

Dear Owners,

Please read the following. At the end, you will see an email address where you can offer your comments and suggestions.

In January of this year, the Board of Directors began the process of conducting a comprehensive review of all our governing documents. This action was prompted by CCIOA legal requirements to annually review our governing documents, plus input from numerous owners with concerns about various issues ranging from Design Review regulations, fines, size restrictions on sheds and garages, RV regulations, and track vehicle limitations. There was also concern about conflicting interpretations of rules and regulations and lots of misunderstanding as to why certain rules were even in place. Our desire was to address these issues and concerns in a very thorough methodical, process. Becky Stilley and Patty Greeves were assigned as our Governance Liaisons for the specific purpose of reviewing all of our documents and then bringing back their recommendations to the entire board. I foolishly thought that we could make it through all of our documents by July or August. I was so wrong. As it turns out, we will not even get to the review of the Design Review regulations until the board convenes in January 2018.

As anticipated, we knew that addressing the current RV regulations enacted in 2012 limiting an RV owner's right to have an additional guest RV on their site to only 14 days during the entire camping season would be the most problematic and contentious issue we would face. Over the course of the past 10 months, through one-on-one conversations with board members, I knew that our board was not united in legal definitions and in interpretation of the covenants and thus had diverse views on how to address the RV regulations. Therefore, I called for a Special Meeting of the Board to review the RV regulations on September 26th. This was an open meeting for all owners who wished to attend and was publicized. In addition, I called for a Special Executive Session with our legal counsel, Jacob With on September 25th to discuss the legal matters pertaining to our RV regulations. The ONLY guidance I gave him was this, "We are a divided board. We have some who want nothing less than a repeal of the 2012 regulations limiting the presence of a 2nd guest RV to a maximum of 14 days. We have those that want to keep the 2012 regulations intact. And then we have others that are open to something in the middle." And then I said, "Jacob, I need you to study our covenants and regulations, along with Colorado Law, and provide us your counsel on what is legally defensible and compatible with our covenants." Arriving at a united understanding of the law and interpretation of our covenants was the only way that I could see a way forward to come up with a recommended proposal. (See Jacob's written review of our covenants, legal counsel, and recommendations.)

At our Special Executive Meeting, Jacob explained that while it is true that Gunnison County defines an RV as a vehicle, and not a structure or dwelling, that our Covenants encompass single family **residence** and single family **purpose**. Seeing that an RV is on a site for "single family residential purposes," Jacob further explained that a guest 2nd RV located on a site for the entire camping season with an existing RV would violate our covenants and be legally indefensible. Jacob explained that anything 30 days and over resembles tenancy and would be difficult to defend legally. Understanding that a 2nd RV occupying a site for the entire camping season was not legally defensible, we inquired as to what would be legally permissible for guests. He recommended that we put distance between the 30 day threshold and that a definitive gap be placed between one visiting guest RV stay and the next. Several options were discussed, but the one that seemed to unite the board was allowing a guest RV during the camping season 14 days per calendar month. Each RV site owner would be required to register their guest arrival and departure date. If a homeowner has an RV on their property for guest use, they too would be required to register guest arrival and departure dates. We have already checked with our Communication Manager and Webmaster who have said, an online registration system would be easy to create and allow for ease of monitoring and accountability.

Understanding the sensitive nature of this matter, the Board agreed that we would publicize the proposed rule until early 2018 to get owner input for possible adjustments/changes. After reviewing owner input our objective is to have a new regulation in place and publicized in time for RV owners to plan for the 2018 camping season. However, this rule change will only be applicable for 2018. After evaluating for effectiveness and impact, we will revisit the RV regulation at the annual homeowners meeting in August 2018 when the majority of our RV owners will be on the mountain and listen to our owners face-to-face.

Even though the votes already exist to make a rule change, we all agreed that it was in the best interest of our community to take the time to hear from our owners. To facilitate that, we have established a dedicated e-mail address where you can send your comments: aia.rvregs@gmail.com. Please keep your comments as succinct as possible and constructive.

Respectfully,

Kim Norwood
AIA Board President