



## SNOWMASS HOMEOWNERS ASSOCIATION, INC.

### BOARD OF DIRECTORS MEETING

OCTOBER 22, 2019

### MINUTES

DIRECTORS PRESENT: Joe Farrell, Gus Oliver, Jami Ferraro, Gene Burrus, Alex Loeffler, Roddy Rodgers, Stan Clauson, Worthe Holt via phone

OTHERS PRESENT: Legal Counsel Paul Taddune, Donna Aiken

President Joe Farrell called the meeting to order at 8:36 a.m.

COVENANT UPDATE DISCUSSION: Paul reviewed important sections of the existing Covenants and reviewed the established By-laws of the Association. As the documents were adopted in 1968, many of the provisions and rules have become outdated or no longer relevant. The Covenants were not well written to begin with and at times very difficult to understand intent. Unfortunately, changing the document would be difficult as 67% of owners would have to agree to the changes and with 900 owners, not feasible. If the Board wished to proceed with amending, Paul suggested changing the procedure to change the Covenants to something more manageable. Of course, there is always a possibility that homeowners would not want changes to the documents and to make matters more difficult, mortgage lenders might have sign off as well as the successors of the original developer.

After lengthy discussion, the Board agreed part of the overall problem was lack of enforcement of the Covenants and a viable avenue to ensure compliance. Lately, so many owners building homes, remodeling, or making exterior changes were doing what they wished and asking forgiveness if they got caught. The Board discussed the possibility of an enforcement officer. Some members opined that type of action would appear "police-like" and others thought with a clear understanding of what was expected of such a person, it might be a solution. There were also several members in favor of instituting a fine system for offenders. As the Covenants have no such provision, Paul was asked to investigate whether a fine system could be incorporated in the Rules and Regulations.

Paul mentioned that the Show Cause procedure has had good results in the past. It was pointed out that worked if a complaint was received in writing per the established rule of the Association, but people are very reluctant to become involved for fear of retribution.

Another topic discussed was the rental of homes and number of people occupying those homes. With the advent of VRBO and Airbnb type rental agencies, there is no on-site management to deal with any

problems. Although rental properties were supposed to have a business license from the Town of Snowmass, many rentals occurred with licensing.

More discussion followed regarding trailers, unsightliness, landscaping and property devaluation as the main complaints in the subdivisions. Several suggestions were made on how the Board should attack these issues.

The Design Committee function was then reviewed. Again, the problem of proper follow up, especially in cases of change orders came up. Donna explained it was on the stamped plans that all changes made to an approved set of plans had to be submitted for Design Committee for approval. Many times, the change orders were made with the Building Department but not with Design Committee. Donna was asked to reach out to the Town and establish some type of communication between the two entities to help alleviate this problem in the future. Joe suggested Design Committee review the Architectural Guidelines and the Covenants and forward their thoughts on changes, updates, etc. for Board consideration.

Finally a motion was made that the Board members review all the documents, and come up with ideas on what changes should be made albeit Covenants, Rules & Regulations, Design Guidelines, fine system, enforcement, budget considerations and any other concerns and submit at the next meeting so the Board can come to some consensus. The motion was seconded and passed.

Donna mentioned she had received a complaint in writing about the unsightliness on property in the Country Club subdivision. She would like to contact the offender but was authorized to proceed with a Show Cause.

There being no further business, the meeting was adjourned at 11:03 a.m.