

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

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

Board Of Directors Meeting July 13, 2022

Board members present: Andrew Sandstrom, Mary Haskell, Liz Jordan, David Neben, Scott Thomes, Matt McCombs

Staff present: Derek Harwell, Tee Pleak, Bart Laemmel

Community members present: Ronnie Benson, Chuck Turner, Damien Hawcroft, Katie Neben, Peter Carey

Community members on Zoom: Kevin Van Horn, Eric Thorson, Hannah Lang, Sue Schappert, Scott Sanders, Ben White

Andrew called the meeting to order at 6:04 pm and the board conducted a roll call. Allison Butcher gave Andrew Sandstrom her proxy vote.

Andrew reminded the participants on Zoom to raise their hand if they want to comment rather than commenting in the chat.

No public comments.

Approval of the consent agenda Consent agenda items:

- Approval of June 1, 2022 board meeting minutes
- Monthly financial report
- Correspondences

The monthly budget was pulled.

Andrew entertained a motion to approve the consent agenda with the financial report pulled.

Liz makes a motion to approve the consent agenda, with the financial report pulled out.

Mary makes a motion to approve the consent agenda, with the financial report pulled out.

The motion carried.

Dave asked about the legal fees in the 2021. There was a discussion about the legal activity that happened in the past couple years. Andrew suggested a budget forecast exercise with the accountant and Mary, as treasurer, and himself, as board president, to bring a report to the September board meeting. Mary asked Derek to initiate this report.

Andrew entertains a motion to approve the monthly financial report.

Liz makes a motion to approve the monthly financial report.

Scott seconds the motion to approve the financial report.

Motion carried.

Liz asks about increasing the application fees and costs associated with new building and if the fees cover the cost of the DRC Manager's wages. There was a discussion and Andrew asked for a staff action item to look at costs and draw up a plan.

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Update on speed limits in CB South:

Sheriff Gallowich and the undersheriff are both under the weather, thus not present.

Derek reports of their meeting. They discussed a 20-mph speed limit throughout all of CB South, including River Rim and Allan Homesites. Ronnie from the Metro District will include his input with road width and grade.

Andrew asked the board if they support a 20-mph speed limit. Ronnie Benson discussed changing the driving habits in CB South. Andrew said the goal is not to give out tickets, the goal is to bring drivers into compliance.

Public comment: Damien Hawcroft comments on the infrastructure of the roads and calming measures that would force people to slow down. He comments on the lack of police presence and enforcement in CB South.

Liz asked who would be responsible for installing the calming measures on the roads. This would be the metro district.

Scott discussed the lower speed limit is a step in the right direction. Andrew encouraged the community members to write letters to the paper and address the County Commissioners.

Kevin Van Horn comments on the recommendations, asking if the board members and Ronnie agree on the lower speed limit. Andrew asks community members to make their voices heard by contacting the County Commissioners.

Mary comments that there has been limited enforcement because the speed limit is currently 30 mph, this reinforces the need to lower the speed limit. She asked if the Fire Department is open to housing the sheriff's substation. They are not.

Damien Hawcroft comments on frequent speeding offenders.

Chuck Turner comments on signs that tell people to slow down. He asked for an email blast to the community when CB South gets on the agenda with the County Commissioners.

Andrew entertains a motion to write a letter to the support of 20-mph to the County Commissioners.

Liz makes a motion.

Matt seconds.

Motion carries and the board will write a letter in support of a 20-mph speed limit in CB South.

Dave suggests an email blast to the community with contact information for the county commissioners. Andrew asked for a draft email. Derek comments that there are other issues including off road vehicles, dogs at large, noise guidelines, etc.

Discuss noise enforcement in CB South:

Derek reports that there was a resolution brought to the county. Noise non-compliance is enforceable by law enforcement. Andrew is asking for the sheriff and the Mt. CB marshal to enforce this noise resolution. The sheriff reports that they will have a calibrated decibel reader.

Public comment:

Scott Sanders comments on who to call when there is a noise issue. The answer is Gunnison dispatch. Scott is thankful that the enforcement officers will have the decibel reader.

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Andrew encourages the community to write letters to both the Sheriff and the County Commissioners on this issue.

Kevin Van Horn comments on the importance of following up with the County Commissioners. Kevin agrees this is important for the membership to let their voice be heard. The priority is the upcoming vote, and this should be addressed after the vote.

Andrew states the action is to continue to lean on the Sheriff for enforcement.

Appeal of DRC approval of 324 Zeligman and related issues:

Andrew asked Davis to recuse himself because he is part of the appeal.

Katie Neben discusses why the decision should be overturned. She presented an overview of the project.

Andrew asks the board if the project was approved timely and if the board will overturn the DRC's approval.

Liz asked about the conditional vs. final approval.

Bart confirmed that the project was "approved with conditions", which is a public approval.

Matt comments on the importance of the board being clean on the process. Legal counsel was sought, and the process was followed based on legal advice.

Mary agrees with Matt and Andrew that the board must follow the procedure and listen to the legal council's advice.

Scott asked Bart if the process was done properly. Bart confirmed that this project was noticed and followed through properly. Bart discussed height calculations and how they are in compliance.

Liz comments that the wording of the approval must be clear.

Public comment:

Peter Farrell – The builder of the project. He comments on the approval date. He comments on the time lost by this appeal process. He asked the board what the process would be to rescind the May 19, 2022, approval. He comments that when they purchased the lot there were already approved plans, with similar massing, for a duplex on this lot.

Ben White, the architect of the project, comments that the CAMP has approval guidelines. He comments on the dates of the approval letter, the massing of the project, the size comparison.

Katie Neben comments on the timing for public feedback.

David Neben comments that he believes legal counsel is wrong, and there should be a subsequent meeting where final approval is public.

Bart comments that typically he reviews amended plans. In the case of this project, he asked DRC members to comment because there was so much public involvement.

Peter Carey, owner of the lot, comments on his disappointment that he was not contacted by community members with concerns.

Andrew asked the board members if the appeal was timely.

Andrew entertains a motion makes a motion that the appeal was not timely.

Matt makes a motion.

Mary seconds the motion.

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Andrew, Mary, Matt, Scott, and Allison, by proxy, agree that the appeal was not timely. Liz does not agree. The board does think the appeal was timely and will not hear the appeal of 324 Zeligaman St.

Derek discusses how the ownership can be on the builder to present their case how the project fits in with the neighborhood.

Scott comments there is no incentive to build a smaller house that fits in with the landscape.

There was a discussion about how builders present their projects to the DRC.

Eric Thorson comments on the timing of when this project was discussed at the DRC meeting, he waited on Zoom for five hours to listen to this project's discussion. He comments that the 14 day appeal process is not common knowledge.

Liz asked how the membership would know about the 14 day window to appeal.

Andrew asked the POA Manager and the DRC manager to bring suggestions to the September board meeting on how to improve the process. The board will be ready to adopt the updates and improvements.

Dave Neben comments that the board should look at setting a square footage limit in CB South.

Andrew comments that is up the community, not the board.

There was a discussion about limiting square footage and how that would happen.

Parks Master Plan update:

Mary comments on the great public outreach. Tina Bishop is reviewing the second survey. There will be a meeting next week. We are waiting to hear about the funding resources. Andrew comments that we will need to report back to Met Rec with our updates. Andrew asked if the sheriff substation was discussed with the parks master plan. There was a discussion on what the sheriff's needs would be for a potential substation.

Derek comments that CB South Metro has the easement for the Brackenbury Park.

Board nomination update:

Derek reports there are 10 candidates for 5 spots. Their bios and pictures are on the website and will be in tomorrow's paper. Andrew asked if we could have digital copies to post on the website. There was a discussion of the vote and the possibility of adding more legal representation.

Bylaw updates:

Andrew discusses the requirements for calling a special meeting. He proposes that the threshold be raised from 10 members to 10% of the membership. Derek proposes amending the bylaws to state 10 percent of members in good standing. The suggested language includes "in good standing". There was a discussion of what defines in good standing. There was a discussion of why 10%. The nonprofit act states a 10 percent membership to call a special meeting.

Andrew entertains a motion to update bylaws 3.2 to state signatures of at least 10 percent of the membership in good standing are required to call a special meeting.

Liz makes a motion.

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Mary seconds and the motion carries.

Dave explains that it makes sense for board members be physically present or be primary residents. He agrees with the intent of the proposed update, but this proposed update needs to be clarified with numbers.

Andrew suggests looking at current attendance rates, and the importance of a diverse board. Matt comments this proposal is discriminatory.

There was a discussion about qualifications to run for a board seat.

Andrew makes a motion NOT to pass this update.

Allison gave Andrew her proxy vote.

Mary seconds.

Matt agrees.

Scott abstains.

Liz abstains

Dave abstains.

This update does not pass.

Mary suggests revisiting this with the new board.

Manager's report:

Derek reports of his orientation and getting settled into the position.

Tech support is getting involved. Cole has some updates suggestions.

There was a huge amount of time consumed with the special meetings.

Great outreach with Metro, Met Rec, the Sheriffs, Noxious Weed Board, and Tina Bishop.

Andrew suggested that Derek get in touch with the Community Compass and One Valley Prosperity Project.

Derek has been involved with compliance. Mary comments that the part of compliance that need attention is the follow through. Andrew commented it is budgeted to have a part time position to handle compliance issues.

Derek gave an update on the tech needs to update the office, both with the computers and the phones.

Derek asked for a phone stipend of \$40/month. The board is in support of this.

Andrew comments the next board meeting will be the annual meeting on August 21, 2022. The agenda for the annual meeting will primarily be announcing the results of the board elections and the vote.

Andrew makes a motion to adjourn the meeting.

Mary seconds

Adjourned at 9:30 p.m.