

**SPECIAL MEETING OF THE MEMBERS – RULES DISCUSSION AND ADOPTION  
JUNE 6, 2018 – 7:00 P.M. – GORGOZA MUTUAL WATER COMPANY OFFICES  
7950 PINEBROOK ROAD, PARK CITY, UTAH 84098**

THOSE PRESENT: Ted Barnes, David Geffen, Mike Jamison, Julie Nirula, Holly Smith, Sherri Swing and Cory McNeely, sec/treasurer, and Debra Griffiths-Handley, attorney for the association. Dan Schofield was excused for health reasons.

1. Ted brought the meeting to order and explained to the attendees that the purpose of the special meeting was to provide an open forum for members to discuss and comment on the Rules to be adopted by the board of directors.
2. Ted gave a brief history of the Pinebrook HOA and his long-term involvement with the association. He noted there have been no split votes by the board, and over the years there had been two lawsuits to enforce the Pinebrook CC&R's.
3. Ted explained that the Community Association Act allows HOA's to adopt a set of Rules to enforce the CC&R's with a schedule of fines and penalties instead of filing a lawsuit for every CC&R infraction. Debbie added that the Rules and procedures for adopting the Rules were done in strict compliance with the Utah Community Association Act.
4. Ted opened the meeting for comments:
  - a. Ted noted that the Rules closely mirror the CC&R's, with the exception of Rules created to specifically prohibit fireworks and nightly rental properties.
  - b. Buck Hawkins asked why a set of Rules were necessary, Ted reiterated they allowed the CC&R's to be enforced without filing a lawsuit for each violation.
  - c. Andrew Pratt asked the difference between the CC&R's and the Rules. Ted noted that the Rules are based on the CC&R's and adopted by the board, whereas the CC&R's would require a majority vote from all members of the association to change.
  - d. Duane Fox and Jodi Jamison commented on lighting regulations. It was discussed that there were county rules relating to lighting as well as conditions in the Construction Plan Approval Agreement signed by owners for new construction.
  - e. Several owners had questions regarding dead tree removal and whether clearing debris from their lot would require approval. It was noted that removal of deadfall was a fire mitigation effort and would not require HOA approval.
  - f. Scott Lyons asked for clarification of the rules regarding RV's, boats, and trailers. Ted commented that typically, it wasn't a problem if the unit was shielded from view or only in driveways for short periods of time for staging. The application of this rule would be applied on a case-by-case basis.
  - g. Scott Lyons commented that the wording of the penalty and fine structure was contradictory. Ted noted that clarifications could be made to the wording.
  - h. Jim Olsen had several concerns, primarily relating to how future board would interpret the rules. Ted commented that if future boards were interpreting the Rules too

- restrictively or adversely to the community, then the members would need to step up and make changes to the board.
- i. Other members gave input regarding their support of the Rules, and other misc. comments that did not require board discussion or request changes to the Rules document.
5. No additional comments were made. Ted adjourned the public comment period of the meeting and the board met to discuss adoption of the Rules.
  6. David suggested minor wording changes to the fine schedule to better clarify the process. Deb agreed, but noted the original wording was taken directly from the State statute.
  7. The board suggested another minor change to tie the rule regarding noise to the County noise ordinance.
  8. The board suggested minor changes to the Rule regarding fire pits to be similar to the County code, with no solid fuel fire pits being allowed.
  9. David made the motion to accept the Rules with the minor wording changes and clarifications suggested by the board. Mike seconded. Vote all in favor.
  10. Ted noted that he and Deb would draft a cover letter and have the document ready for Cory to send to the owners within the 15 day period as required by law.
  11. No other matters of business voted upon. Meeting adjourned.

---

Cory McNeely  
Treasurer

---

Ted Barnes  
President