

PINE MEADOW RANCH OWNERS ASSOCIATION  
MONTHLY BOARD MEETING  
UNIFIED FIRE STATION 106  
2270 EAST 3435 SOUTH  
SALT LAKE CITY, UTAH 84109  
MARCH 20, 2012

In Attendance: Hutch Foster, Dan Heath, Bob Burdette, Suzanne Larsen, Alan Powell (Area 3); Tom Deaver (Area 4) Mike Gonzalez (Area 6), Jeff Hubbard (Area 2), Matt Brown (Area 1); Nick Boyle (Area 7).

Excused: Bruce Hutchinson

Ex Officio: Jody Robinson

Guests: Tony Tyler, Lot D-33; Bill Groot and Sheryl Groot, Lot E-70

Hutch Foster called the meeting to order at 6:30 p.m.

### **Approval of Minutes**

#### February 21, 2012

MOTION: Mike Gonzales moved to APPROVE the minutes of February 21, 2012. Suzanne Larsen seconded the motion.

Bob Burdette referred to page 6 of the minutes which indicated that the checks were now printed on the computer instead of being handwritten by Mr. Burdette. The minutes further stated that "if approved this evening, Mr. Burdette would sign the checks and submit them". He clarified that he is not a signer on the account and never has been. The sentence, He would sign the checks was replaced with, **The checks would be signed.**

VOTE: The motion passed. Alan Powell abstained since he was absent on February 21<sup>st</sup>.

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

Bill and Sheryl Groot were present to speak on the Deer Meadows subdivision. They were interested in hearing the Board's discussion on Deer Meadows later in the agenda and they preferred to make their comments at that time.

Tony Tyler stated that he was present to hear their discussion.

Jeff Hubbard stated that he was approached by the Murray Stake property asking if someone from the Ranch would grade their road. They told him that they would be

willing to pay to have the road graded.

Mr. Foster replied that in the past when it was an actual road and not a driveway, and if Jody was not involved in other projects, the Association was open to do road work on roads that are connected to the Ranch. Mr. Foster stated that Jody has the discretion to make that decision based on projects and whether the terrain is appropriate for the grader.

Mr. Hubbard had the name and number of the person to contact. Mr. Foster suggested that it would be better for that gentleman to contact him, Dan Heath or Jody Robinson to have that discussion.

### **ECC Plan Review**

Tom Deaver noted that the new GPS survey is *more accurate, however, when there is a conflict the court will rely on* the old Lincoln Compass. He suggested that if anyone challenges a survey, the Board should have a precedent for following the older survey method.

Mr. Heath asked for Mr. Deaver's source. He was told that it was Wild Lands Service in Hoytsville.

### **Water Board Update**

Mr. Foster had a previous commitment and was unable to attend the Water Board meeting the prior week. Jody stated that the Water Company was getting ready to put in the well down Tollgate Canyon. Aside from the well, there was nothing new to report from the Water Company.

Mr. Foster thought the Ranch should hold off on asphalt work until the Water Company completes their work. Jody agreed, because the Water Company will be tearing up the Canyon.

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

Jody reported on problems with the dump truck. Two brake lines broke and the fuel pump went out. He was able to do all the repairs himself. The grader is in good shape. He has not bothered with the roller. All the equipment is working fine. Jody had purchased a blade for the truck.

Jody anticipated run-off and having to do bar ditching.

**Nick Boyle arrived at 6:50.**

Mr. Heath stated that when people leave their cars in the road, Park City Towing can only charge up to \$150 and someone else has to pick up the rest of the cost. He noted that there is a reluctance to pick up the additional \$100 and he thought the Board should establish a policy. Mr. Heath remarked that if someone blocks a road, the HOA should pick up the \$100, which would eliminate phone calls and questions of who comes forward with their checkbook. Mr. Foster stated that the HOA has paid the \$100 several times. He was not opposed to establishing a policy as to which ones are towed quickly and which ones can be delayed a short time. Since he usually makes the call, his personal policy is that if the car blocks another person's access or prevents Jody from doing his job, he calls immediately. If the vehicle did not meet the criteria, he delays a little in an effort to save the owners the towing fee.

Mr. Foster understood that Mr. Gonzales had a car removed from Aspen Ridge that was blocking his driveway. Mr. Gonzales stated that he called the sheriff first because it looked like a suspiciously abandoned vehicle. Having called the sheriff made it easier to get the tow company to come up and tow it. Mr. Foster remarked that an interesting strategy might be to involve the sheriff first before they tow vehicles. If Park City Towing is towing at the behest of the sheriff, they may not look to the Association for reimbursement. Mr. Gonzales stated that the sheriff did not call Park City Towing because he understood that it was the responsibility of Pine Meadow Ranch. Mr. Gonzales was the one who called the towing company.

MOTION: Bob Burdette made a motion that any Board Member who asks Park City Towing to tow a vehicle under the conditions discussed, where the vehicle is blocking access or preventing Jody from doing his job; and the Board authorizes the payment of whatever fee that statutorily Park City Towing cannot assess against the owner of the vehicle.

Mr. Foster recalled that the Board had voted on a similar motion last year. Alan Powell stated that last year he provided the names of Board Members to Park City Towing. Therefore, any Board member can make the call. He would update the list with the new Board members. Mr. Foster explained that they have always treated Forest Meadow and Tollgate the same regarding towing, with the understanding that they are on less firm ground since they have no legal claim to those roads. However, he thought those circumstances might be a good time to involve the sheriff.

Dan Heath thought it was a good idea to call the sheriff first for all towing situations. Mr. Gonzales was cautious about calling the sheriff so often for parked vehicles that

they would become desensitized to their calls.

Mr. Foster stated that all the Board members were on the tow list. If a vehicle meets the tow criteria and a Board member believes it should be removed, then a Board member should be able to remove it. If they think it meets other criteria that may require a sheriff's call, they should contact Mr. Foster or Mr. Heath before calling the sheriff. Mr. Gonzales thought safety concerns was another good reason to call the sheriff. The Board concurred. Mr. Foster did not believe it was much different from the plan that was devised last year.

Mr. Deaver thanked Jody for filling the Jeep holes at the bottom. Mr. Foster pointed out that Jody's assertion that filling the holes while the roads were still wet would be ineffective was bearing true.

The Motion was left on the table with no vote

## **Old Business**

### Deer Meadows Subdivision Update

Mr. Foster reported that a work session was held at the County. The Planning Commission requested further information and wanted to walk the land in question. Mr. Foster found it amusing that the Commissioners delayed walking the land until it was safe to get there. He hoped that safety issue would play into their decision.

Mr. Foster noted that the public hearing for Deer Meadows scheduled the following evening was postponed and had not been re-scheduled.

Ms. Groot stated that she attended the Planning Commission meeting in January; however, the minutes from that meeting were still not online. She thought everyone should read the minutes, particularly the comments from Commissioner Mike Brown. Commissioner Brown stated that Pine Meadow Ranch should be leveled and returned back to nature if it was truly that bad. Ms. Groot felt lucky that the meeting ended in a 3-3 vote without the seventh member. The application was forwarded to the County Council meeting, which she attended along with six others from the Ranch and the Lewis Peak area. The Council asked a number of questions, but no one from the Board was present and the owners could not answer the technical questions. However, thanks to her reading of Bob Burdette's letter, she was able to tell the County Council how many lots had full-time residents, part-time residents, and the number of open lots.

Ms. Groot noted that several of the Board members had written letters, but based on the questions asked, she did not believe the Council had read the letters.

Ms. Groot wanted to know why Pine Meadow Ranch was not represented by a Board member. She asked if the Board would be represented when the County Council votes on the Subdivision.

Mr. Foster replied that the Board discussed the matter in length over a number of meetings. As advised by the attorney representing Pine Meadow, the Board was in a carefully defined legal box regarding the McAllister project due to an agreement between Pine Meadow Ranch and Mr. McAllister. Mr. Burdette presented a copy of the notarized written agreement with Doug McAllister for six lots on his land that he found in his file. Mr. Foster remarked that in 2008 Pine Meadow Ranch made an agreement with the Deer Meadows TDA proposal that they would neither endorse nor oppose a six lot transfer proposal for that same parcel. So as not to break their own binding agreement to neither endorse nor oppose that proposal, the Board took the position on the current proposal to oppose because it departs from the previous agreement.

Ms. Groot thought a Board member could have answered some of the questions without taking one side or the other. Mr. Foster believed that the Board could arrange to have someone attend the next County Council meeting to answer simple, factual questions. Mr. Foster suggested that if Adrian at the County could submit questions ahead of time, the Board could be better prepared to answer those questions.

Ms. Groot reported that the County Council basically sent the proposal back to Mr. McAllister and his team to make the local communities happy.

Ms. Groot stated that her Book Club had started a petition drive and they have obtained 112 signatures so far. She had incomplete petitions that the Board could sign. Mr. Foster thought it was inappropriate to use this Board meeting to petition signatures, particularly since the Board already has a legal petition on the question. It was informative for the Board to know that a petition was being circulated to property owners and the members could sign as individual owners.

Ms. Groot was very concerned that the Deer Meadows Subdivision would set a precedent. Her primary objective was to know the Board's position and whether Pine Meadow Ranch would negotiate with Deer Meadows if they become members of the Association. Mr. Foster replied that Deer Meadows was already a member of the Association, at least up to the six lots that were originally proposed per the existing agreement.

Mr. Burdette pointed out that that the Board had those discussions and they tried to figure out if there was a benefit that would satisfy them. Mr. Burdette explained that what made the six lot agreement tolerable was that no new lots would be created. Building rights would have been abandoned within Pine Meadow Ranch to create six building lots further up the Mountain. The Board saw that as a net neutral impact to the community from a financial and traffic standpoint. There was no need to create new roads to service those lots. The Board was able to take a neutral position neither for nor against the development. This new proposal is different and violates the previous agreement for six lots. Mr. Burdette believed that individually the Board members have taken a personal position.

Ms. Groot thanked the Board for answering her questions. The owners who have signed the petition wanted to know the Board's position and why the Board had not represented the Association at the Council meeting. Mr. Foster understood that the County Council met in work session, and it was not a public hearing. Ms. Groot stated that she had been admonished during a January Planning Commission because Pine Meadow Ranch had not spoken up sooner. For that reason, she attended the work session to show good faith and an interest in hearing what they had to say.

Mr. Deaver pointed out that the Board's position was represented at the Planning Commission meeting.

Dan Heath reported on two calls he received from owners who had been told by Doug McAllister that Pine Meadow was endorsing the Deer Meadows Subdivision proposal.

Mr. Foster assumed that those who live close enough to get noticed for the public hearing would spread the word. Mr. Foster would ask Carol to establish a policy that when she receives public notice from Summit County regarding land use or other issues, she would scan the notice and email it to the entire Board.

### **New Business**

Mr. Foster stated that since the owners present at the Annual Meeting decided that the Board should be doing more projects, it was important to compile a list of expectations and plans for work on the Ranch. The list should be put together and roughly prioritized by April so Jody can schedule the projects and plan for materials.

Mr. Foster asked Jody for his list of projects to do this year. Jody stated that laying gravel on Pine Meadow Drive was the first project on his list. He noted that the Water Company would be digging up Tollgate Canyon for the new line and he would ask them to gravel that section of road when the project is completed. Jody stated that even if he

does the work, the Water Company should purchase the gravel. Mr. Foster thought the Owners Association should walk that section of Tollgate and make the same agreement with the Water Company that they made in the past.

Someone commented that a few sections along Pine Meadow Drive may need a little extra attention from a grading standpoint, particularly where it meets Alexander.

Mr. Foster remarked that the biggest question would be if and where they apply asphalt. Jody stated that two years ago the cost for a truckload of asphalt was approximately \$900 delivered. Mr. Foster suggested that Jody get estimates on the cost to asphalt that last half mile in Tollgate. Since the Association has a little extra money this year and Rick Braush was willing to participate to get the road completed, Mr. Foster thought it was a better possibility this year.

Mr. Deaver recalled two bids last year; one complete with prepping and the other was if Jody prepped the road and got it ready to lay asphalt. Mr. Foster stated that Jody could do the prepping. He noted that the typical width has been 20 feet; however, when they get below the Forest Meadow split it should be wider. He proposed a two pass overlay where the road opens up at the old Ranch manager's shed area; and do a left and right side with a deeper crown and run it 28 to 30 feet. It would be better to have more space where the two roads merge. Mr. Foster also thought they should prep and overlay the potholes now that the culvert was in. Once Jody obtains the bids, they would decide how much work could be done this year.

Mr. Foster reiterated that the Board members should come to the next meeting with suggested projects that could be compiled into a list that he and Jody could prioritize.

Mr. Deaver asked about a building for next winter to store sand and gravel for the road. He was concerned that if they wait until October it may be impossible to get a truck up there with rock and gravel. Alan Powell reported that a 90' x 30' steel building at the Yard in Park City was being taken down. The building was used to stock lumber and it is being sold for \$2500. Mr. Deaver asked if the building would be able to withstand the snow loads. Mr. Foster was unsure and suggested that it was an engineering question. Mr. Powell noted that the Board would have to find a company to dismantle the building and put it back together. That expense combined with engineering costs may not be worth it. Mr. Foster asked Mr. Powell to find out more details and whether anyone knows the snow load.

### **Monthly Budget Review**

Mr. Burdette reviewed the unpaid bills in the amount of \$10,352.66. Mr. Burdette asked

Jody to review the charges on the Capital One statement. Jody stated he purchased a cutting edge for the snow plow on the truck, a fuel pump for the snow plow truck, two brake lines and fuel filters. The charges were from Labrum Ford in Heber City. Mr. Burdette explained that the \$283 bill for Workman's Comp was an extra charge beyond their regular payroll to cover the summer employee they hired to help Jody.

MOTION: Bob Burdette moved to pay all the bills as outlined. Alan Powell seconded the motion.

Mr. Deaver recalled a previous discussion regarding snow tire chains and asked *if* those had been acquired. Jody replied that he purchased the chains from NAPA Auto Parts two months ago.

Jody reported that he was still waiting for Summit County to request bids on the tractor. Mr. Burdette stated that Jody still had authorization to bid on the tractor whenever that occurs. Jody understood that Summit County was waiting to make sure their lease agreement for the new tractor goes through at the end of March.

VOTE: The motion passed unanimously.

The Board discussed hiring a seasonal employee to help Jody again this year. Jody suggested that they hire, Brandon, the same person who helped last year. He was paid \$14 per hour. If the roads are dry, Jody would like him to start May 1st. Brandon could spray weeds and do other things while Jody lays gravel and prepares for asphalt and mag water. Mr. Foster asked if Jody had talked to Brandon about his availability this year. Jody stated that he had spoken with Brandon, and he would follow up to see if he was still available. Mr. Foster stated that if Jody thought Brandon would be available to do the work beginning in May or June, the Board could make that formal decision at the next meeting. Mr. Burdette favored making the decision now and giving Jody the authorization to talk with Brandon and hire him to start when the weather permits.

MOTION: Tom Deaver made a motion to authorize a seasonal position. Jody would further research and choose an appropriate start date. Dan Heath seconded the motion.

Mr. Foster noted that the details would be confirmed later.

VOTE: The motion passed unanimously.

## **Assignments**



Mr. Foster summarized that Jody would obtain bids on asphalt, talk with Brandon and begin to think about a priority list for projects. Jody stated that his top priority would be gravel, asphalt and mag water.

Carol would notify the Board when public notice is received from Summit County.

Alan Powell would research more details on the steel building at the Yard in Park City. Mr. Foster stated that if Mr. Powell finds out that the building is appropriate for snow loads, he should also ask if they could purchase one section of the building for a sand shed.

Matt Brown stated that he was unable to attend the next meeting and asked how he should communicate his project list for Area 1. Mr. Foster replied that he could email his projects to Jody.

Mr. Foster reported that the Association would be receiving a small bill from Max for a rebuild of the website and security updates. Max suspected that the hacking came in from a spam registration on the forum pages. Mr. Foster had tightened that down and believed they were no longer receiving any spam referrals from the site.

Mr. Foster reported that he changed the host of the snow camera link to one that is more useful. Anyone who had the old link bookmarked should delete it.

With 83% of the annual assessments collected, someone asked if the Board had received negative feedback. Mr. Foster replied that there had been a few comments on both sides of the issue.

The meeting of the Pine Meadow Owners Association Board adjourned at 7:45 p.m.

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