

COUNTRY CLUB TOWNHOMES CORPORATION

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SNOWMASS VILLAGE, COLORADO 81615

Minutes
March 9, 2022

A meeting of the Board of Managers of the CCTH Corporation was held on March 9, 2022. Board members present at Unit 83 CCTH included Mone Anathan, John Flynn, and Elaine LeBuhn. On the phone were Don Conover, Esteban Ferrer, Gayle Godwin, and Jana Hazelbaker. Michael Baker, General Manager, of the Association was also in attendance.

Elaine LeBuhn, Secretary called the meeting to order at 9:35 am MDT.

Minutes of Previous Board Meetings

The purpose of this meeting was to bring all Board members up to date on the issues surrounding Unit 27 and the owner's dog, Gus.

Steve Ferrer indicated he wished to focus the discussion and develop a solution to the issues surrounding Unit 27. He detailed the chronology of the neighbor complaints, including videos about the noncompliance with HOA Rule 4.8 (a). Steve said the complaints and violations go back to the Spring of 2021; that videos and emails from neighbors have been collected and reviewed; that the TOSV has been notified; that he, John, Mike and Don have been consulting regularly with Lucas Peck, the HOA's outside counsel, on this matter; and that #27 has been officially notified of the violations several times, both thru emails from John and Mike Baker, and by personal visits from Mike and John.

At a Board meeting on June 30, 2021, the Rules were amended to include dogs must be always on a leash on CCTH property. The TOSV also has such an order.

After meetings with Mike and John, Janey Gubow complied with the rules but then became lack again and has continued to abuse the system. Complaints again began from neighbors.

In January 2022, another CCTH owner was walking her dog on a leash and Gus confronted her dog and her. She contacted the Animal Protection Department, but they preferred the CCTH take the first step in reprimanding Gus' owners.

Steve next reported that a hearing with a committee consisting of most of the Board, in conformance with HOA Rule 4.8 (a), was held on February 22. At that meeting, Janey provided the Committee with her version of the situation and copies of the written document were provided to the Board. She also provided a letter from a reputable neurologist regarding a seizure disorder suffered by her partner (Nik Budsey), supporting the status of their dog, Gus, as an "emotional support animal".

Mr. Peck has advised that the status of Gus as an emotional support animal does not excuse the owners of #27 from complying with the HOA's leash and dog waste pickup requirements. However, Mr. Peck stated that the Fair Housing Act requires that someone with a disability have "reasonable accommodation" for his disability. The suggested accommodation for Gus is that he be fastened to the unit by a short leash, one which does not allow for him to roam the lawn area but allows for him to go out in an emergency when Janey is not home to walk the dog.

There was extensive discussion regarding the number of times the Board has had complaints about the dog and the number of times that, although they have said they will comply with the rules, they have continued to abuse them. Some members of the Board felt the time has arrived to take different measures in either the form of a fine (\$100) or the threat of removal of Gus. Stating the safety of our community is our responsibility and we cannot allow for one dog to endanger the community.

It was suggested we send a letter indicating we would be willing to suspend the fine provided the leash arrangement to the unit is in place and there are no further complaints for 90 days. Don indicated he shared the concerns but is mindful of caution by Mr. Peck and suggested we shorten the time frame to 30 days and that we limit the time Gus can be outside to 10 minutes unless Janey is walking him. Don proposed the suggested letter be sent with Mone offering a second with a couple of changes. Mike and Esteban will with meet with the Smiths to explain the solution and why.

There being no further business, the meeting adjourned at 10:15 am.

Minutes by Elaine LeBuhn