

**MINUTES
BOARD OF MANAGERS
MERIDIAN LAKE PARK CORPORATION
TUESDAY, NOVEMBER 16, 2021
4:00 P.M.**

Present by Zoom:

Scott Winn
Robin Smith
Wil Hamilton
Rob Harper, Toad Property Management
Joe Robinson, Toad Property Management
Sheri Twilleger, F1 Lot 8
Allie Cote, F2 Lot 9
Dustin & Niki Gaspari, F2 Lot 55
Hilary Kunz, F2 Lot 19

Scott called the meeting to order at 4:08 p.m., and it was confirmed that a quorum was present.

Wil made a motion to appoint Sheri Twilleger and Allie Cote to fill two of the three vacancies on the Board, with terms that expired in 2022. Scott seconded the motion, and it was unanimously approved.

There was a discussion of the ongoing negotiations with the Mt. Crested Butte Water & Sanitation District (Water District). Robin explained that when MLPC had been absorbed by the Water District in the 1990s, MLPC owners had signed a Memorandum of Agreement (MOA) to assume responsibility for the full costs of all capital improvements necessary to provide water service to MLPC. In accordance with the MOA, the Water District added a surcharge of \$36.27 to MLPC owners' water bills. Robin said that the MOA was problematic for the Water District, because the surcharge caused accounting difficulties. Robin said that the MOA was also burdensome for MLPC, as it required 180 owners to divide the cost of expensive capital improvements. Robin said that the Water District had recently proposed 2 potential solutions. Proposal 1 would involve continuing the surcharge in perpetuity at a higher rate. Proposal 2 would continue the surcharge at its current rate for 6 years, terminate the MOA, and subsequently charge MLPC homeowners the same rate for water and sewer service as the rest of the Water District. Robin said that the Water District Board would like to meet with the MLPC Board as soon as possible to discuss the proposals. Robin recommended selecting a date in early December for the meeting and communicating to the Water District Board that MLPC was interested in pursuing Proposal 2.

Robin explained that Mark Hamilton, the water attorney that the Board had employed since the early 2000s, had been working on the issue. It was generally agreed that Beth Appleton, legal counsel for the HOA, should review the Proposal as well, and Robin said he would reach out to Beth. It was also agreed that Robin would reach out to the Water District to formalize a date for the meeting between the MLPC and Water District Boards.

There was a long discussion on Short Term Rental (STR) policies. Scott suggested that the Board should set a cap on the number of STRs in MLPC that would provide STR opportunity for those who wanted it while preserving the neighborhood feel of MLPC. Robin said that currently 10 percent of developed lots were STRs. Scott suggested instituting a cap on STRs equal to 20 percent of developed lots. Rob said that it was possible for the Board to make policies and rules to clarify what was allowed in the HOA, including instituting a cap on STRs in the neighborhood. However, a cap on STRs could be legally challenged unless it was established

through a change in the Covenants, which would require support from 67% of the HOA and would be extremely difficult to accomplish.

Sheri Twilleger said that there was interest from STR owners in forming a self-governing committee to enforce MLPC's STR policies. Wil suggested that the Board appoint an Ad Hoc STR Committee that would sunset annually and would report directly to the Board. Scott suggested tabling the idea until it could be presented to the broader MLPC community.

Scott said that there was a need for the Design Review Committee (DRC) to discuss some issues and proposals.

Scott updated the DRC on the Burch home at F2 Lot 69. The homeowner had built a fence without DRC approval, and the fence was too tall according to the Design and Construction Guidelines. Scott said that he had reached out to the homeowner, who had indicated that he would respect the DRC process and was open to changing the fence. It was generally agreed that the DRC should require a reduction in the height of the fence, darker staining of the fence, and the addition of landscaping to camouflage the fence. It was also agreed that the DRC should recommend reducing the area enclosed by the fence. Scott said he would reach out to the homeowner with these requirements.

Scott said that Dustin and Niki Gaspari were planning on installing a larger window on the north-facing exterior wall of their home at F2 Lot 55. Scott shared the plans for this change with the DRC and said the project would not have a substantial impact on the exterior of the home. Robin moved to approve the plans as proposed. Wil seconded, and it was unanimously approved.

Scott said the next item for review by the DRC was the Papadatos Home at F4 Lot 9. The homeowners had requested the return of their Construction Deposit. Robin said that Chuck McGinnis of the PPOA board had inspected F4 Lot 9 and confirmed that everything was in compliance. Chuck recommended the return of the deposit. Wil moved to return the deposit. Robin seconded the motion, and it was unanimously approved.

Scott said that the White Home at F4 Lot 5 had applied to build a cottage on their property. Rob said that PPOA had not yet approved the project. It was generally agreed to table discussion of the project until PPOA made a decision on approval.

Scott said that the new Design & Construction Guidelines were posted on the website.

There was a discussion of fish restocking in the reservoir. Scott estimated that the cost of fish restocking would be a few hundred dollars annually, but he did not have an exact figure. Dustin Gaspari said that the community of STR owners was looking for an opportunity to contribute to the community, and that the fish restocking budget might be a good opportunity for a community fundraiser. Rob said that this idea had been raised before, and he could connect Dustin to other people in the neighborhood who had interest in regenerating the habitat in the lake. Robin said that he had learned that the developer had quit claim deeded the shoreline of the reservoir to the Water District, and MLPC's use of the shoreline for fishing and recreation would need to be addressed during negotiations with the Water District.

Scott raised the idea of building a trail to give pedestrians a safer alternative to walking down Washington Gulch Road. Robin said that they would need participation from the County, who owned the easement on either side of the road. Robin said that he would ask David Ochs for a consultation on the ideal placement for the trail. Robin said that the Long Lake Working Group was open to assisting with the project.

At 5:32 pm Wil made a motion to adjourn the meeting. Allie seconded the motion, and it was unanimously approved.

Prepared by Rob Harper, Toad Property Management

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