

**Telluride Lodge HOA  
Board of Directors Zoom Meeting  
September 21, 2020  
Minutes**

**CALL TO ORDER REGULAR SESSION**

Meeting called to order at 5:00 pm, Monday, September 21, 2020

**Board Members Via Zoom:** Joel Lee, Patty McIntosh, David Berry, Carl Ebert, Carol, More Andrew Davis & David Cordell

**Guest present:** Attorney Tom Kennedy, Lynn Sherlock, Greg Batie, Carrie Koenig, David Gould, Pam Bennett & Matt McEvoy

**Employees present:** Curtis Marble & Karyn Marolf

Quorum was met for meeting to proceed

**Proposed Agenda was approved**

Tom Kennedy was invited to address legal issues on service dogs and C. E. property.

1. Service & support dogs; The past years more and more renters are claiming to have support dogs. Support dogs do not have to be trained and are for the mental support of the owner. Common Communities are required to allow support dogs. It is reasonable to make support dogs follow the HOA pet rules but to charge a fee to have a support dog is not allowed. The TL can require an application for service animal or emotional support animal to be filled out by support animal owners to help eliminate owners claiming their dog is a support animal. Tom provided a sample application and policy, procedures and rules concerning an assistance dog from another association.
2. Usage of common elements; The question of if common elements can be improved by owners and fences installed. Tom addressed the difference between LCE and CE. Limited Common Elements are designated for the exclusive use of the owner (decks). Common Elements are yard, spa, laundry room crawl spaces and attic space. Owners Carrie Koenig and Matt McEvoy both have expressed their feelings against allowing TL owners to use and improve the CE space behind and alongside their decks & adding fences. Tom explained that the declaration allows the board to approve these improvements as the owners do not own the space, they are just improving it with the understanding that the space is CE and belongs to the membership of the association. Tom reminded Matt owner of 526 that he currently owns a unit that has expanded into the attic/crawl space (CE), those spaces are conveyed to the owner in a deed. Joel explained that upper units have their advantages. Upper units have great view and a lot less noise issues to contend with. Lower units have the advantage of an outside entrance and the benefits of using the alcove. Tom suggested

that one option to alleviate concerns is require owners who do improvement to alcoves or add fences sign a life agreement that state that the owner do not own the space and that the board has the right to terminate the agreement at any time. This agreement would be recorded. Joel suggest the board think on these issues and address how to move forward at the next meeting.

Motion to adjourn meeting by Andrew Davis and second y Dave Cordell at 6:40 pm.