

**PITCHFORK FLATS ASSOCIATION, INC.**  
**BOARD MEETING**  
**JUNE 12, 2024 – 5:30 pm**  
**CRESTED BUTTE & VIA ZOOM**

Amy called the meeting to order at 5:33 p.m.

**Participating via Zoom:**

Amy McFadzean  
Matt Shipps  
Lauren Adams  
Alex Summerfelt      Toad Property Management

Alex confirmed there was a quorum.

Matt made a motion to approve the minutes of the March 19, 2024 meeting. Amy seconded the motion and it was unanimously approved.

A financial report had been circulated to the Board prior to the meeting. Alex said the Association had a net income of \$2,400 for the first part of the year despite Snow Removal and Repairs & Maintenance running close to Budget. Financial reports would be available in the Shared Documents folder in the AppFolio software so Board members could refer back to those reports.

Lauren questioned the expenses for the snow rake and paint. Alex explained the snow rake had been used on a specific part of the Horseshoe Building during the Winter and by clearing a small portion of the roof an owner had confirmed there had been no water intrusion during the Winter into her unit. The drywall in that unit could finally be patched and painted. The paint was for touch up around the lower parts of the Horseshoe Building. Alex explained the paint and snow rake were being used by an owner and that significantly reduced costs for the Association. Lauren suggested sharing the information with all owners in the future to avoid any misunderstanding about the cost of the equipment/materials. Alex confirmed owners would be notified in the future.

Alex said he had spoken with Beth Appleton, an attorney, regarding the cost allocation of utility expenses identified in the Covenants. To amend the percentage split would require an amendment of the Covenants with at least 67% approval of all owners. A rough estimate of the legal costs to make an amendment would be within the range of \$800 to \$2,500. Alex said the utility meter costs had been researched and all meters and use identified. Matt explained larger units paid a higher percentage of the costs, as currently written in the Covenants, although the larger units did not receive any additional benefit for some of those costs, such as trash collection. Alex cautioned Section 38-33.3-208 of the Colorado Common Interest Ownership Act stated all owners impacted by a Limited Common Element reallocation of costs must approve the change. In some cases it was necessary to obtain 100% support for a change and not the usual 67%. It was generally

agreed a firmer estimate of legal expenses would be useful in determining how to move forward.

Alex explained new State legislation addressed special assessments for specific projects within an association which benefited some units, but not all units. Alex confirmed the State law now required special assessment funds to just be used for the specific project and any excess funds from a special assessment could not go into a general fund and be used for general operating expenses. Surplus funds from a Special Assessment could be returned to owners on the same percentage basis that the Special Assessment had been invoiced.

After a short discussion Alex said Toad would research electrical use in the common areas (stairwell, carports, storage area irrigation meter) of the Big Sky building to determine any potential efficiencies.

Matt agreed to draft an initial document showing expenses specific to each building. If expenses had not reached a net zero a special assessment could be made against the one building which owed money to the other building. That special assessment would be assessed in January of each year for the prior year. Alex agreed to discuss with an attorney and also provide Matt with any information he needed to draft a document.

Alex said he would also reach out to an attorney to discuss the possibility of operating the buildings as two financial entities with two separate budgets or at year end making an internal transfer of funds for limited expenses specific to each building.

Alex agreed to confirm the lot perimeter for the Big Sky Building to determine responsibility for irrigation. Matt had purchased a lawn mower and was using it at the Horseshoe Building. Alex agreed to reach out to the Big Sky Building owners to determine if an owner in that building would be willing to volunteer with mowing.

Alex explained the vacant Housing Authority lot was currently considered to be an eyesore by some Pitchfork owners and those owners had discussed improving that lot if the Housing Authority did not plan to build in the near future. Alex said he would update the Board with any further discussions.

Alex said a Pitchfork Parking Committee continued to work on a report and Alex encouraged interested owners to participate in the meeting when the report was presented to the Master Association Board.

At 6:39 p.m. Amy made a motion to adjourn the meeting. Lauren seconded the motion and it was unanimously approved.

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Prepared by: Rob Harper  
Toad Property Management, Manager