

**LARKSPUR COMMUNITY ASSOCIATION  
MEETING OF THE BOARD OF DIRECTORS  
TUESDAY, AUGUST 20, 2024 5:30 PM MST  
VIA ZOOM AND 318 ELK AVENUE  
CRESTED BUTTE COLORADO 81224**

**Present by Zoom:** Jeff Duke  
Kim Dunn  
Mary Poole  
Bob Pannier  
Rewk Patten  
Ryan Darby  
Jim Frank  
Liz Magill  
Matt Gutter  
Taylor Reeves  
Tom Parker  
Ken Lodovico  
Rob Weisbaum  
Debbie Cox  
Kevin Schiferl  
Elizabeth Harrison  
Ann Gibson  
Rob Harper, Toad Property Management  
Erin Dicke, Toad Property Management  
Bart Laemmel, B2 Building Science

Rob called the meeting to order at 5:34 p.m., confirmed a quorum of the Board and welcomed all owners. Rob explained notice of the meeting had been made on August 16, 2024 and said board meetings were held on the third Tuesday of each month.

Kim made a motion to approve the minutes of the July 9, 2024 meeting. Bob seconded the motion and it was unanimously approved.

Rob said there would be discussion about the Design Guidelines and multiple emails from owners regarding the Guidelines. Jim Frank thanked Erin for confirming owners would be given the opportunity to comment on each topic rather than wait until the public comment period at the end of the meeting. Jim expressed concern about the meeting being limited to one hour.

Concern had been expressed that the Board was pushing through approvals and variances for the Fire Department. Rob explained owners were welcome to attend all board meetings and information of those meetings was shared with owners. The Board attempted to be transparent in their actions, including discussion of amendments to the Design Guidelines or variances.

Rob explained Bart Laemmel had been hired to assist the Board with review of construction plans, monitor the construction projects and also assist with the updating and amending the Design Guidelines.

Kevin Schiferl questioned the authority of the Board in taking certain actions. Jeff explained the Board had rescinded a prior variance for the Fire Department lot and would continue to discuss the matter. The Board intends to follow the correct legal process in making amendments to the Design Guidelines.

Rob said a Short Term Rental Committee had been proposed at the annual meeting. A Non-Owner Occupancy Policy had been prepared in the past. Erin said three owners had reached out to her so far for more information on the Committee. Erin said she would be sending out an email to owners with more information and interested owners could respond directly to her. Erin said the Board would be approving a Short Term Rental survey and all owners would receive a copy once the Committee was in place.

Rob said Jeff had been working hard to maintain the pond. Fish had been added to the pond and an expert had been hired to report on the health of the pond. Jeff explained algae levels had increased when a representative of Colorado Lakes & Ponds visited Larkspur and a peroxide treatment was added to the pond in an attempt to kill the algae without harm to the fish. Additional treatments had been added to clear the pond and water was flowing through the pond as much as possible. Colorado Lakes & Ponds had recommended a treatment plan and the cost would be \$9,000 for materials. Additional research was in place to determine if a less expensive source might be available and the Board would continue to discuss.

Jim Frank stressed the importance of keeping ahead of the pond issues and only having to conduct preventative actions in the future. Jim said spraying a herbicide for two years on the cattails would be more effective than cutting. Jeff explained Colorado Lakes & Ponds felt cutting the cattails was productive and the cutting actually made the cattail more receptive to the herbicide.

Jeff said there were no landscaping updates at this time.

Rob said potential Covenant changes had been discussed by the Board and at the annual meeting. It would be necessary to obtain 67% approval of all owners and might be a long process. Rob explained the Board would attempt to group topics into one amendment. Erin confirmed the topics at the present time included fire pits, Fire Department rentals and any short term rental restrictions, and owners would have the opportunity to vote on each topic although they were part of the same amendment. Erin stressed further work was necessary and the Board would continue to discuss. At the annual meeting it had been suggested a possible vote on the Covenant amendment might occur in the Fall and Kevin Schiferl expressed concern about having owner input by that time. Erin confirmed 38 positive votes would be required for any Covenant amendment to pass.

Bob confirmed financial discussions would be quarterly and stressed Covenant amendments would be votes for individual topics and not a requirement to support all topics.

Jeff said he would send the board an invoice for bushes planted around the water tanks to help shield the tanks. The work had been paid for by an owner and the Board would discuss reimbursement by the Association at the next meeting.

Rob explained the County had sent out notices to owners about public hearings for Sebastian Puente's project. Matt expressed concern about a dock on the lake and said he felt the proposed dock on the current plan was too large and would result in noise complaints.

Rob Weisbaum said the Fire District wanted to build housing to help in the recruitment of Fire Department personnel as more affordable housing was needed in the valley. If Fire District personnel did not want the housing, it would be opened up to other local government employees involved in the service industry. Fire District personnel had indicated a desire to purchase a unit and not just have a rental/lease on a unit. At the present time plans for Lot 30 on Nikki Court had been considered but no plans had been prepared for Lot 12. The existing plat and covenants have identified the lots for development as a duplex and a 4-plex. Rob Weisbaum said if it was not possible to find qualified buyers for the units, the Fire District would reach out to the Association prior to putting renters into the units.

Kevin Schiferl thanked the Board for their work. Rob explained after obtaining legal advice, it had become clear that the variance vote had not been conducted in the correct way. The variance had been revoked and the Board would continue to discuss and work with legal counsel. Rob explained the Design Guidelines did not address variance requests for setbacks and Bart Laemmel was helping to draft language. Kevin Schiferl said in his opinion the Board did not have the authority to grant variances to change recorded documents. Rob explained the requested variance was a variance of the Design Guidelines and not a variance of a County recorded document. Legal counsel would continue to guide the Board.

At 6:45 p.m. Ken Lodovico made a motion to adjourn the meeting. Kim seconded the motion and the Board unanimously approved.

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Prepared by Rob Harper, Toad Property Management

Action Item to Do:	Responsible:
Short Term Rental Committee	Erin
Review invoice for plantings by Water Tanks	Board
Design Guidelines / Variances	Board / Toad / Legal