

DMCA Meeting Minutes

8/14/17

Board Meeting

6:00 PM meeting called to order.

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

1. Gordon moved that the Minutes of the Board Meeting of June 17 be approved. John Young seconded. The Minutes were unanimously approved.
2. John Young gave an update of DMCA's financial condition. He highlighted that we received a number of annual dues and water usage payments during July. He also provided an interim financial report for the period August 1 – August 8. A copy of the Financial Report is attached. Additional annual dues and water usage fees were collected during the period. There was considerable discussion about Don Daniels' water usage fees for June and July. Don paid a water usage fee of \$584 for June and now owes another \$1,654 for July. John had contacted Don to find out why his water usage had been so high. Apparently, since he is out of town, Don had hired a property manager who had over-watered the lawn and had left a sprinkler on for at least 48 hours. John agreed to contact Don to find out what the cause of the over usage was and what Don plans to do to rectify it. John agreed to report back to the Board to see if, once the over usage problem is resolved, whether we want to give Don a break on the fee. Vince observed that, we told Ms. LaCourt that, if she had damage and if it were fixed, we would waive her fee. He noted that we need to be consistent with all members.
3. John noted that Garth Valentine, Tom Bennett and Bill Lindler had not yet paid their annual dues. However, both Lindler and Cipov said they had sent checks which did not arrive in the PO box. Cipov cancelled his check and sent a replacement. Bill will be doing the same. John will follow up with Tom Bennett. Tom moved to approve the financial report. Gordon seconded. The financials were unanimously approved.
4. Gordon brought the Board up to date with a few matters of ongoing business. Lynn LaCourt received notice that her temporary fence continues to be a violation of HOA approved guidelines and that fines continue to accrue. She has been billed for the amounts owed but has not paid. Vince recommended that we consider filing a lien on her property to get her attention. There ensued some discussion about Lynn's irrigation pipes. Apparently she intends to use gated pipes. John speculated that she may leave them out all winter. Gordon noted that Lynn had said that, once her irrigation pipes have been installed, she would remove the temporary fencing.
5. As regards our lawsuit against Garth, Gordon noted that the courts have not as yet accepted or rejected his motions. We are awaiting the courts' decisions.

6. Tom provided a brief update on the status of our website. It is up and working. Some information has been uploaded, such as Board member information and some Board minutes. Going forward, we will be uploading additional information. Vince agreed to send a notice to the members that the website is up but remains under development.
7. Vince summarized the results of the Nightly Rental Survey. The results indicate that there was not a 2/3 consensus sufficient to make changes to the CC+R's. It is clear that the members want the Board to regulate nightly rental activity; they want fees to be paid; they want the Board to be notified of nightly rental activity; and they want a limitation on the number of renters, the number of vehicles per visit, and indemnification of liability. Vince noted that the Board already has the authority to regulate nightly rental activity similarly to the authority that it has to regulate marijuana growing.
8. Gordon noted that, one reason that the Board did not initially permit nightly rentals, was stress on our water supply. Vince observed that nightly rental activity may actually add stress to the HOA infrastructure, not just the water supply. He suggested that the Board consider a fee based on additional stress on our systems. John noted that stress on our water pump is just one example of infrastructure stress.
9. Vince suggested that we more narrowly define secondary structures. Val questioned whether the restriction on use of secondary structures is only for short-term renters like nightly renters, or is it for all renters? Val noted that the survey results show that the members are largely in favor of restricting nightly rental activity to the home owners' primary residences, not secondary structures. John and Gordon both observed that the crux of the issue is whether the use of secondary structures for nightly rentals is permitted or not. Val noted that, in at least one instance, we now have a secondary structure being rented out long term. Vince suggested that the Board consider regulating the use of secondary structures for both long and short term rentals.
10. Val raised the question of whether we should replace Jon Pfeiffer as DMCA's attorney. The consensus of the Board is that we should. Vince suggested that we prepare some draft language to regulate short and long term rentals and then get a new attorney involved. Vince offered to begin drafting language.
11. John stated that we need to get access to our water tank. Gordon offered to get quotes to install the needed gate.
12. John expressed concern that the contractor whom Carolyn McAndrews has hired has never built a house in Ouray County. Apparently he has never installed a water tap before since Tri-County Water installs taps in Montrose County. John told him that he and Darryl need to be there when he installs Carolyn's water tap. John also expressed concern that the driveway cut-in may sever our water lines depending how deep the contractor digs.

13. The Board approved the purchase of a new chlorine pump.
14. Val suggested that Steve Scheu needs to copy the Board members on all email communication with Lynn LaCourt regarding her water meter. John agreed to notify Steve.
15. Val and Vince provided an update on insurance issues. Larry Benasutti is not able to obtain a Rider on his existing policy to cover water testing work he does for DMCA because his current insurance only covers his business. Gordon questioned whether we could obtain insurance coverage for all contractors who do work for DMCA. Val responded that our agent is not able to get insurance to cover our contractors. Val suggested that Larry should obtain his own new policy. Gordon suggested that we ask Larry to find out what such a policy would cost him, and that Steve Scheu should just provide us with an indemnification.
16. There was a brief discussion about the annual picnic. Gordon agreed to check with Melinda about their hosting it. He noted that, in the past, roughly 50% of the members attend. The Board will try to finalize a date at the next meeting.

The meeting was adjourned at 8:00 PM. The next meeting will be on September 11 at Gordon's house.