

# PINNACLE HOMEOWNERS ASSOCIATION

## Board of Directors Meeting

### *Meeting Minutes*

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**Date:** May 4, 2026  
**Time:** Approximately 7:11 PM MT  
**Platform:** Zoom (Virtual Meeting)  
**Presiding:** Bill Newman, President  
**Minutes by:** Property Manager, Robert Burnside

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## ATTENDEES

### Board Members

- Bill Newman — President (Presiding)
- Marion Weinstock — Vice President
- Bruce Kink — Treasurer
- Jay Varon — Board Member

### Staff

- Robert "Bob" Burnside — Property Manager

### Unit Owners in Attendance

The following unit owners participated in the meeting:

- Larry Calof
- Donna Tyus
- David Fox
- Jeffrey Rousso
- Jeff Green
- Jeff Rosen
- Linda Lang
- Wick Merchant
- Dana Robinson Krumholz
- Rodrigo Mayo
- Kamran Ahrar
- Marie Lundin
- John Robertson

## CALL TO ORDER

President Bill Newman called the meeting to order and welcomed attendees. He introduced the board members and property manager, noting that the sole purpose of the meeting was to address the fire suppressant systems at the Pinnacle.

## AGENDA ITEM: FIRE SUPPRESSANT SYSTEMS

### Background

President Newman provided the following background:

- At the December and March board/unit owner meetings, an owner raised recurring concerns about a leaking fire suppressant system that had undergone multiple unsuccessful repair attempts.
- Property Manager Bob Burnside has noted for years that these systems are old, prone to leaks, costly to maintain, and disproportionately time-consuming.
- 48 units across 19 buildings have fire suppressant systems installed during original construction (1982–1984), primarily on the upper Pinnacle Drive units.
- Of those 48 units: 9 use glycol (antifreeze), 24 use nitrogen bottles, and 15 have compressors.
- 38 units do not have fire suppressant systems.

### Board Actions & Research Conducted

The board undertook an extensive review process:

- Insurance Review: Broker USI advised that shutting off the systems would have no effect on current premiums. Multiple brokers noted the systems may afford occupants marginally more time during a wildfire but would not prevent the buildings from burning.
- Building Permits: Bob Burnside filed a public records request with Park City. Permits were found for 17 of 19 buildings requiring fire sprinklers; the discrepancy is believed to be an incomplete records production, not a material distinction.
- Fire Marshal Meeting: Bob Burnside met with the Park City Fire Marshal and Public Works Department. The Fire Marshal declined to approve shutting the systems off. Public Works noted that active systems would require a separate pipe during the upcoming water main replacement — a significant city cost that could be avoided if systems were decommissioned.
- Declaration Review: The HOA declaration (CCR's) does not mention fire sprinklers, fire suppressant systems, or similar terms. The board engaged outside HOA counsel for a legal opinion.
- Attorney Opinion: Outside HOA counsel concluded that under the declaration, the fire suppressant systems — because they are separate and serve only individual units — are not part of the common property and therefore not the HOA's obligation to maintain or repair.

### Basis for Decision

The board presented the following rationale for transferring responsibility to unit owners:

- Legal: The HOA declaration does not require the HOA to maintain these systems.
- Financial: A single system replacement has been quoted at \$45,000. Replacing all 48 units could cost approximately \$2 million, which would necessitate a significant assessment or dues increase.
- Disruption: Repair or replacement would require opening walls inside units.
- Fairness: 38 units have no fire suppressant systems; requiring all owners to fund repairs to systems they do not have is inequitable.
- Operational transition: The HOA will continue maintenance and repair (but not replacement) through December 31, 2026, giving owners time to plan.

## Transition Plan

The board outlined the following next steps:

- An email to be sent the following day will include: a list of vendors, a map of which units have systems, a status report from earlier in the year, and the outside attorney's opinion.
- Owners with systems will be responsible for inspections, maintenance, repair, and deciding whether to replace or decommission.
- The HOA is not mandating any owner to shut off their system — that remains each owner's individual decision.

## Board Member Statements

### **Marion Weinstock (Vice President) Unit 1320:**

Noted that two of four board members (herself and Jay Varon) have sprinkler systems in their own units, demonstrating the board is not immune to the consequences of this decision. She confirmed the board explored all avenues — insurance requirements, city requirements, and the declaration — and concluded that none require the HOA to maintain these systems. While the HOA's past maintenance was not unreasonable, it was also not legally obligatory.

### **Bruce Kink (Treasurer) Unit 1257:**

Emphasized the financial risk to all homeowners if the HOA retained responsibility — a potential \$2+ million cost for a collective benefit that evidence suggests is minimal. He noted that fire suppression systems of this type primarily buy egress time for occupants rather than saving structures, based on data from California and Hawaii wildfires. Kink also highlighted that multiple system types are in use and some units have had interior renovations, making a uniform HOA approach difficult.

### **Jay Varon (Board Member) Unit 1515:**

Acknowledged that as a unit owner with a system, he personally assumes more individual risk under this decision. However, he affirmed his belief that the decision is in the best interest of the HOA as a whole. He noted that individual ownership of this responsibility will allow owners to make tailored decisions — some may repair, some may decommission — rather than forcing a costly collective action.

## Owner Comments & Questions

### **Jeffrey Rousso Unit 1372:**

Asked for clarification on unit counts (confirmed: 48 with systems, 38 without). Inquired whether the city had been asked about enforcement implications if systems go unmaintained. The board confirmed the city has not actively monitored the systems since the original permits were issued.

**Larry Calof (original owner, former board member) Unit 1077:**

Offered historical context: the systems were originally installed because the row of units on Pinnacle Drive was viewed by the city/county as a fire break against uphill brush fires. He raised legal concerns, arguing that 40 years of HOA maintenance could constitute an assumed obligation that a court might not easily set aside. He also noted that pipes running through interior walls may constitute common area under the declaration. His preferred outcome would be for the HOA to take responsibility for properly decommissioning the systems — rather than simply shifting the burden to owners.

**Wick Merchant Unit 1495:**

Indicated he personally favors shutting off his system and will contact Bob Burnside to do so. Raised the concern that a patchwork of maintained and unmaintained systems in adjacent units creates flood risk. Suggested that if systems are to be decommissioned, it should be uniform for all 48 affected units. Also asked whether the HOA would assist with shutdown costs.

**David Fox Unit 1116:**

Echoed Larry Calof's legal concerns about the HOA's assumed obligation. Pointed out that his unit has sprinkler heads outside the unit protecting common area, which complicates the HOA's ability to fully disclaim responsibility. Raised the concern that individual owners would effectively be inheriting a liability — a system in disrepair — rather than a functioning asset. Asked whether more clarity could be obtained on code compliance before proceeding. Proposed (informally) that the board table the resolution for more time and information, and requested a board member make a formal motion to that effect.

**Jeff Green Unit 1186:**

Asked for clarification on an attorney letter paragraph referencing roof maintenance, which appeared to conflate the fire suppression issue with HOA roof responsibilities. President Newman confirmed: the transfer of fire suppression responsibility does NOT affect the HOA's obligations for roof maintenance. Jeff Green indicated he would be comfortable removing his system if not legally required.

**Linda Lang Unit 1122:**

Shared that she has been an owner since 1980 and that her unit suffered a total loss due to fire in 2006, despite having a fire suppression system. She rebuilt without a fire suppression system. She argued that owners without systems should not be assessed for repairs to systems that failed to demonstrate effectiveness, and that any assessment for those choosing to keep or replace systems should apply only to the 48 owners with systems.

**Dana Robinson Krumholz Unit 1330:**

Noted her unit was completely remodeled and she was not required to reinstall a fire suppression system, consistent with the development's grandfathered status. Stated she needs

time to consult with her insurance company and a specialist before deciding what to do with her system.

**Marie Lundin (and her mother) Unit 1159:**

Provided extensive comments strongly opposing the decision. Ms. Lundin, who has an architecture background and personal experience with California wildfires (Altadena, Palisades), argued that fire suppression systems are essential for life safety and egress time. Her mother shared firsthand accounts of friends losing homes and experiencing severe insurance consequences in fire-prone communities. Both urged the board to seek additional legal opinions, consult more insurance carriers, and consider fire-hardening alternatives (e.g., ember-resistant vents). They expressed concern about vacation rental occupancy in units that would lose suppression coverage and warned that the city and insurance companies could create significant liability for the HOA.

**Rodrigo Mayo Unit 1405:**

Asked whether HOA dues would be reduced as a result of this change. President Newman confirmed that the \$60,000 currently budgeted for fire suppression maintenance would be removed when responsibility transfers. Unit owners with systems will absorb their own costs; those without systems will effectively see a savings.

**Kamran Ahrar Unit 1065:**

Confirmed his understanding that the HOA will not mandate shutting off systems. Stated he intends to keep and maintain his system, noting that ongoing annual inspection costs run approximately \$600, which he views as reasonable for life safety assurance. Encouraged other affected owners to at least get their systems inspected and assessed before making a final decision.

## **BOARD VOTE**

Following owner comments, President Newman stated that as this is a board meeting (not an owner meeting), a tabling motion by owners is not in order. The board proceeded to vote on the resolution previously circulated to owners.

**Resolution (as read into the record):**

There are 48 units that have fire suppressant systems, which were installed when these units were constructed in the 1980s. Over time, these units have become increasingly expensive to maintain, with some leaking regularly and some possibly needing replacement. After a review of the documents related to these fire suppressant systems, including an opinion from outside HOA counsel — which concluded that under our declaration, because the units with the fire suppression systems are separate, they are not part of the common property and therefore not the responsibility of the HOA to maintain or repair — **BE IT RESOLVED** that the owners of these 48 units will assume all responsibilities, including financial, mechanical, and inspection-related, pertaining to these fire suppressant systems effective January 1, 2027. The HOA will maintain and repair, but not replace, these systems through December 31, 2026.

<b>Motion</b>	Bill Newman (President)
<b>Second</b>	Bruce Kink (Treasurer)
<b>Vote</b>	Ayes: Bill Newman, Marion Weinstock, Bruce Kink, Jay Varone   Opposed: None
<b>Result</b>	<b>PASSED UNANIMOUSLY</b>

## ADDITIONAL DISCUSSION

After the vote, Ms. Lundeen asked who is responsible for brush clearance on the hillside above Pinnacle Drive. Bob Burnside confirmed that the HOA conducted significant brush clearing last year and widened the access road above the property to enable fire department access. This is an ongoing annual practice.

President Newman then requested confirmation on deck expansion agreements. Jeff Rosen confirmed that owners who have expanded their decks onto common area pay the HOA an annual fee for the use of that property and assume maintenance responsibility for the expanded area.

## ADJOURNMENT

There being no further business, President Newman moved to adjourn the meeting. The motion carried and the meeting was adjourned.

## DISCLAIMER

The Minutes reflect what was said. Some of the statements made are not accurate.

*Respectfully submitted,*

**Robert Burnside**  
Property Manager, Pinnacle HOA

*Approved by:*

**Bill Newman**  
President, Pinnacle Homeowners Association