

# MEETING MINUTES

**Three Seasons Board of Directors Meeting  
Three Seasons Condominiums, Mt. Crested Butte, Colorado  
5:00p.m. MT, Wednesday, August 24, 2022 ~ Conference Call**

## **Call to Order**

J. Steere called the meeting to order at 5:01pm.

## **Proof of Notice**

Proof of notice was posted to the association's website.

## **Roll Call/Establish Quorum**

In attendance:

Joe Schoen  
Jeff Sceleza  
Jeff Steere  
Michael Pugh  
Walt Mauro  
Wanda Bearth

A quorum was established with 6 of 7 Board members in attendance.

Also in attendance, Wanda Bearth, Matt Hart and Sierra Bearth, Crested Butte Lodging & Property Management staff (CBL).

## **Reading and Approval of Past Minutes**

May 23, 2022

M. Pugh made the following-

Motion: Waive the reading of the May 23, 2022 meeting minutes and approve  
as drafted by CBL  
2<sup>nd</sup>: J. Schoen  
Discussion: None  
Vote: Unanimous

## **Reports**

### Financial Report

W Bearth reported that as of July 31, 2022 the association had \$211,988 in available cash and of that, \$149,020 was in the capital fund balance. Fiscal year to date, the association is over budget by \$542, but this is largely a timing issue for the carpets being cleaned.

### Permanent Transfer from Operating to Capital Consideration

W. Bearth discussed the previous transfer from capital to operating to cover snow removal costs 2-3 years ago, and the need to formally address this transfer.

J. Steere made the following-

- Motion: Move discussion about financial transfer down the agenda to meeting in April 2023.
- 2<sup>nd</sup>: J. Scleza
- Discussion: The Board discussed fluctuating expenses and felt it would be prudent to wait until after this winter's snow removal bill to discuss transferring the funds back to capital
- Vote: Unanimous

#### Manager's Report

M. Hart discussed his communications with Superior Alarm regarding replacement smoke detectors for the Three Seasons building. Replacements on 2 smoke detectors are occurring tomorrow (8-25). Concern was raised about the fire panel, and 'new' smoke detectors having been discontinued 3 years prior to the wiring of Three Seasons and installation of discontinued smoke/thermal detectors. M. Hart agreed to email board after meeting with Superior to discuss options,

#### Capital Progress

W. Bearth talked about the repairs to the roof after the wind storm, and reminded the board of the two layers of roofing on Three Seasons. Half of the gutter budget was allocated to cover repairs. Seal-Co is scheduled for September. Minor stucco damage needing repairs on the window. Windows on North and South ends of building have been resealed and stained. W. Bearth also raised the long delay on patio closet doors, and M. Hart confirmed the order has been placed for the doors, and should be ready in 2-3 weeks. Door Lock on Southeast side of the building has been repaired.

#### Transfer Fee Consideration

S. Bearth explained that it is possible to charge a transfer fee upon sale of a unit in Three Seasons. Several other HOA's use this practice, and charge 1% in our area, while other entities charge 2-5%. This would require an amendment to the Declarations. 67% ownership agreement would be required. Board discussed pros and cons of charging the fee, and the effects on buyers vs. sellers. Money collected would be added to capital plan.

J. Steere made the following-

- Motion: Hire legal counsel to draft an amendment to the Declarations to allow for a 1% transfer fee on the sale of any unit in the Three Seasons building
- 2<sup>nd</sup>: M. Pugh
- Discussion: The Board discussed ways to create more capital funds without charging special assessments. They reviewed how much revenue could potentially be generated off this transfer and the affect it would have on unit sales.
- Vote: One opposed, majority in favor, motion carries

#### New Legislation

W. Bearth discussed the recently passed State legislation, and potential ramifications to the HOA, noting that CBL is operating in compliance with the new legislation.

#### HB22-1040, Common Element Access

CBL already practices this, but owner's must be notified of an amenity being closed for more than 72 hours.

#### HB22-1137, Delinquencies, Violations, Fines & Foreclosures

Fee amounts have been capped, as well as allowances for repayment plans, and changes to minimum acceptable payment amounts. 18 months must pass before any legal action can be taken against delinquent homeowners. Three Seasons lawyer will be drafting new governance policy for HOA.

#### HB22-1139, Use of Public Right-Of-Way

Public right of ways cannot be closed or blocked.

#### HB22-1314, Towing

Vehicles cannot be towed for having expired plates, and must be given 24 hours notice.

#### SB22-059, Proxies

Anyone holding a proxy or proxies would only be entitled to a maximum of 5% (not including that individual) voting power at any given time. Proxies can be used to establish a quorum, so the number of acceptable proxies per individual was discussed. The need to move up required materials for appropriate review was expressed by multiple board members as well.

### **Old Business**

#### Conference Room Repurpose Update

W. Bearth discussed the town looking at the space for a potential Post Office, but does not think that will happen. W. Bearth opened the conversation surrounding the space being remodeled to allow an additional unit, and the prospect of remodeling the space. Board discussed profitability of remodeling the space, and the complications associated with making the space profitable. Cost is ultimately the reason movement on the space has slowed.

#### Hot Tub

M. Hart talked about the progress on the hot tub, and the lack of companies willing to travel to Crested Butte to perform the work. The board discussed the possibilities surrounding adding a temporary hot tub to cover until the original hot tub can be replaced. M. Hart agreed to begin a dialogue with Mark at Diamond Blue, and Graeme with CB Hot Tub about the possibility of renting a hot tub for the winter, as well as shopping around for deals and information on soft-sided hot tubs.

### **New Business**

#### Budget Amendment RE: Flat Fee

W. Bearth talked about flat fee charging for smaller service orders to avoid smaller itemizations at the Board's request. Board discussed including everyday property tasks like changing lightbulbs, batteries, etc. W. Bearth shared items covered under current flat-fee. The idea of applying for a HOA credit card was discussed. This topic will be reviewed again at a later date.

### **Unscheduled Business**

M. Pugh brought up the parking allocation structure that states each unit gets 2 spaces. He inquired about allocating 3 spaces for the 3-bedroom units. The topic will be voted on in the next duly held meeting of the BOD. Limits on parking of trailers and additional cars parked were mentioned.

M. Pugh inquired about any potential issues with owning 50% interest in a unit, and being on the board with his business partner. Raised the possibility of a conflict of interest, and asked W. Bearth to look into it.

### **Establish Date for Next Meeting**

The date for the next Board meeting is Wednesday, November 30<sup>th</sup>, 2022 @ 5pm MT.

### **Adjourn**

J. Schoen made the following-

Motion: Adjourn the meeting  
2<sup>nd</sup>: J. Steere  
Vote: Unanimous

The meeting was adjourned at 7:29pm MT.