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# CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

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61 TEOCALLI ROAD, CRESTED BUTTE, CO 81224  
PHONE (970) 349-1162, WEBSITE: [www.cbsouth.net](http://www.cbsouth.net), FAX (970) 349-1163

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## Board Meeting Minutes June 10, 2020 via Uber Conference

Board Members Attending: Matt Feier, Mary Haskell, Margaret Loperfido in attendance.  
Matt McCombs, David Neben via Uber Conference.

Staff Attending: Dom Eymere, Benita Bellamy

Public in Attendance via Uber Conference: Brian Morelan

Matt F. called the meeting to order at 6:04 pm.

### **Approval of Minutes from May 13, 2020 P.O.A. Board Meeting**

Updates and/or corrections to the May 13, 2020 Meeting minutes were requested; none were identified. Mary motioned to approve the Wednesday, May 13, 2020 Board Meeting Minutes and Matt M. seconded the Motion. The Motion carried.

### **Financial Report**

Dom reviewed the Financial Report for the period ending May 31, 2020. Total Income was \$362,892 and Total Expenses were \$140,515 resulting in Net Income of \$222,377.

The collection of Dues remains relatively consistent with past years with 39 outstanding accounts totaling \$20,460. In accordance with our Collection Policy, staff would normally have sent out the first delinquency letter to outstanding accounts in April and would be preparing the second delinquency notice this week. Due to the pandemic, the schedule has been delayed by two months. The first delinquency notice letters will be sent out over the next couple of weeks to outstanding accounts that have not entered into a payment plan.

From a Balance Sheet perspective, as of May 31st, Total Assets were \$1,213,966. Operating and money market accounts totaled \$255,573. Reserve Funds totaled \$373,620. Refundable Performance Deposits amount to \$155,653 and are held in segregated accounts. Overall, the Association remains in good financial condition.

Dom shared he has been busy with site inspections of projects with outstanding Performance Deposits. A project at 69 Barbra Place (Lot 5, Block 29, Filing 4) has been contacted to forfeit their Performance Deposit due to project incompleteness. The project is over three years old and Dom is requesting the Board to vote on forfeiting the deposit for the unfinished project. The owner built a garage then added an accessory dwelling instead of building a house as submitted on the Architecture Application for the project. Owner understands the impacts of this timeline and unapproved scope changes. Matt F. made the Motion to absorb the Performance Deposit for 69 Barbra Place, Block 29, Lot 5 and Margaret seconded the Motion, the Motion carried.

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Matt F. asked about the increase in expenses for the following line items on the Projected to Actual; Line item 228-Telephone & Internet, Line item 244-Computer, and Line item 242- Newspaper. Dom explained that the P.O.A. upgraded to Spectrum to increase speeds which required additional wiring to be run to the building. A new server was purchased as we were unable to upgrade the old server to Windows 10 which was required to network with the remaining computers. The upgrade enables us protect our files with both on site back up as well as online. Newspaper ads are over what was budgeted due to an increase with meeting agendas such as the addition of CASC as well as Public Notices. Line item 720- Bus Stop Repair is a carry-over from completed February repair expenses needed to fix the heater in the bus stop building.

Dom shared that a new mower was purchased due to maintenance issues with the John Deere mower. The John Deere will be repaired. This tracker/mower will be beneficial with spreading grass seed and reduce the use of the tool cat for summer maintenance work. Matt M. motioned to approve the May 31, 2020 Financial Report; Mary seconded the Motion and the Motion carried.

## **New Business**

**Scheduled Property Owner Comment Opportunity Time** – No one was present on the Uber Conference call.

## **Consideration to Amend the Bylaws to Allow for On-line Voting -**

Dom introduced the idea to offer On-line voting to the membership. It would require a change to the current Bylaws; a draft of the revised language written by Legal Counsel was shared and some preliminary costs have been sourced. Dom noted we would not eliminate the paper vote. The goal is for On-line voting is to increase member's responses to a paper ballot, providing an immediate response via online. Increasing response is important for the future Covenant vote, as we learned from the previous vote, owners who do not live in the area have been less responsive. David agrees with On-line voting in the future in order to increase participation. He would prefer to postpone amending the Bylaws until we can evaluate a few platforms and be able to test different systems. Matt F. was in agreement and Matt M. suggested we introduce the idea and the Bylaw amendment process as an agenda topic at the Annual Meeting. David volunteered to assist with the vendor and technical analysis.

## **Update on the Trails, Amenities and Parks Committee (TAP) -**

Dom received a quote to add pickle ball striping along with the expansion and resurfacing of the basketball court; the RFP was shared at the meeting. A 2020 Met Rec grant was not approved for the resurfacing of the basketball court so the 2019 Met Rec grant will cover just the expansion and the P.O.A. would be responsible to pay for the cost of resurfacing. Dom noted this has been the only quote received at this time. The Board agreed to fund the basketball court expansion and resurfacing in 2020. Matt M. asked about the longevity of the application of the striping and noted that we should do the highest quality surfacing that meets with the budgeted amount. Margaret suggests we obtain another quote to confirm we receive the best bid available and is favor of this

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investment for our parks. The Board asked Dom to look at using funds from other Capital Reserves.

## **Appeal to Reverse the Decision by the Design Review Committee Denial of a Duplex Residence on Lot 7, Block, 9, Filing 2 – 471 Cement Creek Road**

Brian Morelan presented his design philosophy and his focus to create family-friendly, single-family units. Each unit has a yard and the building footprints are under the maximum build out square footages. Brian stated his intent to build these units has been upfront from day one and noted to date, the financial investment spent has been up to \$100,000.

Dom was asked to present the Design Review Committee's (DRC) decision for not approving the second duplex at the April 16<sup>th</sup>, 2020 meeting. One of the duplexes was approved and the second building was denied due to its excessive similarity to the first building. At this time, it was noted that Margaret recused herself from the discussion as she has been hired by Mr. Morelan. The two duplexes on Timberline Way were offered as an example of a build that received DRC approval with exact similarities on both units. Dom noted the DRC did not cite the same similarity due to the surrounding land use being all multi-family units. Two units built in 2003-2005 at 81 and 99 Cascadilla were also identified and Dom shared since the DRC was not formed at the time, the Board of Directors approved the project but did require aesthetic changes to the exterior so they were not identical. Dom and Ben White, DRC Chairman, did meet with Mr. Morelan where small changes to the exterior of the second unit were discussed, including color, finishes and roof line changes. Mr. Morelan explained that the DRC discussion wanted to see a completely different floor plan. He emphasized that the costs of the project continue to go up with each change.

Matt M. requested Dom's clarification on the Board of Directors' next steps. Dom outlined several options. He stated that the Board may vote to uphold the DRC decision, which would then allow South Butte, LLC to make an appeal to the County's Planning Commission. Should the Planning Commission sustain the Board's decision, South Butte, LLC would have to go back to the DRC for re-review of the proposed changes. Another option is to request Mr. Morelan to return to the DRC and present the revised changes for the denied project. Brian was not in agreement with returning to DRC and feels he has taken the appropriate steps over the past two years to obtain DRC approval. Lastly, the Board has an opportunity to reverse the DRC decision and approve the Appeal this evening.

Matt M. outlined the options and consequences and the Board discussed each in depth. The Board continued discussion on the whether to make a Motion this evening or request that the project go back to the DRC for another review of the proposed changes. Mary stated she would attend a DRC meeting to represent the Board at the meeting; David preferred the DRC review the specified changes and make a decision. The Board asked if an expedited review could be scheduled. Dom stated it would have to be reviewed at a Regular monthly meeting to be properly noticed. The July 23<sup>rd</sup> meeting is the next option to submit to the DRC. Mr. Morelan requested to discuss each proposed change. Matt M. stated that he believes this review is the responsibility of the DRC, as industry professionals, not the Board.

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Dom confirmed that the concept drawings, with the changes to elevation and roof lines, shed dormer and the gable roof changes would be appropriate modifications to have the project move forward. The Board requested a recap of the specific four changes to include in a Motion. The recap was stated as such, “Per the submitted drawings, both master bedroom balconies will be modified as shown, the north elevation stair pop out and roof will be modified as shown. A back covered porch will be included on both units as shown”. The south elevation will include a larger dormer.

Matt F. moved to reverse the initial decision of the DRC subject to four modifications, one on each elevation, to include the master bedroom balcony, covered porch, extended shed roof and a larger, gable dormer, subject to updated drawings with stamped and engineered approvals. Mary seconded the Motion; the Motion carried.

The Board requested Dom to share this decision with the Design Review Committee for compliance confirmation.

## **Continued Business**

**Discussion to Increase the Board of Directors to Seven Members** – This discussion was moved up on the Agenda in order to hold the designated time for the South Butte LLC agenda item.

David opened the discussion. He stated that people interested in serving on the Board should be able to serve and was in disagreement with the discussion that a smaller board is nimbler. He stated that we should expand to be more diverse. Another point David made was that we have not had board representation on the a few of the committees. David shared that he attended the last CASC meeting and noted their request to have Board representation; David volunteered to be the board representative. David also stated that as the representative on CASC, he would like to provide more details to members linking the impacts of the proposed budget to the Dues Assessment fee. David identified that both Mt. Crested Butte and Crested Butte have less people but more representatives than CB South on their Boards. CB South has a lot going on and an expanded Board will help Dom to be more successful managing the P.O.A. David stated that expansion would also address meetings that have been cancelled due to lack of quorum. David stated that he has spoken to community members and they seem to be open to Board expansion.

Matt F. requested feedback from the Board as well as Dom’s input. Dom restated his concerns of managing an expanded board, finding candidates to run as well as onboarding new members. Matt F. stated that he could see the benefits of getting more done and also the chance to bog down decisions. Margaret stated that she does not have strong feelings one way or another. Matt M. stated that he would prefer to vote for a smaller board in order to come to consensus faster. The Board discussed that if there is membership interest for running for the Board that would allow the expansion to seven members, we should expand. If the demand is not there, then the Board will remain at five members. It was argued that Mt. Crested Butte and Crested Butte are incorporated

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towns with larger budgets and a responsibility to business owners. Therefore, the Board members manage different agenda items than CB South Board.

After a thorough discussion, David made a Motion to increase the Board size to a watermark potential of seven, with the knowledge that the Board requires an odd number of directors for a successful election. Margaret seconded the motion and the Motion carried.

## **Manager's Report**

A report was presented identifying the number of construction project approvals by the Design Review Committee over the past five years. Dom noted that instead of tracking the number of approvals, the report will be revised to track the number of permitted projects to include a summary of the number of units added annually.

Mountain Roots will be hosting a pop-up Farmers Market on Tuesdays for folks in need. Dom noted we do not feel it is conflict with the CB South Thursday Farmers Market. We are awaiting approval of our proposal from the Gunnison County Health Department. It will be held at the bus stop parking lot and we are looking for 6 to 8 vendors.

Dom noted that he is still gathering information on the traffic study. He suggested starting with a parking plan in the commercial district and expanding the subdivision scope of work as things become more normal, post COVID.

Dom stated the Annual Meeting planning is underway; due to the Health Department requirements, the meeting will be virtual run through Uber Conference and no picnic will be hosted. Dom asked for the Board's input on items they would like to see included in the Annual Newsletter.

Mary inquired about the status of the camper compliance. Dom responded that letters are being sent to members who are in violation. Mary suggested we issue clarification in the newsletter on what is and what isn't legal regarding campers. Margaret added also how important it is to educate members on the need to vote in order to pass these items and to represent the voices of all the members.

An increase to the mailbox rental fees was identified for this budget year. Dom asked if it is an appropriate time to increase the mailbox fees. The Board was in agreement and a \$5.00 increase was approved. David also noted he was in favor to increase the fees to cover the cost of adding more boxes and parcel lockers as space permits.

## **Identify July Board Meeting Agenda Items**

1. CASC Mid-term report

**Next Meeting** – Wednesday, July 8, 2020 at 6:00 pm.

**Adjourn** – 8:25 pm