

**MEETING OF THE BOARD OF DIRECTORS OF THE PINEBROOK HOMEOWNERS
ASSOCIATION
DECEMBER 2, 2021 – 6 P.M. – 7950 Pinebrook Road, Park City, Utah**

THOSE ATTENDING: David Geffen, Mike Jamison, Scott Schofield, Holly Smith, Sherri Swing, and Cory McNeely, sec/treasurer. Dan Schofield and Steve Werner were not in attendance. See sign-in sheet for PHOA members in attendance.

1. Holly brought the meeting to order and introduced the board to the attending members.
2. Holly addressed a few of the disparaging remarks made on Nextdoor.com about the board, noting that the PHOA is not an overreaching HOA, but rather accommodating and has chosen to not be as aggressive as other HOA's in the County. Other points were addressed in general.
3. Cory explained the purpose of the meeting, which was to take public comment from the attending members regarding the proposed amendments to the Rules:
 - a. Define Nightly Rentals.
 - b. Extend minimum rental period to 90 days.
 - c. Clarify size of yard signs allowed and length of time certain yard signs may be displayed.
 - d. Clarify how notice of Association meetings may be delivered, where meetings may be held, and add requirements for electronic meetings.
 - e. Add a penalty schedule specific to short-term rental violations.

He noted time would be given to those wishing to speak, and that owners should announce their names before speaking.

4. Comments focused on why the minimum rental term was extending from 30 days to 90 days. Cory explained there were instances in Pinebrook where homeowners were listing their homes on national websites, i.e. VRBO, etc, as vacation rentals citing minimum 30 day rental terms, but allowing much shorter stays or significant discounts for 30 day periods. It was noted that the Board wanted to set the minimum at 90 days as a strong deterrent to buyers seeking property in Pinebrook for short-term rental investments. He noted 30-day minimum rentals put a heavy burden on the HOA to prove instances of stays shorter than 30 days, whereas, a 90 day minimum makes it harder for members to even advertise their home on the national websites. Cory noted the problem has been ongoing since the PHOA received a favorable judgment in 2012 prohibiting short-term rental activity, and that numerous short-term rentals (8-10) have been shut down over the years.
5. Scott commented that the State had ruled previously more than five rentals in a year violated the "time to time" clause and suggested a 60 day minimum instead of 90 days. Additional discussion followed.
6. Certain members commented that they appreciated the move to 90 days because they did not want to live in a community of short-term rentals. Others commented they also did not want short-term rentals in Pinebrook but felt the extension was too restrictive, especially if someone wanted to do a house-swap, for example.
7. A point of clarification came up in the fine schedule, whether the penalty would be assessed on the actual value of the lot or the property. Deb to follow up.

8. Deb clarified that the CC&Rs are not being amended, noting that would take a 2/3rd vote of the community to do so and would be functionally impossible. The Utah Community Association Act has a process whereby an association board can amend Rules, which is what the PHOA is doing at the meeting.
9. An owner asked about the change in the Rules regarding signs, general discussion followed and the owner noted she was fine with the change.
10. Holly asked for final comments before addressing the board whether to vote on the amendment to the Rules. David made the motion to table the vote due to only 5 of 7 board members in attendance, and opposition to the minimum rental period extension to 90 days. Vote seconded. Four votes in favor, one vote opposed of the attending board members to table the vote until a later date, motion passes.
11. No other matters of business were discussed or voted upon. Motion made to adjourn.

Cory McNeely
Treasurer

Holly Smith
President