

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

FEBRUARY 13, 2008 REGULAR P.O.A. BOARD MONTHLY MEETING MINUTES

Board Members Present: Al Smith, Dave DiBerardino, Don Montgomery, Erin Dellaporta and Peter Carey.

At 6:00 pm, Al Smith, President of the Board, called the meeting to order.

Staff Member Present: Chris Behan and Linda Roberts

Others Present: none

Approval of Minutes and Financials

Approval of P.O.A. Board Meeting Minutes from previous Regular P.O.A. Board Meeting: The January 16, 2008, Regular Board Meeting Minutes were presented to the Board Members for review prior to the meeting. Erin made a motion to approve the January 16, 2008 Meeting Minutes. Dave seconded the motion. Don abstained. Motion was approved by Al, Dave, Erin and Peter.

Financial Report: January 31, 2008, financial reports were presented to the Board including: the Cash on Hand as of January 31, 2008; Bank Reconciliation statements for the Money Market, Operating, Hockey Rink, and Performance Deposit Accounts for the month of January and a summary of CD accounts. Approximately 58% of the 2008 annual dues had been collected as of January 31, 2008. After reviewing the presented materials, Don moved to approve the financial report as presented for January 2008. Dave seconded the motion. Motion was unanimously approved.

Unscheduled Property Owner Comment: None

New Business:

Transportation Survey Results and the "What's Next?" Discussion

Chris presented the results of the surveys we sent out regarding bus service in CB South. (see below) Most people (82%) were in favor of some sort of Bus Service, however, 59% are not willing to pay for it at the \$200 per year/per unit price. The Board concluded that a vote to increase dues to finance transportation would not pass at this time. The Board discussed other options. With approximately 746 registered voters in CB South, CB South can have an influence on local elections. The Board would like to have the County Commissioner candidates make presentations to our members so we can learn where they stand on funding transportation for CB South. The Board directed Chris to investigate the cost and logistics of buying and operating our own buses, including the cost for drivers, insurance, repair arrangements etc.

2008 CB SOUTH BUS SURVEY RESULTS

Approximately 650 surveys, with self addressed returned envelopes, were mailed to CB South Property Owners on December 31, 2007. 310 of those (~48%) were returned by February 4, 2008.

Question #1: I am in favor of bus service between C.B. South and Crested Butte
82% YES 18% NO

301 responses were tallied for this question: 246 were in favor of bus service (82%), 55 were not in favor of Bus service (18%)

Question #2: I would vote in favor of an annual dues increase of \$200 to specifically fund a bus service between C.B. South and the Town of Crested Butte. 41% YES 59% NO

299 responses were tallied for this question: 124 were in favor of a due increase to pay for bus service (41%), 175 were not in favor of Bus service (59%)

Question #3: How often do you think you would ride a bus between C.B. South and Crested Butte?

- 4% Round trip more than once a day (13 people)
- 15% Round trip once a day (45 people)
- 19% Round trip once a week (58 people)
- 28% Occasionally (85 people)
- 33% Never (100 people)

301 responses were tallied for this question...of which 67% (207 people) said they would use the bus at least occasionally, and 38% (114 people) would use it at least once a week.

Question #4:

- 47% I live full time in C.B. South (150 people)
- 13% I am a second home owner (42 People)
- 39% I own vacant land in C.B. South. (125 people)

317 responses were received for this question, meaning some respondents fell into more than one category

Question #5 asked about one's willing to help obtain bus service. 29% or 88 of the 301 respondents said they would be willing to help in one form or another.

Other Useful Information – Based on a random survey conducted in 2007:

- CB South's Current Population is almost 1,500 (or 10% of Gunnison County)
- CB South has 533 total units, and we are only 45% built out
- We average 2.6 persons per household in CB South
- 85% of our residential units are owner occupied or occupied by Gunnison County Residents
- 85% of our residents work North of Cement Creek Road
- We average 1.39 Registered Gunnison County Voters per household in CB South...that means approximately 746 registered voters live in CB South
- Approximately 3,000 cars go per day go up and down Cement Creek Road

Cement Creek Management Bobcat Repairs Reimbursement Discussion

Cement Creek Management (CCM) for the past 5 or 6 years has used their Bobcat to remove the snow from our pond and rink areas. We do not pay for the use of the Bobcat, but have paid their

driver the past few years to do the snow removal in our Park. Their driver recently sucked up a piece of metal on the curling ice (a hackle) into the Bobcat. This resulted in \$1,989.61 in damages from a broken blower shaft and motor. Dave moved to reimburse CCM \$1,000.00 for the repair of their Bobcat with a note of thanks for their past service and expression of appreciation for their continued service in the future. Don seconded the motion. The motion was unanimously approved. The Board determined that there is a need this summer to hire a full time, year round person that would be responsible for summer landscaping, mowing, spraying, code enforcement, repairs, snow removal, etc. (an all around can-do handy man).

Review Questions for an Incorporation Feasibility Study/Consultant Proposal

Chris presented and the Board discussed the following questions for a revised scope for an incorporation investigation:

1. What is the process and timeline for getting through both types of incorporation (outline all steps, including voting if needed) (Home Rule vs. County Rules) (Home rule provides a town with more autonomy. Crested Butte, Mt. Crested Butte and Gunnison are all home rule cities.)
2. What are all the possible start-up costs for both types of an incorporation undertaking?
3. Do Bonds need to be posted?
4. How long would this process take (both types)?
5. What is the projected first year budget (revenue and expenses) once incorporated (both types)? – and for all services to be provided by this new town in house versus the best combination of outsourcing and IGA's (intergovernmental agreements)?
6. Can dues still be collected after we incorporate?
7. What could be expected in terms of property tax increases, assuming dues can no longer be collected?
8. What would we target as a viable sales tax percentage? Does this have to be voted on or does the new Town Council pick this?
9. What services would we gain or lose?
10. What services would we be required to provided, that we currently do not?
11. What are the best must-provide services to out-source?
12. What services can be provided via IGA's?
13. What revenue sources/grants are available to small rural incorporated Towns?
14. If we set up a business improvements district, is a service fee possible on all services provided within the business improvements district, assuming we do not own any of the land?
15. Would we have to change any of our infrastructure?
16. Can we take back our roads? Do we want to? (better snow removal? Obligations/Costs?)
17. Do we need a different building for Town Hall?
18. How long for PReMA Corp to do the work? At what cost?
19. What happens to CB South Metro District? Would they merge with the Town? Would they be under the town's jurisdiction & control?
20. Define the boundaries of incorporation. Should we try to include River Rim and Allen Home Sites? What would be our responsibility if we include River Rim and the river floods?

The Board authorized Chris to get a price quote from PReMA Corp. for this more specific scope. If the quote is less than or equal to the amount budgeted in 2008 for this study (i.e. \$9,600.00),

Chris is authorized to proceed with the incorporation feasibility study provided the above questions are answered. The study needs to be completed before July 1, 2008, so that findings can be presented at the 2008 Annual Meeting.

Residential Design Guideline Modification for Site Plan Design: Engineer's Stamp required when 7% or more existing slope is present, and new provision for not allowing landscaping/fences in designated snow storage areas

The Board discussed adding provisions to the design guidelines for an Engineer's Stamp on all proposed site plans with an existing lot slope of a certain percentage or higher. The areas of primary concern are the driveway and the building envelope. Rather than set a specific grade, the Board determined it would be more effective to allow the Design Review Committee discretion in requiring an Engineer's Stamp. Moved by Don that the Residential Design Guidelines shall require an Engineer's Stamp on Site Plans where the slope and grade of the Lot is such that it is challenging terrain as determined by the Design Review Committee. Dave seconded the motion. The motion was unanimously approved.

Chris explained that this winter Metro has experienced problems with trees, fences and other permanent landscaping in designated snow storage areas. Motion by Erin to add to the Residential Design Guidelines a restriction on landscaping that would impede snow storage in designated snow storage areas. This would include but is not limited to trees, fences and boulders. Motion seconded by Don. The motion was unanimously approved.

Gunnison County Met. Rec. District Translator Site/Lease Discussion/Options

Gunnison County Met. Rec. District (GCMRD) has inquired whether they could erect a 30-50 foot antenna and little house by our water tower to provide basic TV service to approximately 6-18 households in CB South. Currently most households have cable or a dish. The Board determined that the antenna would not meet our height restrictions, would be antiquated (not digital), and is not a good use of GCMRD funds to provide this service for such a limited number of households. The funds could be put to a better use for the benefit of a greater number of our population. As an aside, cell phone service companies have not listened to the P.O.A. requests to improve coverage into CB South. It was recommended that all individual members complain to their cell phone companies to try to prompt improvement in coverage.

CB South Farmer's Market Discussion - Summer 2008 in Red Mountain Park

Ellyn Houghton has proposed that CB South provide space and promote a Farmer's Market this summer. The Board expressed a lot of enthusiasm for the idea. The concern is that it would need a responsible coordinator. The parking by the tennis courts could be made available for a limited time each week. The POA would provide "sandwich board signs" which could be set up for directions and would place public service notices in the newspapers. A set of "Guidelines for Operation" would need to be formulated and enforced by the coordinator. This would include such things as trash collection, compliance with sales tax laws, parking, hours of operation, no power or set up would be provided. A Farmer's Market is considered a public amenity akin to playground, and ice etc. and as such no fee would be charged to vendors in order to encourage participation. If Ellyn is willing to be the coordinator, the Board would support a Farmer's Market.

Association Manager's Report

Chris reported on the February 9, 2008 Hockey Fundraising Dinner and Silent Auction. Approximately \$600 was raised through the dinner, \$1800 from the auction and \$1500 in donations. This will help when we apply for grants. It shows that we are doing fundraising and we can seek matching grants.

The Board is in favor of holding another Clean up Day in late spring/early summer, after which time, the P.O.A. would start its code enforcement for unkempt lots. The Board also requested that with the help of Peter, the P.O.A. organized a Weedfest Week, for the pulling and collecting of noxious weeds in early summer before the weeds start to bloom. T-shirt designs could be solicited and members depositing 3 or more 30 gallon trash bags of noxious weeds would receive a free T-shirt. The Board also requested that CB South participate in PooFest like we did last year. Regarding Arbor Day, while it is a great idea, unless we can get trees for distribution for free, it is not in the budget this year.

The Annual Meeting/Picnic date should be on a Sunday afternoon, starting at 4 pm. This may encourage greater participation since it would not interfere as much with weekend recreation. It will avoid Arts Fair Weekend. Chris can set the exact date.

Chris provided the board with a copy of the letter he sent for the CBLT/Rozman Ranch Letter of Support. In response to Board questions, the conservation easement would not provide public access. Chris provided the Board with a map of the area to be covered by the easement.

Chris provided the Board members with a copy of the Lucky Jack Mine information provided by Perry Anderson in response to the Town of CB Mayor's testimony in Washington, D.C. Chris suggested that we could provide a website link to both the Red Lady Coalition and to the Luck Jack Mine for members to do their own research.

The owners of 897 Zeligman Townhome A have requested a refund of the balance of one-half of the Performance Deposit for their property. Chris requested that the Board formulate a policy for refund of Performance Deposits for Townhomes and Duplexes. When a project begins, often the P.O.A. does not know whether it will be a duplex or a townhome. The builder makes the performance deposit and signs our Agreement that the deposit is "for the project" meaning the entire piece of land. The builder often sells the units before the project is completed. This gives rise to the issue of who should receive the refund and when. It is in the best interest of our community that the project be fully finished. When a townhouse is involved the owner of the unit owns their portion of the building and the land underneath it. When it's a duplex condo, the owners own their units, but the land remains jointly owned through a homeowners association. The Board determined that the Performance Deposit remains payable only to the party that made the deposit, unless that party transfers the Performance Deposit in writing. The Performance Deposit shall not be split in the case of Duplexes/Condos. In the case of Townhouses, the Performance Deposit may be split if the original depositor and the current owners and the P.O.A. revise the written Agreement.

With no further matters for discussion, Al Smith adjourned the Regular Board Meeting at 8:20 p.m.