

**COLUMBINE LAKE COUNTRY CLUB, INC.**

**BOARD OF DIRECTORS MEETING**

**July 15, 2018**

**I. Call to Order**

Vice President Mark Woltkamp called the regular monthly meeting of the Columbine Lake Country Club Board of Directors to order at 2:00pm. Other board members present were Marilyn Binkley, Vince Verbel, Liza Eilers, Geoff Schaney, Scott Wilson and Rebecca Fine. Board member John Amerman was not in attendance. Staff members Chris Atencio and Nancy Negri were present.

Current vice president Mark Woltkamp, on behalf of the Board, wanted to formally express to general manager Chris Atencio and administrator Nancy Negri, their deepest gratitude for the work performed by during the recent Golf Course Road Fire which seriously threatened all Columbine Lake homes. Three separate notifications were sent to all homeowners to keep them abreast of the fire situation as it evolved.

One board member present stated there would be a conflict of interest with an item on our Agenda for July 15, 2018. Marilyn Binkley concurred that she had a conflict regarding the June 9, 2018 meeting minutes.

Vice President Mark Woltkamp informed all present that there would be an executive session following the regular meeting as there were enough board members for a quorum, so the board could elect officers in the positions of president & vice president. This was necessary due to the resignation of former president Brian Owens in June 2018.

**II. Approval of Minutes**

Mark had a question regarding the proposal of using the date of June 15 for HOA assessment invoicing rather than June 1, and Chris Atencio explained how Quickbooks reads them. It is merely an administrative issue, that Quickbooks reads the invoice date. We can change the invoice date, but still mail them out as we have in the past.

The minutes of the June 9, 2018 Board of Directors meeting were reviewed. Voting cannot be done by any member who was not present at the meeting that is being voted upon. Secretary Marilyn Binkley prepared the meeting minutes, so she cannot vote on them. **A motion was made by Liza Eilers, seconded by Geoff Schaney, and passed**

**unanimously to accept the minutes with the change to the invoice date only for assessment fees.**

Annual Meeting minutes of the May 28, 2017 were also presented. Secretary Marilyn Binkley prepared the annual meeting minutes, so she cannot vote on them. **A motion was made by Geoff Schaney, seconded by Scott Wilson, and passed unanimously to accept the minutes as presented.** It was also approved by all present, that the annual meeting minutes be presented within one month following the meeting going forward.

### **III. Members Forum**

Members present included Mark Trumbo, Tom & Chris Yarbrough, Richard & Doris Bongiovanni, Jodie Fattore, John Sack, Chris & Gary Hanson (sp), Jean Cross, Michael Moore, Judith Forman, Paula Coulter, Alan & Cindi Kahan, Diane Woltkamp, Linda Willing, Nick Drelles, Dave Binkley, Ryann Reddy, Lisa Atencio, Norm Edson, Betty Bush and Tom Hubbard.

#### Linda Willing/Nick Drelles - Block 8, Lots 65 & 68

Homeowner Linda Willing read a letter to the board regarding operations of licensed & insured drivers within Columbine Lake. They would like to see a change in CLCC policy so that only these licensed and insured drivers operate motor vehicles on the roads within Columbine. In the letter were her concerns regarding liability for Columbine, and the risk should there be an accident. (***see Addendum A***)

Vice President Mark Woltkamp expressed his gratitude to Nick and Linda regarding this issue. Mr. Woltkamp said that the board may have to seek legal guidance and will see that this topic is put as new business at the next board meeting. He recognized that Columbine has more people overall than in the past and many new homeowners, many with younger children. This issue affects all ages and all homeowners within Columbine. We also need to identify exactly what a motor vehicle is.

**ACTION:** How it can affect Columbine homeowners... Scott Wilson and Marilyn Binkley will review the Colorado state laws, Grand County regulations and CLCC regulations re: juvenile unlicensed drivers of vehicles on the roads in CLCC and inform the Board of their findings.

#### Jean Cross, Block 9, Lot 11

Jean Cross presented a letter to the board regarding short term rentals (STRs) practice in CLCC as governed by the owners regulations in which are embedded, renters rules. In the past, Jean has been a part time homeowner, a full-time homeowner, and a renter. Ms. Cross was part of an ad hoc committee regarding short term rentals that was commissioned by the board back in 2016. Jean would like to set straight the work that was completed by

that committee. Facts were studied with best practices presented in hopes of generating recommendations from the board. “SMART recommendations” (specific, measurable, achievable, relevant, time-based) were suggested by the committee that consisted of two owners that rent their homes, two homeowners representing the board and two homeowners that live here full-time, plus the general manager. These recommendations were not rules, but their schemata instead reflected values they felt were most important. In April of 2017, two of these recommendations were passed by the board. From that point forward, the Ad Hoc committee ended as its mission was complete. (***see Addendum B***)

John Sack, Block 8, Lots 42, 43, 44

An email was sent by Mr. Sack regarding thoughts for Columbines’ boat racks. After offering his suggestions, John stated that he would like to be part of a committee for rebuilding and repairing current boat slips.

**ACTION:** General manager, Chris Atencio, will send out an email to implement a boat rack building committee going forward.

Doris Bongiovanni, Block 11 , Lots 49 & 50

Ms. Bongiovanni expressed her gratitude to Columbine personnel for informing homeowners about the Grand County Golf Course fire.

Ms. Bongiovanni also thanked Nancy Negri for her work on the newsletter. She conveyed to the board and others how much she enjoys each and every newsletter. Ms. Bongiovanni feels they are personal and appeal to her both visually and informatively, with valuable content.

Ms. Bongiovanni thanked the board for all of their hard work and direction. She has belonged to many other organizations and feels ours is run very well.

Betty Bush, Block 12, Lot 3

Ms. Bush gave the group an STR (short term rental) Advocacy Group update. The Advocacy Group would like to create a new website which would be strictly for communication and give them the ability to contact those people who rent homes within Columbine Lake. This would give them an avenue to enforce the county regulations, especially during the busy times of the year. Their hope is that by this time next year, there will be much fewer problems regarding renters.

The advocacy group would like to sit and visit with some board members and the general manager to discuss issues that each sees and how to handle them going forward.

Michael Moore, Block 10, Lot 39

Dr. Moore inquired about whether our bylaws cover operating a business out of home. Mark Woltkamp responded that yes, our covenant does cover this. It is allowed as long as there is no signage and no additional employees. Vehicles are not allowed to show signage either. The business must be confined to one individual.

It is Michael's opinion that folks who are renting their homes & advertise on the internet are operating a business. Therefore, he feels that this might be in conflict with our covenants. It also seems that these homeowners are thus receiving a subsidy for renting, as to grounds being maintained and trash being picked up. Has the board considered charging a surcharge to the homeowners who rent their homes in addition to them paying their normal HOA fees?

Mark Woltkamp reminded all of us of the title document regarding CCIOA. It has to do with the oversight of the Colorado legislature for short term rentals. The board needs to consider all facets around short terms rentals and know this will not be an easily resolved issue. It is something the board will take into consideration as an overall effort of looking at STRS and how we manage them in the best interests of the entire community.

Another inquiry Dr. Moore made was regarding drones within Columbine. He recently observed someone using and flying a drone about 6-7 ft. off the surface of the lake. He believes they were trying to photograph someone using a paddle board. There are obvious dangers associated with this type of utilization. Dr. Moore wanted to express the dangers associated with these drones and the risk of fire, as the lithium batteries could ignite. Although Columbine does not have a policy in place at this time, Dr. Moore would be willing to work with us to help develop one. Are we in compliance with federal law? Drones have to be registered, it is an FAA law. Usage close to airports, national park, homeowner privacy issues and emergency issues need to be considered when drafting a policy.

**ACTION:** John Amerman previously offered to research national park usage and rules, and report at a future board meeting.

Paula Coulter, Block 7, Lot 27

Ms. Coulter conveyed her thanks for information received during the fire and keeping homeowners abreast of what was happening. At this time, Ms. Coulter would like to work with Columbine as a community to show thanks to our local fire district, by way of homeowner donations toward supporting resources for a scholarship fund, or specific needs of the fire department. Paula will spearhead this process working with Chief Mike Long and the CLCC staff.

**ACTION:** CLCC office will send out an email blast with pertinent information & inform homeowners of collection times, especially during our upcoming Slash & Trash weekend.

Betty Bush again spoke to the board, this time with regards to our Weed Warrior program. Ms. Bush will provide a table during Slash & Trash, where she can show the different noxious weeds that Columbine is trying to combat and also provide the herbicide Milestone (as available) to give to homeowners to spray their weeds.

#### **IV. Financial Reports**

Treasurer Vince Verbel presented the financial report for June 2018. This closes out our fiscal year for 2017-2018.

Noteworthy expenses for the month ending June 30, 2018 included \$5,000 for our mid-summer trout delivery (budgeted), approximately \$1200 toward an insurance renewal premium (additional charges, not budgeted), \$13,353 for mag chloride sprayed on the roads in early June (budgeted), and food for the annual 4<sup>th</sup> of July picnic (budgeted).

There were no significant pending expenses for the month of June.

Geoff Schaney: Have we looked at the possibility of looking into other insurance companies? It has been more than 5 years since this occurred.

**ACTION:** Chris Atencio is going to set up a meeting with our current insurance agent to review all items we are charged.

Treasurer Verbel noted that we generated \$83,000 this past fiscal year just from the new 1% transfer fee policy.

Nancy Negri: Asked on behalf of a CLCC homeowner, whether we should really charge a homeowner this transfer fee if they are a current homeowner in Columbine, sell their home and purchase another, all within Columbine. Do we allow any consideration for this?

Response of the board was that this homeowner should submit a letter to the board outlining their sale and purchase within Columbine. The board would look at each request as unique and respond accordingly. A fair assessment under these circumstances would be set as there are administrative transfer costs associated.

**ACTION:** Board has asked that the homeowner submit a letter to Columbine, and the board will consider their request & respond accordingly.

Nancy Negri: Also asked on behalf of a CLCC homeowner, whether transfer fees of 1% of sale would be charged when a homeowner leaves property as inheritance, such as in the death of a homeowner, or if it is willed to family. Can homeowner's will their property without incurring these 1% transfer fees?

**ACTION:** These questions will be discussed as New Business for next month. General Manager will add to the agenda for next month.

There being no further questions or discussion on financial issues for June 2018, **a motion was made by Liza Eilers, seconded by Geoff Schaney, and passed unanimously to accept the financial report as presented for the month of June 2018.**

## V. Manager's Report

### A. Upcoming Events:

- July 28 and 29 – Slash and Trash
- August 11 - Concert at the Gazebo
- September 2 – Pancake Breakfast

### B. New Build

#### 1. Michael McAtee – 491 Columbine Drive

- June 2018 – Preliminary work will begin on the site
- May 2018 – Plans have been approved by the county
- April, 2018 - Plans have been approved by the CLCC ARC. There were concerns about the garage and the setbacks from Columbine Drive.
- DECEMBER 1<sup>ST</sup>, 2017 – DEPOSITED Checks for new build.
  - o \$7,000 New build
  - o \$250.00 Road Repair
  - o \$1,500 Trash Deposit
- Checks came into the office September 20, 2017. Will hold until they are ready.
- Talked to the homeowner on September 13<sup>th</sup> 2017 and may send the money in this month
- This build is on Hold until May of 2017. Met with the homeowner and 3 Lakes, the builder and the wet land consultant on April 27<sup>th</sup> to start early groundwork on whether to build the house in 2017. They hope to submit plans and application in May of 2017. If plans get approved, they would like to pour the foundation in Fall of 2017. The GM received tentative plans were presented to the ARC on April 29<sup>th</sup>. ARC looked at plans at the May 27<sup>th</sup> meeting. The McAtee's have been given a green light to proceed. They are in contact with the General Manager.

#### 2. Melissa Callahan - 1352 Kinnikinnick – 1352 Square Feet with a permit fee of approximately \$5408.00

- July - foundation work is being done
- March 10, 2018 Plans were presented to the ARC with gave initial approval for them. ARC is waiting to get paint samples, exterior lighting design and all exterior finishes.

### C. Golf Course Fire – discussion per agenda

### D. 4<sup>th</sup> of July – discussion per agenda

E. Camp Columbine was a big hit. Here is a list of the activities:

- a. Tie Dying class
- b. Wine and Painting class
- c. Fishing 101 class
- d. Movie Night – “Coco”
- e. Camp Craft Class
- f. Ice Cream Sundaes on the lake
- g. Design your own walking sticks and camp crafts
- h. Fishing 201 class
- i. Movie Night – “Black Panther”
- j. Breakfast in a bag at the gazebo

F. Electrician came in the last week of June and first week of July. Here is the work that they completed:

- a. Exit lights on the main floor
- b. Emergency lighting on main floor and stairs
- c. 3 fans in the meeting room
- d. Fans in the pool table room and the workout area
- e. New lighting in the pool table room
- f. A new outlet in the pool area
- g. New outside lighting in the back of the clubhouse

G. Very busy at CLCC the past 2 weeks. Increased ID checking. Fourth of July evening was very calm with no fireworks or camp fires.

H. Dumpster only lasted 7 days. One refrigerator was dumped the day after we were let back in from the fire. We have photos of the person who left it, but no clear license plate.

I. Spraying of weeds started the week before the 4<sup>th</sup> and continues through the summer.

J. Computer at clubhouse died. A new one was purchased for about \$150 that came pre-loaded with Word. Will be used as soon as software is loaded.

K. Starting to talk to contractors about new projects:

- a. Recycle Dumpsters – Work to begin in the fall. Working with Waste Management on design.
- b. New floor in office. Work to begin in October. Current office to be relocated to the rear conference room of the cabin.

- c. New floor and furniture in clubhouse to be started after Labor Day.
  - d. New drain in pool area to be started in August.
  - e. Inserts and furniture for clubhouse in the fall.
- L. New CLCC items for sale in the fall. Half of all net sales will be returned to CLCC.

### **Administrator's Report**

- A. Home Transfers: There was 1 lot transfer for the month of June, 2018  
To date:
- |                         |                              |
|-------------------------|------------------------------|
| July – June (2017-2018) | There were 26 home transfers |
| July – June (2016-2017) | There were 31 home transfers |
- B. HOA assessment invoices were mailed out the beginning of June. Many have already paid their fees, and payments continue to be received.
- C. The July-September newsletter was emailed out to homeowners on July 1<sup>st</sup>. A small number of homeowners will receive hard copies per their request. This newsletter was longer than most, but there was a lot of good information to share with homeowners. It was also good timing and a good venue to use to thank all of our local emergency personnel for a *phenomenally* good job!
- D. Although it is noted we had 1 transfer for June, there were 3 additional sales, but payment was not received until July. Therefore, these will be reported next month as that is when the checks were deposited.
- E. Our Annual Picnic & Parade was a success and a much-needed time following the evacuation of homeowners due to a fire off of Golf Course Road.
- F. Our computer at the clubhouse has crashed once and for all. Our general manager has made a recent purchase of a new PC, and we will begin the process of obtaining the proper software to load on this new personal computer.
- G. Plans are underway and volunteer names accepted for the upcoming Slash & Trash weekend scheduled for July 28 & 29.

## VI. Unfinished Business

### A. Bylaws, Building Criteria & Owner Regulations Update

Revisions to the Bylaws and Owner's Regulations were approved in the July 15 Board Meeting as follows:

1. Building Criteria Article 1. General Information Section 1.01 and 1.02
2. Building Criteria Article IV. Small Projects - Sections 4.01 and 4.02  
**A motion was made by Mark Woltkamp, seconded by Geoff Schaney and passed unanimously to incorporate the new language regarding docks as presented by ARC and board member Liza Eilers.**
3. Homeowners Regulations Article VII – maintaining CLCC new section 7.02.1 replaces 8.02 and 8.03
4. Fine Schedules are now included in the bylaws.
5. Article XXI. Fire and Fireworks – Section 21.01  
**A motion was made by Geoff Schaney, seconded by Rebecca Fine, and passed unanimously to incorporate #3 of Article XX-Section 21.01 into the CLCC Bylaws.**  
**A motion was made by Scott Wilson, seconded by Marilyn Binkley, and passed unanimously by the board, to amend the wording of #5 of Article XXI-Section 21.01 in the use of tiki torches or any open flame outdoors including candles of any type.**

### B. CCIOA

Former board member Neal Cross has agreed to update the current board with any CCIOA updates. He will work with homeowner and attorney William Babich. Mr. Babich has agreed to form a committee to continue research with Neal Cross and the CLCC attorney. They hope to be able to share that information with the Board very soon.

### C. Short Term Rentals (STRs)

Mark Woltkamp stated that the problems with short term rentals continue to increase and are becoming very visible in the community. The issues need to be addressed by the board as soon as possible and not deferred any longer. While there are regulations, those regs are not being followed by all homeowners who rent, thus creating the many problems we are experiencing. Chris Atencio stated that about 80% of all problems he encounters on an ongoing basis are as a result of short term renters. Chris provided a log of some of the most recent issues.

Mark stated that going forward the board will not sanction the Short-Term Rental Advocacy group as a board committee, since that group is set up to

act as a “lobbyist” or “special interest” group representing only the approximately 10% of the homeowners who currently rent their properties, and does not necessarily represent the interests of the CLCC community as a whole. The board will not support this Advocacy group nor will any board members be associated with that group. The Advocacy group can meet as they wish and provide their inputs to the board through the normal Member’s Forum part of each board meeting.

The CLCC board will form a new Short-Term Rental committee to develop the best methods to enforce the existing regulations and bylaws and to determine what, if any, new CLCC regulations need to be put in place. Board members Marilyn Binkley, Rebecca Fine and Geoff Schaney will jointly develop a charter for this committee to be presented at the next board meeting. Such a charter will incorporate the mission of the committee as well as the proposed committee membership. Mark stated that he wants the group to be proactive, focused on representing the interests of the overall CLCC community and to incorporate all new Grand County regulations regarding short term rentals.

Treasurer Vince Verbel suggested an additional line item be included for short term rentals to accommodate any extra costs incurred to enhance our systems to be able to monitor STRs, such as software or card readers for the clubhouse. Or if we have to hire more security for peak season weekends like a “rent a cop”. This would really include anything that would assist us in creating a safe environment for our staff and homeowners.

It is his belief that what we do in the long or short term is going to require additional funding and will need to be tracked and budgeted appropriately.

## **VII. New Business**

### **A. Review of Golf Course Road Fire**

- a. CLCC Rule and Regulation adopted on 6/9/07 regarding hazardous tree and infestation mitigation removals, are now required by 9/15 of each year.
- b. On CLCC community property, at least 20 trees were removed this past year.
- c. We are currently in a Stage 2 fire ban. With this level there are no open fires allowed, including the use of charcoal grills and barbeques. Devices using pressurized liquid or gas that included shut-off valves are permitted when used in an area at least 3 feet or more from flammable material.  
Smoking is also prohibited outside, except within an enclosed vehicle, trailer or building.

### **B. Review of 4<sup>th</sup> of July Picnic & Parade**

The picnic moved forward the day following the end of the evacuation. It was a tremendous success according everyone in attendance. Two Grand Lake fire

fighters led the parade with their fire trucks and then attended our picnic. It was an opportunity to give immediate thanks to our firemen & emergency personnel. It was an emotional time as well as a fun time.

July 4<sup>th</sup> falls on a Thursday in 2019 and it was agreed by the board to host our picnic and parade on the actual holiday.

Regarding these busy holidays, it was suggested that we hire private security to assist in enforcement of our rules and regulations.

C. Review of Camp Columbine

This was another successful event(s) and plans are already underway for next years' activities.

D. Slash & Trash

Volunteers are being recruited & schedules arranged to cover stations for the July 28-29 weekend.

E. New Projects

The list earlier provided was not a 'to do' list, but a walk-through by board members.

**ACTION:** Mark Woltkamp, Vince Verbel & Chris Atencio will refine the list and send out to the Board prior to the next board meeting

F. Weed Warrior Status (Marilyn Binkley/Betty Bush)

A table will be set-up during Slash & Trash for a few hours each day. Identification of CLCC noxious weeds will be available to educate homeowners. This is an ongoing problem every year, so we cannot ignore this issue. Canada thistle and Oxeye Daisy are still a big problem. As available, the herbicide Milestone will be provided for homeowners to spray on their property.

G. Volunteers to help with Construction Projects (Marilyn Binkley)

A homeowner's son-in-law is teaching a construction class at Golden High School and he has offered to have his students work on small projects within Columbine. We would incur no labor costs in this way. We are looking into any liability issues at this time & will proceed as able.

H. Drones in CLCC

Drones are prohibited within Rocky Mountain National Park. Is this also something that Columbine can prohibit? The board agrees that we need to do something about their use in CLCC, but more research needs to be compiled.

**ACTION:** Board member John Amerman has agreed to research this further and work with the Grand County Sheriff going forward. He will report his findings at the board meeting in August.

## **VIII. Board Headcount for August 11, 2018 Meeting**

All board members in attendance anticipate being able to attend the next Board meeting on Saturday, August 11, 2018.

## **IX. Adjournment**

There being no further business to discuss, **a motion was made and passed to adjourn the meeting at 5:43pm.**

Respectfully submitted,

Nancy Negri, Administrator  
Columbine Lake Country Club, Inc.

## *Addendum A*

July 15, 2018

To the Columbine HOA Board of Directors:

We would like to see a change in policy so that only licensed and insured drivers may operate motor vehicles on the roads in the Columbine Lake subdivision.

With the growing population and use here, it is inevitable that there will be an accident involving a juvenile unlicensed driver that results in property damage or bodily harm. When that happens, the Columbine Lake Homeowners Association will be at significant risk for liability claims by all parties for allowing (and thus tacitly encouraging) unlicensed and uninsured drivers to operate vehicles on our roads.

As has been stated by various board members, Columbine Lake is really a kind of town. Its roads service hundreds of homeowners and guests in their private vehicles, as well as commercial vehicles, construction heavy equipment and delivery trucks, not to mention pedestrians, bicyclists, small children, and pets. These are not remote ranch roads where a child might learn to drive an ATV. These are the roads of a densely developed residential area—a small town really-- and should be treated as such.

When an accident occurs that is the fault of an unlicensed and uninsured driver, the next step for compensation by the party suffering damages would be to make a claim against the other party's homeowners' insurance. How this might be handled when the party at fault is a renter is a question for the attorney. But Colorado, like most states, observes a practice of "several liability"—in other words, liability can be divided among various parties. It seems certain that the insurance company being sued would try to get as much offset of liability as possible. The fact that Columbine Lake HOA allows unlicensed drivers to operate here would be a credible argument for sharing the liability from damages caused.

We do not expect immediate action on this issue but hope that the board will have an informed discussion about the problem, possibly with input from legal counsel, which will lead to a decision in the best interests of all homeowners.

Sincerely,

*Linda Willing & Nick Drelles*

Linda Willing and Nick Drelles  
Block 8, Lots 65 & 68

Reference: [https://www.wilsonelser.com/writable/files/Legal\\_Analysis/50\\_state-survey-joint-and-several-liability\\_mm4.pdf](https://www.wilsonelser.com/writable/files/Legal_Analysis/50_state-survey-joint-and-several-liability_mm4.pdf)

## *Addendum B*

REMARKS TO THE CLCC BOARD on July 14, 2018 by JEAN CROSS regarding STR

First, I thank you for your service to our neighborhood. We need your leadership, and I am so grateful to each of you. I also thank you for the opportunity to address you today on the important issue of short-term rentals.

### WHY I'M HERE

I'm finally back after standing before this board at five consecutive meetings (August—December, 2016) sharing specific intentions and progress of a board-commissioned ad hoc committee to explore rental practices in CLCC. I'm compelled to cement the integrity of this committee's work because I hear that it has been questioned, poorly represented, and misrepresented and thereby impugning my integrity. Given that some of you are new board members, that not all of you were present at five 2016 meetings, and that you might not have read our monthly committee reports, I'm here today to set straight this committee's work, ask where you are now in the STR discussion, and share my hopes for where you'll lead us in the coming months.

Before I begin, I have three requests: 1) That my remarks will be attached to and posted with today's minutes; 2) That you, President Woltkamp, will enforce the practice of a forum statement standing on its own with no comments or questions from the board or audience at the conclusion of my remarks. 3) Finally, that you accept my statement as my own. NO one asked me to speak or coached my words.

### ORIGINS OF THE COMMITTEE

Back in the summer of 2016, I was tired of hearing rental stories (some hilarious, some horrific, some sentimental, most emotional) from neighbors. I was tired of simplistic solutions and weary of contentious viewpoints. In my 15 years in CLCC, STR can had been kicked down the Kinnikinnick Road ad nauseam. I saw no effective recourse when dangerous and illegal behaviors occurred within yards of private property.

To think outside the box, my friend and fellow full-time resident, Marilyn Binkley, set aside our stories, opinions, and experiences to talk about real changes in our neighborhood—specifically increased numbers of homes and rentals. We wondered about the impact of these trends on the infrastructure, social climate, and amenities. We wanted to know more about HOAs and STRs. So, we brainstormed how we might support the board to study and address this issue with a methodical, comprehensive, long-range, and fact-based approach.

### PROPOSAL FOR AD HOC COMMITTEE TO EXPLORE SHORT-TERM RENTALS IN CLCC

We presented a proposal to the board for a seven-member committee representing ALL stakeholders to study (again) our OWNERS REGULATIONS along with a compilation of researched trends, HOA legal precedents, best practices, and town/county/state data; and then generate recommendations for the board to

consider. Members included two owners who rent, two full-time residents, two members representing the board, and the general manager. The committee's mission was simply to "(displayed)"

The committee and board agreed to these commitments: we'd uphold the Owners Regulations; we'd set aside personal experiences and interests; we'd come to meetings prepared, having read all documents in the fact folder and having generated drafts of SMART recommendations; and we'd reach consensus on recommendations for the board. This is all VERY hard work. Let me be very clear: NOT ONCE did we entertain whether or not CLCC owners could rent. NOT ONCE, did facts or recommendations go beyond our Owners Regulations. In fact, each of 13 draft recommendations brought by committee members to the second meeting were clear SMART recs to UPHOLD THE OWNERS REGULATIONS. These recommendations were really nothing more than STANDARD OPERATING PROCEDURES (SOP) to help the board solidify a process for implementing Owners Regulations. These recommendations weren't MORE RULES, they were specific actions the board could take to increase awareness, educate, monitor, enforce, and report progress on the implementation of our Regulations. I shared this visual of our work for perspective. Two committee recommendations from the committee were passed by the board, April 2017.

The committee work ended after the second of three meetings because of lack of interest in pursuing 11 other draft recommendations. I co-authored the final report submitted to the board in December, but we were not invited to present. The only board response was confirmation of receipt noted in March 2017 minutes.

Committee work ended then and there (in my opinion) with a whimper, not a bang.

You need to know that Marilyn and I upheld the integrity of the committee with a detailed board report at each of five board meetings between August and December. Reports were attached to the minutes and posted for full disclosure to all owners. We overachieved on TRANSPARENCY. If ANYONE says they didn't know what we were doing, their heads were in the sand. Three board members lauded our work: "You may be showing us a process for decision making that ensures depth of thinking, breadth of research, and efficient use of board time." "Do not bring to us a fat notebook of the research. We want the committee's best thinking in pertinent, specific, and timely recommendations for us to consider." "It's hard to act on the loudest voices in the room." That was then; this is now.

#### CURRENT DISCUSSION OF SHORT TERM RENTALS IN CLCC

I need to address what is and what might be currently happening. I hear rumblings about a lobby group, an advocacy group, interest-group meetings, even a request to the board for prior committee information. Minutes from the April and May and (draft) June meetings are not posted on the website. Now this week, I received a personal request to share access to the fact folder. Whatever is going on, let me be perfectly clear. This information including a spreadsheet of owners who rented in 2016 is NOT available to a person or group at this

time or in the future. This information was compiled two years ago—now out of date—for confidential review by seven residents. So you understand, that packet and ANY information in it was created for one purpose, one short time period, and shared confidentially. To further clarify, any shared or leaked information from this fact packet—verbal or written—is suspect for a biased personal agenda, dishonesty, and/or ethical violation of privacy. I emphasize the privacy of the fact folder, we created seven folders for seven named individuals each of whom handed it to me except one who held on to the folder with a personal promise to shred it.

I expect that you as board members will not sanction any request to access this confidential fact folder. All committee work was shared with the board in a timely manner and made available to owners—at that time in real time. No further information will be shared.

#### NEXT STEPS FOR BOARD ACTION ON SHORT-TERM RENTALS IN CLCC

Where do we go from here? I see the ONLY course forward at this time is to implement our updated and VERY reasonable Owners Regulations with embedded Renters Rules. We count on you as the board to oversee and direct management with clearly defined procedures that fall into TWO categories—first is COMMUNICATION (including signage) so owners who reside part or full time and owners who rent KNOW the rules, how to comply, and the consequences for violation. The buck stops with owners. The second category of specific procedures that must be clearly defined is MANAGEMENT, meaning monitoring, enforcing, and tracking/reporting progress. We tried to help you with this in 2016 handing over 13 SMART recommendations (11 of which were drafts) with letter templates, spreadsheet samples, and suggestions for signage. With that aside, we trust that your fundamental focus forward is how you implement our Owners Regulations with meaningful and specific COMMUNICATION and MANAGEMENT.

Finally, how you mediate the tensions and divisive factions that form around STR is crucial. We have enough tension in our world today. There IS tension among owners who pine for the quiet neighborhood where everyone knew everyone 25 years ago AND owners who SEE (and HEAR) a community evolving with increasing numbers, diversity, and rentals. There IS tension among owners who want a community which provides great amenities with a “keep-rules-out-of-my life attitude” AND owners ready to step up to become aware of issues, attend meetings, and support the board, There IS tension among owners who expound simple binary options and judge others’ motivation AND owners who see the complexity of an issue and want a reconcile a good life for ALL of us here. Please, members of CLCC board, protect the integrity of what has been done and let us know: What are you doing—when—how—with whose input—and most importantly, how we can support your leadership in implementing and enforcing our Owners Regulations on this STR issue so we can remain a unified and proud neighborhood.