

# **CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION**

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

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## **REGULAR P.O.A. BOARD MONTHLY MEETING MINUTES**

**July 9, 2008**

Board Members Present: Al Smith, Dave DiBerardino, Erin Dellaporta Peter Carey and Carlos Gonzalez-Brito

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

Staff Members Present: Chris Behan and Linda Roberts

Others Present: Gordon & Angela Reeves, Dave McGuire & Bill Cody from GCMRD, and Pat Del Tredici

**New Board Member Oath of Office** Carlos Gonzalez-Brito signed the Oath of Office to fill the Board vacancy (via appointment by the Board) left by the resignation of Don Montgomery. Don's term expires in August 2008.

### **Approval of Minutes and Financials**

Approval of P.O.A. Board Meeting Minutes from previous Regular P.O.A. Board Meeting: The June 18, 2008, Regular Board Meeting Minutes were presented to the Board Members for review prior to the meeting. Peter made a motion to approve the June 18, 2008 Meeting Minutes. Erin seconded the motion. Motion was approved by Al, Peter and Erin.

Financial Report: June 30, 2008 financial reports were presented to the Board including: the Cash on Hand as of June 30, 2008; Bank Reconciliation statements for the Money Market, Operating, Hockey Rink, and Performance Deposit Accounts for the month of June and a summary of CD accounts. After reviewing the presented materials, Dave moved to approve the financial report as presented for June 2008. Erin seconded the motion. Motion was unanimously approved.

### **Unscheduled Property Owner Comment:**

Pat Del Tradici presented a request that before the Board decides controversial issues such as issuing support for the NEPA process for Snodgrass, the Board should request input from C.B. South residents. If possible a poll should be conducted. Further, she expressed her concern that notice was not given in the Agenda or otherwise that the Board would be taking action on the Snodgrass question. Al and Chris explained that polling is not within the P.O.A. budget, however, they would try to solicit more input via e-mail in the future. It was not anticipated at the time the Agenda was printed that action would be taken, however, the Board, at the meeting, determined that it was in the best interest of residents of C.B. South to send a letter to the Forest Service supporting the going forward with the NEPA process to determine what are the economic, environmental, and other benefits and detriments of the proposed expansion of the ski area to the welfare of the community.

Gordon & Angela Reeves of Toad Property Management presented information about a pedestrian easement that runs along River Rim subdivision, specifically Lot 13, Block 2, RR. The easement is 10 feet wide and 250 feet long. It is on a steep hill and ends in a willowy swampy area. To access the East River from the easement is very difficult due to the steep hill and swamp. Niccoli and Ingham own most of the land accessing the river. The owners of Lot 13, Fitzgerald & Kerry Young, have done landscaping which encroaches on most of the upper portion of this pedestrian easement. The Board noted that it does not have funds to develop the easement at this time. Perhaps GOCO funds could be procured in the future to install a raised walkway and interpretative signs. Additionally, access could be reviewed in the autumn when it is less swampy. No action was taken.

**New/Unscheduled Business:**

**C.B. South Music Festival**, Rukus in the Southland. Discussion was postponed to August.

**Asphalt on Teocalli Path.** MD Donohue Asphalt Paving & Seal Coating Co. inquired if the P.O.A. was interested in asphalt paving the Teocalli Path. They have asphalt available and with the price of oil rising, asphalt prices will go up in the future. The Board physically examined the proposed area for paving and discussed durability requirements. The Board instructed Chris to go forward with asphaltting a small portion of the Path, at two and one-half inches thick, beginning at Cement Creek Road and to determine a logical stopping point that would be within the P.O.A. budget.

**GCMRD Antenna.** Dave McGuire and Bill Cody from Gunnison County Met. Rec. District (GCMRD) presented information about a proposed antenna to be installed at the water tower (Lots 17-20, Block 24, F3) to provide television service to C.B. South. The antenna would be approximately 20 feet higher than the water tower, and is accompanied by a 6 foot by 10 foot shed which houses the translator and has an outside mounted satellite dish. The tower would have both digital and analog capability, and would provide access to four Denver channels. The tower comes in white, but could be painted. The Board discussed the importance of determining that the site would actually service all of C.B. South, the need for approval by C.B. South Metro District as they currently lease the land in question from the P.O.A., and the possibility of adding a KBUT translator to improve the quality of the radio signal in C.B. South. Because GCMRD is paid for by tax dollars, to charge a large rent is simply paying for the service twice. Motion by Peter authorizing Chris to negotiate a land lease for a nominal rent, such as \$1 per year with a 5 year renewal, provided that the placement of the tower and all attendant equipment has the approval of C.B. South Metro District, and provided that it is determined by GCMRD that the site will actually serve all of C.B. South and provided that GCMRD includes a KBUT translator (if KBUT accepts placing a translator here and it physically works), with the exact location and color of the installation to be approved by the P.O.A. Manager's Office. Dave seconded the motion. The motion was unanimously approved.

**2007 Audit Review.** The Board discussed the 2007 Independent Audit Report provided by Mary Brenes. Peter moved to accept the Audit as previously reviewed at last month's meeting. Erin seconded the motion. The motion was approved by Peter, Erin and Al (Dave abstained due to absence during the June meeting review.)

**Incorporation Financial Feasibility Study Draft Review.** The Board recognized that it needed more time to review the Study and requested that Chris arrange a meeting between the Board and PReMA Corp. to address the Board's questions.

**Commercial Area Pedestrian Area Easements.** The Board re-visited the issue of items stored outside the fence of the Alpengardener and the neighboring lot appearance. After discussion, the Board instructed Chris to investigate acquiring an easement for a pedestrian path between Cascadilla and Gillaspey on the border of Lots 30 and 31, Block 5 and the border of Lots 13 and 14, Block 5. Chris has reasonable discretion when negotiating this easement. If nothing can be resolved within a month, Lot 30, Block 5, F2 should be required to erect a fence.

**Covenant Enforcement.** Chris informed the Board that because much of his time has been consumed with construction of the playground equipment, covenant enforcement has taken a back seat this summer. The Board noted the importance of being consistent when enforcing the covenants. The current covenant enforcement procedure is too cumbersome and allows too long of a delay in getting results. The Board instructed Chris to draft revised covenant enforcement regulations to allow an immediate fine for covenant violations, providing that the fine can be refunded if remedied within ten days and that the fine will increase if not remedied within ten days. The revised regulations could be effective as soon as the Board can approve the new governance language.

**Jeff Montgomery Residence, Lot 25, Block 22.** The Board instructed Chris that before refunding the Performance Deposit, the Owner must either match the original plans or match the plans as altered and approved by Chris.

**Gresham Residence, Lot 24, Block 24.** The Board discussed the circumstances surround the beginning of construction without P.O.A. approval. The Owners had a knowledgeable General Contractor and Excavator who should have known the Regulations. The Board cannot tolerate failure to comply with P.O.A. Regulations. The Board instructed Chris to fine the Owners \$1,250.00, of which \$250 has already been collected. The Board also instructed Chris to develop a letter that Owners and Contractors must sign at the time of approval of the plans which sets forth the fine schedule.

### **Association Manager's Report**

**Community Bicycles for CB South.** The P.O.A. has purchased 12 "townie" bikes, 8 ladies and 4 men's bikes. They will be "decorated" with stickers declaring the ownership of C.B. South P.O.A. and will also have an ownership plate welded on. Once we have all the expenses, we will submit a request to RTA for reimbursement of one half the expenses.

**New Playground Equipment Installation.** The installation is virtually complete. It took longer than expected due to lack of volunteer participation.

**P.O.A. Board Member Elections.** There are 3 candidates for the three open seats: Al Smith, Carlos Gonzalez-Brito, and Pat Wallace. The By-Laws require an election even though there is no real contest. Ballots have been mailed to all property owners.

**Landscaping.** The POA has purchased 40 New Aspen Trees, from Rocky Mountain Trees at half price. The trees will replace trees that have died as well as adding to the existing to the trees at the park and on the P.O.A. Office Property.

**Special Area Regulations.** Hopefully, the County will approve the S.A.R. at their meeting on July 25, 2008.

With no further matters for discussion, Al Smith adjourned the Regular Board Meeting at 9:40 p.m. and the Board went into Executive Session for the Manager's Contract.