

**ALPINE MEADOWS PROPERTY OWNERS ASSOCIATION**  
**MINUTES OF SPECIAL MEETING OF THE BOARD OF DIRECTORS**  
**OF**  
**July 14, 2019**

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Board Members Present: Jerry Clark (President), Jim Martin (Vice President), Elizabeth Smith (Secretary-Treasurer), John Bruno, Honeydew Murray  
Board Member Present by Proxy: Rick Barnard

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The meeting began at 2pm. Joining in the meeting were Members Kevin Roache, Happy Fowler, and Bert Phillips. Also joining by phone was Aron Huckstep, a lawyer from Crested Butte, who said he was calling in representing Ruth Esserman as her counsel. Ruth Esserman subsequently phoned in as well, and confirmed that Mr Huckstep had been engaged as her counsel.

Jerry expressed surprise that advance notice was not given to the Board that Ruth's counsel would be present to represent her at the meeting, as it would have been a courtesy to offer the Board the opportunity to be similarly represented on certain issues to be discussed. Jerry asked when did Ruth first ask Mr Huckstep to represent her, and had Mr Huckstep notified the Association's counsel of this status. Jerry was told that the engagement began a few days ago but did not hear whether the Association's counsel had been notified in advance. Jerry expressed concern about proceeding, but the Board proceeded nonetheless, with reservations, given that everyone had already sacrificed their Sunday afternoon. Jerry advised Ruth, in the future, to advise both the Board and the Association's counsel well in advance regarding any such representation.

Jerry then called the meeting to order, noting that proper notice had been given and that a quorum was present. Jerry noted that Rick could not attend, but had provided Jerry his proxy in general, with instructions on certain issues if required. Jerry then noted that recording of the meeting was not allowed by other than the Secretary or her designate for the purposes of facilitating the preparation of minutes.

The Board then discussed the matters of the agenda.

1. The Board reviewed the minutes of the April 25-May 5 Meeting and the June 12 Meeting. Motions to approve were made and seconded and approved unanimously.
2. The Board then agreed that the Officer slate for 2019/20 would be Jerry Clark (President), Jim Martin (Vice President) and Elizabeth Smith (Secretary-Treasurer). No other candidates were presented or nominated. After a motion to approve this slate was seconded, the Board voted unanimously to approve the officer slate.
3. The Board then discussed the issue of relaxing the "Use and Size" criteria for "second buildings" in the covenants. This issue was discussed at the Annual Meeting on July 7. Options included: a) Keep the Covenants "as is"; b) Increase the size allowed for a second building to 1,500 sq ft, subject to retaining the maximum size allowed for habitable space to 750 sq ft and not increasing the combined space of all the buildings on the lot; or c) same as the above except allow a larger space such as 2,000 sq ft or more. The Board agreed that a survey of some sort should be undertaken to identify the support for these options. Jerry agreed to canvass the neighborhood and report back to the Board.
4. The Board then discussed Ruth Esserman's request for a variance on the size limitations as they applied to her lot and her current building. Ruth had presented an email which was provided to the Members in which she set out the "Narrative and Proposal" for allowing her architecture house to be treated as an "accessory building"

and allow her or a new owner to build an additional "Family Residence" to the full size allowed for such a building without the limit of a second building. Jerry first confirmed that the official sq footage of Ruth's current structure is 2,715 sq ft, as recorded by Gunnison County. Ruth agreed. Ruth then enquired about current exceptions to the covenants as to the size of second buildings. Jerry read part of a letter by Bert Phillips, detailing his understanding of the history of the changes in the Covenants and that all but one of the exceptions had either been properly approved by the Board or were grand-fathered in by changes "after the fact" by subsequent covenants. Mr Huckstep then asked what was meant by "grand-fathered in". Mr Huckstep also suggested that the original 1970 covenants did not allow guest spaces smaller than 1,000 sq ft. Jerry replied that his reading of the Covenants was not as Mr Huckstep described, but suggested, that this is, nonetheless, an issue to be resolved by verification with the HOA's counsel. Jerry then described confusion as to how exactly Ruth is requesting to vary from the current Covenants and requested Ruth and her counsel to document in writing exactly what variance from the covenants is being requested, detailing the number of buildings to be allowed, the total square footage to be allowed, etc. They agreed.

5. Jerry then reviewed several key Governance Policies the Board had previously approved in principle, detailing the key points involved in each. These included the policies on "Conflict of Interest", "Records," "Collections", "Conduct", "Addressing Disputes" and "Reserve Fund". After this review, a motion was then made and seconded, and the Board then unanimously approved these documents.

6. The Board then revisited the "Renting Rules and Regulations" and Notice to Occupants" documents. After discussion, the Board motioned, seconded, and approved to change the Renting Rules document to include \$300 fines (after allowing a Member to self-correct) for each of not adhering to the requirements of Registering, providing signed waivers in advance, and filing the Report Form as required. The Board also approved a change in the Notice to Occupants regarding the limitations on the number of vehicles parked in the driveway to not include the vehicles remaining there by the Owner.

7. John Bruno then advised that a quote had been received regarding D&O insurance for the coming fiscal year. The quote was the same as last year and John was advised to proceed with the form. John was also requested to identify when the GL insurance quote would be available.

8. Jim then provided an update on the state of the sale of the Kikel property by the Land Trust to the Town. Updates will be provided by Jim as more information on the process become available.

9. The Board then discussed the Meeting Schedule for 2019/20. The Board agreed to be responsive to requests for meetings asked by the President and to reply timely and make their schedules available to hold such meetings.

10. Jerry then noted that the Directory would be made available to Board Members for their information, but that due to privacy laws could not be provided to all Members. Sidsel agreed to determine whether all, or how many would wish to provide their information to others who were also so inclined.

11. The Board discussed the need for a Website. Elizabeth agreed to find a person/party to assist in this at a reasonable cost and report back to the Board as soon as possible.

There being no other business, the Board adjourned the meeting at 4:45 pm.



9/14/2019

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Gerald F. Clark  
President