

2009 CB SOUTH P.O.A. E-NEWSLETTER

NEW THIS YEAR, IN AN EFFORT TO CUT COSTS TO YOUR ASSOCIATION, YOUR P.O.A. HAS SENT OUT POSTCARDS TO ALL OWNERS, DIRECTING YOU TO REVIEW THE 2009 ANNUAL CB SOUTH P.O.A. E-NEWSLETTER ON-LINE!

GENERAL P.O.A. INFORMATION

In compliance with Senate Bill 100 we are required to provide notice of the following information to all members of the Association:

- Official Notice of the Annual Property Owners Meeting (and Picnic)
- 2009 Property Owners Association (P.O.A.) Budget
- Official Notice of P.O.A. Information
- Notice of Election for two (2) P.O.A. Board of Director Seats

Our website continues to be updated (www.cbsouth.net). Please check it out. It provides information on dues, the annual budget, monthly Board meeting agendas and minutes, monthly news updates, Special Area Regulations, P.O.A. Rules and Regulations, Design Review Guidelines, construction information, and our Noise Regulations, etc. With your input, it has potential to provide even more information.

If you have any questions or comments on any of the information presented, please contact us via email at info@cbsouth.net or at (970) 349-1162, or stop at the P.O.A. office anytime Monday through Friday, 9 am - 5 pm.

NOTICE OF CB SOUTH INFORMATION

In Accordance with Senate Bill 100 § 38-33.3 – 209.4, our Association is required to provide all property owners with the following information:

Name of Association: Crested Butte South Property Owners Association, Inc.

Name of Association's Designated Agent: Chris Behan, A.I.C.P. – Association Manager

CB South P.O.A. Office Hours: Monday – Friday, 9 AM – 5 PM (appointments are encouraged)

The Declarations first recording date with reception number:

Initial recording date August 26, 1970 @ reception number 280965.

P.O.A. Office Location and Mailing Address:

CB South P.O.A.
61 Teocalli Road
Crested Butte, CO 81224

P.O.A. Phone Number: (970) 349-1162

P.O.A. Fax Number: (970) 349-1163

P.O.A. Email Address: info@cbsouth.net

P.O.A. Website: www.cbsouth.net

2008-2009 P.O.A. Board of Directors:

President – Al Smith (Term expires August 2010)

Vice President – Dave DiBerardino (Term expires August 2009)

Secretary/Treasurer – Peter Carey (Term expires August 2009)

Member – Carlos Gonzales-Brito (Term expires August 2010)

Member – Patrick Wallace (Term expires August 2010)

2008-2009 CB South Design Review Committee

- Member – Carol Dale
- Member – Thomas “Kley” Hughes, Jr.
- Member – Eric Naughton
- Member – Ben Preston
- Member – Ben White
- Alternate – Joan Ham
- Alternate – Melissa Belkin

CB South Association Staff:

- Association Manager – Chris Behan, A.I.C.P. (Since 2005)
- Association Accountant – Linda Roberts (Since 2007)
- Association Parks and Maintenance Supervisor – Dominic Eymere (Since 2008)

OTHER HELPFUL INFORMATION/NUMBERS

Police Emergency and Dog Issues/Complaints:

- Gunnison County Sheriff / 911 (970) 641-1113
(970) 349-7562
Fax (970) 349-1163
- Mt. Crested Butte Police Department / 911 . . (970) 349-6516
- Crested Butte Fire Department / 911 (970) 349-5333
- CB South Metro District (970) 349-5480**
(CB South roads and snow removal, water, and sewer)
- Gunnison County Building Department (970) 641-1011
- Gunnison Planning Department. (970) 641-0360
- Hockey Rink, Softball Field, Parks,
Common Areas, Sunset Hall Rentals (970) 349-1162
- Gunnison office of the
Colorado Division of Wildlife (970) 641-0088

IMPORTANT DUES COLLECTION NOTICE

In January of 2008, the Colorado Legislature passed legislation which affects the P.O.A.’s “Super Lien” Status. Now, in order to better protect the P.O.A. in the unfortunate event of foreclosures, we will be applying liens to all properties with unpaid P.O.A. dues in June of 2009. Notice of Intent to Lien by the P.O.A. will go out in May of 2009 on all Owners Accounts owing P.O.A. Dues. Please – help us avoid this costly and cumbersome procedure and pay all outstanding dues amounts by **May 15, 2009**. Unfortunately for us all, If the P.O.A. does not apply these liens, because of this legislation we stand to lose 6 months worth of dues owed, if foreclosure proceeding are initiated and we do not have a lien in place. If you can not pay the entire balance due, please make arrangements for a payment plan A.S.A.P.

2009 ANNUAL PROPERTY OWNERS ASSOCIATION MEETING AND PICNIC

Please mark you calendars and make arrangements to attend!

What: The 2009 Annual P.O.A. Meeting and Picnic

When: Sunday, August 9, 2009, beginning at 3 PM

Where: Sunset Hall (349 Teocalli Road – a.k.a the CB South Fire Station Community Room)

More Info: The 4th Annual P.O.A. Picnic will be immediately following the Annual Meeting. Food and Drinks will be provided, as will the bouncy castle again, and possibly even some local live music. Please join us!

2009 BOARD OF DIRECTOR ELECTIONS – 2 SEATS OPEN

There are two (2) Board member position vacancies to vote on this year. Official Ballots will be sent out in late June, with the candidates listed and each candidate's letter of interest. We can also accept write-in candidates. You may mail back the ballots, fax them to our office, drop them at our office or vote at the Annual Meeting. Please vote!

In order to comply with Senate Bill 100, the actual election will be counted after the Annual Meeting, and after the ballots are delivered to each household via U.S. Postal Service. This will help ensure the secrecy and confidentiality of each ballot. New Board members will be announced following the election (and posted on our website at (www.cbsouth.net), and they will be seated at the August 12, 2009 P.O.A. Board of Directors Regular Meeting.

We would like to thank outgoing board members Dave DiBerardino, and Peter Carey for their tireless, volunteer service.

If you have any questions, please do not hesitate to give us a call, or stop by the P.O.A office and speak with Chris Behan, P.O.A. Association Manager. Thank you and we hope to see you all at the meeting.

Get involved! Act by June 15, 2009, to nominate yourself or someone else for a P.O.A. Board of Directors Seat, please click this link to download the [2009 Board of Directors Nomination Form](#).

NEW CB SOUTH SIGN CODE ADOPTED

At the regular Monthly P.O.A. Board Meeting held on October, 9 2008, a new Sign Code for Crested Butte South was adopted. This Code deals primarily with Commercial Area Signage. Please [click this link to view the full Sign Code Document](#).

P.O.A. BOARD MEETING INFORMATION

Regular P.O.A. Board meetings are scheduled for the 2nd Wednesday of each month. These meetings begin at 6 PM, and are usually held upstairs in the P.O.A. Office, at 61 Teocalli Road in CB South. If you have items you would like to bring before the Board, there is a time set aside for unscheduled property owner comments. The Board is always open to your comments and suggestions. The agendas for the monthly CB South Board of Directors meeting are always posted on our website (www.cbsouth.net), at the P.O.A. office, on the bus stop/mail building, and they are printed in the *CB News*, a week prior to each meeting. Agendas are also emailed directly to

property owners at their request. If you would like to receive P.O.A. agendas and other information, please send an email to info@cbsouth.net to be added to that recipient list.

CB SOUTH IS A COVENANT-CONTROLLED COMMUNITY

All of our rules and regulations are available for viewing and printing on the P.O.A.'s website at www.cbsouth.net. Please help improve our “sense of community” by being a good neighbor and keeping your property's appearance “neat and attractive”. Additionally, please remember that RVs are not allowed to be parked anywhere within CB South for more than a 24-hour period. Offenders will be notified accordingly and then fined...but let's all try to avoid going down that road by having and promoting pride in our neighborhood.

P.O.A. BUDGET FORMULATION AND APPROVAL

Each year beginning in October, the Board of Directors begins the following year's budget formulation at the regular/public monthly meetings. And each year in either December or January, the P.O.A.'s Annual Budget is adopted by the Board of Directors at a regular/public monthly meeting. So, if you have an item you'd like to see some of the P.O.A.'s operating funds applied to (or not applied to), please know that all Property Owners are welcome to participate in the budget formulation and approval process at all of the regular monthly P.O.A. Board Meetings.

All P.O.A. Budgets from 2006 to 2009 are available online or by [clicking this link](#).

Because of the uncertainty of the current economic situation, your P.O.A. has approved a very conservative budget. We are planning on spending your Association's dollars only on those things that the Board feels are absolutely necessary, in an attempt to be able to maintain or build the reserves for the Association.

GRANT MONEY GIVEN TO THE P.O.A. FROM 2005-2008

Your P.O.A. has successfully received \$18,233 in Grant money since November of 2005, as detailed below.

2005 - \$1,000 Total

\$1,000 – From East River Skating Association (For our Rink's operation)

2006 - \$3,600 Total

\$2,600 – From GCMRD – For Rink Improvements (ADA ramp for warming house and electrical upgrades)

\$1,000 – From East River Skating Association (For our Rink's operation)

2007 - \$1,000 Total

\$1,000 – From East River Skating Association (For our Rink's operation)

2008 - \$12,663 Total

\$10,000 – From GCMRD – For the New Playground Equipment

\$1,250 – From Gunnison RTA for CB South Community Bicycles

\$1,000 – From East River Skating Association (For our Rink's operation)

\$266 for Bake Sale proceeds from the Music Festival (Thanks Hockey Mom's!)

\$117 from Cameron Curtiss' Donation Jars for Hockey Boards

TEOCALLI ROAD PEDESTRIAN PATH IS COMPLETE!

You will notice that we have completed construction of the entire pedestrian path along Teocalli Road - thanks to a lot of help from the CB South Metro District. Because of budget constraints we have no immediate plans for paving any more of the path. As a reminder, Colorado State Law requires that all vehicles must stop for pedestrians in the painted crosswalks. And please continue to observe the posted 25 MPH speed limit within the subdivision. Be Safe!

NORDIC SKIING ON SPANN'S PASTURE AT THE END OF TEOCALLI

This past 08/09 Nordic Skiing season we were fortunate to obtain an agreement with Spann Ranches, Inc., to use their pasture land at the end of Teocalli Road for Nordic skiing until April 15, 2009 – weather permitting. Beginning on January 1, 2009, we had over 5 miles of Nordic skiing trails open and groomed on a regular basis for the free use by the residents and guests of CB South residents (thanks in part to Keith Henning and his snow cat). We were also fortunate enough to reach an agreement with the Crested Butte Nordic Center to use their grooming equipment and a snowmobile for the season.

At the request of the Spanns, due to the summer ranching activity on that land, dogs were not allowed on the property - - and while the vast majority of you were very respectful and understanding of that stipulation, we do need to work harder as a Community to make sure everyone respects that stipulation so we can work towards securing a longer-term agreement that will continue to allow Nordic skiing on Spann's Pasture by residents in CB South. Towards that end, if we are able to secure a longer term agreement with the Spanns, next season we will be aggressively fining those caught skiing with their dogs \$1,000 per incident.

We are sorry to have to threaten such, but there are an overwhelming majority of Nordic Skiers in CB South who don't want to lose this wonderful opportunity/amenity for the years to come.

NOISE REGULATIONS FOR CB SOUTH

The P.O.A. adopted a Noise Regulations document in 2006 in order to enhance the atmosphere of CB South by employing a means to address noise concerns, i.e. things you may not want to hear as a CB South property owner. This regulation can be found on our website, and will be enforced.

CB SOUTH SPECIAL AREA REGULATIONS ADOPTED BY GUNNISON COUNTY

In September of 2008, The Board of County Commissioners approved the *CB South Special Area Regulations*. After 4+ years of planning, meeting, writing, editing, and working cooperatively with the County Planning Staff, we were successful in obtaining a document for CB South, that:

1. Simplifies the Gunnison County Land Use Resolution review and approval process for real property wholly contained in the Crested Butte South Special Area;
2. Promotes a compact commercial and business development pattern wholly contained in the Crested Butte South Special Area;
3. Protects the environment, public health, safety and welfare in the Crested Butte South Special Area;
4. Provides opportunity for new and existing businesses in the Crested Butte South Special Area;
5. Encourages economic diversity in the Crested Butte South Special Area;
6. Acknowledges, encourages and empowers the Crested Butte South Board of Directors as an effective governance body elected by and responsive to the citizens in the Crested Butte South Special Area.

REMINDER – NO BURNING OF CONSTRUCTION DEBRIS IN CB SOUTH

Recreational fires that are less than 6-feet in diameter area allowed, but please call 641-8000 prior to lighting any fires in CB South, no matter how small.

GENERAL PROJECT SUBMITTAL GUIDANCE

All building projects and exterior modifications of any kind, as well as all new fences must be reviewed by The P.O.A. Not all projects are required to go through our design review process, but all projects are required to obtain P.O.A. approval – check with the P.O.A. Office for more details, or visit our website for architectural project review rules and regulations.

As a deterrent to any unauthorized additions or modifications in CB South, if a property owner or tenant is caught doing or having done any modifications or improvements in CB South without documented P.O.A. approval, the offending property may be fined a fee of up to \$50,000. The P.O.A. also reserves the right to pursue all legal rights regarding enforcement and may impose other additional terms and conditions as deemed appropriate by the P.O.A. Board.

NEW TRASH AND RECYCLING SERVICE OPINIONS FOR CB SOUTH

Your CB South P.O.A. is investigating possible efficiencies (i.e. saving you money while improving your service) related to the P.O.A. possibly entering into an exclusive contract for trash and recycling pickup in CB South, pursuant to the authority given to the P.O.A. via Section 2.02-8 of the Covenants for CB South.

In the meantime, please note that there are now four (4) Trash and Recycling Service Providers available to you in CB South, in no particular order, they are:

1. Waste Management, 349-1032.
2. Gunnison Valley Disposal, 641-4238
3. Gothic Mountain Waste Solutions, 349-7012
4. Golden Eagle Trash Service, 641-3230

REMINDER - TRASH REGULATIONS FOR CB SOUTH

In summary, the Trash Regulations for the Health and Safety of the Residents of CB South are as follows:

1. All trash for pick-up in CB South must be placed in cans with lids.
2. Bags of trash are not permitted to be placed by the roadside for pickup.
3. In CB South, trash may not be set out by any roadside before 6 a.m. the day of trash collection, and all trash cans must be removed from the roadside by 9 pm the day of trash collection
4. All trash must be either stored in a Bear Resistant Container, or stored inside of a garage or shed.
5. Any Bear Resistant Container must be compatible with your trash service provider's truck. It is strongly recommended that before a bear resistant Container is purchased; you should check with your trash service provider and confirm compliance.
6. For additional criteria regarding acceptable containers and quantities allowed for pickup, etc. please check with your trash service provider.
7. You may be fined for violations of items 1- 4 mentioned above. Fines are as follows:
 - 1st offense: Warning
 - 2nd offense: \$25 fine

- 3rd offense: \$50 fine
 - 4th offense: \$100 fine
8. Appliances are not part of regular trash pickup; the setting out of any appliance for roadside pickup for more than five (5) calendar days, shall result in a \$25 fine.

BUYING OR SELLING PROPERTY IN CB SOUTH?
(YOU CAN ADVERTISE ON OUR WEBSITE FOR FREE!)

The P.O.A. has been, and will continue to provide all owners (and their realtors) in CB South a free link on our P.O.A. website advertising a property For Sale or For Rent in CB South. If you would like to take advantage of this free advertising opportunity, please send an email, of no more than one page in length, including pictures (5MB maximum please), to info@cbsouth.net.

CB SOUTH PLAYGROUND AND PARK IMPROVEMENTS

Over the past 3+ years we have enlarged the playground area, purchased and installed new swings for younger kids, added a new climbing rock, replaced the ball-bearings in the merry-go-round, removed an old timber-slide feature, added a new large play feature, and covered the entire playground areas surface with 2-4 inches of “play-safe” wood chips. We added/replaced approximately 30 aspen trees in the park. We bought bear-proof trash containers for the park and a picnic table for children. We have also added an ADA ramp to the warming house, re-painted the hockey boards and repaired them as best we can. We purchased and installed a liner for the rink, re-did the wiring and electrical systems for the warming house, rink lights and pond lights, added two lighted curling sheets of ice, added 2 lights to the rink, added a bicycle pump track just beyond the ball field fence (along Packer Way), resurfaced the tennis court, and added several doggie-bag stations in and around the park, and along the Teocalli path.

That’s the good news...The “not-so-good” news is that with the actual and projected decreases in revenue for the Association, we are not going to be adding many new items to the park in the next year or two. However, we are trying to obtain additional grant money, and if successful, we will pursue building a wooden half-pipe for skateboarding, adding another basket on the other side of the basketball court, building a 9-hole Frisbee golf course in the park, adding a few strategically placed flower gardens, and trying to get a community gardening area up and running somewhere in the park!

FREE HIGHWAY 135 BUS SERVICE

Your Gunnison Valley RTA is committed to continuing to improve and expand the Free RTA Highway 135 Bus Service. The RTA’s Highway 135 Bus Schedule can be found at www.gunnisonvalleyRTA.org.

The P.O.A. will also continue to explore options for getting a bus to actually come into CB South, but the cost of such a service is proving to be a difficult “nut-to-crack”. We know it is a priority for CB South residents, and we will continue to pursue that goal!

CB SOUTH COMMUNITY BICYCLES

Last year the RTA was gracious enough to provide the P.O.A. with \$1,250 in matching funds for to purchase of the CB South Community Bicycles. We have purchased and furnished the neighborhood with 12 new bicycles for the free use of all CB South Residents to ride back-and-forth to the Highway 135 Bus Stop at the end of Cement Creek Road.

We believe the program was a great success and the bicycles have enjoyed a lot of use. Unfortunately, only 10 of the 12 bicycles were found before the snow came last fall. **Please help us locate and retrieve the missing 2 bicycles so we can continue the program again this Spring/Summer/Fall.**

CB SOUTH BUSINESSES – FREE LINKS AVAILABLE ON OUR WEBSITE!

We'd love to help promote all business activity in CB South. So please email your CB South business' information (or a link to your website) to info@cbsouth.net so we can provide a link to your CB South Business information from our P.O.A. website.

INCORPORATION FINANCIAL FEASIBILITY STUDY RESULTS

At last year's Annual P.O.A. Meeting, PReMA Corp. out of Woodland Park, Colorado, presented their Financial Feasibility Analysis results for Incorporating CB South as its own Town.

Summarizing the Study's results, with as few businesses as there are today in CB South, each and every CB South property owner would see a \$200 increase in property taxes if CB South incorporated. In light of that information, further discussion regarding CB South possibly incorporating as its own Town has been put on hold indefinitely because your Board of Directors feels now is probably not the best time to be looking at increasing taxes and fees of any kind. Perhaps in the future, when CB South begins to generate more sales tax revenue.

2008 SURVEY RESULTS

In late 2008, the P.O.A. office conducted an e-survey to try to get a better feel for what the owners and residents of CB South viewed as priorities. 298 invitations to take the survey went out and 101 of those who received the invitation took the survey (thanks!). And while not perfect in this first attempt to gather input from our Owners, below is a brief summary of what we heard:

Overall priorities of the respondents were:

1. Bus Service,
2. Central Recycling
3. Weed Control

The top 3 recreational opportunities the respondents wanted were:

1. Groomed Nordic Trails
2. Covered Pavilion
3. Community Garden

If you didn't receive this survey and would like to take part in future CB South P.O.A. Survey's, please send us your email address to info@cbsouth.net.

DOGS IN CB SOUTH

Please observe Gunnison County's Laws for dogs at large / required leashes in CB South. Our regulations (as adopted and enforced by Gunnison County) require all dogs within CB South to be leashed at all times when not on your property. Furthermore, the owners of all dogs found off-leash while off your property may be fined by the Gunnison Sheriff's Department and/or the Mt. Crested Butte Police Department. To report a problem, please contact one of the following:

Gunnison County Sheriff. (970) 641-1113
(970) 349-7562
Fax (970) 349-7562

Mt. Crested Butte Police Department (970) 349-6516

Please be respectful of other property owners and clean up after your dog(s).

Additionally, Dogs must have their tags renewed annually with the Gunnison County Sheriff Department. Our local law enforcement officer (Deputy Sheriff John Gallowich) generally has hours at the P.O.A. Office on Tuesdays from 9-11 a.m. We also have the dog tag forms available during our regular business hours.

SOFTBALL IN CB SOUTH

There is a movement to get organized/league softball games in CB South! So, as soon as we know whether or not it will be happening, we will let everyone know via email.

HOCKEY RINK OPERATING EXPENSES AND YOUR DUES

Over the years, many owners and residents have inquired as to how the Ice Rink in CB South (Hockey Rink, Pond, and Curling Sheets) are paid for...well, here is the simple version, based on this past seasons Actual Ice Operating Budget:

Of the approximately \$13,000 it cost the P.O.A. to operate the ice this past season, 90% of those costs were covered from income received from Board Rental Agreements (aka advertising signs in the rink), income received from the rink via Town of CB Youth Hockey and adult games, and Grant Money received from the East River Skating Association. Therefore, only 10% of the money needed to put down and maintain all of the CB South ice comes from Dues.

Currently there are 914 Owner's accounts in CB South. So, approximately \$1.64 from each Owners Annual Dues Payment goes to help provide all of the available Ice in CB south each winter. By contrast, approximately \$5.47 is needed from each Owners Annual Dues Payment to provide the Nordic Skiing on Spann's Land this 08/09 Season.

U.S. MAIL DELIVERY TO CB SOUTH

CB South U.S. Mail Delivery (and drop off) is available at the CB South Bus Stop Building. If you choose to rent a box in CB South, your new mailing address will simply be that of your house/property. So why drive to Town just to get your mail? The CB South P.O. box rental fee is \$20 or \$30 per year, depending on which box size you prefer, and there is a one-time \$10 key deposit fee. Stop by our office to learn additional details or to sign up, we have plenty of boxes available!

**NEED A PLACE TO HAVE A BIRTHDAY PARTY OR TEACH A CLASS?
(THEN RENT SUNSET HALL IN CB SOUTH!)**

Sunset Hall is available for rent for \$30 or \$12 per hour, whichever is greater. This money is used to cover the cleaning cost of that space. Please contact the P.O.A. office for availability.

CB SOUTH CLEANUP DAY

The 3rd Annual CB South Cleanup Day will be Saturday, July 18, 2009, from 9 AM to 3 PM, in CB South's Red Mountain Park. Four (4) large dumpster will be placed near the basketball court in the Park to collected residential waste generated in CB South. Certain Items will not be accepted. More information will be provided on the P.O.A. website at al later date. We are also looking for

individuals willing to help organize and implement a weed eradication program. Please contact us if you are willing to help with that.

VEHICLE PARKING REMINDER

We would also like to re-iterate the P.O.A. Regulations regarding storage of vehicles on lots: “No trailer, mobile home, motor home, truck camper, camper van, camper bus or any other vehicle containing living quarters capable of habitation shall at any time be used as a residence, permanently or temporarily, or shall be stored on any Crested Butte South lot or street for more than one consecutive overnight period.” We would like continue to see all our residents abide by this Regulation so that we do not have to begin full scale enforcement.

EMAIL ADDRESSES NEEDED

In an effort to minimize costs and improve communication with members of the CB South P.O.A., we would like to do as much billing and communication as possible via email. If you have not done so, please send us your email address to info@cbsouth.net. And if your email address changes, please keep us informed!