

CRYSTAL BAY & CRYSTAL COVE HOMEOWNERS ASSOCIATION BOARD MEETING

August 10, 2021

Meeting held at Hamilton Fish & Game.

BOARD MEMBERS PRESENT:

Rich Hanke
Dana Magnuson
Austin McIntosh
Dick Lineberry
Mike O'Malley
Tom Werling
Jeff Jackson DCC
Ralph Traycoff DCC

BOARD MEMBERS ABSENT:

Paula Felver
Eric King

Meeting was brought to order by President Dick Lineberry at 7:04 PM.

Guests: Lindsay Walker Moore, Jerry & Jan Longworth, Brent Shull, Mark Gawel, Brad Thomas

May Board Minutes:

Note that no July Board meeting was held.
Motion made Austin McIntosh and seconded by Rick Hanke to approve as presented.
Motion carried.

Secretaries Report:

Lot 76 – Fine letter for changing plans without DCC approval.
Lot 198 – Camper parking violation email sent.

Treasurer's Report:

Dana Magnuson reported the Eric King was called out of town unexpectedly and did not have time to create a report for August.

DCC Architectural Report:

Tom Werling reported:
Lot 129 Casebere - Additional retaining wall.
Lot 90 Weigand - New Home
Lot 75 Bender - Revised retaining wall
Lot 76 King - Drive way discussions
Lot 77 Simon - new home

Old Business:

Lot 198 – has complied with CBCC Covenants and no fine will be assessed regarding Camper Parking.

Attorney Brad Thomas and Mark Gawel were present and were given 10 minutes to present their concerns and requests. Brad Thomas walked through the history of the Crystal Bay and Crystal Cove development and explained the Lot 198 was never intended to be part of the HOA. The Lot was the site for all the dredged fill dirt and was planned to be the site of a high-end restaurant and was also considered for a nursing home facility, but funding never happened for either project. Brad went on to explain the no utilities (water, sewer, electric and gas) were not provided to Lot 198. The HOA does not provide any services or water access to the lot, so it should be removed from the HOA. Mark Gawel went on to echo the aforementioned items and also explained that the HOA provides nothing for his lot. He also emphasized that when Lot 198A was eliminated (by the county when he built his house on Lot 163 across the property line) we should have removed Lot 198 from the HOA. Mark has previously submitted some drawings of a house and an outbuilding he would like to erect. But these plans are not up to DCC requirements for approval.

The BOARD understands Mr. Gawel's desire to be free from any and all restrictions of Crystal Bay & Crystal Cove HOA. However, the Board can not make this change. To remove a lot from the HOA, the Covenants would need to be changed and approved by a 2/3 majority of all CBCC HOA lot owners. Additionally, there may be other requirements at the County level we are not aware of. The Board also stated that CBCC HOA is not the developer and is thereby not responsible for any utility related products or services.

Several of the Board members reassured Mr. Gawel that the DCC would work with him and possibly provide variances on his building(s) dependent upon location and visibility from existing HOA lots. Mr. Gawel just needs to supply/submit plans just as every other lot owner has done to start the review and approval process.

Previously, we have had discussions with Mr. Gawel, attorney Brinkerhoff, about the possibility of a restrictive deed for Lot 198 that would be mutually agreeable to all parties, which hit a dead end.

Brent Shull stated the obvious, that we (Town, HOA, Mr. Gawel) need to work together to resolve the issue.

There will undoubtedly be more to come on this issue as we work together for resolution.

New Business:

CBCC HOA Annual Meeting is to be on October 2, 2021 at the Town Hall 600S Wayne St. at 10:00 AM. Election of 3 new Board Members will take Place.

Election of New Board Members

Amy Young has officially notified the Board of her resignation leaving a 1-year term to be filled at our Annual Meeting.

Thank you Amy for your more than 10 years of service to our community. You made a difference.

Other Board members whose 3 year term is up:

Dick Lineberry

Eric King

Paula Felver

We are accepting nominations for new Board Member positions. Submit a brief background of your experience that qualifies you for this three-year position to magnus.dana@gmail.com no later than September 15, 2021.

Other Items

Lot owner signatures need to be acquired for all lots in Crystal Bay & Crystal Cove to make the Plat official with the County. Failure to get this completed will result in lenders and underwriters not approving change of ownership. We first need to correct some street names and some small cosmetic changes on the plat before we can move forward with a signature process. It is our desire to make this an electronic process that can be done from your home computer. More to come on this issue.

Donated Lots to HOA

A petition was presented showing almost all Lane 270 lot owners are not in favor of lot 197 being made a Public Park if it were to be donated to CBCC HOA and then subsequently being donated to the Town of Hamilton. See the Supporting Documents for the August CBCC Board Meeting on the website.

Next meeting: September 14, 2021, at 7:00PM at Lineberry's patio weather permitting.

Motion was made by Mike O'Malley and seconded by Rich Hanke to adjourn the meeting.

Adjournment: 8:02 PM.