

Special Meeting of the Crystal River Country Estates Property Owners Association

September 30, 2019

The meeting was called to order at 7:13 pm.

Board Members present:

Tom McBrayer

Jim Hamlin

Ruth Hollowell

Ray Pojman (proxy)

Members present:

Earlene Matthias (proxy)

Sherman Workman (proxy)

Phil and Kim Lopez (proxy)

Tim Rafelson

Paul Natale

Mike Henry

Kelcey Nichols

Gracie Orf

Kurt Bauer

Angela Loughry

Judi Leake

Jeff Crane

Ann Keller

The minutes of the annual meeting of the POA (April 23 2019) and of the special meeting of the Executive Board (July 8, 2019) had been sent to all members. Ruth Hollowell moved that the minutes be approved without reading. The motion passed unanimously.

Tom McBrayer stated that the current financial records were available for members to examine. He noted that the road work this year exceeded the budgeted amount by \$700. The additional expense was for the placement of a new culvert.

Tom McBrayer offered an explanation of the situation regarding short term rentals in the subdivision. One house has been used in that way in the past year, and a complaint was submitted to the Board by a neighbor of that house. While the covenants of the subdivision prohibit the use of properties for commercial activities, a recent ruling by the Colorado Court of Appeals named short term rentals (Airbnb etc.) as a residential use of property. Our covenants would therefore be inadequate to forbid such a situation, and would require revision if it is the will of the members to forbid short term rentals. The covenants for the subdivision were written about fifty years ago, and could require other revisions as well.

A discussion of the impacts of short term rentals followed, with some members objecting to the changing character of the neighborhood and additional use of the roads and trash collection. Other members defended short term rentals as being more manageable for the owner, with the owner present to forestall problems, and a good source of income. It was suggested that if short term rentals are allowed, restrictions on that activity should be placed in the covenants. A straw poll was taken on the issue of short term rentals, and the vote was split between pro and con.

Tom McBrayer suggested that the Board draft some revisions of the covenants with the aid of our attorney, Kelcey Nichols. A draft will be sent to all members for comment, and after the comment period, revised covenants will be sent to all members for approval. The changes would require over 50% of the members' affirmative votes to be enacted. Kelcey Nichols said that she will abstain from voting on this subject.

On another subject, Tom McBrayer said that the dumpster charges will be increased as of October 1st, but we haven't been informed yet of the amount of the increase. This may mean that the second dumpster will be eliminated in order to stay within the budget. Angela Loughry reported that our trash company will provide a compost container for the subdivision for a \$50 charge per month. This would accommodate kitchen scraps and relieve pressure on the large dumpster. Tom agreed to take this subject up with the Board.

Ruth Hollowell moved to adjourn at 8:25 pm. The motion was passed unanimously.