

**PITCHFORK ASSOCIATION, INC.**  
**BOARD OF DIRECTORS MEETING**  
**THURSDAY, APRIL 26, 2018**  
**318 ELK AVENUE, SUITE 24, CRESTED BUTTE, CO 81224**

Present: Bill Coburn  
Chris Young  
Kathryn Keller (by phone)  
Roman Kolodziej  
John Bertrand (by phone)  
Rob Harper, Toad Property Management  
Jim Ruthven, Toad Property Management  
Marcus Lock, Law of the Rockies  
Austin Chambers, Law of the Rockies

Rob called the meeting to order at 2:02 pm.

Marcus said the rules and regulations relating to short term rentals had been drafted in accordance with the provisions of the Pitchfork Covenants and Marcus explained the Board would discuss and approve the rules and regulations and then all owners would be given 30 days to comment on the document and after the 30 day comment period the Board would vote and adopt the rules and regulations.

Marcus guided the Board through the draft document paragraph by paragraph. It was generally agreed owner contact information or information for a local contact was essential for the association so contact could be made promptly in case of a violation or perceived violation of the rules. Rob said collecting all leases or VRBO confirmations and a \$25 administrative fee for every short term rental would be difficult and owners might be reluctant to provide the information which would make enforcement more difficult. Marcus recommended a robust rule coupled with increased enforcement as the best way to manage short term rentals.

Marcus explained the annual pillow tax to Mt. Crested Butte was a good way to identify rental units and to make it easier for the association to track reservations the association could assign a one-time listing number to any Pitchfork owner who intended to rent a unit. A long discussion followed on the level of enforcement and it was agreed reactive enforcement would be the approach with the Manager only approaching a unit when a problem occurred and not actively searching for units being rented. If a problem occurred at a unit where the owner had not paid the \$25 rental fee or provided information about the rental that owner could be fined \$200 per violation of the rules and \$200 for each day of the rental.

It was agreed to discuss the short term rental of one room in a unit at a later meeting as an owner was on-site and able to address issues prior to them becoming a problem for neighbors.

Marcus confirmed the Board had authority to issue a warning in certain cases and waive all fines.

Kathryn said the Pitchfork Flats governing documents specifically prohibited short term rentals and Marcus agreed to amend the opening paragraph to clarify that the short term rules did not apply to units in Pitchfork Flats.

Marcus agreed to make the amendments to the draft document and circulate to the Board within 7 days. Marcus said they would prepare a summary of the Enforcement Policy to add to the beginning of the document. Marcus agreed to prepare wording to address an owner and their guests violating the association rules as a different fine schedule would apply if the violation was by an owner or a non-paying guest of the owner.

Marcus agreed to contact Mountain West for clarification regarding charcoal or gas grills on decks for units with shared walls. It was agreed prohibiting charcoal grills throughout Pitchfork might be a solution. Marcus said any increases in insurance premiums due to short term rentals would be a cost shared equally by the unit owners who were short term renting their unit and not the entire association.

Marcus said Heather Thomas, on behalf of the insurance company, was representing the association in the lawsuit regarding the hot tub on an owner's deck. Marcus said Heather was very competent and the association documents stated decks were either a limited common element or a part of a unit and in either case the maintenance of the deck was the responsibility of the owner. Marcus said the association had an email from the owner of the unit confirming he would accept all responsibility for the hot tub.

The meeting adjourned at 3:40 p.m.

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Prepared by Rob Harper,  
Toad Property Management