

**POLA Board of Directors Meeting
Mountain Plaza Board Room, Copper Mountain
Saturday, February 28, 2009
9:00 a.m.**

Call to Order

The meeting of the POLA Board of Directors was called to order at 9:02 by President Jim Reis.

Directors Present

Jim Reis
Gary Rodgers
Tom Hallin
Bob Root
Charlie Gerretson
Stan Sprinkle
Laura Hunter-Brubaker
Ron Myles

Directors Absent

Marcio Avillez

Guests Present

Peter Siegel, Executive Director for the Village at Copper and the Copper Chamber
Liz Ryan, Office Administrator/Accounting, Village at Copper and the Copper Chamber
Carol Weigel, Owner of Summit House Employee Unit #202
Greg Weiss, Summit House HOA Board Member

Approval of Minutes from December 6, 2008 Meeting

Gary Rodgers moved that the minutes from the December 6, 2008 meeting be approved and Stan Sprinkle seconded the motion. The minutes were unanimously approved.

Financial Report

Stan Sprinkle submitted the balance sheet and profit and loss statement for the Association as of December 31, 2008. Revenue from the training sessions at Homeowners Weekend has been included. Ron Myles moved that the financial statements be approved and Charlie Garretson seconded the motion. The financial report was approved by the board.

Summit House Employee Unit

Request for interpretation of cost exemption clause

Bill Jones, a Summit House board member had emailed POLA in December 2008 requesting a review and ruling by POLA on how Summit House assesses employee units for building maintenance performed by their live-in "maintenance manager." Carol Weigel, the owner of an employee unit at Summit House, had also requested that POLA provide a ruling and referenced a 2002 verbal ruling by POLA exempting employee units from certain expenses based on Section 5.02 of the Summit House declarations. Greg Weiss, representing the Summit House board, restated their position that their manager was a maintenance manager and not a building manager and therefore his expenses could be assessed to all owners. Carol Weigel's concern was that the Summit House Board was renaming the resident manager as a "maintenance manager" in an attempt to charge all units for the resident manager's salary and condominium. She asked that the Summit House Board not be allowed to interpret the Summit House Declarations, and that the POLA Board step in to make the interpretation.

After a discussion it was the POLA Board's opinion that in accordance with Section 5.02(b) (i) & (ii), the following costs should not be assessed to Summit House Employee Housing Units: 1) the resident maintenance manager's compensation and other benefits except for extra compensation for extra ordinary services rendered for special maintenance, repair or improvements; and 2) costs incurred to house the maintenance manager, including the value of rent, real estate taxes, cost for utilities, telephone, cable TV, water and sewer. It was the POLA Board's opinion that they had no official capacity to make a ruling on this matter, and that the opinion was offered in response to the request made by the Summit House board and Ms. Weigel. Stan Sprinkle made a motion that POLA write a letter to Summit House Board stating POLA's opinion. Gary Rogers seconded the motion, which passed unanimously. Stan Sprinkle agreed to draft a letter to be sent to Bill Jones and Carol Weigel stating the POLA's opinion.

Note: At next meeting Gary can bring summaries of other declarations for HOA's that Copper manages. Gary alerted the Board to a bill (SB-1220) introduced by Representative Scanlon and meant to protect deed restricted units in perpetuity. Gary will forward information re: this bill to the POLA Board.

Copper Update – Gary Rogers

- Woodward opened today with an open house from 4pm – 10 pm this evening. The PR is great and generating buzz. This is only the third Woodward in existence with the others in California and the main Woodward in Pennsylvania. Woodward and Copper function as a partnership. Copper is the first to put the Woodward program onto snow. See the Woodward website for more information, but, in general, the programs are designed to promote body awareness and safety; i.e., translate the skills learned in the Woodward setting to safely perform skills on the mountain.
- There is a new resident Summit County Deputy Sheriff, Cody Schroeder housed at Elk Run. He is doing a great job and Copper hopes to integrate him more throughout the community.
- In general, Copper is holding its own, but is seeing the effects of the current economy. The main focus is insuring long term success, focusing on snow making expansion, high speed lift access to Union Creek and the Corn Lot expansion.
- All IntraWest development projects are currently on hold.

Employee Housing

- *2009 Employee Housing Survey*
A letter and survey form were mailed out to all employee unit homeowners on January 31, 2009. Owners were given 30 days to reply. 81 of 113 surveys have been received as of today. A second request will be sent out this week for the surveys that have not been received.
- *Process and Timetable for Reporting to County*
CMI must send a status report to the county by May 1, 2009. If there are noncompliance issues, they must be addressed prior to this date, but resolution is not required by this date.

There was a discussion by the Board regarding the amendment to the PUD recorded in the Summit County Clerk and Recorder's Office on January 24, 2009. This PUD reflects changes to the 10% exception. The prior requirement of employee housing was 30+ hours per week (full time) working at Copper Mountain during peak season. An exception is now 30+ hours per week year round employment in Summit County.

ACTION: Peter and Jim will review POLA documents to be certain they comply with the new PUD

ACTION: An e-mail packet regarding the PUD dated September 23, 2008 will be scanned and sent to the entire Board for review. To be discussed as necessary at the next meeting.

The Village at Copper (Peter Siegel and Liz Ryan) will continue to facilitate administration of the surveys, but review and rulings on exemptions are the responsibility of POLA. Liz will scan the returned surveys and send them to the subcommittee (Laura, Stan and Charlie). As the remaining surveys are received, the documents will be scanned and e-mailed to the subcommittee members.

- *Sittig Request*
With his 2009 survey, Mr. Sittig submitted a request for a variance for Spruce Lodge #194. (There was a prior complaint by Spruce Lodge about this unit not being in compliance.) According to the letter, Mr. Sittig and his wife plan to retire and become full time residents at their Spruce Lodge condo. They have attempted to obtain employment at Copper, but have been unsuccessful. They do plan to continue seeking employment at the resort.

The board felt that the use the condominium as a retirement home was not the intention of the employee housing unit. They will be sent a letter from POLA explaining that within 90 days, they must fulfill the requirements of the employee housing program or meet the exemption requirements and resubmit for an exemption based on full time employment in the county. They currently do not meet the retirement exemption requirement, as they have not worked for Copper for 10 years.

ACTION: Jim will write a letter to Mr. Sittig.

Governance & Funding

- *Edwards Experience*
Edwards has formed an authority of metro districts that has been successful in a recent traffic circle project. By forming one entity, they were able to obtain funding that may not have been as available to each individual metro

district. Although the Edwards situation is different from Copper's multiple governance situation, it does highlight the advantages of speaking to other authorities with a unified voice and message.

ACTION: Peter will get Edwards documents to see how it was organized.

- *Governance Outline*

At previous meetings the POLA board has discussed the possibility of reviewing Copper's multiple governance entities and funding mechanisms and generating a comparison of the cost of ownership and services at Copper versus other communities. The discussion was to fund a study by a knowledgeable outside consultant. The goal would be to use the study to better understand how Copper can fund itself more effectively and efficiently now and in the future. The results of the study could be shared with the community at Homeowners Weekend

There was agreement that we needed to involve all Copper entities into this process prior to commissioning a study. The study is just a means to gather data necessary to have meaningful discussions with all of Copper in order to decide how best to proceed.

ACTION: Gary, Jim, Peter to figure out best way to present this idea.

- *Copper Chamber*

The Chamber exists as a result of the POLA documents and Peter Siegel reported that the Chamber documents allow the Chamber to implement a community wide surcharge without changing class structure. In addition, the Chamber is a common link between both the commercial entities and homeowners at Copper. In researching funding opportunities and where the best sources of potential funding exist, the Chamber is looking into the possibility of a Community wide surcharge. If this were to proceed, the current surcharges for the Village at Copper would be eliminated.

RETA Discussion

Gary Rodgers explained that POLA was used as a "place holder" in the new PUD until there was a more clearly defined entity to determine how Copper's share of the RETA funds from the transfer of any future new construction would be spent. As the only organization representing the entire community, POLA could be the best entity to gather information about the community and where the RETA funds could best be utilized. This is not anything that will happen soon.

POLA and Chamber Website Update

Both the POLA and Copper Mountain Resort Chamber websites have been updated. Please go to each site to review.

www.copper-pola.org; www.copperchamber.com

Next Meeting

The next POLA Board of Director's meeting will be held on March 28, 2009 from 9:00am to 11:30am in the Mountain Plaza Board room.

Adjournment

A motion to adjourn the POLA board meeting at 11:59 a.m. passed unanimously.