

Special Meeting of the Board of Directors of the Crystal River Country Estates
Property Owners Association July 8, 2019

The meeting was called to order at 7:03 pm. Board members present were Tom McBrayer, Ray Pojman, Jim Hamlin, and Ruth Hollowell. Other members present were Kelcey Nichols, Tim Rafelson, and Andy Morris.

The first order of business was a discussion of the insurance carried by the Association. The policy is up for renewal, and Tom McBrayer asked if the board thinks that we should increase the level of coverage. The current policy is for \$25,000 with a \$5000 deductible. This is coverage for liability for the association and for the board members. If the Association opts for coverage of the bridge, much more insurance would be necessary. It is estimated that reconstruction of the bridge could cost \$500,000. The bridge is structurally sound at this time, the only problem being a space that has developed between the concrete buffer and the bridge abutment. Tom suggested that concrete could be poured into the gap.

Ray Pojman volunteered to contact our insurance agent to inquire about rates for increasing coverage. The most likely threat to the bridge is high water, which would require flood insurance, probably prohibitively expensive.

The next order of business was the subject of past due accounts. The Markham account still has a balance, but since regular payments are being made, no action will be taken. The Zeller account is current; there had been errors in addresses which had caused the delay in payment, late fees have been removed from their account.

The subject of the dumpsters was discussed next. They haven't been full for several weeks, so perhaps only one is needed. Jim Hamlin suggested that we switch to two 6 yard containers to save money. A bear got into the smaller dumpster last week, spreading a large amount of trash on the ground. Ray Pojman cleaned it up. The members are urged to take care in closing and locking the doors. The possibility of a sign at the dumpster reminding users of the rules was discussed.

Tom McBrayer spoke about the need to reduce speed and obey the posted speed limits on the subdivision roads. Children are present and some people are exceeding the speed limit. Ruth Hollowell will call Pitkin County to inquire about the use of a sign which displays the driver's speed.

The subject of short-term rentals in the subdivision was the next item of discussion. The Colorado Court of Appeals has recently ruled that Airbnb rentals are considered a residential use of the property, and that covenants prohibiting commercial use of the property do not apply to these short-term rentals.

It has come to the Board's attention that there is a house in the subdivision being used as an Airbnb rental. Since our covenants were written fifty years ago, there was no prohibition against such use. If it is the will of the majority of the residents of the subdivision to prohibit such activity, the covenants of the Association will have to be revised. This action will require a majority vote of the membership.

A discussion of the effects of such rentals followed. Two neighbors of the house in question were present, and shared their views of the situation. Tim Rafelson strongly objects to the activity, citing increased nighttime activity, renters' lack of knowledge of our local conditions (bear activity), and renters who need to be saved when they get stuck on our roads in the winter. Andy Morris, who operates his own short term rentals in another location, said that his opinion is that the rental itself is not the problem, but rather the management of this particular property.

There was a discussion about upholding individual property rights versus consideration of common rights as a community. There was also the acknowledgement that long-term rentals when the owner is present as being of much lesser impact than short-term rentals where there is no possibility of reforming undesirable behavior.

Tom McBrayer stated that our options are three:

- Allow property owners to do whatever they please
- Prohibit every activity of this type
- Allow rentals with our restrictions

Tom McBrayer moved to schedule a meeting of the general membership for the purpose of discussing this issue. The motion was seconded by Ray Pojman, and was passed unanimously.

Ray Pojman moved to adjourn, seconded by Jim Hamlin. Meeting was adjourned at 8:30 pm.