

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

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

Wednesday November 15, 2023
P.O.A. Board Meeting

Board Members present: Andrew Sandstrom, Lindsay Houston, Chelsea Stangl, Sue Schappert, Hannah Lang, Scott Clarkson, Rachael Gardner
Staff present: Derek Harwell, Tee Pleak
Community members present: Clark Atkinson

Andrew called the meeting to order at 6:03

Rachael makes a motion to approve the October 18, 2023, Board meeting minutes.
Chelsea seconds the motion.

All in favor and motion carried, the October 18, 2023, Board of Directors meeting minutes are approved.

Continuation of Block 6 Subdivision Discussion

The Board discussed the document that was drafted by Beth, the POA's attorney.

Regarding section 5: There was a discussion of the timing of when Atkinson Way will be built and paved. They clarified the term "substantially built out" regarding the townhomes. The board agreed that when the townhomes are 75% built out, Atkinson will be paved.

Chelsea made a motion to change the wording in item 5 of the draft agreement from substantially built out to 75% built out.

Hannah seconded the motion.

All are in favor and the motion carried.

Regarding section 6: The document states that an HOA will manage the roads and sidewalks. The board wants to replace that language with a management plan must be in place, but not require a HOA.

Chelsea made a motion to change item 6, remove a mandatory HOA for block 6, replacing the language that a management plan will be in place.

Scott seconds the motion.

All are in favor and the motion carries.

Regarding section 8: There was a discussion on the timeline for the first right of refusal: Chelsea discussed the need to be fair with the timing, while allowing Clark to sell the lots. Rachael discussed what lots the POA might want to buy. She mentioned lot 6 might be more affordable because of its size. Lots 11 & 12 might be good, but they have a substantial drainage going through them. Lot 5 is interesting because of its proximity to the townhomes and the cul-de-sac. Clark clarified that lots 2, 3, and 4 already have interest from potential purchasers.

Rachael mentioned the requirements of lots on Glacier Street needing to be commercial businesses on the ground floor while the ones on Elcho and Gillaspey can be residential, thinking

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of maximizing sales tax in the future. Andrew and Chelsea agree that lots 5,6, and 12 would be interesting lots for the POA to buy.

Rachael made a motion to include lots 5,6, and 12 in the first right of refusal.

Chelsea seconds the motion.

All are in favor and the motion carries.

There was a discussion of the timing of the first right of refusal to buy a lot.

There was a discussion about the procedure to have a meeting and act quickly without the 14 day noticing of meeting. Chelsea asked what is required to make a purchase. The board needs clarification from Beth so that they notice properly.

The board agrees that 14 days sounds like a reasonable amount of time to act upon a purchase. Andrews is concerned that if we cannot act within 14 days then the decision should be extended to 21 days.

Andrew made a motion to define the time to respond to the first right of refusal at 14 days, or the minimum amount of time that legally allows for proper notice of that decision.

Scott seconds the motion.

All in favor and the motion carries.

There was a discussion about the time required to close on a purchase. It is the understanding of the Board that they do not have control over the closing date. Let it be noted that this piece about the first right of refusal be presented to all future Board of Directors, so they are aware.

The board is in support of a quick turnaround in future sales. Derek will follow up with Beth about the time for closing and why this is in the contract. Beth will compose a memo on how to word that.

Regarding the sidewalk along Atkinson Way: Andrew mentioned that per camp, a sidewalk would be required at the time of development, so putting a sidewalk in now might not be required. Rachael brought up the land purchaser's obligation to research the topography of the land, read the documents, and know what is required of them to develop. Chelsea commented on the drainage and snow storage. Sue commented that not platting a sidewalk now will create future problems.

The Board will not require a sidewalk on Atkinson Way.

Rachael asked about the shared driveway. She asked for clarification if the first developer of a shared driveway will need to develop both halves of the driveway.

Clark explained that the first lot to build would be required to build the entire driveway and the second lot owner will reimburse the first lot owner. Rachael commented that real estate agents need to be honest about this when they are selling the lots.

Beth will clarify this in the document.

The pedestrian easement needs to be platted at 6 feet wide, same as sidewalks.

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Andrew is in favor of sharing the draft document with Clark so he can start to construct feedback.

Andrew made a motion to send the draft as it currently stands as well as the amended draft to Clark.

Scott seconds the motion.

All are in favor and the motion carries.

Andrew asked the board if they intended to have a vote without a meeting for the final draft. The board agreed that yes, they will hold a vote without a meeting to approve the final draft with today's changes.

Discussion of Strategic Plan

There will be a presentation about the OVRP at the December meeting, and this will spearhead a strategic plan.

Approval of 2024 Budget

Derek added that there was a last-minute change of plans with the Toolcat. We will not be selling at this time, as rentals are hard to come by. This changed the budget because it takes away the sale and budgeting to rent a different machine.

Andrew states that a budget is the best guess, and he is in support of keeping the budget as it stands because it is still the intention to sell the Toolcat and rent a different machine in the future.

Sue asked about the increase in legal expenses. What exactly are the legal expenses? Andrew explained the ongoing lawsuit between the County and the Tyzzer's. There was mention of rewriting the governing documents. Andrew felt that we historically have underbudgeted legal expenses, so the increase is a shot in the dark.

Sue asked if Clark would be asked to pay for the legal expenses to create the DIA. Rachale and Chelsea agree that we are working in collaboration with him, and the board wanted to do this, so the POA will pay for the expenses to create the DIA. Andrew reminded the board that this is the last block to be platted and when it is platted it will bring revenue to the community.

Scott asked about the amount of performance deposits that are projected to be withheld.

Scott asked about the \$184 parks donations. This is from the cash donation box at the Nordic track.

Scott asked if the public would see the narrative and comments. No, the published budget is the numbers only.

Scott made a motion to approve the budget as stated and be distributed to the public.

Hannah seconds the motion.

All are in favor and the motion carried.

Manager's Report

The Oktoberfest went well. There were no incidents, and everybody seemed to have fun.

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There is a group of pickelballers that are interested in setting up a temporarily court on the tennis court.

The pathway was constructed through the garden to the bus stop and added road base to the path along Elcho Ave. Parking was added across from Tully's.

There is a property owner next to a pedestrian easement, that is concerned that the walkway has migrated onto his property. There was discussion about adding a fence or rocks.

There was a discussion about the POA paying to have block 6 surveyed. The estimated cost is between \$1000 and \$3000.

The crack-fill on the road was a collaboration between the County and Metro.

The Noxious Weed Board reported that the thistle spray really works. They asked if the DRC encourages developers to put disturbed soil back in place.

The OVRP is wrapped up and they are invited to share at the December meeting.

The Town Transportation Study wants the POA to be part of the conversations.

Laura Puckett Daniels introduced Derek to a company that is developing a platform that tracks STR's and organizes STR violations. They want to set up a demonstration for Scott and Sue.

Holiday package season is here. Highland's residents will pick up their packages at Tully's.

Subcommittee Updates

Parks is getting ready for big grants this summer.

Scott reports that STR reviewed the survey results. The results are polarized. Limiting the # of days and percentage of licenses is not being discussed. The group will focus on guidelines, regulations, and policies, focusing on behavior. The results of the last survey will be posted on the website and Derek will include a write-up about the results in the next newsletter. Scott offered to help with this write-up.

The December Board of Directors meeting will be December 13th.

Andrew made a motion to adjourn the November 15, 2023, Board Meeting at 8:57 pm.

Scott seconds the motion.

All are in favor and the motion carried.