



Smuggler Home Owners' Association, Inc.
C/O Rutledge And Company
P.O. Box 3149
Aspen, Colorado 81612
Will@RutledgeandCompany.com
970.948.6257

Minutes of Board Meeting

11 May 2021

5:34 PM – Call to Order:

Via Web Conference

Roll call (verbal):

Board Members:

~~Campaigne, Elizabeth | 309 Oak~~
De L'Arbre, David | 228 Cottonwood
King, Donna | 106 Maple
Lemley, Vance | 222 Cottonwood
Perkins, Wendy | 122 Maple – post quorum
Van Hoy, Jerry | 323 Oak
Gellert, Mike | 225 Cottonwood – post quorum

Alternates:

Simpson, Patti | 116 Maple
~~Anderson, Brett | 226 Cottonwood~~

Additional Members:

Louthis, Tricia | 313 Oak
Shea, Pam | 206 Cottonwood
Padden, Kevin | 224 Cottonwood
Ruggieri, Lisa | 136 Maple
Campbell, Bev | 207 Cottonwood
Taylor, Jane | 231 Cottonwood
Costello, Steph | 328 Oak – post quorum

Association Manager:

Rutledge, Will | Rutledge And Company

Additional Guests:

None.

Quorum: With proxies counted, it was determined that five (5) of the Board member votes were present at the call to order constituting a quorum, >50% of the total Board Members.

Financials:

Operating Account Balance 30 April 2021	\$ 76,991.96
Reserve Accounts Balance 30 April 2021	\$193,922.47

April Association Meeting Minutes: Action Item: Donna motioned with 2nd by Vance to approve the April 2021 meeting minutes. The vote was a unanimous verbal aye.

Board Position Elections:

Wendy accepted being President.
David De L'Arbre accepted being Vice-President.
Donna accepted being Secretary/Treasurer.

Schlundt | 326 Oak: There was a discussion on the Schlundt overdue assessments. It was noted that it is too expensive to proceed with collections. **Action Item: The Board directed Management to continue to accrue late fees. The Board directed Management not to approach APCA.**

Parking Amendment: Patty led a discussion on the movement to revise the parking rules. There were 47 yes and 17 no. The movement did not gain enough traction to propose a formal amendment. **Action Item: The Board directed Management to email the group that enforcement will begin at some point in June with details. Management will also post notices on each vehicle in violation.** The Board noted it will determine the action on a violation at a later date.

Board Authorization to Spend Legal Fees: There was a discussion on limiting the right of use of legal to a limited number of persons. The Board unanimously agreed that the President and Vice President be the only persons to allow legal to spend Association money.

Open Forum:

Pam Shea asked about improving the parking areas between units and their lot. Management noted there are rights and responsibilities for both the Association and Owners for those areas. Mike referred her to the governing documents.

Wendy spoke on the landscaping and improvements around 101 Maple. She noted that the landscaping improvements immediately around the house are the responsibility of the owner.

Jane asked about a heightened involvement by APCA in Smuggler including doing inspections prior to sales. Management noted that APCA had not contacted them about any increased interest in Smuggler.

Steph Costello asked about determining length of a vehicle. It was noted that any vehicle of any kind will be measured end to end.

There was a conversation about enclosures that cover vehicles and other structures that tend to stay up year-round. It was noted that enclosures with a roof and sides, regardless of location, are subject to ACC guidelines.

Lisa commented that she does not like the current iterations of the minutes.

Wendy commented that the encroachment agreement for 134 Maple is near to be completed.

Lisa asked about the concrete repairs at the Maple Lane trash enclosure. It was noted that this is a pending capital project anticipated to be completed by for the next Winter.

Lisa asked about the investigation to the sidewalk between 132 and 134 Maple Lane. It was noted that there is an ongoing investigation into this project, and there is no timeline for completion. Jane and Stephanie commented that they agreed that the sidewalk would be better relocated to allow for better access to 136 Maple.

Lisa asked for the Board to provide information on a meeting that happened in October 2015 regarding an issue that involved one or more owners near 132 Maple Lane. The Board noted that they have no knowledge of this meeting.

Jerry asked about the railroad ties along Cottonwood Oak, and Ajax. He suggested that we remove the top tie, and taper the lawn down to the lower. **Action Item: The Board suggested it postpone that expense, and requested Management to have someone repair the cross ties in the Community.**

Stephanie asked that any variance to the Association's governing documents be presented at a Board Meeting. Jerry and Vance noted, as ACC Members, with Dave's confirmation that all variances receive a recommendation of action by the ACC that is presented to the Association Board that is the only authority to grant or deny a variance. The Board, then, has the variance discussion on a meeting agenda, and allows for owner comment during the discussion. Lisa commented that a variance discussion at a previous meeting did not have proper member opportunity to speak.

Meeting Adjourned – 6:56 PM