

LPPO Association

Board Meeting Minutes: March 12, 2020

The LPPO Association Board of Directors held a joint board meeting with the LPDRA board to discuss issues relating to the roads.

A quorum was verified.

Board members present in person included Tom Clutinger, Sean McCormick, John Ickes, Aaron Cooklin, and Doug Scott. John Oxley, and Terri Farmer were present remotely. Also present for the meeting was Keith Brant, LPPO treasurer. Neighborhood members present included Hans VanDerLeden, Linda Logan, Eric Newman, Macaela Newman, and remotely, Kirk Johnson and Screven Farmer.

The meeting was called to order at 6:12 p.m. by Tom Clutinger.

Winter Driving Safety Discussion

The meeting began with a discussion of winter driving safety. Linda Logan expressed her concerns that the road in the neighborhood was originally built for summer use only and therefore is not able to handle the dangers of winter driving. Tom Clutinger shared a letter sent to LPDRA and LPPO boards from the law firm of Marla C. Underell, representing Hans Vanderleden and several other homeowners. The letter expressed that the current measures the neighborhood takes are inadequate to ensure safety on roadways, presenting a liability issue for the two associations and their boards. Several complaints of winter driving problems were discussed including stuck cars, cars with inappropriate tires, no chains, and/or no four-wheel-drive. Several photographs were attached. The law firm suggested amendments to the CC&Rs to ban short-term rentals or a special assessment imposed on short-term rental owners to cover the cost of road maintenance, snowplowing, and converting roadways to two-wheel drive for the winter months.

Hans VanDerLeden presented a document describing his experiences over the last 2-3 years on motorist problems within the neighborhood including lack of proper equipment, abandoned vehicles, stuck vehicles, reckless driving, a vehicle hitting a power pole, etc,. His letter states that he feels the board has been too complacent and has not addressed the issue and is grossly negligent in terms of litigation liability.

A lively discussion ensued regarding particulars of what the LPPO and LPDRA could do to better protect the homeowners.

Fines of some type were one suggestion. The rental property owners could be asked to commit a certain amount of money to be used for violations or monitoring in relationship to rental guests who were not appropriately ready for snow. Money could also come from rental owners being fined if their guests are not compliant with winter driving rules.

A second discussion focused on better signage. This topic has been discussed in the past and received support. However, signs are nonbinding and there is no guarantee that guests will follow the instructions on a sign.

Third, posting a guard at the entrance at peak rental times was suggested and discussed. The guard could be paid out of a pool of money from rental property owners and peak times would include check-in times at Thanksgiving, Christmas, MLK/President's Day, and spring breaks. A guard could call a homeowner if a guest presents without proper tires or chains and facilitate a conversation between the guest and the property owner. It was discussed that the board itself is not paid to monitor guests and that a pool of money or fines could be paid to someone for monitoring.

Another thought was to better control or limit winter rentals. Some felt winter rentals should be banned completely. Discussion included reducing the size of the rental pool by limiting the percentage of properties with the ability to rent. It was discussed that current property owners would be grandfathered and to continue renting their properties, but that new individuals would either pay into a pool or would be limited in being able to rent guests.

Liability and legal concerns of any intervention were discussed. Lake Purgatory Drive and side streets are public roadways and more information is needed as to what homeowners can do under Colorado/La Plata County law. LPDRA is a road association only; Attorney Paul Kosnik felt that to become involved in any banning of vacation rentals or short-term rentals would be overreach by a road association.

Tom Clutinger stated he would be happy to facilitate creating a list of possible interventions and the pros and cons of each. Any ideas are to be sent to Tom Clutinger by March 22, 2020. Additionally, any change in signage should be a line item on the budget for this year and put to a vote by the membership. A poll could be taken to ascertain members opinions about banning/restricting short-term rentals. This could be done at the annual meeting. Overall, a clear policy and a pool of funds is necessary to enact any of these ideas.

Road Committee

John Oxley gave an update on bridge repairs. Durango Welding was contracted to repair the steel and has agreed to start as early as possible in May once the forms are off the bridge. The steel could be ordered in April. The project will take about 4-6 weeks to complete. John Ickes reiterated that Xcel Energy would be limiting the amount of water through Little Cascade Creek thus enabling construction to move faster. Although the bridge will not be destroyed during renovations it may be closed up to two hours at a time. The times of closures will be known ahead of time and any random closures will last 30 minutes at most. Emergency services will always have access. Doug Scott agreed to makeup signs and create an email to make sure that homeowners know about closures. John Oxley will continue to work on contract issues.

The joint LPDRA and LPPD meeting was adjourned at 7:51.

LPPO Only Board Meeting

The minutes of the previous meeting in February were discussed and approved with minor changes.

There was no treasurer's report available as a treasurer had left.

Fire Safety Committee

John Oxley states that the CWPP has been reviewed and the document will be sent on with no issues expected. It should be signed within 4-6 weeks.

Old Business:

Covenants Committee

Tom Clutinger and Sean McCormick will be meeting to consolidate any changes in the covenants and will confirm with lawyer Paul Kosnik. Potential changes in covenants will then be available for voting and discussion at the annual meeting.

Doug Scott's Transition

Doug states that the transitions to new individuals are going well and he will continue to participate and help where needed.

New Business:

Linda Logan was concerned about invoices for driveway plowing. She was advised to contact the plowing company for specifics on her invoices.

Sean McCormick also mentioned that he, John Oxley, and Tom Clutinger will finalize information on adding new buildings to properties.

The meeting was adjourned at 8 p.m.

Terri J. Farmer,
Secretary LPPO Board