

Crail Creek Townhall Meeting
Fri, Aug 13, 2021, 4:00 PM – 5:00 PM (MDT)

Meeting Minutes

Attendance

Owners in attendance included Alan Brokaw, Chuck Buker, Joe Cahalan, Charon and John Canning-Warwick, Bryan Dige, Graeme Ingham, James Isaacson, Bruce Pallante, and Roger Warr. Others present included the Association's attorney Alanah Griffith of Griffith and Cummings, as well as Seanna Farrow of Hammond Property Management (HPM).

Discussion re: Proposed Governing Document Rewrite

Alanah introduced herself to those present on the call and asked for Owner questions and comments.

Chuck Buker asked who is responsible for maintaining the road of the HOA and whether it is public or private, and who is liable for potential accidents. Alanah stated that Crail Creek Court is a private road, maintained privately by the HOA. Chuck suggested the board consider budgeting for future maintenance. Chuck asked if more provisions should be added regarding Boyne. Alanah has removed language from the covenants that she legally could without involving Boyne in the discussion.

In response to a question regarding the rights of the board members, Alanah explained that the board members take on the powers of the association unless specific powers are taken back and specified. Alanah encourages owner feedback on how involved they want the board to be with decision making power. Joe Cahalan feels that for large expenditures, all owners should be involved. Alanah responded that one of the board's largest responsibilities is the maintenance of the campus and informative meetings should be scheduled to include the ownership when large expenditures are required. There was a section added into the proposed documents requiring a vote of the ownership when a loan is required for a capital expenditure.

Chuck inquired about the process of amending the covenants in the future. The proposed covenants state 60% of owners must vote in favor on a proposed amendment; Chuck typically sees majority vote required. As the proposed documents are written, a 75% approval is required to amend the Declarations, and the percentage required to amend the Bylaws can be chosen.

Graeme inquired about the general reasoning behind the proposed 7-day minimum for short term rentals. Alanah explained that a 7-day minimum can limit the problems the association is experiencing associated with short term rentals, in addition to fining owners for violations. To enforce rules and assess fines, the Association must have a due process outlined within the covenants. The due process and fine structure must be adopted through the Rules and Regulations, where it is easily amendable as things change. James Isaacson voiced that if the membership can work together and create a good system to resolve issues that arise from rental properties, limitations should not be put onto owners such as a 7-day minimum. Alanah noted that current owners may request to be grandfathered and remain under the existing covenants.

The group briefly discussed the association's insurance policy. Under a commercial policy, a short- or long-term renter would be covered as an individual; however, the 'real property' or limited-common- or common-elements are not covered. Under the current insurance provider, the association is considered commercial property due to the percentage of rental properties. Other insurance options are being considered by the board.

The meeting adjourned at 5:15 pm.