THE BUTTES CONDOMINIUM ASSOCIATION
SPECIAL BOD MEETING
September 14, 2021
12:00 PM MDT

Board Members Present by Telephone: John Seybold
                                            Sandra Barker
                                            Peter Andrews
                                            Tom Raschella
                                            Kylie Stock

Management Company
Present: Billy Laird & Annalise Smith, Mountain Home Management

                                            Aaron Huckstep, Attorney for Jeffrey Campbell and Andy Ewart
                                            Andrew Ewart
                                            Jeffrey Campbell
                                            Lance Campbell
                                            Jim McGill, 12:28 PM

The meeting was called to order at 12:07 PM with 5 out of 5 board members present.

The following motion was made by:
Motion: To waive the reading of the August 12, 2021 minutes and approve them as written.
Second: Peter Andrews
Vote: Unanimous Approval

Seybold stated the purpose of the meeting was to vote on the egress windows as proposed by two homeowners. Some concerns included liability, stone removal, major snow shed and precedence. Stock expressed her concern with the HOA not having legal counsel with the owner's attorney being present. Huckstep explained his presence was not for intimidation but that he would like to address some of the boards concerns.

Peter Andrews explained it was a courtesy to allow homeowners to listen in but ultimately this was a board decision and not an association vote. Seybold explained one of the main concerns is setting precedent for similar projects. Seybold is also concerned about the snow removal, liability to hire a third-party contractor, and liability to keep the window well clear of snow. Seybold explained the board addressed a similar issue in the past. Andrews stated he did not believe the outside modification of the exterior of units was fair or appropriate in a condominium setting. Sandra Barker noted that the modification to general common elements should be for the benefit of all owners, such as the hot tub. It was noted that none of the homeowners that would be impacted by the addition of the egress windows were in favor of their installation. The board reiterated their concerns with the proposal. The board agreed the exposure to liability would put an unnecessary risk on all owners.

Huckstep explained the homeowners did not want to expose the association to any additional risk, but the liability concerns could be easily addressed with indemnification. Huckstep stated he believes the snow removal is a homeowner risk and thinks the owners can adequately remove the snow.

The board discussed each owner's knowledge regarding the egress issues with the units. The fire Marshall clearly stated that unless there was egress in a room, rooms could not be used as bedrooms. This has been a long-standing fact with homeowners and fire marshals.

Jim McGill entered the meeting at 12:28 PM. McGill confirmed the facts being presented and explained.

Huckstep stated in the historical past, these units have been listed as three-bedroom units. Huckstep and McGill discussed the bedroom characterizations. Andrews explained he has gone through the facts, spoken to board members and owners and at this point, the board needs to make a vote.

McGill expressed his opposition to the proposal. McGill stated the board shouldn't offer an opening for exposure to the association. The board discussed the other homeowners impacted.

The following motion was made by Kylie Stock:
Motion: To vote on the egress proposal
Second: Peter Andrews
Vote: Unanimous Approval

John Seybold voted to approve the proposal
Sandra Barker voted against the proposal
Peter Andrews voted against the proposal
Kylie Stock voted against the proposal
Tom Raschella voted against the proposal

The request for the egress proposal was denied.

Huckstep asked if the board was interested in considering another vote under any other conditions. The board agreed they would not consider the proposal under any other conditions.

The following motion was made by Kylie Stock:
Motion: To adjourn the meeting
Second: John Seybold
Vote: Unanimous Approval

There being no further business, the meeting was adjourned at 12:59 AM.

Respectfully Submitted: Approved:

_____   _____
Annalise Smith, Recording Secretary   John Seybold, President