

REGULAR P.O.A. BOARD MONTHLY MEETING MINUTES

November 12, 2008

Board Members Present: Al Smith, Patrick Wallace, Dave DiBerardino, 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: Pat Del Tredici, Allen Moores, Marlene Crosby, John Crank, and Paula Swenson

Approval of Minutes and Financials

Approval of October P.O.A. Board Monthly Meeting Minutes: The October 9, 2008, Monthly Board Meeting Minutes were presented to the Board Members for review prior to the meeting. Dave made a motion to approve the October 9, 2008 P.O.A. Board Monthly Meeting Minutes. Peter seconded the motion. Motion was unanimously approved.

Financial Report: The October 31, 2008 financial reports were presented to the Board including: the Cash on Hand as of October 31, 2008; Bank Reconciliation statements for the Money Market, Operating, Hockey Rink, and Performance Deposit Accounts for the month of October and a summary of CD accounts. After reviewing and discussing the presented materials, Dave moved to approve the financial reports as presented for October 2008. Carlos seconded the motion. Motion was unanimously approved.

Unscheduled Property Owner Comment: None

New/Continued Business:

Fine Determination for Unauthorized Shed at 161 Teocalli Road: Chris gave the background. An unauthorized 207 SF shed was craned-in to the back yard of Unit #1 of the Sun Spot Condos, 161 Teocalli Road, during the weekend of November 1-2. This shed was placed on a prepared concrete slab in the back yard. The property owner did not apply for a shed permit with CB South P.O.A. The shed has not received design approval from the P.O.A. and does not meet the P.O.A. design requirement of matching the existing structure. The shed does not meet setback requirements. The shed would require County approval, given its size which also was not obtained. There is nothing on file to indicate approval by all of the Sun Spot Condo Association members although only one shed per lot is allowed and the construction of this shed would preclude any other outbuildings on the property. Upon learning of the shed, Chris taped a letter to each of the residences at the Sun Spot Condos seeking information regarding the responsible party and informing the residents of the need for preconstruction approval and the fines associated with failure to comply.

John Crank and Paula Swenson were present on behalf of Keli Massey, owner of unit #1. John stated that the shed does not block anyone's view, it is used by the condo association and other unit owners, it is better than the "junk show" that existed before things were put in the shed, it is more attractive than placing it in the front yard where it could meet the set back requirements

and he is trying to be a good neighbor by maintaining the property. Carlos & Pat pointed out that given a cement pad was poured, it is clear that the shed was planned and the failure to follow the application process was a flagrant violation of our regulations. John stated that he didn't think an application was necessary since the shed was previously located on a different lot in CB South. Al pointed out that the Board is seeking to uniformly apply the rules of CB South. Compliance is the Board's #1 priority. Setback variances are generally only allowed where conditions are not design driven or created by the applicant.

After discussion, motion by Peter to allow a setback variance conditioned as follows:

The applicant has 10 days from November 12, 2008 to file an application for a shed, pay the appropriate fees and resolve with Chris an acceptable plan that would allow the shed to remain in the back yard with a variance not to exceed 5 feet off the rear property line.

The applicant within this time frame shall also provide Chris with a document from the Sun Spot Condo Association establishing that the shed has unanimous approval by the members of the Association.

This variance is allowed because of the age of the condos, size and location on the lot of the condos and the lack of any garages or other storage space on the lot.

If the applicant fails to meet these conditions, the shed shall be removed immediately and if not moved Chris shall proceed with fining the applicant until there is compliance.

The motion was seconded by Pat and was unanimously approved.

Gunnison County Reclamation Policy Presentation Allen Moores and Marlene Crosby from the Gunnison County Public Works Department made an extensive "County Reclamation Permits 101" presentation, and answered questions from the Board concerning the County process regarding driveway and digging, and weeds, etc. Handouts included: 1. A sample Memorandum of the Driveway Permit Waiver given for Private Access to Private Roads, informing the applicants that they must still comply with the Gunnison County Road and Bridge Standards and Specifications, Section 4.5 in order to meet the requirements for emergency services access which must be inspected by the Public Works Dept. before the frame inspection; 2. A copy of Section 4.5, Access Control Standards; and 3. Gunnison Watershed Weed Commission, Reclamation Permit Application.

"All Meetings End at 10 PM" Policy The Board agreed that it shall be its policy to strive to finish Board meetings by 10 PM and to adhere to the scheduled Agenda. Items needing additional time and consideration shall be rescheduled to the next meeting.

2009 P.O.A. Survey Results Presentation Chris presented the results from an on-line survey that he recently conducted and the attendant comments. There were approximately 98 respondents. Chris will provide to the membership a summary of the survey results. Of particular interest, the top 3 recreational opportunities the respondents wanted were: #1 Groomed Nordic Trails, #2 Covered Pavilion and #3 Community Garden. Overall priorities of the respondents were: #1 Bus Service, #2 Central Recycling and #3 Weed Control. Funding of priorities was not supported.

The Board discussed the results, dissemination of the results and future direction. Chris was directed to send out the results to the membership, thanking those that participated and

encouraging future participation, including a request for all members to provide the P.O.A. with e-mail addresses, so that future surveys reach as many members as possible. Future surveys could focus on specific issues and refining priorities.

Increase 2009 P.O.A. Dues by 10% as allowed per CB South Covenants Motion by Peter to increase the 2009 P.O.A. dues by 10% which is the maximum allowed per the covenants without a vote of the membership. Patrick seconded the motion. The motion was unanimously approved. The Board requested that the results of the Survey together with a list of what we want to accomplish in 2009 and a list of 2008 accomplishments accompany the 2009 Dues Invoices.

Assign any 2008 excess revenue to the 2009 P.O.A. Operating Fund Chris explained that procedurally, as a not-for-profit corporation, the Board must approve assignment of any (and there may not be any) excess operating revenue from the 2008 calendar year to the 2009 P.O.A. Operating Budget. Motion by Patrick to assign any excess operating revenue from the 2008 calendar year to the 2009 P.O.A. Operating Budget. Peter seconded the motion. The motion was unanimously approved.

2009 P.O.A. Budget Discussion/Adoption Chris re-presented the proposed 2009 P.O.A. Operating Budget which assumes a 10% dues increase and is very “bare bones”. Motion by Peter to approve the 2009 P.O.A. Operating Budget with the following revisions: Forfeited Performance Deposits Revenue increased to \$4,000.00, a new expense line item “C.B. South Promotion” with a budgeted amount of \$500.00 and Nordic Trails Grooming expense increased to \$3,000.00. The motion was seconded by Patrick. Motion was unanimously approved.

Re-vegetation of CB South Utility Easements Policy Discussion Chris explained that Gunnison County Electric Association (GCEA), has recently adopted their own internal revegetation requirements, and has begun to reseed after all their work this summer in CB South – they hydro-seed all areas that they disturb after digging has been completed. While this makes their work a little bit more expensive, the cost is passed directly along to their customers. Requiring all utilities to revegetate is in the best interest of the association. Motion by Dave to require any utility, before digging in utility easements, to agree to hydro-seed all areas that they disturb, after completion of the process. Peter seconded the motion. The motion was unanimously approved.

Cancellation of the December 2008 P.O.A. Board Meeting Motion by Patrick to cancel the December 2008 P.O.A. Board Meeting, dependent upon unforeseen business coming up. Dave seconded the motion. The motion was unanimously approved.

Formulation of the P.O.A.’s 2009 Goals and Objectives Based on the survey results and subject to review and amendment from future feedback, the Board determined that, as operating or grant money becomes available, the P.O.A. make the following improvements our priorities:

1. Continuing to encourage the County to make the RTA Bus service more accessible to the residents of CB South.
2. Providing some sort of groomed Nordic amenity to our residents (or a donation to the Nordic Center, requested on November 3, 2008)

3. Trying a central recycling facility/location in CB South (the Park) subject to review in a year or sooner as needed.
4. Constructing a Covered Pavilion in the Park
5. Creating an area for a Community Garden in the Park
6. Enhanced/Better weed control on our Right of Ways
7. Increase Covenant enforcement

Manager's Report Chris reported that Dom began working full-time beginning October 15, 2008.

With no further matters for discussion, Al Smith adjourned the Regular Board Meeting at 9:25 pm.