

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

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July 11, 2007 – REGULAR P.O.A. BOARD MONTHLY MEETING MINUTES

At 6:05 pm, Al Smith, President of the Board, called the meeting to order.

Board Members Present: Al Smith, Don Montgomery, Dave DiBerardino, Peter Carey; Erin Dellaporta, arrived at 6:10 pm

Staff Member Present: Chris Behan, Linda Roberts

Others Present: Ross Tunkey, Carlos Gonzalez, Mark & MK Murdaugh, Craig Brandon, Pat Beck & David Maitland

Approval of P.O.A. Board Meeting Minutes from previous Regular P.O.A. Board Meeting: Due to lack of a quorum at the June 13, 2007 meeting, copies of the May 9, 2007, Regular Board Meeting Minutes were presented to the Board Members for review prior to the meeting. Don made a motion to approve the May 9, 2007, meeting minutes as presented. Dave seconded the motion. Motion was unanimously approved.

Financial Report: May 31, 2007 and June 30, 2007 financial reports were presented to the Board including: the Monthly Budget Summary; Cash on Hand as of May 31, 2007 and June 30, 2007; Bank Reconciliation statements for the Money Market, Operating, Hockey Rink, and Performance Deposit Accounts for the months of May and June and a summary of CD accounts. After reviewing the presented materials, Peter moved to approve the financial report as presented for May 2007. Don seconded the motion. Motion was unanimously approved. Peter moved to approve the financial report as presented for June 2007. Don seconded the motion. Motion was unanimously approved.

Unscheduled Property Owners Comments:

Ross Tunkey for 145 Gillaspey Avenue, presented to the Board the issue of the zoning of the cul-de-sac on which they live. There are only 3 houses on the cul-de-sac, and the houses in essences are on the outer perimeter of the commercial core. While other lots on the outer perimeter of Gillaspey Avenue are zoned to allow either commercial or residential, the 3 houses on the cul-de-sac are zoned strictly residential. Ross requested that before the Special Area Regulations (SAR) are finalized, these 3 lots on the cul-de-sac be exempted from the language that states that no residential lots may be converted to commercial lots. The Board directed Chris to draft language to include in the SAR which exempts 113, 129 and 145 Gillaspey Avenue from the prohibition of conversion from residential to commercial, provided that before any conversion would be approved, it would be subject to notice to surrounding land owners and public approval process.

Chris sought direction from the Board on the issue of which matters should be prioritized as the P.O.A. goes forth with code/covenant enforcement. Specifically, the issue of RV parking was raised. The Board directed Chris that large RV's or RV's parked in violation of the required 10 foot open space required on a lot should receive code/covenant enforcement letters.

Continued Business:

Playground Improvements:

Chris informed the Board that to date, from the \$25,000 budgeted for park/playground capital improvements, approximately \$13,000 has been spent for the Teocalli Path, \$7,000 for the tennis court resurfacing and \$2,000 for playground woodchips. This leaves an approximate balance of \$3,000. The Board discussed public comments that they have received. Based on public input, Peter moved that the existing wood play structure should not be torn down before a master plan has been approved for the playground area, and that Chris should proceed with maintenance of the existing structure including sanding, painting or staining as needed and replacement of the boards to help prevent splinters and improve the quality that slide/play piece, subject to the limit of the remaining budgeted amount of \$3,000. Erin seconded the motion. Motion was unanimously approved.

Final Architectural Project Review:

Gonzalez-Brito Windmill Application, Lot 22, Block 22, Filing #4-354 Cisneros Lane

The Owner re-presented plans to the Board for installing a windmill on his property. The windmill would be 29-feet tall, the actual propeller will be 10 feet in diameter, and total height to the tip of the propeller would be 34-feet. The vertical component will be a blue metal pole/tower with 3 guide wires. It will move with the wind and generate 3KW of power. Discussion ensued regarding height, noise, and aesthetics for this project. The Board expressed its desire to support renewable energy sources, however, the project must, in fact, comply with the P.O.A. noise and building ordinances. This includes the P.O.A. requirements limiting actual noise at the property line to 55 decibels during the day and 50 decibels at night. The height can not exceed 30 feet at the middle of the propeller from existing grade and the project must meet the lot setback requirements. Finally, the project must be compatible with the aesthetics of the neighborhood. The Board requested that Carlos research the actual noise generated by this device, as well as the maximum noise that could be generated. The Board did not feel that it had sufficient information to make a decision and encouraged Carlos to do additional research.

New/Continued Business:

Cement Creek Management 4-plex Extension Approval for Lot 2, Block 3, Filing #1, a.k.a. 96 Elcho Avenue

Craig Brandon, Manager of Cement Creek Condo Management (CCCM) presented a request for approval of an extension for Lot 2, Block 3, Filing #1, a.k.a. 96 Elcho Avenue. Chris presented the history for this request: CCCM was approved for their 4-plex on Lot 2, Block 3, Filing 1, by the P.O.A. Board of Directors on March 8, 2006. At that time the P.O.A. had a 12-month approval period. We now have a 9 month approval period. We also have many new design guidelines. At that same meeting, Zig Sheaffer was also asking for a permit extension for a Duplex on Teocalli, and he was denied. However, CCCM has diligently worked to get approval from the County which has proven to be a longer than anticipated process. It has had the following milestones with the Gunnison County Planning Commission for their necessary Land Use Change for this same 4-plex:

1. Submitted Land Use Change Application 5/09/06
2. Received County Determination of Application Completeness Certificate 7/14/06

3. 1st Work Session with County Planning 8/18/06
4. 1st Site Visit with County Planning 9/08/06
5. 2nd Work Session with County Planning 1/26/07
6. 1st Public Hearing 3/02/07
7. 2nd Public Hearing 4/20/07
8. 3rd Public Hearing Scheduled for 6/01/07

Chris noted that the Covenants give the Board the authority to extent an approved application or deny extensions at its sole discretion for the welfare of the community. Although under current Design Guidelines, CCCM would not be able to construct this 4-plex as approved, mainly because of the open space requirements, this criterion will be met once the 4-plex is built and all of the grounds are included in the larger Cement Creek Condo complex. Craig noted that as part of this project, CCCM seeks to turn Elcho and Cascadilla into public roads where they are currently private. This would benefit the greater good of CB South. It would also benefit the Cement Creek H.O.A. because the cost of clearing the public street would shift to the County from the H.O.A. This project has yet to be approved by the County. Peter moved and Don seconded a motion to grant an extension of the building permit to November 1, 2007. Motion was unanimously approved.

Murdaugh Detached Garage Application, Lot 22, Block 21, Filing #3 – 996 Cascadilla

Mark Murdaugh presented his plans for a detached oversized 2-car garage. It would have a center drain which would drain into a dry well and not into the sewer system. Dave moved to approve the application. Erin seconded the motion. Motion was unanimously approved.

Maitland Single-Family Residence Application, Lot 46, Block 4, Filing #2 – 47 Haverly Street

The owners, David Maitland and Pat Beck, presented their plans for a residence on the back part of this lot which is zoned for commercial and residential uses. The steep grade of the lot makes building on the lot very challenging. The owners requested a variance to allow parking 10-feet from the lot line. This arrangement would be allowed under commercial development regulations. Secondly, the owners requested approval of a driveway grade of 7 ½ percent for the first 20 feet in order to accommodate a culvert which is needed at the drive entrance. The plan shows that the residents would park at the lower level of the lot and walk up stairs to the residence. The board discussed the need for significant retaining walls to actualize the plans. P.O.A. regulations require that the maximum height for driveway retaining walls too not exceed 6-feet. Anything 4-feet or higher must be engineered and there are stepping requirements per vertical feet gained. The option of building a garage instead of part of the retaining walls was discussed. The exterior of the residence on the plans is set forth as stucco, wood trim, main floor at grade with walkout basement and roof of rough shakes. The need to break up the exterior with additional windows was addressed. Don moved to approve the application with the following conditions:

1. A more detailed site plan shall be presented to Chris and approved by Chris,
2. The site plan shall either add a garage with roof lines and materials to match the residence or shall have details of retaining walls that comply with P.O.A. regulations, and
3. The plan for the residence shall add a window on the northeast side to break up the exterior wall, and a window by the staircase.

Erin seconded the motion. Motion was unanimously approved.

Montgomery Residential Building Application, Lot C39, Block 5, Filing #2 – 33 Gillaspey Avenue

Don Montgomery excused himself from the Board and presented his Application to the Board for a site plan change to a Residential Building which would meet the Special Area Regulations (SAR). Dave moved to approve the application with the following conditions:

1. The roof shall be metal with snow dams or a non-shedding material.
2. The final plan for snow shed shall be approved by Chris.
3. The up front future commercial parking will be paved and comply with the number of spaces required by SAR.

Erin seconded the motion. Motion was unanimously approved.

Landscaping Requirements – proposed modifications to the landscaping requirements for new projects in the Residential Design Guidelines based on square footage

Chris presented proposed modifications to the landscaping requirements for new projects in the Residential Design Guidelines based on square footage. Peter had suggested that the Residential Design Guidelines be amended from the current landscaping requirements of a fixed number of points per residential unit (1,500), to a point, or number of points, per square foot of proposed residential project, regardless of the number of units. The matter was discussed and determined that no action would be taken at this time.

Architectural Review Fees – proposed modification to existing architectural review fee schedule based on square footage.

Chris presented proposed modifications to the architectural review fee structure to a set amount per square footage of a structure/residence. Our current architectural review fee per structure is a flat dollar amount or dollar amount per square foot, whichever is greater. The proposed change would simplify the calculation of the amount due. The matter was discussed and determined that no action would be taken at this time.

Temporary Power Requirements for all new Construction in CB South – proposed modifications to Design Guidelines and Construction Regulations

Chris presented the need to modify the Design Guidelines and Construction Regulations to address temporary power requirements for all new construction. This will greatly reduce the noise complaints the P.O.A. office handles, as well as to improve the compatibility of construction sites that are and will be next to existing residences for years to come. Peter moved that Chris should draft a section in the Residential Design Guidelines, Noise Regulations, and the Construction Rules and Regulations that would require that temporary power be available and used on all construction site within CB South. Gasoline or diesel powered generators shall not be allowed as the primary power source on construction sites within CB South for more than 2 weeks during construction. Erin seconded the motion. Motion was unanimously approved.

Adoption of CB South P.O.A. Mission Statement

Chris presented a draft Mission Statement for the Board's review. The Board determined that it would require more time and thought on their part, so the matter was continued for future review.

Association Manager's Report:

- **P.O.A. Work Truck Purchase Update**

Chris informed the Board that the new P.O.A. truck was purchased for \$22,126. Chris had a spray-in bed liner installed for \$485 (cheaper than getting it from the dealer). He also purchased for \$150, three (3) P.O.A. decals and placed them on the 2 doors and tailgate, to identify it as the P.O.A. vehicle. The insurance for that truck is currently costing \$730 per year.

- **CB South Special Area Regulations**

Chris continues to work with the County on the SAR, however, the process is taking longer than expected. It is anticipated that several meetings remain before final approval.

The next Board meeting will be August 8. It was suggested that this meeting be the Annual Board Member Appreciation Dinner. The Annual Meeting of the Property Owners Association is scheduled for Saturday, August 11, 2007 at 11 a.m.

With no further matters of discussion, Al Smith adjourned the Regular Board Meeting at 9:37 pm.