

PITCHFORK ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
JULY 11, 2018
318 ELK AVENUE, SUITE 24, CRESTED BUTTE, CO 81224

Present: Bill Coburn
Kathryn Keller (by phone)
Roman Kolodziej
Chris Young
Rob Harper, Toad Property Management
Jim Ruthven, Toad Property Management
Marcus Lock, Law of the Rockies, Counsel for the Association
Austin Chambers, Law of the Rockies
Beth Appleton, Elizabeth P. Appleton, PC, Counsel for George Herbert
Tom Wuller
Martha Griffin and Steve Moore
Amy McFadden
David O'Brien
Rex Stout
Scott Winget
Melissa Veranghe
Don Wiseman
George Herbert
Roger and Debbie Long
Graham Elliott
Tracy and Venita Currie

Rob called the meeting to order at 1:04 pm and confirmed there was a quorum. Rob explained it was a Board meeting and owners would have an opportunity for public comment and the Board would enter Executive Session to discuss with the Association's attorney and then return to the regular meeting.

Marcus Lock said associations throughout the valley were struggling with regulation for short term rentals and said it was a challenging issue. Marcus thanked owners for their participation in the process.

Rob said the draft policy had been distributed to all owners on June 3, 2018 and that was the beginning of the 30 day comment period. Marcus summarized responses received from owners during the 30 day comment period and said the Board could adopt the proposed rule, not adopt the proposed rule, table the topic for a period of time or make amendments to the proposed rule.

Marcus explained changing the wording in the Declaration of Protective Covenants was not being discussed at this time as the Board did not have authority to do that as any changes to the Declaration require approval of at least 67% of owners.

Marcus confirmed the Board was just discussing short term rental rules and regulations and enforcement provisions of the governing documents.

During a public comment period owners put forward their opinions and questions. Marcus explained insurance companies viewed short term rental communities as a higher risk but at the present time there had not been an increase in premiums due to short term rentals. Marcus said if an insurance company increased the premium that increase would be shared equally between the owners short term renting their units and would not be adjusted depending on the frequency of short term rentals. Owners expressed concern about current on street parking or use of garages and how parking regulations can be consistently enforced for owners, long term renters and short term renters. Several owners expressed concern about the large amount of time and cost to provide the association with information regarding rentals and also the time and cost for the association's manager to collect and manage the information and enforce the regulations.

Beth Appleton, attorney for George Herbert, said she had submitted her comments regarding consistency and cost of enforcement and said the process would be burdensome on the management company. Marcus said most people wanted to abide by regulations and the process was intended to make it easier for people to understand rules prior to arrival in Pitchfork and then abide by the rules.

Venita Currie suggested a subcommittee be formed to discuss rentals and engage owners in discussion so resolutions to problems could be found without confrontation or fines. Debbie Long said some units already had short term rental bookings well into the future and asked when the policy would be introduced.

At 2:06 pm Chris Young made a motion to go into Executive Session and return to the regular session in 15 minutes. Bill Coburn seconded the motion and it was unanimously approved. Rob encouraged owners to return to the regular meeting at 2:20 pm.

At 2:21 pm Roman Kolodziej made a motion to return to the regular session of the meeting. Chris Young seconded the motion and it was unanimously approved.

Marcus thanked owners for their input and explained the Board had reviewed the comments and would be making some changes to the Enforcement Policy and the Rental Policy. Marcus said the redline document would be posted on the website, discussed briefly at the August 2, 2018 annual meeting and another Board meeting would be scheduled to adopt the documents. Marcus confirmed there would not be another 30 day comment period.

Marcus confirmed the amendment to the Enforcement Policy would make the Policy consistent with the existing Bylaws.

Marcus explained the following changes would be made to the rental rules:

The section regarding noise would be amended to delete the words “which can be heard in neighboring homes”.

The section referencing charcoal grills would be deleted.

The sentence referring to assigned parking would be deleted.

Clarification regarding the difference between long term rentals and short term rentals would be added.

Roman thanked owners for their comments and said it was important for all owners to understand the existing documents and current regulations regarding Pitchfork.

Chris made a motion to adjourn the meeting at 2:30 pm. Bill seconded the motion and it was unanimously approved.

Prepared by Rob Harper,
Toad Property Management