

SMUGGLER HOMEOWNER'S ASSOCIATION
BOARD OF DIRECTORS MEETING
AUGUST 11, 2020

BOARD ATTENDEES: Donna King, Jerry Van Hoy, Brett Andersen, David De L'Arbre, Vance Lemley, Wendy Perkins, Elizabeth Campaigne

OPENED AT: Approx. 5:35 PM

GUESTS: Helen Werngren, Bill Stirling, Matt and Patricia Weber, Patty Simpson, Pamela Elliott, Leslie Gamel Curley, Monty Earl, Ken Oakes

MINUTES READ: _____ **MOVED TO APPROVED,** _____ **SECONDED, APPROVED**

MANAGER'S REPORT:

Manager, Will Rutledge out of town

OLD BUSINESS:

Not sure if any of business was considered old

NEW BUSINESS:

Donna King discussed flower garden at Maple Lane Dumpster. *There is a Cottonwood tree that may need removal. The root system has grown out of control and is breaking up all the concrete at the entrance to that Guest Parking. Donna will send photos.*

Will should pursue it with the City Arborist to see if it requires a permit to remove and get a price from a Tree Removal company.

Grass where new underground electric line was laid needs more seeding/attention from 114 to end of Maple Lane common ground. Barbara Brussels over-seeded to end of 116 Maple Lane, that is ok. Will should get the Landscapers to tend to that.

Ken Oakes came to discuss "Right to Use" of last parking space in Funky Park Guest Parking. After much discussion and no prior written record of his Right to Use, Brett deemed it exclusive park property and his prior use would not transfer with any sale of 204 Cottonwood Lane. Ken's trailer is 65 feet long and a shed at East end. Any new owner has to get permission to use guest parking space if need be for some reason. Bill Stirling argued that Park property should not be given to anyone.

Patty Simpson introduced Helen Werngren, a possible Buyer of 204 Cottonwood Lane. Helen was approved via a virtual phone conference call at the May 12th BOD Meeting, but was asked to attend an in person Meeting prior to Close. She does have a new backup offer submitted. Helen has been approved by the SPHOA and the APCA.

Pamela Elliott came to represent her proposed sign/fence at entrance to Funky Park. Brett Anderson tabled her discussion for the time being. Pamela left the meeting. A further discussion took place initiated by neighboring Lot owners, **Matt and Patricia Weber**. The Weber's argued that the fence would only benefit one owner and be a detriment to many other especially them as they live at the entrance to Funky Park, where the snowplows and end loaders enter for snow storage. Many guests felt that the "fence" on Smuggler Park property should not be constructed as it is too big and too intrusive (9feet wide x 6 feet high) and had not been given the proper approval process i.e. notification to affected neighbors and use of Park property.

David DeL'Arbre felt it could become too litigious of a situation for the Park to take on, Vance Lemley also felt not enough information and review was done prior to July's vote to approve. Jerry Van Hoy discussed the ramifications of being hit early on after construction as drivers just do not pay enough attention and in a very close area. Weber's argument was submitted to Board in writing. Donna argued to keep fence as presented since Pamela assured she would remove if need be. Others not so sure about that promise. Another vote was initiated by Brett and fence was voted down by Wendy, David, Jerry, Vance, Elizabeth. Donna voted to keep the fence as is. Board voted to reverse the July decision to approve the fence.

Patty Simpson brought up Over-Sized Vehicles. This discussion was started up at the May Meeting by the BOD; nothing has been done since then. There are many over-sized vehicles and campers etc. parked in the Park parking easements. A committee may be formed to look into and possibly an Email sent out to the residents of the Park that may change or keep Protective Covenant guidelines. If changed, that could be done in the form of a Park Resolution. Current vehicle size limits are: 96" (8') High, 245" (20.41') Long, 98" (8.16') Wide.

Patty also argued that Board needs to uphold all its Governing Rules and Regs and Protective Covenants or it will not be able to uphold any.

Leslie Gamel Curley asked Monty Earl if he had any updates for the ACC. Monty had nothing in writing with him. Leslie then proceeded to present what she had organized in writing to date. Leslie would like to see the ACC Guidelines, the Ordinance 40, Ordinance 12 and any other guidelines and rules and regs consolidated so they are not redundant to the City of Aspen Codes and approval process. Then delineate the items that need to be different than the City's Codes that are specific to our neighborhood such as view planes, parking, structures in setbacks, fence height, parking.

Jerry felt we should not fully conform to the City guidelines, especially concerning determining Height. Brett said the Board would like a proposal from the ACC for the revision of the Architectural Standards and Guidelines and Leslie will spearhead that effort for the ACC. Stan Clausen may be asked to help with that process.

Wendy Perkins also offered to help to consolidate our governing docs i.e. Rules and Regs, Protective Covenants, Precise Plan, new Governance Policies dated July 9, 2019 into one more complete document for new and old owners to reference. Too confusing right now. May need legal assistance to complete that task.

BRETT MOVED TO ADJOURN MEETING, JERRY SECONDED AT APPROX. 7:30PM