

DMCA Meeting Minutes

10/9/17

Board Meeting

6:05 PM meeting called to order.

Board Members Attending: Vince Snowbarger, John Young, Gordon Mull, Tom Seaman, Val Szwarc by phone.

1. Approval of the minutes of the Board meetings from August and September will be postponed until all Board members have had a chance to review them.
2. John gave the monthly Financial Report for September (a copy of the report is attached). He noted that we have not yet received the second half of the Lindlers' annual dues. He will follow up with Bill. He noted that the Bennetts have paid their annual dues of \$500 plus a \$45 late fee.
3. In response to a question from Vince, John informed us that Larry Benasutti gets paid every two months.
4. Vince asked about the \$6,920.25 payment that is shown on the Financial Report. John advised that he had paid the Romney law firm \$6,920.25 which represented an overpayment of \$6,335.25. The Romney firm has refunded the \$6,335.25. Val questioned whether the Romney firm's invoices are itemized. John said that they are. Tom moved to approve the September Financial Report. Vince seconded. The report was unanimously approved.
5. Old Business. Since Gordon was not able to attend this meeting, there was no discussion of old business. Vince had spoken with Gordon about Garth Valentine's latest missive. It was agreed that there is no need to forward it to Attorney Pfeiffer.
6. Tom gave a brief update on the status of the web site. It contains an email address to contact DMCA through Gmail. Incoming emails are forwarded to Tom. To date, there have been no emails other than a test which ensured that the setup is working.
7. Vince provided an update/summary of the Nightly Rental issue. The survey results did not contain a large enough majority in any direction that would lead the Board to recommend a change in the By-laws. We don't have a 2/3 majority who agree on anything.
8. We do have some direction from the members for the Board to establish regulations governing nightly rentals. Vince suggested that the Board draft a set of proposed regulations for discussion at the Annual Meeting. Examples of possible regulations include a nightly rental fee, restrictions on dogs, extra vehicles, parking, and trailers not belonging to home owners.

9. Vince agreed to send out the survey results to the membership prior to the Annual Meeting. Surprisingly, only 22 of 44 lot owners responded to the survey. Vince also noted that this is an opportunity for the Board to clarify the by-laws. He will send out a list of topics from the survey to be further discussed at the Annual Meeting.
10. Val observed that some of the survey questions had less than 22 respondents. He also noted that the survey response was clearly in favor of DMCA being a Single Resident family community. He wondered if the Board should “do something stronger” to keep DMCA a Single Resident family community. He expressed concern that his new neighbors, Liz and Dave who have purchased the Godby property, want to put a “Tiny House” on their property in addition to a garage. He noted that, if we have garages being rented out, we will soon become a condo community. Vince observed that all HOA’s in Ouray County are struggling with the issue of nightly rentals.
11. John observed that the CC+R’s have a clear definition of what is allowed in terms of modular housing. He stated that, if it has wheels, it is a trailer home which is not permitted.
12. Val stated that we should regulate long term rentals as well as short term. Vince and Val both stated that we should disallow renting a secondary structure that would function as a second home on anyone’s property. Val stated that garages should not be allowed to have living quarters to be rented out.
13. Since Bill was not present, there was no discussion of ACC business.
14. John discussed water issues. As noted previously, we had a second water leak near the Bennetts. John and Darryl met with Ralph Lowry who was able to repair it. Ralph will most likely bill us \$700 per leak with both leaks now repaired.
15. Val and Vince updated insurance issues. Larry had told Vince that it would probably cost him about \$1,000 annually to get insurance to cover his work for us. Val agreed to ask our insurance agent to quote policies for both Larry and Steve Scheu. He asked John to provide a description of the services that Larry does for us. John noted that Larry does whatever is required by the state and that he has never billed us for his cost of certification. Vince asked if Larry provides similar services to any other local HOA’s. John thought possibly Elk Meadows, but he was not sure. Vince suggested that, if so, the cost of Larry’s insurance should be divided accordingly.
16. There was then some discussion about water overage fees and DMCA’s policy towards waiving them under certain circumstances. Val noted that the Board needs to consider infrastructure costs of water. John noted that, included in HOA annual dues of \$500 is a \$100 annual fee for water. Val suggested that the Board draft “Guidelines” under which we would consider waiving overage fees, including that a member be in good standing. John suggested that we prepare a list of conditions which have to be met for a waiver to be considered. Val offered to circulate an email with issues to consider including in the policy. Vince observed that, in the past, the Board

has often not given itself adequate leeway in drafting policies. John noted that, in cases of an owner's negligence that leads to excessive water usage, fees should not be waived. Vince recommended that all water policies, including fees, should be together in one place. The policy should include how much water a home owners gets, what it costs, and when an overage occurs, what the steps are to be considered for a waiver of the fees. John noted that we don't want people paying fees for overages that are not their fault.

17. In the New Business category, Vince noted that we need to set a date and location for the Annual Meeting. John agreed to check location availability. Vince will check availability with the Church of the San Juans.

18. Vince agreed to send out a "task list" to the Board as follow up to this evening's meeting.

John moved to adjourn. Tom seconded. The meeting was adjourned at 7:45 PM.