

**WOODEN CANOE  
SPECIAL BOARD OF DIRECTORS MEETING  
JULY 20, 2011**

**MINUTES**

1. **Call to Order.** The meeting was called to order at 2:35 p.m.
2. **Affirmation of Attendance and Quorum.** Board members in attendance either in person or via conference call were Dodie Davies, Jim Hafemeister, Pat Wallace, Jack Schiller, and Charles Williams.

Also in attendance was Betsy Burton, Design Review Committee.

Representing Mountain Managers were Phil Wells and Judy Freese (via phone).

The purpose of the meeting was to discuss 520 Night Chant (Molly Moser) and how to proceed regarding the unauthorized changes to the property. This was not a regularly scheduled Board meeting and was called solely to discuss the above referenced unit.

There is a history with this unit and tenant parking. Originally the owner did not want renters parking in the garage and parking on the street became a real issue. Following letters to the owner, tenants were told to park only in the garage and on the driveway. The unit is often rented to multiple renters with more vehicles than allowable parking. The Owner has now increased off street parking by installing pea gravel in the yard. A summary of events is as follows:

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|---------|--|
| 6/27/11 | Original sketch forwarded to DRC from Mountain Managers  |
| 7/1/11  | DRC spoke with Mountain Managers (Susan) and explained that driveway expansion in particular was denied. This was communicated to the owner.   |
| 7/5/11  | With no further communication, owner commenced landscaping work. At the request of the DRC, owner was contacted by Mountain Managers and told work could not proceed since no DRC approval had been obtained. In addition, 2 HOA board members spoke with the owner and were assured that no driveway expansion was taking place at this time. |
| 7/6/11  | DRC received a notated site plan showing no disturbance to the area adjacent to the driveway, walked the property, and agreed that the landscape could continue as noted on the plans. The plan showed gravel material on pathways only. Owner again assured the DRC they would proceed with landscape improvements only.                      |
| 7/15/11 | DRC e-mailed owner requesting removal of the unapproved landscape work and removal of the unauthorized gravel.   |
| 7/17/11 | A 2 <sup>nd</sup> request to remediate was e-mailed to the owner.  |

It was noted that failure to comply can result in the assessment of fines. Fines for violations are considered the same as dues or assessments and are subject to the collection policy. If fines are not paid, the HOA can take legal action up to and including foreclosure.

Mountain Managers was asked to send the owner a letter again requesting removal of the unauthorized pea gravel. Owner will be given 15 days to comply. Failure to comply will result in a hearing being scheduled in accordance with the Rules and Regulations. The letter is to be sent via certified mail (return receipt requested), regular mail, and e-mail. The letter will go out tomorrow (7/21/11). If the owner does not take any action by 8/5/11, another letter will be sent notifying the owner that a hearing will take place on 8/15/11 at 10:00 a.m. to review the violation and determine the action to be taken.

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Betsy Burton will also send a letter to the owner addressing the DRC's position on the unauthorized work done on the property. The owner has requested information on what would be allowed. The DRC is charged with review only. They do not suggest alternative designs. It is up to the owner to review the requirements set forth by Wooden Canoe and the Town of Frisco and if necessary, consult with someone who is knowledgeable in these areas. The owner will be advised to submit revised plans, drawn to scale. In the meantime, the property is to be returned to its original state.

The only issue being addressed at this time is non-compliance with DRC guidelines. It was noted that the owner has done what the DRC is in place to prevent – owners doing their own thing without approval. Action must be taken or other owners are likely to follow suit.

Whether or not to ban short term rentals for all Wooden Canoe units was discussed. The Water Dance Master Declaration allows for rentals but does not specify whether or not these are short term or long term. Some owners rent their units for short periods of time during peak season, some rent regularly, and some not at all. There are a few units that have legal lock offs that are rented during parts of the year. Mountain Managers was asked to obtain an attorney's opinion on whether short term rentals could be banned without amending the Master Declaration. If the HOA decides to proceed with limiting rentals to long term, owners would be notified of the reasons for taking this action (renters failing to abide by the Rules and Regulations, Police and Fire Departments have been called on occasion, ponds have been damaged, street parking blocking emergency vehicles, etc.) and the Rules revised. All long term tenants would be required to sign an agreement to abide by the Rules and Regulations for Wooden Canoe.

It was also noted that it is believed 520 Night Chant was originally designed to have 4 bedrooms (it has 6). Whether or not permits were pulled for the additional bedrooms is being checked. Mountain Managers was also asked to check and see if they have any of the original documentation for this unit (original plans, etc).

**Adjournment** was at 3:50 p.m.

Respectfully submitted:

Judy Freese, Recording Secretary