal flow. Mr. Tyler voiced his personal issue with a fence on Pine Meadow Drive. He asked Mr. LeCheminant to speak with the property owner since he was the area rep. Mr. Tyler noted that the owners installed a couple sections of fencing during the winter, which was acceptable as a design feature. However, since then the fence has grown and runs the entire property line of the neighbor they have issues with.

Mr. Gonzales thought the risk of allowing a decorative fence is that it sets a precedent they do not want. Mr. Tyler stated that if the Board decides that no fencing should be allowed he would take down his decorative fence. His concern is the idea of neighbors fighting with each other and building fences.

Mr. Tyler stated that at the next meeting he would like to formally approve language for the Architectural Guidelines to address fences. Mr. Heath pointed out that language already exists in the CC&Rs. Mr. Gonzales thought the current language was vague and subject to interpretation. The Board tabled further discussion until the next meeting.

### Committees

Mr. Tyler commented on the benefit of having committees to address certain issues. He proposed starting with two committees. The first would be an Architectural Design Review committee consisting of three Board members who would review every application that comes in and provide a recommendation to the Board for a vote. It would streamline the process and the committee members should be able to answer any questions raised by the other Board members. Mr. Tyler also proposed a Code Enforcement committee consisting of three Board members who would receive all complaints and look at it in the context of what is or is not allowed on the Ranch. The Committee would issue citation letters and have the ability to levy fines against the owners for violations against the CC&Rs.

Mr. Gonzales pointed out that currently Mr. Tyler is the central person sending all the letters and the other Board members have no idea what is being sent and to whom. Mr. Tyler agreed, which was his reason for suggesting a three member committee. The Committee could review the complaints and send the letters to enforce the Covenants. If they reach the point of levying fines, the Committee should make the Board aware. Mr. Tyler stated that if the property owner ignores the violation and legal action is

required, the Committee would need to bring that to the Board to be addressed. On the other hand, if a property owner disagrees with the Committee's action, the owner should have the ability to attend a meeting and appeal it to the entire Board.

Mr. Deaver thought it was important to outline the structure and the duties of the committee. Mr. Tyler believed that forming the committee would require an amendment to the Bylaws to give the committee the authority to levy the fines. Mr. Gonzales did not think it was necessary to change the Bylaws. The committee could perform the investigations and do the follow up. Any specific action could be taken by the Board, which is already allowed. Mr. Deaver thought the actual decision to assess a fine should be a vote by the entire Board.

Mr. Tyler noted that there were seven area reps and he was asking for six volunteers. He suggested that Alan Powell not be included as one of the seven since he already has the responsibility of being the "Fire Czar". Mr. Tyler asked the Board members to consider which committee they might be interested in serving on. He would like three people on each committee. They did not need to decide this evening. Mr. Tyler would send an email asking each Board Member to volunteer for either the Architectural Review Committee or the Code Enforcement Committee.

#### Summer Road Work

Mr. Tyler had asked the area reps to drive around their areas and submit areas that they thought needed work. Mr. LeCheminant had submitted a map of Area 7. Mr. Tyler stated that he and Jody would add this year's projects to the spread sheet they started last year with cost estimates, and Jody could prioritize the work.

Ms. Parker recalled a suggestion at the last meeting that roadwork should be posted on the website so the owners will know whether or not to expect their roads to be repaired this year.

Mr. Deaver thought the culvert needed to be moved at the intersection of Uintah View and Navaho Road to resolve drainage issues at the bottom of an owner's driveway. Mr. Tyler remarked that the HOA does not move culverts to facilitate private property.

The Board added Navaho Drive, Navaho Road, Running Deer, Forest Meadow Circle, and a culvert on Porcupine to the list of road projects.

Mr. Tyler stated that they have the opportunity take a significant amount of cobble from his project at the Canyons area. He suggested that it could be used in drainage ditches. The cost would be minimal because his company would pick up most of the

trucking expense; however, in order to get it to the Ranch the HOA would have to pay some of the cost. Jody thought he would be able to use the cobble in some of the ditches. Mr. Tyler estimated \$75 to \$100 per truckload to get it to the Ranch. The cost to purchase the cobble and truck it to the Ranch would be \$300+ per truckload. Mr. Tyler stated that some boulders were available and he had asked to have them brought to the Ranch. Mr. Tyler would check with his excavator on the site and get a cost to truck the material to the Ranch. He would email the information to the Board. Jody asked if the material was screened. Mr. Tyler stated that some of it was screened and some of it was dirty.

### **Monthly Budget Review**

Ms. Kreis reviewed the profit and loss/budget versus actual. She stated that for 2015 they were already at 92.9% of the annual assessment revenue. They were at 84.6% of collecting unpaid dues from prior years. In looking at the revenue from Miscellaneous Other, they were at 64.1%. All of the percentages were an improvement over where they were this time last year.

Mr. Tyler pointed out that the Church properties are included under Miscellaneous Others and they increased their contribution this year by \$2,000. Mr. Tyler would ask Carol to send the Church a thank you card. The Board agreed.

Ms. Kreis remarked that the total gross profit was 90.3% for revenue. Ms. Kreis noted that very little money has been spent so far this year. The total fixed expense paid to date was \$48,000 out of the \$191,000 that was budgeted. They had used 20.6% of the budgeted variable expenses.

Ms. Kreis reviewed the unpaid bills detail.

MOTION: Pat Kreis moved to APPROVE the unpaid bills detail as outlined. Tom Deaver seconded the motion.

VOTE: The motion passed unanimously.

Mr. Heath commented on roads that were put in many years ago that do not have names or were never put on the plat. One is a 1" water line that serves four lots. He would like the Board to discuss platting the roads so the Water Company could put in a 6" line. Mr. Heath stated that one road was a private lane above Harvest Point and the other was put in a roundabout way from Elk Road. Mr. Tyler asked Mr. Heath to send him the PDF and he would see if they were platted roads. Mr. Gonzales asked if the roads were part of the Ranch and the Water Company. Mr. Heath replied that they

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were part of Forest Meadow Ranch. Mr. Heath stated that if the Board could agree to bring those roads into the fold they could see if the neighbors would agree to quit claim a right-of-way to the HOA. There would be some cost attached to gaining an easement and it was something they could research and decide at a later date.

The meeting of the Pine Meadow Owners Association Board adjourned at 9:06 p.m.

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