

**PITCHFORK ASSOCIATION, INC.
ANNUAL MEETING OF OWNERS
JULY 29, 2021 - VIA ZOOM**

Jordan Brandenburg, Toad Property Management called the meeting to order at 5:40 p.m. Jordan confirmed that notice of meeting had been mailed on July 2, 2021 and there was a quorum.

Roll Call/Establish Quorum

Members Present by Zoom:

106 Big Sky LLC	106 Big Sky
Nicholas Coutts	112A Pitchfork
Steve Daniels	302 Horseshoe
John Ehmsen	304 Horseshoe
Vicky Hormuth	108 Big Sky
Matthew Huser	120 Big Sky
Wayne Kearney	116 Big Sky
Daniel Kenneally	208 Horseshoe
Roman Kolodziej	102 Horseshoe
Steve Morris	501 Horseshoe
John Segal	503 Horseshoe
Robert Welch	510 Horseshoe
Scott Winget	104 Big Sky
Amy McFadzean	412 Horseshoe
Matthew Shipps	418 Horseshoe
Caressa Binion	105 Pitchfork
Elliot Brown	110 Big Sky
Chris Debrates	104 Pitchfork
Grace Elliott	506 Horseshoe
Zachary Guy	103 Pitchfork
Shawn Harrington	508 Horseshoe
Daniel Kenneally	507 Horseshoe
Jess Legere	502 Horseshoe
Elizabeth Warrem	504 Horseshoe
Don Wiseman	107 Big Sky
Jordan Brandenburg	Toad Property Management
Rob Harper	Toad Property Management
Proxy to Rob Harper	
Quint Bourgeois	306 Horseshoe
Proxy to Jess Legere	
Kristina Hess	104 Horseshoe
Horseshoe LLC (Roger & Debbie Long)	408 Horseshoe

Proxy to Peter Jansen
Ilona Hogan

109 Big Sky

Reading and approval of past minutes

Jess Legere made a motion to approve the August 6, 2020 meeting minutes. The motion received a second and it was unanimously approved.

Reports

Jordan Brandenburg, of Toad Property Management, said expenses were under Budget. Some irrigation repairs had been made and the gate at the perimeter of the property had been repaired. Snow removal had been under Budget due to a light snow year.

Jordan explained the Association had \$58,000 in the bank accounts, \$6,000 up from 2020 and \$20,000 up from 2019.

Jordan said 10 homes had sold during the past year with an average sale price of \$548,000.

Concern was expressed about the exterior condition of some of the Townhomes on Big Sky. Don Wiseman explained three townhomes on Big Sky had paid individually to have the exterior of their units painted as Pitchfork Townhomes Association did not have the funds available to perform all exterior maintenance. Don said 110, 112 and 114 Big Sky would not be painted until at least 2023 because 102, 104, 106 and 108 Pitchfork were scheduled for 2022. Six townhomes were painted, three townhomes in two buildings. Addresses 101, 103, 105, 107, 109 and 111 Big Sky. Don explained efforts were being made to perform more exterior maintenance and increase funds for those projects. Once a detailed plan of major exterior maintenance projects was known it was suggested that information be shared with all owners.

Don Wiseman explained Pitchfork Townhomes Association planned to perform some essential repairs to steps if the proposed assessment was approved at the Townhome annual meeting at the cost of \$20,800. Don explained the Master Association and the Townhomes Association operated as separate associations and the funds for the master association were not used for exterior maintenance of Townhomes. Rob Harper explained the Townhomes Association meeting would be held on August 9, 2021 and the Townhomes Budget would be discussed at that time. Rob explained Townhomes owners paid one check to the Townhomes Association and each month the Pitchfork Master dues were paid to the Master Association from the Townhomes Association. Master dues included snow removal, management and insurance for the common areas.

Concern was expressed the construction of four new homes and the loss of those snow storage areas would increase snow removal expenses but the 2022 Budget kept snow removal expenses at the current level. Rob Harper explained snow removal expenses had

been increased prior to construction and the Town had not permitted snow to be stored in the areas of recent construction. Rob said the Association worked closely with the Town for the trucking away of snow and also snow was stored on the opposite side of Gothic Road at the permission of Mt. Crested Butte Water & Sanitation District. Rob explained the use of the Water District land for snow storage was a significant help in reducing costs to truck snow. Rob said \$20,000 for snow removal was considered to be sufficient in 2022 and Toad would continue to work with the Town.

Roman Kolodziej said Don Wiseman had been carefully reviewing expenses for the Townhomes Association and the Master Association. Toad Property Management had been providing the two Boards with quarterly financial reports.

Jordan Brandenburg explained the Board had approved the 2022 Budget. Steve Moore made a motion to ratify the 2022 Budget as presented. Jess Legere seconded the motion and it was unanimously approved.

Election of Officers

Jordan Brandenburg thanked the Board for their work during the past year and explained Jess Legere was willing to continue on the Board for an additional term. No additional names were put forward and a motion was made to appoint Jess Legere to the Board for an additional three year term. The motion received a second and it was unanimously approved.

Other Business

Jess Legere expressed concern about some short term rental units renting more beds than the Covenants permitted and Jess said the Board would be monitoring that in the future. Roman Kolodziej said the Town of Mt. Crested Butte was reviewing current short term rentals and Roman said there would be a benefit to the Association making a similar review. Rob Harper explained the short term rental policy for the Master Association and said managing and tracking short term rentals was difficult. Rob said the \$25 fee per rental was collected by the Association and was based on an honor system. Rob had explained at meetings in 2018 it was not possible for Toad to monitor every aspect of every short term rental. Jordan Brandenburg explained the complaint process outlined in the policy and Jordan said some units had complied and other units had not. Rob said the Rental Enforcement Policy was available on the Toad Property Management website and the policy outlined the complaint and enforcement process. Parking was a major concern and Rob explained the streets were Town streets and parking was not assigned to specific units. Roman said he would speak to the Town to ask if additional parking spaces could be opened up, especially during the winter months when more restrictions were in place.

Rob Harper said when an owner applied for a short term rental permit Toad would check the listing and confirm the owner was representing the unit in accordance with the governing documents. Complaints would be dealt with as specific complaints were received.

Jordan explained some units advertised four bedroom units but the Covenants only had a maximum of three bedroom units. Rob explained all of the \$25 per rental collected went to the Association, not Toad Property Management, and staff shortages in Crested Butte made it impossible for Toad to hire somebody to monitor short term rentals. Rob said item 7 of the short term rental policy detailed the monetary penalties for violation of the rental rules. Roman suggested owners have the contact information for owners who were short term renting so an owner could contact the owner of the neighboring property to complain about noise, or a driveway being blocked or some other issue with the short term renter at the home. Jordan explained regulations did not permit the sharing of owner information unless that owner gave permission for the contact information to be shared. Concern was expressed about the number of short term rentals in the community and it was suggested the Town of Mt. Crested Butte needed to step up to control and monitor instead of leaving it to Associations or homeowners. It was suggested short term rental fees be increased so somebody could be hired to deal with rental issues. Roman said his intention was to gather information and questions about short term rentals and take that information to the Town of Mt. Crested Butte as the Town had started to review how they could respond to the demands and needs generated by short term rentals. The Town of Mt. Crested Butte had issued 613 short term rental licenses and 23 of those \$250 licenses were in Pitchfork. Rob explained owners paid \$25 per short term rental and according to the funds collected there had been 64 rentals in Pitchfork during 2021. It was suggested the Town of Mt. Crested Butte issue parking permits to Pitchfork residents and Roman said he would follow up with the Town to research that suggestion. The original planning of Pitchfork did not adequately accommodate the parking of all vehicles in garages or multiple vehicles being parked on the public street.

The complaint procedure was discussed at length. Rob explained the process identified in the Pitchfork regulations and said problems existed when a parking violation was on a public street as the Town did not provide support and vehicles could not always be easily towed. It was suggested the Town taking a more active role in managing and monitoring short term rentals could prevent multiple vehicles being permitted and as part of the Town rental license and rental licenses needed to be reviewed annually.

A request was made to change the Covenants to prohibit short term rentals. Rob Harper cautioned the process to amend the Covenants was a lengthy process and it might be difficult to obtain the 67% support of owners to prohibit short term rentals. It was suggested a poll be conducted to determine how much support existed for amending the Covenants. An owner volunteered to work with Toad to prepare a questionnaire to go out to all owners.

Rob Harper explained the flower bed at the Pitchfork sign had not been adequately maintained due to staff shortages and several owners volunteered to plant flowers and maintain the beds and be reimbursed for plants. Jordan agreed to email owners to find out if there were additional volunteers.

Don Wiseman explained Pitchfork Townhomes struggled to secure insurance at a reasonable price and the Board was considering amending the governing documents so the Townhomes Association was not responsible for insuring the entire buildings as “original conveyed”, to “bare walls”. Don said research with insurance companies had shown the insurance market reduced considerably, and the price went up accordingly, if 25% of homes/units were short term rented. Rob Harper said insurance was a problem throughout the valley and a nearby association had recently had insurance coverage cancelled and expected to pay two to three times as much in an effort to secure coverage.

Traffic speeds within the neighborhood continued to be a problem and a suggestion was made to add temporary signage or speed bumps to slow speeds. The Board agreed to discuss and approach the Town if necessary. Owners could contact the Town directly to request more signage or reduced speed limits.

Violations of deed restrictions could be reported to the Housing Authority.

As there was no additional business a motion was made to adjourn the meeting at 7:45 pm. The motion received a second and was unanimously approved.

Prepared by Rob Harper of
Toad Property Management, Manager of
Pitchfork Association