

PINE MEADOW RANCH OWNERS ASSOCIATION
MONTHLY BOARD MEETING
RANCH MANAGER'S OFFICE
PINE MEADOW RANCH
JULY 18, 2017

In Attendance: Tony Tyler - President; Dan Heath - Vice President; Pamela Middleton, Secretary; Jonathan Hoffman (Area 1) Dustin Kilbourne (Area 3); Robert Walthall (Area 4); Bruce Hutchinson (Area 5); Kirby Wilson (Area 6).

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

Excused: Jeremy Jespersen (Area 2); Tom LeCheminant (Area 7)

Guests: Andrew Pagel, Lot A4; Joe Pagel, Lot A3, Bill Bennelli, Lot E-85; Bob Warnick, Lot FM-D-42; John Kelm, Lot B-13; John Baker, Lot D10; Byron and Amy Harvison, Lot D-87; Rachel Sharwell, Lot C-56; Jan Lavitre, Lot F-17; Ted Bonnitt, Lot PI-E-56; Tim and Amber, Lot PI-D-53; Paris and Tara Ridley, potential lot buyers.

The meeting was called to order at 6:37 p.m.

Approval of Minutes

MOTION: Kirby Wilson moved to APPROVE the Minutes of June 20, 2017 as written. Dan Heath seconded the motion.

VOTE: The motion passed. Pamela Middleton abstained.

Tony Tyler reported on a permanent change in the agenda format. Owner/Visitor Open Forum would be the final item on the agenda to give everyone the opportunity to make comments after the Board has conducted their regular business.

New Construction/Additions

Mr. Tyler noted that Tom LeCheminant had sent him building plans for Lot FM-C-42, Lot PI-D-53, and Lot PI-B-13 for the Board to review this evening.

PI-B-13

Mr. Tyler presented the plans for PI-B-13. The property owner was present to explain the reason for his plan to move a bearing wall. Mr. Tyler explained that the Board reviews all building plans, but they only charge an impact fee if it is over 120 square feet. Mr. Tyler questioned whether moving a support wall needed Board approval. The Board agreed that no action needed to be taken.

FM-D-42

The Board reviewed plans for a new cabin. Bruce Hutchinson noted that the roof color was not listed. The owner stated that the roof would be green asphalt shingles. The exterior material is wood, stained in a redwood or brownish color. The cabin would be approximately 1100 square feet.

Mr. Hutchinson noted that the impact fee has been paid. He asked when the owner planned to begin construction. The owner replied that he needed to go through the process with Summit County. Mr. Hutchinson remarked that a major concern is having large construction trucks damage the roads. He clarified that the HOA discourages construction between October and May. The owner stated that he was not planning to build through the winter.

MOTION: Dan Heath moved to Approve the building plans for FM-D-42 as presented. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

Lot PI-D-53

The Board reviewed plans for a storage shed on Lot D-53, Tim and Amber Williams. Ms. Williams noted that there was an existing structure when they purchased the property. They would like the storage shed to store items so they do not have to haul them back and forth every season.

Mr. Hutchinson was concerned about the snow loading requirement. Mr. Williams stated that the roof would be brown metal. The exterior would be brushed pine painted a soft green.

MOTION: Robert Walthall moved to Approve the plans for a storage shed on PI-D-53 as presented. There is no impact fee because the structure is less than 120 square feet. Dan Heath seconded the motion.

VOTE: The motion passed unanimously.

Lot PI-3

The Board discussed a sewer/septic tank issue. It was explained that since the road is out of easement by 23 feet, there is a primary and secondary proposal just in case the first one fails. They proposed putting the septic system within the property boundary

where the road should be. It was noted that water or power should not be an issue because power and water run under the road outside of the easement as well.

Mr. Tyler stated that the last Water Meeting was moved to Wednesday and he was unable to attend. However, Tom LeCheminant had attended and he told Mr. Tyler that the Water Company had walked the lot. Mr. Tyler assumed it was with the property owner. The property owner stated that he had not heard from the water company. Mr. Tyler understood that the Water Company told Mr. LeCheminant that they would not allow any septic tank line to cross the street because they did not want any interference with the water lines. The property owner pointed out that the Summit County Health Department had actually proposed the idea. He understood from the County that it is done all the time and it meets regulations.

Mr. Tyler apologized for the misunderstanding. He thought the Water Company had spoken with the owner and that he was told he could not do it.

Mr. Tyler updated the Board on the issue. The property owner has a proposal to put a secondary septic system in the existing recorded road right of way, which is still on their property but within the Ranch right-of-way. Summit County now requires that if someone puts in a new leach field that they have a secondary leach field location available with the ability to switch over to that leach field. The County does not want the leach field replaced at all. The property owner passed a perc test and Summit County was requesting a second location. He submitted three proposals and the one the County liked the best is on the other side of the road. The lot also extends 30 feet on to the other side of the road. The road is not within its legal easement. The owner does not have to meet setbacks on his home because the setbacks are practically on Tollgate Canyon Road. Modoc Loop touches where his house is. The Health Department recommended putting a leach field on the other side of Modoc Loop.

Mr. Tyler summarized that the road is built outside of the existing right-of-way. He understood that at some point in the past legal notice was sent to all property owners regarding the location of the road. The owner's ability to develop his lot is contingent upon him being able to get a septic system in place. Since it is required by Summit County, the leach field itself will go on the other side of the road but within the road right-of-way. Mr. Tyler stated that if the HOA writes a letter allowing the owner to do it for a backup system, it becomes permanent. Regardless of whether or not it actually occurs, the HOA would still be providing that particular piece of information in perpetuity to the property.

Robert Rosing stated that he would be surprised if the water company had allowed it. Mr. Hutchinson agreed. He questioned why the HOA was involved if the Health

Department was dictating the process. Mr. Tyler replied that Summit County was requiring the HOA to write a letter allowing the owner to locate it where he was proposing. Mr. Tyler asked if the Board Members conceptually had an issue with the HOA writing the letter for the owner to be able to obtain their permit in this particular secondary location because of these special circumstances. The Board did not have an issue with the letter. Mr. Tyler asked Mr. Rosing how it should be documented.

Mr. Rosing remarked that it was an unusual circumstance. The right-of-way is supposed to be wider than the road, and if they allow people to build in the right-of-way it will cause problems. Mr. Tyler asked if there was a way to right a letter that gives the owners what they need for Summit County to sign off, but that also preserves the HOA's ability long term to work with whomever the property owner is at the time in the event that it needs to be relocated. Mr. Rosing suggested doing a revocable license saying that the HOA is not giving the land, but rather a license to use the land. Someone suggested a contract with stipulations. For example, if the road was ever moved back to easement, the contract would be void. Summit County had suggested pulling a simple real estate easement agreement

Mr. Rosing stated that the HOA could not give the property owner an easement, but they could give a revocable license that could be pulled back under certain circumstances. The circumstance would probably be that the road gets moved.

The owner remarked that he was told by the County that they should be able to use conventional systems without having to do the secondary proposal if they used Gus Sherry, who is the only licensed engineer who designs septic systems. Mr. Sherry is currently designing the system, and has confirmed that he does not see any potential liability to have the secondary system proposed across his lot.

Mr. Tyler summarized that conceptually the Board was comfortable writing a letter from the HOA, and to ask Mr. Rosing to structure the letter appropriately. Mr. Tyler again reiterated that it was his misunderstanding that the Water Company had met with the owners. However, the Water Company would not allow a septic line to cross the water line, and they would not allow an easement.

Mr. Tyler understood the utility companies have an easement across the road right-of-way, but he asked Mr. Rosing if the Water Company has the ability to say no. Mr. Rosing replied that typically there are road right-of-ways on top of the utility easements. For the Ranch purposes it is runoff; perhaps a bar ditch. He was astounded when Mr. Tyler thought the Water Company had said yes, because it would make sense for the Water Company to say no.

Mr. Tyler was willing to make a motion to draft the letter, but he wanted assurance from Mr. Rosing that it would not create a future problem. Mr. Rosing preferred that Mr. Tyler not make the motion because he was uncomfortable setting precedent. In addition, he has been involved in lawsuits over people building in the right-of-way. However, if they did it as a revocable license and protected the association to say if any change in road placement occurs it can be pulled back, that would be his recommendation.

There were concerns about going out on a limb for something that might not be needed. Mr. Tyler suggested that they could vote on the conceptual idea and have it ready to go; but condition it upon the owner needing it. The property owner was comfortable with that approach. However, he would confirm with Summit County before Mr. Rosing writes the letter so he does not spend time writing a letter that the County does not need. If Summit County needs the letter he would email Mr. Tyler, Mr. Heath and Dustin Kilbourne to ask Mr. Rosing to write the letter.

MOTION: Tony Tyler made a motion to direct Robert Rosing to draft a letter to license on behalf of the HOA that would allow for a secondary septic tank location within the road right-of-way adjacent to Lot PI-3, In the event that the applicant is required to provide one for your building permit with Summit County. Dustin Kilbourne seconded the motion.

VOTE: The motion passed. Dan Heath abstained from the vote.

Ranch Manager's Report

Jody Robinson reported that the equipment was running fine. He had not yet purchased the tires for the grader.

Jody noted that the crack sealing and the patching was completed down the canyon. The slurry seal was pushed back to September until the Church traffic is gone.

Jody noted that the mailbox pad would be poured next week. The mag water was completed. Pine Meadow Drive, Bull Moose and Lower Forest Meadow were completed and could be crossed off the list. He would start Pine Loop next.

In terms of anticipated projects, Jody would finish up the pad for the mailboxes. Ms. Middleton asked if Jody had put in a French drain on Tollgate. Jody answered yes. There is a French drain under each patch. Jody stated that he has been grading roads fixing signs and spraying weeds.

Water Company Report

Mr. Tyler reiterated that the Water Board meeting was moved to Wednesday. He had a conflict and was unable to attend. There was nothing to report.

Ranch Manager Assistant

Mr. Tyler reported that they advertised for the Ranch Manager Assistant position three separate times in three different publications and have had no response. Brody Blonquist knows a gentleman in Coalville who was interested; however, he needed full-time work with benefits and he wanted \$18.00 per hour. It would equate to \$36,000 per year. Mr. Rosing pointed out that it would exceed \$36,000 when payroll taxes and benefits are added in. Mr. Tyler noted that the Board had budgeted \$22,000 for an assistant. He reminded everyone that the budget was \$22,000 for this year. To this point they have not spent much of that budget. He thought it was manageable for the rest of this year, but they would have to increase the budget for next year at a much higher rate.

Mr. Tyler believed Jody needed the help, and with the snow removal that will be necessary at Forest Meadow Road, he thought they should budget to hire a second person on a permanent basis. He estimated the benefits and taxes at approximately \$15,000 per year. The total hire cost would range from \$50,000 to \$52,000. Mr. Hutchinson noted that the Board had never anticipated this as a full-time position. With the issue of plowing more than what they originally anticipated, it would benefit that side of the Ranch and he believed that needed to be discussed. Mr. Tyler agreed that it should be discussed because they have not officially taken on that burden.

Mr. Tyler thought Jody could use the help year round. He asked for comments from the Board. The Board talked about making the job worth enough to retain someone. Given the fact that they received no response from the ads even though it said salary based on experience, and knowing that they need the help, they need to look at the person who was interested. Mr. Tyler did not believe they had the ability to pay someone for a full-time job without paying benefits. However, they could set a vesting period before benefits begin.

Bill Bennelli noted that he had not heard anyone from the Board mention that the HOA dues would be raised to cover the additional salary. He thought the Board should increase the HOA dues and increase the services. Mr. Tyler replied that it may come to that, but that decision would not be made until the Annual meeting in November. He thought the Board did a good job managing the budget and they are able to accomplish

a lot with what they have. He believed they could find the additional \$30,000 for salary in the budget next year. Mr. Hutchinson pointed out that they would need to invest in additional equipment in order to utilize another person and to plow that side. Mr. Tyler clarified that they would be hiring this person on a full-time basis to help Jody in whatever capacity Jody needs him. Half the year is plowing and the other half is roads. Mr. Tyler pointed out that even if they do not expand the plowing, currently there is no one to step in if Jody is gone. As a safety net, he believed it was imperative to have another person. Mr. Tyler stated that the market is not bad enough to be able to hire someone for what they are willing to pay for that job. Plowing Forest Meadow is a completely different issue than hiring an Assistant Ranch Manager, and they would address that at a different time. The same applied to the HOA assessment.

Mr. Bennelli asked Jody if he and one other person would be able to plow Forest Meadow if the HOA decides to plow it. Jody replied that it would depend on the winter. Mr. Tyler emphasized that plowing Forest Meadow was an independent issue. Ms. Middleton agreed. The issue for the Board this evening is to discuss the difference between what was budgeted as part-time at \$16.00 an hour and the fact that no one responded to the ad. The decision is whether to pay \$18.00 an hour with benefits for full-time employment. The suggestion was made to run the ad one more time as a full-time position at \$18.00 an hour with benefits, and see if they get a response before they offer it to the person in Coalville.

Mr. Heath preferred to leave the decision to Jody. It was noted that advertising again may give Jody more choices. Mr. Tyler pointed out that they ran the ad three times with pay dependent on experience, and no one responded. If someone was interested they could have applied and requested a specific salary. Mr. Heath believed that Jody needed a helper for two reasons. The first is the summer, and they already have equipment for two people to run independently. If they hired someone now, there would still be two and half solid months of summer work. Second, is the fact that there is no safety net. If Jody has to leave or gets hurt or sick, there is no one available to take his place and the services he provides would go away entirely. In order to minimize that risk, they need to have a second person.

Someone asked where the additional money would come from and what they would have to sacrifice. Mr. Tyler did not believe it would be an issue for the remainder of this year. They would face that issue in 2018 when they have to budget \$52,000 instead of \$22,000. The Board would have to find \$30,000 in the budget next year.

Mr. Tyler asked Jody if he wanted to hire the person from Coalville or run another ad. Jody preferred to hire the person from Coalville. He was confident that he could do the job.

MOTION: Dan Heath moved to hire a full-time helper for Jody under the current budget at \$18.00 per hour with benefits. The motion was seconded.

VOTE: The motion passed. Bruce Hutchinson abstained from the vote.

Mailboxes

Mr. Heath stated that they get a cost break at six mailboxes. He recalled that the cost was either \$12.05 or \$12.25 plus hardware. Mr. Kilbourne had calculated the total cost at \$7206.66. Mr. Hutchinson asked if the individual users would pay for the mailboxes. Mr. Tyler believed the HOA intended to fund it. Mr. Hutchinson asked if it was only benefitted by the users. Mr. Tyler stated that up until now the Post Office has provided the mailboxes but they no longer do so. Mr. Hutchinson asked why the HOA was providing the boxes instead of charging the ones who use the boxes. Mr. Tyler did not believe the HOA was legally allowed to charge for mailboxes. Mr. Heath stated that someone from the Post Office had told him that if they do not charge at least a deposit, the HOA will continually be replacing the keys.

The suggestion was made for a yearly rental fee. Mr. Heath thought that was a good idea because eventually the mailboxes would have to be replaced or new boxes added. Mr. Tyler disagreed, because if people pay they expect a certain level of service. Mr. Tyler did not want to be in charge of replacing keys or managing who pays the annual mailbox fee. He believed that typically the developer would pay for the mailboxes when they put together a property. When the Ranch was developed they never got mailboxes and the Post Office was willing to do it for a while. Mr. Tyler thought the HOA was an entity set up to pay for the mailboxes as a community benefit. He understood that it benefits people disproportionately, but so does winter snowplowing and other things.

Ms. Middleton asked how the HOA would manage issuing the keys to the mailboxes. Mr. Tyler thought the Post Office would issue the keys; not the HOA. He asked Mr. Heath to confirm that with the Post Office.

Someone suggested that when they re-evaluate the HOA dues in November that they also consider the cost of the mailboxes for future expansion. Mr. Hutchinson pointed out that if they include it in the dues, those who do not use the mailboxes would have to pay for it.

Mr. Heath thought they could ask individuals to pay for their mailbox and credit that money into a fund for new boxes in the future. Mr. Rosing was unsure whether the HOA could charge for the mailboxes. Someone suggested that they could use money

from impact fees for the additional mail boxes.

Mr. Heath stated that it would be at least two weeks before the mailboxes would be delivered. He suggested that they approve the cost to order the mailboxes and decide later whether the HOA or individuals should be responsible for the cost.

Mr. Heath would charge it to his credit card and submit the actual cost for reimbursement.

MOTION: The motion was made to purchase the mailboxes in an amount not to exceed \$8,250. Pamela Middleton seconded the motion.

VOTE: The motion passed. Bruce Hutchinson voted against the motion.

Cabins built on HOA property

Mr. Rosing stated that the sale had been approved and he would send a draft letter to the Board members for their approval before approaching the owners.

New Business

Shady Lane Road Grading

Mr. Tyler had received an email indicating that Rachel Sharwell, Lot C-56, had added material on her road. He noted that historically if someone brings in road base, the HOA grades it for them on their portion of the road.

Rachel stated that it was already graded and she had paid \$3500 to have it done. She wanted to know if the HOA could mag water it for her to keep the material in place. Jody noted that a load of mag water is \$3,000. Mr. Tyler pointed out that a load covers a good size area, and it is not available in smaller loads. Mr. Hutchinson did not believe Shady Lane has ever been mag watered.

Mr. Tyler thanked Rachel for adding the material to the road; however, he did not think the HOA could spend \$3,000 to mag water a road that has never been mag watered. He explained that the high-traffic roads are mag watered. He believed that the road base Rachel put down would probably hold up without the mag water because Shady Lane does not get a lot of traffic.

Rachel stated that if there was no way to reimburse what she had already spent, she asked if there was a possibility for the HOA to grade the other side of the hill coming

down to Forest Meadow. Jody offered to do it. Mr. Tyler authorized Jody to grade that side. Jody stated that he would water and roll the area that Rachel had done to help the material stay in place. Mr. Tyler stated that typically the property owners who want to purchase material for their road inform the Board first and then Jody knows to grade it.

Lots B12 and B13

Mr. Tyler had received a notice from Summit County stating that Lots B12 and B13 were being combined. It was an information only item for the Board.

Forest Meadow Road Grading

Mr. Tyler had received a request to grade Forest Meadow Road. Mr. Tyler had driven the road and he thought it had been redone recently. He would check his email to see the exact area that was requested but he thought the entire road was fine.

Fire District Barbeque

Mr. Tyler announced that the North Summit Fire District would like to hold a barbeque on the Ranch on August 26th as an information session for all HOA members and residents. Everyone was invited to attend to learn about the new fire station.

Someone asked if it was possible to record or video the salient points for those who could not attend. Mr. Tyler answered yes.

Someone recalled a previous concern about fires. Mr. Rosing asked if the HOA had recommendations and guidelines on what to do around individual lots to keep the house from burning down. Mr. Tyler replied that there is a fire-wise document posted on the website that was prepared several years ago. He believed it was still applicable.

PI-E-70

Mr. Tyler reported that he had received a request for road base at Evergreen Circle, PI-E-70. He asked Jody to check out the road condition.

Jody asked what they had approved in the budget for aggregate this year. Mr. Tyler stated that \$35,000 was approved for aggregate. Jody noted that they had spent \$35,007.25.

Monthly Budget Review

Mr. Tyler pointed out that they were still looking for a Treasurer. He noted that Andrew Pagel had applied for the Treasurer position. He would send out a summary and ask for volunteers one last time to see if anyone besides Andrew was interested. Andrew understood from the Facebook post that those interested in the Board position should attend the Board meeting and introduce themselves. That was his reason for attending this evening.

Andrew Vagel stated that he was building Lot A4 and his brother was building Lot A3. He was interested in becoming the HOA Treasurer and after seeing the Facebook post he sent his reply to Carol. He felt he was suited for the job because he likes to get things done quickly. He previously worked for General Electric in research and development and managed projects over \$500,000. He managed people and correlated many other things. For the Board meetings he would set up a program to analyze the yearly budget projection. Andrew stated that his primary reason for wanting to join the Board is to contribute his education and experience in analyzing data and looking at budgets.

Mr. Tyler asked the Board whether they wanted to re-post the position or just appoint Andrew as the Treasurer for the remainder of this year until it comes up for election at the next Annual Meeting in November.

Mr. Heath asked if the position had been posted for volunteer candidates. Mr. Tyler replied that it was posted for a month and Andrew was the only person who responded. Mr. Heath thought they should appoint Andrew since he was the only one who volunteered.

MOTION: Tony Tyler moved to appoint Andrew Pagel as the HOA Treasurer for the remainder of this year's term. Kirby Wilson seconded the motion.

VOTE: The motion passed unanimously.

Mr. Tyler reviewed the unpaid bills detail.

Mr. Tyler reviewed the Profit and Loss/Budget Versus Actual. They had currently collected over 105% of the anticipated revenue for the year. He noted that to date they had spent \$116,000 out of an anticipated budget of \$283,000. They were 40.9% through the expense budget for this year, which meant they were under budget. Mr. Tyler indicated the transaction detail for the checks that needed to be paid.

Mr. Tyler reviewed the Balance Sheet, which showed the total amount in the bank and the value of the assets.

MOTION: Mr. Tyler moved to Approve the Monthly Budget Reports as provided, including paying the bills as outlined in the unpaid bills details. Bruce Hutchinson seconded the motion.

VOTE: The motion passed unanimously.

Ms. Middleton asked about posting the financials on the website. Mr. Tyler preferred not to post the monthly reports, particularly since the unpaid bills detail can contain personal information. However, he suggested that the Treasurer could post quarterly reports for informational purposes to the membership.

Owner/Visitor Open Forum

In response to a question regarding fire pits, Mr. Tyler explained that a previous Board member, Alan Powell, was the designated fire person. He also volunteered for the Fire District and it made sense that he would be the one to inspect the Ranch. Since Mr. Powell resigned, the Board no longer has a designated fire person, and the responsibility would fall back on the individual area representatives. It was noted that Mr. Powell might still be interested in handling fire safety on the Ranch. Mr. Tyler offered to reach out to Mr. Powell to see if he was still willing to be the fire safety designee. If Mr. Powell accepts, Mr. Tyler assumed they would need Board action to designate him as the fire liaison. Mr. Rosing answered yes. Mr. Tyler asked if Mr. Powell could technically do anything on behalf of the Board if he was authorized to do so. Mr. Rosing replied that the easiest way would be to form a subcommittee with Mr. Powell and at least one Board member, and the Board could delegate powers to the subcommittee. Communication could be as simple as an email saying he was going to be at a specific lot to look at a fire pit and a Board Member would follow up with whatever action he took.

Pamela Middleton volunteered to be the Board member to coordinate with Mr. Powell.

Jonathan stated that an owner was building a 4,000 square foot house at the bottom of Aspen Ridge at the foot of Alexander Canyon. He wants to put an outdoor fireplace on a deck but he did not know who to contact to make sure it was allowed. Jonathan told the owner to contact Mr. Tyler and he had also mentioned Mr. Powell's name.

The suggestion was made to give the fire person a title so that he appears official. Mr. Tyler suggested Fire Safety Liaison.

MOTION: Mr. Tyler made a motion to create a subcommittee for all fire safety related issues, and to appoint Pamela Middleton as the Board representative, and Alan Powell as the Fire Safety Liaison to the Board, subject to Mr. Powell's willingness to be the same. Robert Walthall seconded the motion.

VOTE: The motion passed unanimously.

Mr. Tyler noted that there is a process for violations. If "No Fires" is posted at the bottom and someone has a fire, Alan or any Board member can approach the person. Depending on how egregious the act will determine the fine. Mr. Tyler pointed out that it is zero tolerance and there is no warning. That Board consciously set that precedent last year. There is a different fine for an unintended fire.

Dustin Kilbourne noted that they were updating an email list of all members on the Ranch on the website. There needs to be a newsletter sign-up on the web page and they were working on it.

Mr. Tyler reported on an email he received from someone who was concerned that one of the Church camps had a fire. He told them to contact the Sheriff's office because the HOA does not have any jurisdiction on Church property. Mr. Kilbourne asked if anyone had contact information for the Church in case they needed to talk to them. Mr. Tyler stated that he has spoken to them in the past, but he believed it changes on a regular basis.

Mr. Tyler stated that another problem is that people assume that any activity that occurs behind the Ranch is the Church camp but that is false, because there are two other HOAs back there, as well as individual private properties. He can see and hear the Church camps from his house and he would know if they had a big fire. From his experience they have not had a fire. Mr. Kilbourne suggested that Mr. Tyler gather contact information for the Church property in case they need to reach them for any reason.

Bill Bennelli suggested that they talk about bear proof trash dumpsters. It would not only stop bears, but it would stop people from throwing couches into the dumpsters. It could be as simple as locking down the plastic lids and cutting a square hole in the lid.

Mr. Bennelli stated that he had spoken with Republic a few months ago to see what they have. The secretary told him that they do not have those types of dumpsters, but if the HOA buys them Republic would empty them.

Mr. Tyler recalled that Kate was working on a proposal with Summit County. He was told that she had moved off the mountain. Mr. Tyler stated that he recycles everything possible, but it is difficult to fit anything in the small hole and you have to put in one thing at a time. He believed the frustration factor keeps people from recycling. However, trash is different because people have to dump it. Mr. Tyler stated that he spoke with Summit County at length, and their suggestion was to do something similar to what they do up Weber Canyon, which is to fence the dumpster area. They could gate off the section where the dumpsters are located and put a small man door next to it to make it difficult for people to carry a couch through to get to the dumpsters. People would have a key code to open the gate. Mr. Tyler remarked that there are solutions, but no one has volunteered to do the research.

Ted Bonnitt asked for an update on the CC&Rs review, and what they can expect. Mr. Tyler stated that they came up with a list of items that they will continue to discuss. However, at the end of the session they realized that they do not know what the HOA wants to be. The HOA needs a vision statement and they came up with some concepts of what the HOA should be and what it should control. He explained that they needed to create a statement saying what the HOA is. He believed that would help guide the discussion as to how they handle the issues related to the CCRs. Mr. Tyler suggested a poll for members to ask people what they want the HOA to be and what they want to do. For example, should it be trails and parks or should it just be roads. How Stringent should they make the architectural Guidelines. Obtaining feedback from the membership would help guide the Board in how the process should be handled.

Mr. Tyler noted that they have also asked for estimated budgets for different levels of taking action regarding the CC&Rs. Mr. Bonnitt asked if they had found any glaring exposure that they need to be concerned with from a legal standpoint that needed to be addressed beyond an overall vision statement. Mr. Tyler answered no. However, because there is ambiguity, misinformation and miscommunication, they specifically discussed that regardless of which direction they take they should at least clarify where they are today. Mr. Bonnitt stated that his specific concern was whether they had found a way to enforce 35 people in a single family home loudly playing volleyball all day. Mr. Tyler replied that they had not found a mechanism to do that in the interim period. They also think that the poll will help inform them as to how many people are really interested in limiting nightly rentals, which will determine whether or not they start to add sections to the existing CC&Rs versus restating the existing language and clarifying it. Mr. Bonnitt remarked that quiet nightly rentals was a different issue than openly advertising 35+ people and 30 miles of ATV roads. There has to be some flexibility. He asked if something could be done in the interim that puts some teeth into it. Mr. Tyler stated that the Board members had differing opinions as to how much control the Board should exert over what happens on properties within the HOA. One reason for wanting a poll

of the membership is to give additional guidance on the issues so the Board can address them.

Someone volunteered to look for solutions to the trash problem.

Someone asked if the technology committee had met in the last month. Ms. Middleton answered no and apologized for forgetting to schedule the meeting.

Mr. Tyler noted that Mr. Kilbourne was appointed to the Board as an Area 3 rep; however, he sold his property in Area 3 and moved to a property in Area 7. The Bylaws state that the area rep has to be from that area, but it does not specify when. Mr. Tyler asked Mr. Rosing if Mr. Kilbourne was still a Board member. If the answer is yes, he assumed that the Area 3 position would still be up for re-election at the next Annual Meeting in November because of the appointment restriction. Mr. Rosing replied that he would need to look at the Bylaws before answering the question. He explained that typically the requirement is to live in the Association, but not necessarily in a specific area. Mr. Hutchinson stated that the Bylaws were designed for particular areas because some areas are quite different. Mr. Rosing offered to read that section of the Bylaws and provide an answer.

A property owner stated that he moved to the Ranch in April and he had a question about the Summit County noxious weed abatement program; specifically, the option for the manual and biological abatement and to opt out of the chemical abatement. He asked if there was a mechanism to do that through the HOA. Mr. Tyler explained that the Ranch sprays for weeds within the road right-of-ways, which is the requirement from Summit County. Individual property owners are allowed to opt out of the chemical, but they are supposed to abate the weeds on their own property regardless. The property owner wanted to see what they could do through the HOA to make sure the chemical abatement is not applied to their area. Mr. Tyler did not recall that the HOA had looked at anything other than the chemical application. He explained that the chemical applied by the HOA is a spot application, and it is only applied when they find a noxious weed. It is not applied as a blanket application across any area. The property owner assumed that if he was complying mechanically they would not have any chemical applied near their property. Mr. Tyler replied that this was correct.

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

Pine Meadow Ranch Owners Association
Monthly Board Meeting
July 18, 2017
Page 16