

SILVERHEELS AMENDED COVENANTS COMMITTEE (SNACC)

Minutes of 10/10/22 Meeting

(7:00 PM via Zoom)

Approved at 10/26/22 Meeting

1. Attendance & Quorum (13 lots)

Members Present: Rich Bainbridge, Tony Boccio, Luis Canales, Gail & Steve Kloppel, Zach Loos, Lane Mathison, Mike Peterson, Tyler Pontius, Kylie Pontius, Charlie Schultz, Maria Smaldone, Jeff Togie, Lillian Wissel.

Members Late: Mary Manka, Maria Mitchell

Members Absent: Susan Barden, Natalie Gorak, Lesley & Ed Hall

Quorum: A quorum was satisfied with 16 lots represented.

2. Review and Approve Minutes of 9/28/22 Meeting

The Minutes of the 9/28/22 meeting, provided beforehand to all Members, were unanimously approved.

3. Continue Section-by-Section Review of Article 3, using Draft v19

Days in advance of this meeting, JB had provided the Members with suggested drafts of Sections 3.9 through 3.17 for review.

Section 3.9 - Animals

JB began by pointing out that the language of the Amended and Restated Covenants (our Draft v1) came directly from the our current (1979) Covenants. His proposed redraft reflected that language with only minor grammatical changes. Considerable time was then spent discussing: (i) how many large animals are allowed on a lot under the current Covenants and under Park County regulations; (ii) how the Water Augmentation Plan affects watering horses; (iii) how some past owners of horses did not manage their land responsibly, resulting in severe damage to their land and creating a nuisance for their neighbors, as well as likely reduction in property value for themselves and their neighbors; (iv) the necessity for proper land management and management of grazing animals; and (v) potential setbacks from lot boundary lines for fencing related to large grazing animals. After numerous and widely-varying suggestions were urged for additions to, and omissions from, v19's proposed wording, several straw poll votes were taken to determine how Members felt about various directions the section could be taken. JB will use this information to develop another draft and provide it to the Members in time to review and study before the next meeting.

Section 3.10 - Signs

JB commented that the last sentence of Section 3.10, which makes reference to the Board adopting Rules and Regulations regarding signs, is arguably duplicative of the general statement in Section 3.2(a), and therefore could be considered unnecessary. His other suggested changes were grammatical in nature. Discussion centered around how specific this section should be, taking into consideration that it is the Board's responsibility to determine specific rules (e.g., the restriction on real estate signs that the Board adopted several years ago). Lane brought up the fact that on construction project sites, contractors' signs are used not only

to identify the contractors doing the work but also to help subcontractors locate the correct sites; in any event, such signs are temporary and are (or at least should be) removed as soon as the project is complete. It was noted that sometimes this does not happen: the contractors never take down the signs. The issue is whether Section 3.10 should get into specifics about this or other situations. JB suggested that such specific potential exceptions would be better addressed by the Board in a new rule or regulation. Finally, a motion was made, seconded, and narrowly passed to approve the draft as written in v19. The section therefore will read as follows:

No advertising signs shall be erected, placed, permitted, or maintained, except real estate signs advertising a Lot for sale and political signs required to be allowed by Colorado law.

Due to the significant amount of time consumed in discussing Section 3.9, there was not sufficient time to consider additional sections tonight.

4. New Business

Kylie announced that she has resigned from the Board, but will continue to serve as a Member of SNACC. At the time SNACC was organized, Kylie was in the unique situation of being a Board member and an owner of two lots with her husband Tyler, who also is a Member of SNACC. Kylie reminded the Committee that at an initial SNACC meeting she agreed to be a non-voting Member since she was also on the Board. Tyler therefore was entitled to two votes on the Committee because, at the same meeting, it was agreed that each lot represented would be entitled to one vote, just as in elections by the SROA membership. Given that Kylie has now left the Board, she is reclaiming her right to vote one lot on the SNACC, and Tyler agrees that he will relinquish one of his votes so that he and Kylie will each have one vote going forward. There were no objections to this adjustment.

5. Next Meeting; Homework

The next meeting will be on Wednesday, October 26 at 7:00 PM via Zoom. Members should be prepared to address the new draft of Section 3.9 to be sent to them prior to that meeting, and to continue with the remaining sections in Article 3 that will be covered in Draft v20. Additionally, members should be prepared to discuss potential restrictions not previously addressed in the Covenants but of concern to the neighborhood, including camping, short-term rentals, B&B's and any other issues that might potentially fall under the topic of Article 3 - Restrictions.

6. Adjournment

The meeting was adjourned at 9:03 PM.