

DMCA Board Meeting Minutes

3/12/18

Meeting called to order at 6:10

Attending: Vince, Gordon, John, Tom, Val, Gary

As Guests: Jason Kolonski, Rick Taylor

1) Vince asked Jason to address the Board. Jason notified us that he intends to do short term rentals. He stated that his house will be owner-occupied whenever guests are staying. He asked if there were any recent changes to the CCR's resulting from last year's survey. Vince responded that there no changes have been enacted yet.

Vince commented that the DMCA members seem to want the Board to regulate nightly rental activity which we plan to do. He stated that the County website has an application form. One problem that we have is knowing who is staying where and when and how many additional cars the guests have.

Gordon offered that, if the County wants to know that we, the Board, have been notified, we will be happy to provide a letter to that effect.

Val asked how many guests Jason is expecting. Gary asked if Jason will be running a B+B. Jason responded that he intends to have guests only during the summer as a trial run. He noted that his household is a low water user at this time and that he will ensure that his guests limit their water usage.

Tom asked if Jason is listing his house on AirBnB. Jason responded VRBO. Gary informed Jason that he is now in compliance with our notification requirements. Vince concurred and asked Jason to notify his guests of our DMCA speed limit and also to keep their dogs on leashes. Jason stated that he has prepared an information packet to give to renters on arrival that includes all relevant DMCA rules + regs.

2) There being no questions about the minutes of the Annual Meeting or the February Board meeting, Gordon moved that both sets of minutes be approved. John seconded. Both sets of minutes were unanimously approved.

3) John provided the January financial report (a copy is attached). John gave the 2018 insurance packet from Mountain West to Val. John noted that we have received a final copy of the 2017 tax return prepared and filed by San Juan Accounting. John also noted that, to date, we have received quite a few annual dues payments which particularly help our cash flow when they are received early in the year.

John noted that we have received an invoice from SGS-Accu Test for water testing. Gary asked if the tank inspection has been done. Gordon responded that it is scheduled but not yet done.

Gordon asked if Caroline McAndrews had paid only \$400 for annual dues since she is not using water yet. John responded yes and noted that she has also paid her water tap fee. John agreed to check with her contractor to see whether the water has been hooked up yet.

Val and Tom asked whether we have filed a 1099 for 2017 for Larry Benasutti. John responded that we do not yet have his Social Security number. There ensued some discussion about how San Juan Accounting accounted for his expense and how long we have been using Larry without giving him a 1099. Apparently, it has been quite a while. Gary wondered whether Larry will be liable for back taxes when we do file a 1099 for him. Vince asked how many times we have requested Larry to provide his Social Security number. John responded that we have asked numerous times. Vince suggested that we ask him once more, and if he does not provide it, we consider replacing him. John agreed to ask him again.

Tom moved to approve the Financial Report for January. Val seconded. The Financial Report was unanimously approved.

3) Regarding Old Business/Litigation, Gordon stated that there have been no new developments with the Garth Valentine lawsuit. He has a call in to Attorney Pfeiffer with no response yet. Vince noted that he had seen Garth's property listed on Zillow for \$899,000.

4) Val gave the ACC Report. He first noted that it should be referred to as "ARC". There ensued some discussion about the ARC forms that should be posted on our website. The discussion then expanded to include all forms that should be posted including CCR's, architectural requirements and application forms and By-laws. Vince has signed CCR's which he will provide to Tom to be posted. John has By-laws which he will get to Tom. Val will get Tom the amended ARC forms for posting as well.

Val initiated a discussion about the scope of the ARC. He noted that the ARC can reject an application "for any reason". Rick questioned what is meant by that. There ensued a general discussion about rules and regulations. Vince observed that we need to get all relevant documents in final form and post them on the website, perhaps in a "Rules + Regs" section. Gordon suggested that this section include, at a minimum, a Proxy, ARC forms, a Resolution, a Notice of Non-Compliance, and Mediation forms. He then suggested that we consider how to enforce non-compliance. Gary suggested that we try to have ARC forms and a document detailing the ARC process for us to review and approve at our next meeting. Vince suggested that the ARC approval process be more than a casual OK. The Board concurred.

5) Regarding insurance, Val told us that he has nothing new to report. He has been trading calls with our agent. There ensued some discussion about Steve Scheu's insurance. John noted that we only pay him \$100 per month and, for that, he reads water meters, generates the monthly water usage report, and sends out bills for overages. John thought that the cost of him getting insurance to cover these activities

would outweigh the income he receives from us. Val suggested that he provide us with a Hold Harmless agreement. Vince asked if our agent could let us know what it would cost to get him coverage. In order to do so, we would have to provide a Job Description covering his services. Gordon cited the example of a FedEx driver who slipped and fell in Gordon's driveway. Apparently, FedEx's policy covered his medical bills.

6) There was a general discussion about us hiring a management company. Vince suggested that we put together a Scope of Work and get proposals from a couple of local management companies. Tom agreed to call the management company that was referred to us by Judi Snelling. John asked whether, if we were to engage a management company, doing so would require the approval of the entire membership or if the Board could simply decide to hire one.

7) Gary initiated a discussion about whether we want to send out a DMCA newsletter. After some discussion, it was agreed that we would ask Brenda to provide a sample for review at our next meeting and, if approved, we would proceed to send out newsletter quarterly.

8) There was a brief discussion about collecting and distributing contact information, including email addresses, for all DMCA members. Vince agreed to send out a request for members to update their contact info, which the Board needs to have, and to accompany that with a form for members to decline having their contact info distributed to the full membership.

9) There was some discussion about updating our Rules + Regs. Vince suggested what rules + regs other HOA's may have and what they post on their websites. Vince noted that he had found a website that provides admin services to HOA's for \$99 per year. That fee covers up to 10 approved users. Rick asked whether he could be included as a user. Vince responded that his opinion is that perhaps only Board members should have access to that service. He agreed to consider Rick's request.

Gordon moved that we sign up for the service. Tom seconded. The \$99 per year expense was unanimously approved.

10) There was a brief discussion about dog-related regulations. Val noted that other local HOA's require that dogs need to be enclosed within an owner's property. Vince suggested that we have a leash law and that it be posted. Vince suggested that we need to develop a comprehensive reg regarding dogs which should include picking up after your dog and keeping dogs on a leash. Val suggested that the policy govern "Domestic Animals".

11) There ensued a discussion about rules, regs, and policies. John passed around a "DMCA Dues + Fees" policy that he had prepared. Val suggested that the policy simply state that home owners need to use a DMCA-approved water meter. John and Gordon felt strongly that the policy should specify exactly which meter should be used. Rick suggested that our policies indicate most recent revision date on the form.

He also informed us that he had received a notice from Ouray Property Management that the Wilsons have rented their house. Rick observed that the CCR's require members renting their properties, whether short or long term, provide the Board with a copy of their lease. Vince observed that it is the owner's responsibility to ensure that renters comply with our CCR's. Gordon suggested that we should have a policy statement for renters to give to tenants that should, at a minimum, include things like dog regulations, water usage policies, etc.

Vince moved to adjourn the meeting at 8:05 PM. Tom seconded. The meeting was adjourned.