

PINE MEADOW RANCH OWNERS ASSOCIATION
MONTHLY BOARD MEETING
RANCH MANAGER'S OFFICE
ARAPAHOE DRIVE
PINE MEADOW RANCH
AUGUST 24, 2010

APPROVED

In Attendance: Hutch Foster - President, Dan Heath - Vice President, Bob Burdette - Treasurer, Suzanne Larson - Secretary, Bruce Hutchinson - Area 5, Scott Clausen - Area 2, Scot Erickson, Tom Deaver - Area 4, Alan Powell - Area 3, Amy Jackson, Area 7.

Duane Yamashiro was excused.

Ex Officio: Jody Robinson, Ranch Manager

Guests: Margaret and John Kurtin FM-D-145; Bryce Boyer, Utah State Forestry and Summit County Fire Warden; Mike Bates PI-G-34; Ted Bonnitt, PI-E-55; Sam Scaling, 3168 Arapahoe; Mark Bowers, PI-C-65

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

Approval of Minutes

MOTION: Bruce Hutchinson moved to APPROVE the minutes of July 27, 2010. Dan Heath seconded the motion.

Alan Powell referred to page 6 and corrected the minutes to accurately reflect that it was Ken Ludwig, L-u-d-w-i-g, from the Utah Fire Land, and not Ken Mosely as written.

Tom Deaver remarked that the minutes made reference to re-affirming three choices on the survey for plowing; however, the minutes indicated that it was Mr. Powell who made the suggestion and Mr. Deaver who re-affirmed it. Hutch Foster clarified that the minutes should state that Tom Deaver "supported" rather than "re-affirmed" the three choices.

Mr. Foster called for a vote on the minutes as corrected.

VOTE: The motion passed unanimously. Scott Clausen abstained.

Owner/Visitor Open Forum and Owner Communications

Bryce Boyer reported that he had contacted Dale Jablonski and Ken Ludwig and found that the Owners Association has approximately \$60,000 to \$70,000 in grant money for fuel reduction. Mr. Boyer suggested that he, Alan Powell, Hutch Foster and Ken Ludwig meet next week to discuss projects for using that money in the Spring. The grant can only be used for chipping, clearing, fuel breaks, and fuel reduction.

Bruce Hutchinson understood that the individual property owner must clear the material to the road side. Mr. Boyer replied that this was correct. He noted that some individual lots may be done when there is enough in-kind dollars to match the work done by the Forestry Department.

Mr. Foster remarked that in the first year of grant money, the Board suggested that the Ranch owners inform the Board of people who were physically incapable of taking care of a known hazard. In some cases the Board could refer those properties to the State crews for help.

Mr. Boyer remarked that the State prefers to do larger projects, such as the fuel reduction coming up the road, widening and taking out the oak brush, and removing some of the hazard trees on the road. He understood that Ken and Dale had previously mentioned a fuel break along the freeway. Those were the types of projects Mr. Boyer wanted to discuss if they could schedule a meeting. Mr. Foster suggested scheduling a day and time through email. He thanked Mr. Boyer for attending this meeting and for what he did all summer.

Mr. Foster reported on two lightening strikes that occurred a few weeks earlier. One was in Scott Boyle's yard and the other was behind Leon Gale's cabin.

Mr. Deaver asked if property owners could do additional work to earn more credits. Mr. Foster replied that the form is online. Anyone who does any fuel reduction work should log their hours to be submitted for a new grant when the current grant is gone. Mr. Foster pointed out that the money comes from the Federal Government and they should take the opportunity to use it as much as possible.

Mr. Boyer noted that Jody Robinson had acquired a 6 x 6 through State/Federal Access. It cannot be used on any type of structural fires unless one of the fire districts is on the Ranch to run it. He noted that the truck was placed on the Ranch under agreement that Jody Robinson is the caretaker and operator. If that changes, the truck may be removed. Mr. Boyer pointed out that the truck is a pre-position piece of equipment for the fire departments to use and for Jody Robinson to use for water and roads. Mr. Foster noted that the truck was used on the two fires mentioned.

Bob Burdette asked if Mr. Boyer had observed any hazards on the Ranch that the owners should be aware of. Mr. Boyer replied that it was the entire area. Everyone needed to do defensible space, limbing, thinning brush, and removing deadwood that is an inch or bigger laying on the ground. Anything dead standing, one inch or larger, needs to be taken down.

Mr. Foster noted that there is a full page on the Ranch's website devoted to this topic with educational videos, mapping, drawings of landscapes, how to make defensible space, and how to stack a brush pile for the crews. Mr. Boyer remarked that stacking the piles appropriately makes a big difference for the crews. If the pile is pushed up by machine the crews will leave them. They will also leave them if the piles are thrown together haphazardly because it is too labor intensive and non-productive. Mr. Boyer emphasized that construction type materials should never be placed in the piles because it will not run through the chipper.

Ted Bonnitt - PI-E-55

Mr. Bonnitt stated that he contacted the Sheriff yesterday regarding the offer he extended during the Fire Awareness Day last year to provide an introduction to the Bates and the Bitners to potentially work out an arrangement to create fire escapes in addition to Tollgate. Mr. Bonnitt stated that he and Alan were also working on the personal residence off of Plat A, which is actually ready to go. Given the history, Mr. Bonnitt thought it would be helpful to have the Sheriff involved, but he was still waiting for a response.

Mr. Bonnitt thanked the Board for their time at the annual meeting last November regarding the idea of open lands and discussing build out and the long term future of the Ranch. He believed the members in general had welcomed the idea of pursuing open lands to stem the flow of buildout. Mr. Bonnitt noted that some research was done and there are outside funding sources for conservation to buy down lots and building rights. There are sophisticated ways to make that work in a small lot situation.

Mr. Bonnitt had spoken with Ashley Kohler, the Sustainability Coordinator for the County and she was excited to hear that Pine Meadow was interested in considering open land. She told him that the Eastern Summit County Agriculture and Open Space Protection Advisory Board could be a potential funding source. One way to arrange for that is to look at State researched maps showing habitats. Mr. Bonnitt believed the Ranch is well within the boundaries of threatened wildlife area for deer, elk, moose and grouse. That bolsters the ability to get the County to waive property taxes on people who buy down their land. If someone has ten acres, uses one acre to build their house and puts a conservation easement on the other nine acres, the tax assessment could be reduced on those nine acres. That should provide a financial incentive on the local level. Mr. Bonnitt pointed out that this would only affect existing lots. They are also looking into transfer of ownership, which would give Federal tax benefits to people who take a write down on a lot because of reduced values. He noted that the Federal Government allows those types of breaks if they can get something back in return.

As a follow up to last year, Mr. Bonnitt requested that by the next annual meeting the Board have concrete approaches for open lands in place so people could take advantage of these options right away. Prior to the annual meeting in November, Mr. Bonnitt would like to have a website with PDF forms for people to apply to the County.

Mr. Bonnitt remarked that Cheryl Fox, with Utah Land Conservancy, and Ted Darvey, the Tax Assessor, have been very helpful and have made it clear that it must be done as an organization and not as individuals. Setting up an independent non-profit 501c3 is something they do not need to pursue. The suggestion was made to form a committee or sub-committee as part of the HOA to create a process so owners would have the opportunity to do this as an organization. He pointed out that they would only be successful in their efforts if they approach it as a sanctioned organization. Mr. Bonnitt intended to compile all the information prior to the annual meeting and he welcomed any input and suggestions.

Mr. Burdette stated that he and Mr. Bonnitt had spent significant time talking about the complexities of causing open lands to occur. He believed there are significant benefits to different areas within the Ranch if land can be put into this conservancy program. Once land is placed into conservancy, no future development would take place on those acres. Mr. Burdette remarked that land conservancy would benefit the wildlife and help keep as much open space as possible.

Mr. Burdette was unsure if the Owners Association has any charge to the Articles of Incorporation other than to maintain the roads. That element may prevent the Board from taking on this particular challenge. He and Mr. Bonnitt discussed the possibility of creating a different Pine Meadow Ranch Foundation that the Board would support by verbally allowing the Foundation to pursue the matter. Mr. Burdette stated that the details still needed to be worked out and whether or not it could be successful would depend on the tax and density benefits.

Mr. Bonnitt remarked that if the Board was willing to put Ranch owned land into conservancy and show how much money it saved the Association, it would provide an incentive for individual property owners to do the same. Mr. Bonnitt intended to create map overlays if the habitats and migratory patterns exist, based on the State conservation research. He would also do everything possible to get Federal recognition as well.

Mr. Foster stated that conserving open space on the Ranch is a benefit to every property owner, except those who give up their building rights to create open space. A goal should be to find a way to make it beneficial for those owners as well. Mr. Bonnitt

pointed out that the exchange can be as little as five acres and does not have to be a big Ranch.

Mr. Deaver felt the only drawback was that a larger percentage of lots on the Pine Meadow side are one acre lots. Mr. Burdette suggested that five or six neighbors could agree to merge their lots.

Road next to G-33

Mike Bates, Lot G-34, requested that Jody Robinson surface or repair the road next to Lot G-33 where the water tower is located around Windy Circle. There are large ruts in the road and it is difficult to drive. He uses that road to get to his house. Mr. Robinson stated that he would look at the road.

Mr. Foster noted that a property owner had commented that in Area 5, Pine Circle, off Pine Loop, had not been bladed. He asked Jody to look at that road as well.

Thank you

Ms. Kurtin thanked Jody Robinson for improving Arapaho. Mr. Kurtin remarked that it took two years but they were happy.

ECC Plan Review

Mark Bowers, Lot C-65, submitted building plans for new construction on Lot C-10 and a check to pay his fees. The plans were complete with colors, windows, roof and materials. Mr. Foster noted that Lot C-10 was on Pine Meadow Drive. Scott Clausen was the Area 2 rep. Mr. Bowers stated that a full set of prints were in process but they would not be available until the end of the week. The siding would be wood. It would be natural colors in various shades of brown. The roof would be Rust corrugated metal. The windows would be brown aluminum or vinyl. The doors would be wood. The surveyed plans were drawn to show a three bedroom, two bath structure. Mr. Bowers would begin the building permit process with the County this week. However, Mr. Clausen requested that Mr. Bowers meet with him before he goes to the County.

Mr. Foster believed the plans were consistent with the building guidelines. Mr. Hutchinson asked about the setback and the road. Mr. Bowers replied that the house would sit in the middle of the lot. He expected to be within the setbacks. The lot is .86 acres. Mr. Hutchinson asked Mr. Bowers to identify the septic tank and utilities for Mr. Clausen. Mr. Foster reminded Mr. Bowers to make sure that when his utilities are posted that they set the meter back far enough for road maintenance. Mr. Bowers

stated that Rocky Mountain Power showed him where the road easements were located and it was further up the hill than he expected. Mr. Hutchinson asked if it was a private residence or a spec home. Mr. Bowers replied that it was a spec home. Mr. Deaver asked about rental. Mr. Bowers stated that he has no intentions of renting. It would be a storage area until he sells it.

Water Board Update

Mr. Foster reported that the water board meeting was short and very little was discussed. The Mutual Water Company is still investigating areas to increase water source, which is the same issue at every meeting. Ownership issues were resolved and they are again looking at a prospecting well halfway down Tollgate Canyon, close to where they were prepared to drill last time.

Mr. Foster stated that the water system is running perfectly. A few minor problems were fixed this summer, but no major disasters occurred. The existing sources are running as they have been for years, which is adequate for the current density but far from adequate for build out.

Mr. Deaver asked if there was discussion on the telemetry meters. Mr. Foster replied that there had been no additional discussion. He believed the Water Board's position is the same, which is to require it for new meters and to create an incentive that would encourage owners to change out their existing meters. Mr. Foster assumed there would be an owner-wide notification once the Water Company has a finalized plan.

With the current capacity for water production, Mr. Hutchinson wanted to know the percentage of build out currently available. Mr. Foster had no idea and he was unsure whether the Water Company knew that percentage. He recalled that when the Water Company was created, their mandate was to ultimately bring the system up to Code and convert it to a community water system. Mr. Foster pointed out that this was mandated in the founding bylaws. At the point where they become a community water system, they could no longer restrict outdoor water use and would need to have enough supply for people to purchase as much water as they want and do whatever they want with it. Mr. Foster did expect that changeover to occur in the near future based on the current supply.

Suzanne Larson asked if there was any discussion about getting adequate fire hydrants. Mr. Foster was only aware of one or two hydrants on the Ranch that the Water Company thinks are inadequate. Ms. Larson noted that the closest fire hydrant to her property is quite a ways down the road and there is nothing for the owner above her. She understood that there should be a hydrant every 50 feet. Mr. Foster clarified

that the Code requires a hydrant every 500 feet and it does not have to be 500 feet on a road. It is a 500 foot radius from a house, which could be on a different road. Ms. Larson did not think there was a hydrant within 500 feet of her house on River Birch Road, Lot I-6. Mr. Foster offered to take her concerns to the Water Board and to find the hydrant closest to her property. For a more immediate response, he suggested that Ms. Larson send an email to Brody Blonquist requesting that information.

Mr. Foster reported that the Water Company was still looking at a new supply line to the I-Plat area, but it would not be done this season.

Ranch Manager's Report

Jody Robinson reported that he has been grading roads and cleaning culverts after the big flood. Mr. Foster noted that Arapaho and Aspen Ridge were completed. He was surprised at how well Aspen Ridge retained the material in both rainstorms. Lower Modoc had been resurfaced and the mud bog at the bottom had been raised and crowned.

Mr. Foster had sent an email informing people of the chipper project and to contact Alan Powell. Anyone who did not receive that email should sign up for the newsletter on the Ranch website. It is the best way for him to collectively contact the owners when something happens on the Ranch that people should know about in a timely manner.

Mr. Foster reported that the email address firesafety@pinemeadowranch.org is Alan Powell and Sara West. Alan and Sara took on the fire safety role after twenty people in the neighborhood took the Emergency Response Class several years ago. Mr. Foster stated that he, Steve and Alan went on to get red carded for wildland fire prevention following that class. For this reason they have been using Alan and Sara as their connection with the State. In addition, both have developed relationships with Bryce, Ken and Dale and the fire crew.

Jody noted that a number of driveway culverts are plugged and cause the roads to washout. Mr. Foster stated that he was reading the CC&Rs and the Rules and Regulations on that issue. When he receives a series of emails from angry property owners, he copies the Board officers in his response. Mr. Foster stated that one property owner was especially upset about the lack of attention to their private culvert. He remarked that the Rules and Regulations specify that if owners do not clean out their own driveway culverts in order to protect the roads, the Association is at liberty to clean them out and bill the owner for the time. Before taking that approach, Mr. Foster preferred to be notified first so he could ask Carol to send the property owner a notice and give them a week to clean it themselves. If the owner does nothing, they would be

notified that the Association would clean the culvert and they would be billed. Jody pointed out that the property owners would not be happy if he cleans the culverts because there would be a bar ditch in front of their culvert. Mr. Foster remarked that Jody's role is to protect the roads and as long as he does his best to protect the infrastructure, he would always support whatever method he uses to do it.

Old Business

Pine Meadow to Forest Meadow winter plow connection

Mr. Foster reported that last year a group of people from the Pine Meadow side and the Forest Meadow side approached the HOA. Jody handles plowing to the parking lots and a number of private plowers maintain some of the main thoroughfares on the Pine Meadow side and everything on the Forest Meadows side. Mr. Foster remarked that a proposal was made to the Board that connecting those two areas provided a community safety benefit for the entire Ranch, since each area was isolated and only had its own road in and out. Mr. Foster stated that last year the Board agreed that plowing a connection made sense as a safety provision and capped the amount at \$6500.

Mr. Foster stated that the discussion this evening is a continuation of this service to the Ranch owners. Sam Scaling, the person who plowed the connection, believed it was key to have the road open to link both ends. He was unsure of plowing funds for this year, but felt the HOA got a deal last year. If they choose to continue plowing this year, he would request \$85 for blading and \$100 for blowing to keep the road open. His tractor is 68 horsepower with an 84 inch blower. Due to the expense of bringing up his equipment, if the increase is not approved he would not plow the road next year.

Mr. Scaling also commented on delays in receiving his money from the HOA. Mr. Foster informed Mr. Scaling that the Board only meets once a month. If he submitted his bill right after a meeting, it would not be approved until the next month and it could take up to four or five weeks before a check is mailed.

Scot Erickson found the connection useful last year and felt that it was well worth the money. Mr. Powell stated that he had also used it a couple of times. Mr. Burdette stated that the water company found the connection absolutely necessary last winter when permanent residents on the Forest Meadow side did not have running water. Scot Erickson asked if a formal adoption was required to re-submit the plowing. Mr. Foster stated that it should be an annual decision if it is an expenditure. Mr. Deaver felt the connection is a safety factor and that the request for \$85 plowing and \$100 blowing is in line with what other plowers charge. He supported the plowing and the increase.

Pine Meadow Ranch Owners Association
Monthly Board Meeting
August 24, 2010
Page 9

MOTION: Scot Erickson made a motion to re-fund the plowing of the Pine Meadow to Forest Meadow connection in the amount of \$6500 at \$85 for blading and \$100 for blowing.

Mr. Foster pointed out that he charges \$80 for his blower time and his blower is smaller than Mr. Scaling's and uses less fuel. If they choose to move forward, Mr. Foster agreed that the rates were fair.

Tom Deaver seconded the motion.

Mr. Deaver asked if \$6500 was a sufficient amount. Mr. Burdette noted that from the first snow until the end of March they had spent approximately \$2,000. However, the cost in April was approximately \$4,000.

Mr. Erickson pointed out that if the funds are used before the end of winter the Board could always vote to increase the amount. Mr. Burdette explained that the cap was set based on estimates from the owners making the proposal that during the worst winter the cost would be approximately \$6,000.

Mr. Erickson was comfortable with \$6500 for his motion.

Mr. Foster called for a vote on the motion to authorize a budget of \$6500 to maintain the connection between Arapaho and Valley View Circle from where Pine Meadow drops down, increasing the rate to \$85 for blading and \$100 for blowing.

VOTE: The motion passed unanimously 6-2-1. Bruce Hutchinson and Scott Clausen voted against the motion. Bob Burdette abstained.

Mr. Clausen explained that he was not opposed to plowing the connection but he preferred to spend the money on summer maintenance.

Mr. Hutchinson shared Mr. Clausen's preference. In addition he felt that a winter safety issue for fire was from home fires and not wildfires. He believed the connection was more of a convenience and he only voted in favor last year as a test. They should only plow the Ranch parking area and access. Plowing the connection only benefits a few and for that reason he could not justify the expense.

Mr. Burdette stated that he abstained because he was conflicted on both sides of the matter. From his personal point of view he believed they could maintain connectivity between both sides of the Ranch on a snowmobile. He spends a lot of time on the Ranch in the winter but he does not live there and uses snowmobiles to get around.

From talking to his neighbors on the Forest Meadow side, Mr. Burdette found that they truly appreciated the convenience of being able to drive to the Pine Meadow side of the Ranch in their car. From the financial side, very few members on the Forest Meadow side pay an additional \$100 per year in dues to cover a \$6500 expenditure. Since the full time residents are the only ones asking for the connection it did not add up financially.

Mr. Foster clarified that his vote in favor of plowing was not for convenience because he snowmobiles back and forth to Forest Meadows. He commented on the number of times Tollgate Canyon has been blocked for hours, and in the event that someone would have an urgent need to get out, he believed an alternate route was essential. That was the basis for his vote.

Mr. Foster remarked that plowing would continue for another season, recognizing that it is an expense that needs to be re-evaluated each year. He pointed out that if they run out of the budget funds before the winter ends, that would also need to be re-evaluated.

Mr. Burdette recalled from the discussion last year that once they reach the \$6500 maximum, the Owners Association would not pay any additional money, but the members in Forest Meadows could finish the season at their own cost. Mr. Foster replied that those are the issues the Board would consider if that situation occurs.

Mr. Deaver stated that he had a personal experience where Tollgate was blocked and he had to use the connection as a matter of need and not convenience.

Plow Requirements Update

Mr. Foster remarked that the Board should make a decision on the plowing requirements by September. He had provided one copy of the old plowing requirements and multiple copies of the proposed requirements. With the exception of clarifying some of the existing language, there was only one substantial change in the proposal. Mr. Foster stated that the proposed change was in keeping with the original writing of the document in terms of how to address those who want a road plowed versus those who do not. Mr. Foster noted that the original document said, "Show 50% of owners in favor of snow removal". He believed the Board's position should be that cabin owners would have more say about winter use than owners with vacant lots.

Mr. Foster acknowledged that the Board would have a hard time telling someone that they may or may not access their home with a plow. In re-writing the language, he tried to take the decision away from the Board and have a majority of owners on a specific road decide how they want their road treated. Mr. Foster stated that a group of owners

can either be in favor of opening the road or against opening the road and a 50% vote of those people would make the decision.

Mr. Hutchinson took exception to the fact that the Board does not have the right to say yea or nay on whether a person plows the road. The Board allows access without specifying how that access occurs. Mr. Foster clarified that he wrote the language based on advice from the attorney. Mr. Hutchinson did not believe the attorney was seeing the whole picture. The Board does not have the right to preclude someone from accessing their property, however, they do not have to provide a specific way to obtain that access. He felt that the proposed language as written provided a specific way.

Mr. Foster clarified that the document was not an offer to provide vehicle access. It was a way for owners on the road to decide whether they, as the owners, choose to provide their own access and in and by what way. He noted that the language makes no mention of providing vehicle access. The HOA only provides access to a parking lot. According to their last vote, in addition to access to a parking lot, they also provide a connection as an alternate access in the event of an emergency. Mr. Foster emphasized that the HOA does not provide residential access.

Mr. Clausen was confused as to why a lot owner would have a say in the decision. Mr. Burdette replied that owners of vacant lots are members of the Association, the same as anyone else. Mr. Heath stated that if lot owners are allowed to weigh in on the decision the same as cabin owners, they should all pay the same amount. He was comfortable leaving that as an option.

Mr. Deaver stated that his in-laws have owned land on Forest Meadow for 25-30 years and they have never built a house or put in a driveway. The land just sits there unused. Mr. Deaver remarked that most people who do not have homes on their lots do not care whether or not the road is plowed. They could be allowed to vote, but most do not respond when asked. Mr. Clausen believed that some may not care but many others would because they come up to recreate in the winter.

Mr. Foster clarified that he wrote the language under the assumption that the lot owners would not have the same stake as cabin owners in terms of what happens on the road. He felt it was a fair question and if someone does not have a preference they can check "no preference".

Ms. Jackson did not disagree with the language or with Mr. Clausen, but from a legal standpoint she would argue her right for emergency vehicle access and she would force them to plow the road. Mr. Foster stated that the attorney had given the same advice on that issue. Mr. Burdette wanted to know who Ms. Jackson would force. Ms. Jackson

stated that she would have to hire her own plower, but if there were nine neighbors and she was the only one who voted in favor of plowing, she would still plow. Mr. Deaver replied that State law would back her up.

Mr. Foster stated that there is a history of people on the Ranch who have many different ideas about how their cabin, their area, their neighborhood and their road should be used. He agreed that the Board could probably not win the fight to stop someone from plowing and he was not trying to instigate that fight. His reason for re-writing the language is to carefully allow a group of people on a street to decide their own fate and help them reach that decision in an effort to avoid the battle. Mr. Foster remarked that the old provision did not help people and instead had a lot of quirks that created antagonism. He tried to write language that was more fair to everyone.

Mr. Foster believed Mr. Clausen had made a valid point and he offered to re-look at writing another version of the language to address his concern. Mr. Clausen referred to the third bullet point and questioned what "if necessary" was trying to convey. Mr. Foster replied that there are sections of road that have never been in question in terms of who pays and how much, and people still drive to their place and park in their driveway. In cases where there is no contention, he did not believe the Association needed to spend money on a survey. Mr. Clausen felt the language did not reflect that intent because it did not differentiate between contribution and use or getting into the survey. Mr. Hutchinson remarked that the Board would not be making the decision or giving approval. He understood that they would only mail out a card asking whether owners agree or disagree. Mr. Foster replied that this was correct, in addition to counting the responses.

Mr. Burdette stated that his road is plowed but no one has ever asked his opinion on whether or not the road should be plowed. He assumed that more than 50% of the people on his road want the road plowed. Mr. Foster replied that if no one has raised the question, the Ranch has been functioning for some time under that assumption. He noted that last year someone did raise the question, which is why the Board started looking at the issue. A request was sent to those who were plowing to compile documentation showing that they had a right to plow under the old guidelines. During that process, the person who asked the question decided not to oppose it.

Ms. Jackson was uncomfortable with a document that could be challenged. Mr. Foster stated that the Board was better protected and less liable under the proposed document than they were with the old document. Mr. Clausen pointed out that his road was plowed for two years and he wondered whether anyone on that road was consulted. Mr. Foster pointed out that the proposed language creates a process for asking neighbors their opinion. Mr. Clausen agreed that it puts the issue out in the open.

Mr. Foster stated that when the map is posted in October, that is when people should look at their road and decide whether they want it plowed. Mr. Clausen like the idea of being asked every year and having the ability to say yes or no to plowing.

Mr. Heath felt they should be aware that when Scott Boyle turned the plow truck away, he put the Ranch in jeopardy when that house burned down. Mr. Foster pointed out that through the CC&Rs and the Rules and Regulations, the Board has every authority to regulate how things are done. Mr. Heath believed it was a fine line and the Board should let the neighbors have the argument.

Mr. Clausen referred to language in the old document stating, "Push snow from roadways and wing where possible to be on an existing drainage ditch to provide visibility from oncoming vehicles and snowmobiles in the winter". He believed the idea was to give the snowmobilers an egress. Mr. Foster understood that it was also to provide the snowmobilers a route to pass. The intent was that a snowmobiler could never get squeezed into a spot where there is no way around. Mr. Clausen felt that language should be added back in the proposed document to change cabin to owner.

Mr. Clausen hated seeing the markers left up in the summer. Mr. Foster thought the language required them to be taken down. Mr. Deaver answered no and felt that requirement should be added. Mr. Foster pointed out that the Water Company also marks with blue PVC painted poles. Mr. Foster expressed his preference for marking hydrants differently, and personally suggested a reflective H to identify them in the snow.

Mr. Clausen read, "snow pack conditions are acceptable but hills may be sanded" He noted that the language used to read, "must". Mr. Foster stated that he made that change due to the number of complaints when roads were sanded last year. He was hesitant to require people to sand because it makes snowmobilers angry. Mr. Foster noted that the revised language leaves it to the discretion of those who try to maintain a piece of road.

Mr. Clausen offered to email additional comments to Mr. Foster.

Mr. Burdette asked what type of equipment is used to wing a piece of road. Mr. Foster replied that in the old days winging was accomplished with a grader with a wing. The Ranch no longer has a wing on their grader. Unless someone has that piece of equipment, winging is more of a concept at this point. The concept of winging is to open things wide enough to allow room for everybody and visibility around corners. Mr. Foster asked if the language should be changed since winging no longer exists. Mr. Burdette felt it was pointless to require something that no one has the equipment to do.

He suggested that they eliminate the word “wing” and have the language describe exactly what they want done.

Mr. Hutchinson stated that the snow blowers make the snow piles so high it is impossible to see around corners. If safety is an issue, they need language that addresses the corners to avoid hazards. Mr. Foster remarked that the blowers he is aware of cut wider sections of road around the corners so there is time and room for visibility. He agreed that when corners are tight, it presents a safety issue. He offered to draft language to address that concern.

Mr. Clausen thought they should add language about putting snow back on the road if it was plowed too deep early in the season. Mr. Hutchinson read language, “Provide a separate pathway or leave a minimum of 4” of snow on the roadway so snow machines can travel. Mr. Foster stated that language concerning this issue could be added to “maintenance of the surface”.

Mr. Hutchinson suggested posting a sign at the bottom of Tollgate saying that “plowing in this area requires permission from the HOA”. That would put plowers on notice that without permission they are plowing inappropriately. The Board agreed.

Proposed Canyon Entrance Landscaping Project.

Mr. Foster reported on an email he received from a Ranch owner who heard a rumor that someone was ready to spend \$170,000 to beautify the entrance and that the Board was considering it. This owner was furious that the Board would have to think about. Mr. Foster pointed out that Pine Meadow Ranch does not own the entrance at Tollgate Canyon. It is a UDOT right-of-way and State property. The property line for the Ranch is somewhere near the point where Tollgate and Forest Meadow split.

Mr. Foster remarked that on one hand, what happens at the bottom of the canyon is not Ranch business, except as interested bystanders and users. Mr. Heath noted the Ranch was asked for their feedback. Mr. Foster agreed and he was interested in giving that feedback.

Mr. Erickson presented a proposal for landscaping at the bottom. The previous proposal showed rock columns with a chain around it to give the lower area a sense of boundary to keep cars from sliding over the edge of the road. They would like to pave it and create a place where the dumpster could be enclosed. He noted that changes were made to that proposal, which included replacing the rock pillars with large boulders. The name would be etched on a grouping of large boulders. This would clean up the entrance and allow for rock landscaping.

Mr. Erickson stated that Dan Heath had spoken with someone at the County regarding the mailbox locations and he was told that the mail carrier does not like where the mailboxes are currently located. The proposal is to move the mailboxes up the hill on to Ranch property near the shack and level out a pull-off area. Therefore, if Pine Meadow builds out, that area would accommodate additional boxes. The dumpsters would be enclosed and the parking lot would be striped, leaving an open area for chaining and not for parking. Mr. Erickson pointed out that the Ranch does not own that property, however, a gentleman who lives at the bottom is bothered by the disarray and he is willing to put up his own money to clean it up. Mr. Erickson suggested soliciting contributions from people on the Ranch through the website.

Mr. Erickson stated that he would talk to the landscape architect regarding the new plans this coming week and he would provide the Board with a set of plans. He noted that the goal is to make the bottom entry corridor look better and function better. As part of a Ranch decision, he would like to make one parking lot storage for vehicles and the other parking lot for day parking.

Mr. Foster asked if the designer had an engineer who was looking at digging into the hill for the dumpsters enclosure. Mr. Erickson stated that digging would be minimal, possibly two or three feet with a small rock retaining wall. That amount of cutback would allow them to open up the area to accommodate the dumpsters and still have room for the mail boxes. Mr. Erickson stated that they were trying to get the initial site plan passed through the County so they could approach Allied and other entities to see if it is feasible. Mr. Foster felt it was important to involve UDOT since some of it is UDOT right-of-way.

Mr. Deaver asked if they were talking about changing the intersection where Forest Meadow meets Arapaho. Mr. Erickson replied that it was not part of this plan.

Road Sign Inventory

Mr. Burdette had emailed a spread sheet for all the Board members to fill out. Mr. Foster requested that the Board members do the inventory if they have not already done so and add it to the spread sheet. He would like to prioritize and budget for sign repair and replacement.

D-64 Property

Ms. Jackson asked for discussion on the D-64 property that some owners believe is trashy. Mr. Foster stated that he passed the site several times and did not notice a

trash problem. Mr. Heath pointed out that there was a washer and dryer and barbeque on the property. He verified that it was Lot D-64. Mr. Foster suggested that Ms. Jackson fill out the non-compliance form on the internet and send it to Carol requesting that she send it to the lot owners. Ms. Jackson should quote the section from the CC&Rs regarding refuse. The first letter is a notice. If the owners do not respond and a second letter is necessary, it would be a fine.

Mr. Foster reported that he has been sending fines to Beaver Circle.

Monthly Budget

Mr. Burdette reviewed the unpaid bills in the amount of \$29,733. He noted that the bills this month included large construction projects. He stated that the bill from Geary included work done for a private property owner for \$267. That property owner wrote a check payable to Pine Meadow Ranch to reimburse the \$267. Mr. Burdette would deposit the check and pay the full amount of \$11,475 to Geary Construction to satisfy the account. The invoice from Geary Construction was for aggregate materials on Arapaho and Aspen Ridge.

Mr. Foster asked who did the hauling. Mr. Burdette replied that it was Spackman Enterprises. Mr. Foster cautioned them about avoiding a future scenario where the charges may not be clear about where the material was used and who should be billed. He thought Nate should be advised to be careful about their account. Mr. Clausen understood the reason why it was done this time, but he did not think it should be allowed again. Mr. Foster agreed.

MOTION: Bob Burdette made a motion to pay all the bills as outlined. Dan Heath seconded the motion.

VOTE: The motion passed unanimously.

Remaining Budget

Mr. Burdette reported that after subtracting the \$29,733 that was approved to pay the bills, and subtracting the estimated bills through the end of the year, which included property taxes, Jody's salary, payroll taxes, the budget approved for plowing the connector between Pine Meadow and Forest Meadow, sand for winter sanding, mileage reimbursements, fuel, equipment repair parts, secretarial and accounting services, the available cash would be \$46,000. He believed that money should be used to make improvements from now until winter.

Mr. Burdette noted that money was originally budgeted for asphalt improvements at the bottom of the Ranch and half of that money has been spent. He suggested that the \$46,000 could be used on additional asphalt work and aggregate for roads. They could also save some of the money to help fund projects next year. Mr. Burdette commented on the possibility of using it for a building to house the equipment.

Mr. Foster asked Jody to name projects he would like to do with some of the available funds. Mr. Jody replied that he would like to do asphalt on both sections going up Forest Meadow and Tollgate. Mr. Foster thought it was a good place to invest some money. He also felt it was a time to start prioritizing the Forest Meadow side of the road. He assumed they would prioritize up to the storage units.

Mr. Deaver wanted to know how high up to the storage units the Ranch owned. Mr. Foster replied that they own very little, but the Owners Association has maintained Forest Meadow and Pine Meadow since the Ranch has been used, regardless of ownership. Mr. Deaver clarified that his question was for information only and not meant as a way to exclude portions of the road. Mr. Burdette believed the HOA owned up past the second parking lot. Mr. Foster thought it ended just around the hairpin turn above the upper parking lot.

Mr. Clausen requested that money be used to install a culvert on Arapaho. He noted that there are two culverts now but rocks create a problem every Fall and Spring. Jody did not believe that was a priority project because it does not present a hazard. It would require jack hammering, which would be expensive. The lower roads should be a priority because they are a hazard. The Board discussed alternatives for fixing the culvert problem on that section of Arapaho.

Ms. Jackson asked if some of the money should be saved in the event of a heavy snowfall. Mr. Burdette replied that during heavy snowfall seasons they do not increase Jody's salary and he had budgeted for additional fuel expense. A heavy snow year would increase sand usage, but he believed the ten loads that would be hauled in, in the Fall would be sufficient. Mr. Burdette stated that even if all of the \$46,000 is spent, they still have a \$70,000 emergency fund that has been maintained for several years and that money can be used for an unforeseen expense.

Mr. Burdette asked Jody for his opinion on putting \$10,000 more into asphalt. Jody replied that \$10,000 would help but he preferred \$20,000. Mr. Foster asked Jody to estimate how far up they could go with 20 loads of asphalt if they started filling the sections on Forest Meadow that have deteriorated to the point of being undrivable. Jody believed it would go quite a ways. Mr. Burdette thought it should get close to the storage units.

MOTION: Hutch Foster made a motion to budget \$20,000 in asphalt patching to be used almost exclusively working from the bottom up on the Forest Meadow side with the exception of using less than a load to patch small potholes on the Tollgate side. Scott Clausen seconded the motion.

Mr. Hutchinson asked if the motion was to cover the entire roadway or just fill potholes similar to what was done on other roads. Jody stated that it would be patching work. Mr. Foster clarified that he was suggesting that Jody do something similar to what he did to fix the bad areas on the lower part. Mr. Hutchinson pointed out that Jody only spent \$2500 to fix Pine Meadow Road. Mr. Burdette remarked that Forest Meadow Road is 1% road and 99% holes, whereas, Pine Meadow Road was 50/50.

Mr. Foster asked Jody if he would be able to spread asphalt further and more effectively if they budgeted more for appropriate road base in the deepest areas. Jody answered yes.

Mr. Deaver recalled a previous meeting where a Forest Meadow property owner who is not part of the HOA offered to contribute money for road repair. Mr. Deaver requested that the motion be amended to include contacting that property owner. Mr. Foster was not comfortable including that as an addendum to his motion; however, he agreed that the owner should be contacted. Mr. Foster clarified that the motion was only to budget money for specific road work.

Mr. Foster amended his motion to increase the budget to \$21,000 to allow for three loads of road base on the Forest Meadow side. Scott Clausen accepted the amendment to the motion.

Mr. Hutchinson pointed out that the Board was voting to approve spending \$20,000 for 20% who use one road compared to 80% of people who use the other road. He was concerned about repercussions. Mr. Foster stated that they could remind the 80% that \$400,000 was spent on their side over the last eight years. He felt it was time to consider the other 20%. Mr. Hutchinson did not disagree but thought they should expect to hear comments.

Mr. Powell suggested budgeting another \$15,000 for 3" minus road base to fix whatever spots Jody finds. Area reps could also email Jody with their suggestions on spots that need repair.

Mr. Burdette noted that there was a motion on the floor to approve \$21,000 for asphalt paving on Forest Meadow and the motion was seconded. Mr. Burdette called for a vote

on the motion.

VOTE: The motion passed unanimously.

MOTION: Someone made a motion to budget \$1,500 for three loads of road base to build up the road near the rental on Arapaho. Scott Clausen seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Mr. Powell made a motion to budget \$15,000 for additional aggregate to be used around the Ranch as Jody sees fit with area reps submitting their requests to Jody for specific projects within that \$15,000. If specific projects are not identified, Jody would have the discretion to use the money where he feels it is needed.

Mr. Foster did not believe the Board needed to spend the entire \$46,000. Mr. Deaver did not think the motion should limit the expenditure to just aggregate. He suggested that the motion indicate that \$15,000 is budgeted for general road repair work. Mr. Powell clarified that his intention was never to limit the \$15,000 to aggregate.

Bruce Hutchinson seconded the motion.

Mr. Foster called for a vote on the motion to budget up to \$15,000 for Jody to do projects around the Ranch.

VOTE: The motion passed with 7 voting in favor and 2 abstentions.

The Board complimented Jody on a job well down and for good accountability in managing funds.

Next Meeting

Mr. Foster took a straw poll of the members to determine whether the September meeting should be held on the Ranch or in the Valley. Based on the polling, the September meeting would be held on the Ranch and the October meeting at the Whitmore Library.

The Board moved into closed session at 8:55 p.m. to update the new Board members on the legal issues related to the CC&Rs that Ted Barnes had discussed with the Board last year.

Pine Meadow Ranch Owners Association
Monthly Board Meeting
August 24, 2010
Page 20

The Board moved out of closed session at 9:08 p.m. and adjourned the regular meeting

The meeting of the Pine Meadow Owners Association Board adjourned at 9:08 p.m.

_____September 28, 2010_____