

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

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Covenant Amendment Steering Committee (CASC)

Meeting Minutes for Thursday – December 5, 2019

5 pm – 6:30 pm

CB South POA Office, 61 Teocalli Road

In attendance: Dom Eymere-Association Manager, Sue Wallace – POA Compliance Coordinator/Secretary; Committee Members: Matt Barker, Elise Meier, Mark Ewing, Debbie O’Hagan, Mark Tardiff, and Joe Frank; Judy Theis, Winnie Haver-community members.

Motion carried to approve minutes from November 7, 2019 meeting.

Next meeting will be on Thursday, January 9, 2020. The public comment topic will be campers and RV’s, and we will publicize this in CB News, on website, by posting flyers at mailboxes and bus stop, and through e-blasts. We agreed that we will conduct regular business from 5-6 pm, and allow for public comment starting at 6 pm. We didn’t agree on an end time, but how does 7:30 pm sound? Gives the public an hour and a half to comment?

Judy Theis asked where overnight/extended parking is permitted. Dom responded that there is parking for this purpose at the north end of Red Mountain Park and at the bus stop. Judy asked if the POA could do a better job of publicizing this to the community.

We began by reviewing the CASC Timeline and workplan for 2020. We will have regularly scheduled meetings January through June, and no meeting in July as the regularly scheduled meeting falls on July 2, close to the July 4th holiday.

Coming up for review:

-February 6- new Article 4-Land Use and many related covenants/amendments with a second public comment session on campers/RVs.

-March 5- continue new Article 4-Land Use and many related covenants/amendments .

-April 2- start review of new Article 5-Design Review and Approval, and have short-term rentals as a public comment topic.

With the recent Board adoption of the Commercial Area Master Plan (CAMP) document, we will be looking at overlap with, and possibly direction from, this CAMP document as we review these new Articles 4 and 5.

On the public comment agenda for January and February will be campers, RV’s, trailers, sheds, and “toys”: snowmobiles, boats, rafts, etc. In April and May, public comment will be on general issues affecting the appearance of lots, such as weeds, landscaping, and items appearing in disrepair. The group agreed that our timeline and work plan will shift as we conduct meetings with a large public turnout that might bump our review later into the year.

Next, we began our review of new Article 7-Assessments. We focused our discussion on sections on which committee members had comments from prior review. Specifically:

1. Section 7.1.4 The maintenance, repair or other improvement required to be made by any Owner to an improvement on any Lot which the Owner fails to perform.

The group felt that the reference to “required” improvement is not currently defined by the Board. Additionally, the group felt that dues should not be used to cover expenses for improvements made to a privately-owned lot. Group elected to strike this section.

2. *Section 7.1.5 Any other purpose not stated above, that concerns the operations and maintenance related to the Association and approved by a majority vote of the Members of the Association or by a two-thirds vote of the Board.*

Discussion:

The group recognizes the enormous challenge presented by putting a vote to the community, since voter turn-out is historically insufficient for any change to be made. They are also uncomfortable with the Board having no constraint on spending, and so we agreed to these modifications:

Section 7.1.5 Any other purpose not stated above, that concerns the operations and maintenance related to the Association and is approved by ~~a majority vote of the Members of the Association or by~~ a two-thirds vote of the Board and within the current budget.

3. *Section 7.2 Types of Assessments. The Board shall have the authority to levy assessments and dues to all Owners in Crested Butte South as follows:*

7.2.1 Regular Assessments. Assessments and dues are for the business, administration and operation of the Association.

7.2.2 Special Assessments. Special Assessments are for the construction, improvement, repair, replacement, expansion or other special purposes pertaining to a specific or special matter.

7.2.3 Road Assessments. Road Assessments are for the construction, improvement, repairs, and replacement, ~~and/or snow removal from~~ of the roads owned and maintained by the Association.

Discussion:

1. Snow removal expenses are covered in the annual operating budget. Would there be a need for a separate Road Assessment for snow removal? Dom confirmed that there would not be a need for a road assessment for snow removal. Most snow removal is done by Metro, and if there was a need to increase the POA’s snow removal budget significantly, it could come from the “Miscellaneous” line item in the expense budget, reserve funds, or a special assessment. Group elected to strike Section 7.2.3, and Section 5-Determination of Road Assessments.

2. The group is uncomfortable with the language “The Board shall have the authority to levy assessments and dues....” We ran out of time to fully discuss this issue and will continue the discussion at January’s meeting. The group has similar concerns with Section 7.3-Determination of Regular Assessments and Dues. The consensus is that the group would like to see Sections 7.2 and 7.3 include language that establishes a public review/comment opportunity in the process.

Sue and Dom will draft this language for the group to review prior to meeting in, and continue the discussion on Sections 7.2-7.14 to, January 2020.

Section 7.4 Determination of Special Assessments. In addition to assessments for Common Expenses as set forth above, the Association, acting through its Board, may from time to time determine and levy one or more Special Assessments. All special assessments shall be apportioned and allocated equally among all Lots, unless such special assessment benefits substantially fewer than all Lots, in which event such special assessment shall be levied against only the Lots so benefitted. The Board shall have reasonable discretion in apportioning responsibility to pay such special assessments. Notice of the amount and due date for such special assessment shall be sent to each Owner at least ____ days prior to the due date.

While we ran out of time to discuss Section 7.4, the group asked if CCOIA provides any direction on Special Assessments. **Sue will send the CCOIA language to the group for reference, and we'll continue discussion on Section 7.4 at January 2020 meeting.**

Meeting adjourned at 6:45 pm.