

**The Buttes Condominiums Association**  
**Annual Owners Meeting Minutes**  
**July 21, 2023**  
**9 AM MDT**

Owners Present:           John & Mary Seybold  
                                  Amy Funke  
                                  Lloyd Banta  
                                  Emily Greenwood  
                                  Michael & Karen Flynn

Owners Present by Zoom:  Eric Foster  
                                  Kylie Stock

<u>Member Representation</u>	<u>Unit</u>
Jim & Edith McGill (proxy Board)	501
John & Mary Seybold	504
Amy Funke	506
Lloyd & Sandy Banta	507
Richard & Lynn Zellman (proxy Board)	508
Emily Greenwood	510
Andy & Cheryl Ewart (proxy Board)	513
Jeffrey Campbell (proxy Board)	514
Gene Sherman (proxy John Seybold)	515
Caleb & Charity Sevian (proxy Board)	516
Michael Flynn	517
Caley & Bret Bowman (proxy Annalise Smith)	518
Eric Foster	520
Stock Real Estate/ Kylie Stock (proxy Board)	521

**Total Representation:**

A quorum was established with 14 of 21 members present and 66.67% of ownership represented in person or by proxy. The meeting was called to order by William Laird at 9:04 AM.

**Proof of Meeting Notice:**

Sent via email on June 22, 2023.

**Reading and Approval of Minutes of Previous Meeting:**

The following motion was made by Michael Flynn:

**Motion:** To waive the reading of July 21, 2022 meeting minutes and approve as written

**Second:** Amy Funke

**Vote:** Unanimous

**Report of President or Officers**

John Seybold gave a brief history of the condominiums association and the projects recently undertaken and completed throughout the complex.

### **Report of Managing Agent:**

William Laird reviewed the items completed around the complex over the past year. General maintenance items include weekly mowing, purchasing and hanging flower baskets, watering, fertilizing and spraying for noxious weeds. A discussion ensued regarding the roof and roof leaks that occurred throughout the winter. Flat rubber roofs in the area require more maintenance and upkeep. A shovel can easily nick the membrane and cause leaks. There have been numerous subcontractors up on the roof and at any point, they could be causing damage to the rubber. It's extremely difficult to pinpoint holes but Laird's team has been up on the roof numerous times patching suspect areas. The roof was replaced in 2013 and typically, a roof can last 20 years if it's maintained properly.

Members discussed owners being proactive about notifying management of any suspected roof leaks. Michael Flynn mentioned he thinks there may have been a leak in his unit. Seybold reiterated that owners should be aware and have their property managers checking their units.

Seybold requested management ensure there is an extra propane tank at the grill.

A discussion ensued regarding upcoming capital projects. The board is going to work on obtaining estimates for the proposed projects before deciding whether or not to move forward with them based on the funds left in the reserve account following the stair and railing project.

Annalise Smith presented the financials, and the members discussed the increase in quarterly dues. The railing project significantly exceeded what was originally budgeted in the capital plan. The project was complicated and required numerous subs to complete.

Eric Foster questioned the board's authority to levy assessments, per the association's bylaws. Smith explained she believes the board does have the authority to set assessment amounts, levy increases, and approve special assessments. The budget must be presented to the members, and they must be given the opportunity to veto the budget. A veto requires a majority of members. If the budget gets vetoed by the members, the budget reverts back to the previous year's approved budget until a new budget can be approved.

Foster explained he agrees with the increase since it appears reserves could be depleted by 2027 but just wants to ensure everything is being done properly and the board is keeping an eye on the reserve fund. Seybold explained he shares the same concerns and is making it a point to ensure the association has an acceptable amount of funds to operate and complete capital projects.

The board will discuss this topic more at their meeting but does want to ensure the association is properly conducting business.

### **New Business**

The following motion was made by Michael Flynn:

**Motion:** To ratify the actions of the Board of Directors in the past year

**Second:** Emily Greenwood

**Vote:** Unanimous

Rental Fee Consideration: The members discussed imposing a fee on owners who short and long term rent their units. Seybold proposed \$100 per quarter to offset costs incurred by increased occupancy due to increased rentals. Laird explained there are no doubt increased expenses due to increased occupancy such as hot tub chemicals, covers, increased dump and fills, overflow of trash and increased trash hauling, parking issues, snow removal issues because of parking issues, etc. Caleb Sevan stated that he doesn't disagree that renters add more wear and tear but would like to know if this could be quantified. Owners expressed their agreement and disagreement with the proposed fee. Management shared fee amounts from other condominiums associations they manage. The board will be discussing this in depth at their meeting following this one.

#### Pets and Trash

Seybold stated that per the association's rules and regulations, "Guests, short term, and long-term renters are not allowed pets under any circumstances. Condominium owners are allowed pets. Owners must pick up after their pet when it goes outside." Seybold asked that owners make it clear to their rental managers that no pets are allowed at the Buttes, other than true service animals. Seybold also reiterated that trash is to be brought down to the dumpster in the parking lot. At no time is it acceptable to place your trash on entry balconies for any amount of time.

#### Parking Permits

Seybold believes parking is becoming a big issue at the Buttes. Members discussed implementing a parking permit system. Each owner will receive one "renter" permit in one color and one "owner" permit in another color, but each owner is allowed only one parking space. Long-term renters are also entitled to one spot only. Additional signage will be posted at the Buttes that cars will be towed if parking permits are not displayed, and the HOA is going to be stricter about the policy.

#### Election of Directors

The following motion was made by John Seybold:

**Motion:** To renew his and Andrew Ewart's 3-year terms on the board of directors

**Second:** Amy Funke

**Vote:** Unanimous

#### Unscheduled Business

The following motion was made by Kylie Stock:

**Motion:** To ratify the action of the board of directors to increase dues.

**Second:** Michael Flynn

**Vote:** Unanimous

The following motion was made by Kylie Stock:

**Motion:** To charge \$100 per quarter or \$400 annually to any owners who short or long term rent their units.

**Second:** Michael Flynn

**Vote:** The Banta's from Buttes unit 507 opposed, all other owners were in favor, motion passed.

A discussion ensued regarding service animals and ESA's. Foster mentioned he doesn't believe the association can impose their no pet rule on service animals and ESA's. Annalise explained she was

certain no rules could be enforced on service animals which are protected under The Americans with Disabilities Act. Emotional Support Animals, on the other hand, are not protected by ADA but are under the Fair Housing Act. You may ask for paperwork for an ESA animal, but they are more of a grey area than service animals.

The date of the next annual owners meeting was set for July 19, 2024 at 9 AM MDT.

There being no further business, the meeting was adjourned at 10:48 AM.

Respectfully Submitted:

Approved:

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Annalise Smith, Recording Secretary

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John Seybold, President

DRAFT