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# RECORD OF PROCEEDINGS

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## **Minutes of the Special Meeting Of the Board of Directors of Cotton Ranch Homeowners' Association**

**February 21, 2019**

A Special Meeting of the Board of Directors of Cotton Ranch Homeowners' Association, Eagle County, Colorado, was held February 21, 2019 at 6:00 p.m., at the Creekside Clubhouse & Grill, 530 Cotton Ranch Drive, Gypsum, Eagle County, Colorado, in accordance with the bylaws of the Association and applicable statutes of the State of Colorado.

### **Attendance**

The following Directors were present and acting:

- Mike Brown
- Chris Meister
- Jeanne Marie Cummins (joined where noted in the minutes)
- Mike Coggins
- Ruth Powers
- David Nordin

The following Directors were absent and excused:

- Steve Forster

Also in attendance were:

- Kathleen Lepeda
- Lin & Karl Gunzelman
- Joe Webster
- Karin Esler
- Owen Lococo
- Richard Thompson
- Robinette Hoppin
- Daniel Lovan
- Mark Lehman
- Leah Mayer, LKSM Design, PC
- Eric Weaver, Marchetti & Weaver, LLC
- Diane Kovalik, Secretary to the Meeting

### **Call to Order**

The Special Meeting of the Board of Directors of Cotton Ranch Homeowners' Association was called to order by Director Brown at 6:00 p.m. noting a quorum was present.

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## COTTON RANCH HOMEOWNERS' ASSOCIATION February 21, 2019 Board Meeting Minutes

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**Changes to  
Agenda** None

**Public Input** None

**Minutes** The Board reviewed the February 13, 2019 Board meeting. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the minutes of the February 13, 2019 Board meeting.

### **DRC Member**

**Appointment** With the recent resignation of David Collins from the committee the Board will need to appoint a replacement for this position. Mr. Weaver stated that Mr. Gunzelman was the only other person that had expressed interest in the position. Ms. Mayer suggested Mr. Thompson's alternate position with the DRC be considered a member position and elect a new alternate. By motion duly made and seconded it was unanimously

**RESOLVED** to appoint Richard Thompson as a Design Review Committee Member and Karl Gunzelman as an alternate Design Review Committee Member.

### **DRC**

**Matters** Ms. Mayer gave an overview of the current status of 325 Whitetail. Richard St. Marie is the builder and has had two preliminary meetings with the DRC and with members of the community present. Mr. St. Marie received final approval with modifications and has submitted final drawings which have not yet been reviewed by the DRC.

Ms. Mayer displayed the paper plans for the Board and members of the community to view and ask specific questions regarding color, materials, and architectural elements.

Director Cummins joined the meeting at 6:40pm.

Director Meister asked Ms. Mayer if the plan materials blend with the community, Director Nordin asked if the house plans were harmonious with the surroundings. Ms. Mayer affirmed the committee feels that the plans meet the DRC guidelines but the guidelines are ambiguous as to the definition of certain terms.

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### **Public Input**

Director Brown opened agenda item to public comment.

Mr. Lehman, current DRC Member, stated Ms. Mayer provides technical review assistance during meetings and the DRC makes the final decision. Mr. Lehman stated the DRC has been treated unfairly and unprofessionally especially by the current letter submitted by Mr. Christensen. Mr. Lehman tendered his resignation as a DRC Member and left the meeting.

Several members in attendance provided comments that the DRC guidelines need to be amended. The house at 325 Whitetail is pushing the limits of the guidelines and could possibly adversely affect the neighboring homes.

Director Powers suggested a control mechanism be adopted between final plan approval by the DRC and final buildout to insure adherence to the plans. The Board has the ability to levy fines but not police.

Director Brown closed public comment at 7:00pm and instructed the Board to take action on 325 Whitetail plan submittal. Director Brown expressed the DRC guidelines were written with umbrella language and are subject to interpretation.

After discussion and with general support from community members present, the Board decided not to take any action related to intervening in the approval process for the architectural plans submitted for 325 Whitetail. The Board did request that the DRC monitor progress of the construction and closely examine the colors and materials for exterior elements, which will be reviewed via a mock up during construction.

### **DRC Member**

**Appointment** With the recent resignation of Mr. Lehman from the committee the Director Brown recommended the Board appoint Mr. Gunzelman from an alternate to member of the DRC. By motion duly made and seconded it was unanimously

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**RESOLVED** to appoint Karl Gunzelman as a member of the DRC and not an alternate.

### **Short-Term**

#### **Rentals**

Director Powers presented the short-term rental summary to the Board, noting that she believes the best approach is not to enact additional rules, but to strictly enforce the existing rules of the Association. She suggested a presentation at the Annual Meeting on the matter.

### **Open Item**

#### **Lists**

The Board reviewed the Open Item List. Mr. Weaver will present the Board with an annual meeting agenda within the next two weeks. Ms. Kovalik will publish the DRC and HOA Board minutes on the HOA website. Mr. Weaver stated he is making progress with the snowplowing issues by encouraging the Town of Gypsum and the private contractor for the HOA to find ways to work together rather than causing each other more problems.

### **Executive**

#### **Session**

Director Brown requested the Board meet in executive session to discuss contractual matters of the Association. The Board entered into executive session at 7:30pm.

**Adjournment** At 8:00pm, upon motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the meeting of the Cotton Ranch Homeowners' Association Board of Directors this 21st day of February 2019.

Respectfully submitted,

Diane Kovalik  
Secretary for the meeting