

**RESOLUTION OF THE BOARD OF DIRECTORS
RUBY RANCH OWNERS ASSOCIATION
CONCERNING ARTICLE VII, SECTION 10
REGULATION OF FORESTRY MAINTENANCE**

The Ruby Ranch Owners Association Board of Directors in regular session sitting this _____ day of February, 2019, does hereby find and resolve as follows:

WHEREAS, the Ruby Ranch Covenants, at Article VII, Section 10, provide rights and responsibilities for the management of the forested areas of the Ranch including responsibilities to ensure that dead and dying trees are properly removed and treated; and

WHEREAS, the Ruby Ranch has been subjected to over 10 years of unremitting attack by the Mountain Pine beetle and Spruce beetle which have resulted in the death of a significant portion of the forest on the Ruby Ranch; and

WHEREAS, the owners on the Ruby Ranch, acting individually and in concert with the Ruby Ranch Owners Association, have done an incredible job of removing dead trees from the private lots and common areas around the Ranch and in doing so have committed hundreds of thousands of dollars to that effort collectively; and

WHEREAS, at some locations on the Ranch it is prohibitively expensive to contract for the transportation of the dead trees from the Ranch or for the chipping of those trees; and

WHEREAS, at some locations it is preferable and more cost effective to stack the dead timber and then burn it in place when conditions do not present a hazard to any of the property on the Ranch; and

WHEREAS, the Owners Association Board of Directors believes that having a formal policy directed to the burning of dead wood on the Ranch will advance the interest of all Ranch owners, as well as the interests of fire safety on the Ranch; and

WHEREAS, the Ruby Ranch Owners Association has appointed a Fire and Forest Health Committee which Committee has been meeting diligently and has recommended that the Board of Directors adopt a formal policy for the burning piles of trees.

NOW, THEREFORE, be it resolved that:

1. It is the policy of the Ruby Ranch that if at all possible the burning of slash and downed trees should be avoided. In keeping with this policy statement it is the desire that all lot owners rely on either chipping wood on site or actually hauling the logs off the Ranch in their entirety, rather than burning.

2. Any use of fire to eliminate piles of dead and downed trees, brush and slash may only occur after the owner has applied for and received the appropriate burn permits from the local fire department and Summit County.

3. Prior to any burning activity the lot owner purposing to conduct the burn shall notify the Ruby Ranch Owners Association and receive its written approval for the same, which approval will be contingent upon several factors including:

- a. Antecedent moisture conditions (rainfall and/or snow cover);
- b. Separation of the burn piles from other trees or structures;
- c. The submission of evidence that all appropriate permits and permissions have been obtained from the fire department and the County.

4. If the foregoing permissions are received it is a requirement that the owner be on site throughout the burn and until the flames are out and the ambers are cold.

5. Pile burns will be conducted during the work week and will avoid weekends and holidays in order to limit the number of vehicles using the Ranch roads.

6. The owner conducting the burn will ensure that there is sufficient water available on the site to extinguish any fire that might escape, either through the presence of hoses or a tank truck on site. Upon request, the Board of the Ruby Ranch Owners Association can grant a variance to this requirement if the proposed burn will occur when the average daily temperature is below freezing and the ground is entirely covered in snow of at least one foot in depth.

7. The number of piles burning at one time will be limited to two per supervisor, assuming that both piles are visible from the same supervisory location; otherwise, only one pile burn/supervisor at one time is permissible.

8. If an owner conducts a burning activity that results in damage to property on the Ruby Ranch including vegetation on other lots or common space or other homes or buildings on the Ranch it will be the owner conducting the burn that is financially responsible for all such damages.

9. Because the Ruby Ranch seeks to be a friendly neighborhood the owner intending to burn on his or her lot will be sensitive to the lives and attitudes of people around them and provide actual notice to all of the surrounding lot owners informing them of the pending intention to burn.

Done this _____ day of February, 2019

RUBY RANCH OWNERS ASSOCIATION

By: _____
President