
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

61 TEOCALLI ROAD, CRESTED BUTTE, CO 81224
PHONE 970-349-1162, WEBSITE: WWW.CRESTEDBUTTESOUTH.NET

Tuesday November 18, 2025

P.O.A. Board Meeting

Board Members present: Sue Schappert, Hannah Lang, Scott Clarkson, Spencer Schiff, Mike Scarpa, Liz Jordan

Staff present: Derek Harwell, Tee Pleak, Beth Appleton

Community Members Present: Kara Erickson, Shawna Castillo, Clark Atkinson

Kevin called the meeting to order at 6:00 pm.

For the record this meeting was properly noticed in the CB News, on the website and physical in the office and the mailroom.

Public comment: none

Approval of October 15, 2025, BOD meeting minutes

Scott made a motion to approve

Liz seconded

All are in favor and the motion passed.

Discussion and vote on a proposed amendment to the agreement of sidewalks on Block 6

Mike presented the background of this topic. Derek presented Metro's comment.

No public comment

Mike presented two options for consideration:

Option 1:

Enforce the existing signed agreement dated February 12, 2024, as signed between the Crested Butte South Property Owners Association, Inc., a Colorado nonprofit corporation and Clark Atkinson as Manager for Adagio Properties, LLC (henceforth referred to as the developer), for the subdivision of Lot 2 , Block 6, now platted as individual lots, requiring specifically that the developer will construct a temporary trail around the perimeter of the north end of Block 6 and as each lot is developed, the purchaser of the lots (both residential and commercial) will complete the construction of the sidewalks to finished grade and material on each of their lots as stated in the agreement.

Option 2:

As the POA Board seeks to find an amicable solution to this current matter, the Board has a second option to consider:

1. As per Clark Atkinson's last proposal to the Board as discussed at the October 15, 2025 Board meeting that the sidewalks be located in the Right of Way for the residential development on Haverly Street and from the corner of Haverly St and Gillaspey Ave. to the intersection of the corner of lot 5 where it meets the cul-de-sac of Ford's Way, as well as for the new Vet Clinic building on the Gillaspey Ave. side of Lot 2 rather than on the

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actual lots as per the original agreement. The POA will agree to amend the original agreement by removing the requirement that the sidewalks be located on the lots for only these 2 sections of property listed above.

2. In return for the POA agreeing to Clark's proposal and amending the original agreement, the POA will require the following concessions be made by Clark Atkinson and Adagio Properties, LLC/CBS Block 6 LLC.

- a. The Declarations that the developer prepared and filed with Gunnison County on August 21, 2024 must be amended to establish two standard common interest Home Owners Associations (HOAs), formed as Colorado nonprofit corporations. The establishment of both residential and commercial HOAs for Block 6 was frequently discussed with the POA and Gunnison County prior to the original agreement being signed and it has been the POAs belief given prior discussions about this matter that there would be HOAs in place. It is the goal of the POA to have standard common interest HOAs govern and manage Block 6 so that the Block 6 property owners have clarity and common structure to run these communities in harmony with the rest of CB South and the POA. There would be a residential HOA and a commercial HOA.

- a. The current Declarations are missing key governance sections. Therefore, the POA will require the following items be added to the new HOA documents at a minimum:

- i. The establishment of two (a residential & a commercial) standard common interest Home Owners Associations (HOAs), formed as Colorado nonprofit corporations, including a Board of Directors (and a set of bylaws).
- i. Application of CCIOA.
- i. Amendment language where the POA has to approve future amendments in addition to the owners and any other requirements by Gunnison County related to amendments.
- i. Enforcement rights of the owners and the POA.
- i. Indemnification of the POA for snow removal and maintenance of the sidewalks.
- i. A more legible common element map for both the residential and commercial parts of Block 6.
- i. Clear definitions of Common Elements and language regarding maintenance of the sidewalks that are not on private property.
- i. Snow storage requirement on private property.
- i. Removal or amendment of the limitation of liability for Adagio Properties LLC.
- i. The requirement for proper levels of insurance for each HOA.

- c. The foregoing list is not exhaustive and there may need to be a plat amendment as a result. In addition, the new HOA bylaws, rules and regulations and covenants must be reviewed and approved by the POA legal counsel where approval will not be unreasonably withheld.
- d. The original agreement will be amended as stated above and signed by both parties at such time when the new declarations and other governing HOA documents are approved by the POA and its legal counsel and recorded with Gunnison County.
- e. This counter proposal will serve as the general requirements required by the POA for amending the original agreement, yet the POA will provide this counter proposal formally in writing to Clark Atkinson by November 25, 2025, or sooner if possible.

Public comment:

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Clark commented that Adagio worked with Gunnison County to create residential and commercial HOA's. In these documents it states that sidewalk maintenance and snow removal are the responsibility of the property owners.

Liz made a motion to vote for either option 1 or option 2 as stated.
Scott seconds the motion.
All are in favor and the motion carries.

The Board voted with a show of hands:
Option 1: Sue
Option 2: Scott, Hannah, Spencer, Mike, Kevin
Liz abstains from the vote.

The motion for option 2 carries.

Quarterly financial report

Kevin presented the financial report.

Discussion and Approval of 2026 budget

Kevin presented the budget. He highlighted the dues increase of 9.9%. There was a request from a member to review the commercial dues. Fees have remained the same for 2026. It is noted that the cleaning responsibilities have been removed from the maintenance team to contract labor. Kevin suggested looking at an across-the-board increase in fees. Mike suggests public education to explain how the dues increase covers the increase in expenses and leaves a small amount to contribute to capital reserves.

Liz made a motion to approve the proposed 2026 budget
Hannah seconds the motion.
All are in favor and the motion passed.

Derek explained that there will be a special meeting prior to December 18, 2025, Board of Directors meeting to present the budget to the membership.

Hannah made a motion to approve the 2026 capital reserves budget.
Liz seconds the motion.
All are in favor and the motion carries.

Discussion of committee work (Events and Donations, Commercial District, Parks...)

Kevin discussed his meetings with Tully. Tully commented that the form should be online. It was suggested a hard end-time for all events. There was a comment on food trucks and if they should be required to hold a license or pay a fee. There was a suggestion for a shared calendar for special events. There was a discussion about special event fees. There was a discussion about the enforceability of the County noise ordinance. Spencer asked about the noise and how to achieve the goal of peace in the community. Derek explained that the board can set policies, these tend to align with Gunnison County.

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Kevin is volunteering to work with Scott on the Events and Donations committee.

Liz made a motion to form a commercial committee

Scott seconds the motion.

All are in favor and the motion passed.

Mike and spencer volunteered to join the commercial

Kevin nominated Mike and Spencer to co-chair the committee

Liz seconds the motion

All are in favor and the motion carried.

There is a current and active finance committee. This committee is not open to the public.

There is a Friends of the Rink committee, which is a community group.

Sue commented that the STR committee would welcome Liz.

Kevin nominated Liz for the STR committee

Scott seconds the motion.

All are in favor and the motion passed.

Hannah volunteered to work on the Parks committee.

Kevin suggested each committee come up with goals for the year.

Discussion and approval of board goals and objectives for the 2025/2026

Spencer suggested that the board discuss goal ideas at this meeting, and at the next meeting solidify goals. He discussed how we track achievement of past goals. Kevin suggested that goal progress be discussed at every meeting. Spencer will research software to track goals.

Derek presented the history of mail delivery and there was a discussion about the mailroom expansion to include a mailbox for every household in CB South. This will be a temporary goal.

Kevin asked if reviewing and updating governing documents would remain a goal. This will be finetuned before the next meeting.

Spencer asked for clarity on the grant funding of the Parks Master Plan. Derek explained.

Managers Report

Derek reports that the bus stop roof and new carpet in the office are complete.

We hired a cleaning crew and are still looking for a part time maintenance person.

Derek reports on the Planning Commission meeting to discuss the CBFPD cell tower.

Derek reports that Starview will have a public hearing in January.

Derek is working with Element Mountain Compost to establish a drop-off site in the park.

The Corridor Plan Advisory Committee is asking for a contribution of \$5000 from CB South.

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The Friends of the Rink committee volunteered this past weekend to prep the rink.

Adjourn Meeting

Kevin made a motion to adjourn the meeting at 8:00 pm

Scott seconds the morion.

All are in favor and the motion carried.