

Crystal River Country Estates Property Owners Association

Annual Meeting

June 23, 2022

CALL TO ORDER:

- Ray Pojman called the 53rd Annual Meeting to order at 6:08 PM

HOMEOWNER PRESENT:

1. Tom McBrayer
2. Dan Perlman
3. Bryna Ram
4. Jim Hamlin- Treasurer
5. Michael Henry
6. Ruth Hollowell
7. Ann Keller
8. Louise Berliner- Zoom
9. Gary Markham
10. Earlene Mathias
11. Robert McGill and Evelyn McGill
12. Angela Loughry- At Large Board Member
13. Andy Morris
14. Gracie- Secretary
15. Ray Pojman- President
16. Phil Lopez- Zoom
17. Joyce Dear- Zoom
18. Gay Spiegel – Zoom
19. Kalcey Nichols and Jason James
20. Lynn Merriam- Zoom

HOMEOWNERS PROXY:

21. Sherman & Katherine Workman- Proxy holder Angela Loughry
22. Paul Natale- Proxy holder Earlene Mathias
23. Jeff Crane- Proxy holder Angela Loughry
24. Tim Rafelson- Proxy holder Earlene Mathias
25. Peter Thompson- Proxy holder Andy Morris
26. Sylvie Fullman- Proxy holder Louise Berliner

QUORUM ESTABLISHED:

- Quorum was met. There were 26 out of 32 homeowners present
- **READING OF THE MINUTES:**
- The read of Meeting minutes 6/17/2021 was waived as it was sent out with the Annual Meeting notice.
 - Andy Morris motion to accept the meeting minutes of 6/17/2021, second by Angela Loughry. **PASSED**
- **REPORTS OF THE OFFICERS:**
- Ray Pojman President's Report:
 - There was a request to have books audited at last year's Annual Meeting. The POA decided not to do the audit as it would cost them upwards of \$5,000 to \$15,00 for a CPA.
 - Fire-wise was talked about, and Andy Morris was going to take the lead but never heard anything from it.
 - Road and bridge inspection was done, and the POA saved \$2,500.
- Jim Hamlin Treasurer's Report:
 - Said the current balance in the bank account is \$9,000. Ruth Hollowell asked if that \$9,000 was in the operating account or a reserve? Jim Hamlin replied, operating account.
 - The most significant expense in the account was the snowplowing this year.
 - Dan Perlman asked about the insurance, which both Jim Hamlin and Amy Lawhead spoke about, and the average yearly increase.
- Ray Pojman Road Committee Report
 - Talked about a meeting the Road Committee had and their suggestions. Went into more detail about the different options for the road and how they want to handle the roads.
 - Motion made by Andy Morris to only grade the road, no mag chloride, second by Dan Perlman. 10 for, 13 against- Motion failed. Ruth Hollowell stated that we know what we want and what it will cost.
 - Tom McBrayer disagrees with the grade only if the mag chloride cap you can mag the road again. Earlene Mathias thinks mag chloride is the best option.
 - Ray Pojman continued that the upper road is in good shape, and the lower road is in bad shape. The Ditches are to be cleared out on the lower road. Ray Pojman stated they should set a budget of no more than \$5,000 on the road.

- Bryna Ram stated that Jeff Crane and her ordered road base last year, which cost them \$600; \$ 5,000 is a lot of money. Ray Pojman said we can say \$5,000 for now.
- Angela Loughry, Andy Morris, Jeff Crane, and Ray Pojman all gave suggestions on what Andy Morris's motion is; why did the Road Committee come to that? Andy Morris stated to save money, focus on the bridge and move forward. Ann Keller asked if they grade all the roads, does that now destroy the mag chloride cap?
- Tom McBrayer move, bring in road base and lay it down 1 ½ inch.
- Motion made by Tom McBrayer to bring in road base and lay down 1 ½ inch, second by Kalcey Nichols. For 25. Opposed to 3- **PASSED**
- Motion made by Andy Morris we spend no more than \$6,000 max on the road project, second by Tom McBrayer. -**PASSED**
- Before the motion was voted on, there was a discussion between the homeowners and the board about the cost of materials since everything else had gone up. Ray Pojman stated the big-ticket item the POA is looking at is the bridge and the recommendation the Army Corp reported. The Road Committee suggest they stay with the \$15,000 for the bridge. There was further discussion on the bridge work and the company.
- There was discussion about the abutment and if there needs to be work done on it.
- Motion made by Andy Morris to move ahead on the \$15,000 bridge repair, second by Tom McBrayer. For 25. Opposed 8- **PASSED**
- After reading the reports, Angela Loughry asked if there was a need for an architectural engineer to do the drawings?
- Andy Morris stated that the problem is the bridge the water is channeling; even after fixing it, we still have the issue. Tom McBrayer disagrees and said channeling happened with the record high snow and runoff in 2019. There was more discussion about the bridge and the work needed. Mueller can do the job in late fall when the river is low, Ray Pojman stated.
- There was further discussion about the bridge work and controversy that makes it personal; that is where we need the third person to help to prevent this work.
- Snowplowing was discussed, and the issues were stated at the Road Committee meeting to discuss the number of the problems with the current company. Ray Pojman talked with Matt Piffer about the guy doing two passes, but it would cost \$250 more. There was also a discussion of another company, but the other company would cost more. They also stated that Matt Piffer could come in to widen the roads, but the cost would go up.

- Motion made by Tom McBrayer that the POA spends \$5,000 on snowplowing, second by Kalcey Nichols, there was a friendly admin made by Ruth Hollowell that we get additional bids for snowplowing. For 28. Opposed None- **PASSED**
- Angela Loughry stated that this year was the worst she's seen in the 13 years she has lived here.

ELECTION OF BOARD MEMBERS:

- Angela Loughry opposed electing board members before finishing the old business.
 - Motion made by Angela Loughry to do a temporary admin to the bylaws at this meeting to vote for board members towards the end of the meeting, second by Ruth Hollowell. For 26. Opposed 2- **PASSED**

UNFINISHED BUSINESS:

- Discussed the proposed amendments to the covenants and the meeting last year. Ray Pojman stated that we could not get a quorum for the meeting, we sent out RSVPs, and only four (4) homeowners RSVP in block 2, nothing in block 1, so the meeting was canceled. Angela Loughry stated there are urgent issues that need amendments to the covenants.
- Amendments to the bylaws at this meeting Dan Perlman asked. Tom McBrayer replied no, the bylaws don't allow amendments at the Annual Meeting. Ray Pojman then stated there needs to be a special meeting to complete this. Dan Perlman suggests a quarterly meeting. Kalcey Nichols added to see if we can change the bylaws per the attorney and status of Colorado.
- Motion made by Angela Loughry that we direct the new board to come up with amendments to the bylaws changes up to \$3,000 for legal fees, send questionnaire of changes homeowners want and then take it to the attorney, second by Dan Perlman. For 11. Opposed 1. Unstained 9. -**PASSED**
- Kalcey Nichols said the lack of people showing up for the covenant changes meeting shows no one favors changing them. Tom McBrayer discussed Dan Perlman's motion to have the covenants reviewed because some are enforceable and not. As it stands right now in the covenants, home businesses are not allowed, but with the time's changes, that needs to be addressed so homeowners are not in violation.
- Motion made by Dan Perlman we revise the covenants started years ago, review them with the new board, second by Angela Loughry. For 18. Opposed 1- **PASSED**
- Discussion moved onto CDUs and if they are allowed by the POA. Ray Pojman suggested we have another meeting about CDUs. Amy Lawhead discussed what she found on the Pitkin County website regarding the rules and requirements for CDUs. We

discussed Airbnb's need to get licenses and that Airbnb's are not allowed in Pitkin County. Dan Perlman stated that Pitkin County approved Airbnb just yesterday.

- Further discussion about this issue of CDU has been a problem since 2016, and we have been trying to change the covenants. The oncoming board needs to get this done this year. Tom McBrayer spoke that Kalcey Nichols did the covenants, and they follow Pitkin County.
- Kalcey Nichols is no longer on the POA council, but she sees boards get into trouble when they don't check with attorneys. She also understands that it's not fair for the board to spend 100's hours working for the POA and has to deal with this.
- Lynn Merriam talked about the letter and that the POA is not getting the full and correct story. She feels that the letter from the attorney was more personal, and the issues are getting muddy between Todd Merriam and Ray Pojman. Ray Pojman read the letter that was sent to Todd Merriam. (That letter will be attached at the end of the meeting minutes) There was more discussion about the letter.
- Earlene Mathias stated that she is very tired of this, and it's very hard with Lynn Merriam to bury the hatchet and move on. The discussion continued for a few more minutes; just before the debate ended, Earlene Mathias stated that Ray Pojman had lived here 42 years, has put in a lot of time, and does not ask for anything.
- The question was asked about why the POA discussed the water company issues, and the discussion ended.

NEW BUSINESS:

Lawyer letters to POA Member

- Discussed the letter from the attorney sent to Todd Merriam and the reasons behind the letter. The letter Todd Merriam received was from an email he sent to the POA attorney. There have been 63 pages of requests sent to the board and management company in the last year. In 2021 there were 1200 emails alone to the board. 2022 we are on the pace of 1400 emails. As a board, it was not approved by the board to have the attorney send a letter to Todd Merriam. And is upset she did not get a say about it. Tom McBrayer said they checked with the attorney, and Ray Pojman, the president, has the power to do this. Because of this, it interfered with the permit process when Todd Merriam was sent to Pitkin County.
- Kalcey Nichols is no longer on the POA council, but she sees boards get into trouble when they don't check with attorneys. She also understands that it's not fair for the board to spend 100's hours working for the POA and has to deal with this.

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Discussion of contracts

- Discussed the snowplowing company and the many issues this past winter. The POA members agreed on a pound to get more bids from other companies.
- Discussed A La Carte's contract. Angela Loughry stated that she had issues with how A La Carte handled things during the changeover and asked if there were any more questions or concerns. Ruth Hollowell, Tom McBrayer, Ray Pojman, and Earlene Mathias stated they were happy with A La Carte.
 - Motion made by Tom McBrayer to stay with A La Carte, second by Ann Keller. For 11. Opposed 10- **PASSED**
- Discussed the trash contract that they are in the second (2) year of a three (3) year contract with Waste Management. Waste Management has not changed the cans that Ray Pojman contacted them about; Ray Pojman will follow up with them.
- Discussed the compost. There is no contract for the compost, so the POA can start and stop service at any time.
 - Motion made by Dan Perlman to keep the compost, second by Bryna Ram. For 12. Opposed- **PASSED**

Discussed the Mail Box.

- Discussed the mailbox more and that someone at the POA paid \$1 for the box Lee Hollowell is willing to pay for an auto-lock for the package box. The only thing is that it's not the responsibility of the POA. That's the downside. Motion made by Dan Perlman that we change the lock Phil Lopez suggested, second by Tom McBrayer. For 28. Opposed. -**PASSED**
- There was more discussion about the fire-wise program and that Angela Loughry wanted to get it started up after the fire incident that happened last year. Andy Morris started that

he was the only one working on fire wise. Bryna Ram stated that the Carbondale fire district would come out and assess the property free of charge. More discussion went on.

- Angela Loughry then read Jeff Crane's letter to the homeowners. The letter will be attached at the end of the meeting minutes.
- The homeowners asked what the Annual dues were going to be. Jim Hamlin went over the budget for the assessment. \$1,100 - \$1,300. \$. 1,300 x 32= \$43,800 leaving them \$160 left over. This will allow us to keep the \$9,000 in the bank. Then we have two lots with an assessment of \$1,100 x 2.
 - Motion made by Dan Perlman that the Annual Assessment of \$1,300 and the budget, second by Bryna Ram. For __. Opposed 1. – **PASSED**

ELECTION OF DIRECTORS:

- Lynn Merriam nominated Dan Perlman.
 - Dan Perlman proposed a slot of 5 people with whom he would be willing to serve on the board.
 - Angela Loughry
 - Dan Perlman
 - Bryna Ram
 - Pete Thompson
 - Jeff Crane.
 - Ruth Hollowell does not want to do that. Angela Loughry stated we, as a POA, vote for the board.
- Earlene Mathais nominated Jim Hamlin
- Andy Morris nominated Angela Loughry
- Jim Hamlin nominated Gracie Orf
- Voting begun
 - Angela Loughry – 16
 - Dan Perlman – 9
 - Bryna Ram – 10
 - Jeff Crane -14
 - Jim Hamlin -15
 - Gracie Orf – 15
 - After the voting was complete, Bryna Ram pulled herself off the board.
- Motion made by Andy Morris that we vote for all names, top people will be on the board, second by Kalcey Nichlos. -**PASSED**
- Moved on to the voting of the Road Committee. Nominated for the road committee are: Andy Morris, Jim Hamlin, Jeff Crane, Pete Thompson, and Dan Perlman.

- Motion made by Andy Morris to nominate and vote for Andy Morris, Jim Hamlin, Pete Thompson, and Dan Perlman, second by Kalcey Nichols- **PASSED**
- Motion made by Dan Perlman to finish what Ray Pojman the process he started on bridge permit, second by Gary Markham-**PASSED**

ADJOURNMENT OF MEETING:

- Motion made by Ray Pojman to adjourn the meeting, second by Gracie Orf. Meeting adjourned at 9:00 PM.

Respectfully submitted,
Amy Lawhead, Association Manager
A La Carte CAM

Approved

Crystal River Country Estates Property Owners Association

Executive Board Meeting

June 23, 2022

CALL TO ORDER:

- Angela Loughry called the Executive Board Meeting to order at 9:04 Pm