

**GALENA LOFT HOMEOWNERS' ASSOCIATION
ANNUAL HOMEOWNERS MEETING MINUTES
DECEMBER 29, 2021**

In Attendance:

Joshua Landis- Unit 101
Michael Abbott- Unit 201
Bill Henry- Unit 301
Kevin & Rhea O'Brien- Unit 302
Via Proxy to Joshua Landis- Unit 102 by James Henderson
Via Proxy to Joshua Landis- Unit 103 by King Kitty LLC

The meeting was called to order at 3:00 PM MST and there was a quorum in attendance. The first order of business was the approval of the minutes from the 2020 Homeowners Association meeting. Mr. Abbott moved to approve and Mr. Landis seconded the motion. The motion passed unanimously.

The next order of business was the election of directors and officers for the association. A slate of the current directors, Bill Henry Co-President, Joshua Landis Co-President & Michael Abbott was proposed by Mr. Henry. Mr. O'Brien moved to elect the slate of directors. Mr. Abbott seconded the motion and the motion was approved unanimously.

The proposed 2022 budget was reviewed along with a discussion of improvements made in 2021, including landscaping upgrades. The 2022 budget includes exterior lighting upgrades and replacement of the wood railing with a less maintenance intensive material. Discussion followed. Mr. O'Brien commented that those were the two items he had hoped to see included as improvements. Mr. Abbott moved to accept the proposed budget and Mr. Landis seconded the motion. The 2022 budget was approved unanimously.

The meeting was then opened to a discussion of new business and concerns that had been reported to the HOA board.

1. Short-Term Rentals.

The topic of short-term rentals was discussed. In previous meetings, the desire to maintain quality of life for the owners of Galena Lofts has been discussed and made a priority. Previously, the HOA board had requested that any owners renting their units have a minimum rental of three days. There have been complaints in 2021 of owners who have not followed this guideline and some owners have rented units for overnight stays. Mr. O'Brien stated that without a formal rule, people will trample over the guidelines. He stated that he does not want the building to turn into a hotel and the other attendees agreed that the owners of Galena Lofts do not want the property to take on the characteristics of a hotel. Mr. Henry mentioned that some owners would prefer that there be no short-term rentals; however, he understood that other owners would like to offer their units for rent on a shorter-term basis. Mr. Henry suggested a minimum rental of seven nights and Mr. O'Brien agreed. Mr. Landis suggested that a three-night rental might be a good minimum rental period to allow for shorter-term rentals without heavy turnover that disturbs the occupants of Galena Lofts. Mr. O'Brien asked if a three-night

minimum was adopted, the term could be changed if problems continued. Mr. Landis told Mr. O'Brien that the term could be changed in the future. Mr. Landis moved to institute a three-night minimum as of January 1, 2022 with significant penalties to unit owners for shorter-term rental periods. A discussion of appropriate penalties for violations of a three-night minimum ensued and attendees agreed that the penalty should be \$1,000/night immediately payable to the HOA for any stays less than three nights. For instance, a one-night rental would incur a penalty of \$2,000 to the HOA. The penalty was added to Mr. Landis' motion and Mr. Abbott seconded the motion. The motion was approved unanimously.

2. Information about Rentals.

Subject to adherence to all applicable laws and ordinances, it was agreed that Owners shall provide the HOA with the following information for each rental at least 24 hours prior to each rental (information shall be emailed to galenaloftshoa@gmail.com):

- a) Dates of Rental
- b) Names of Renters
- c) Contact Information for Renters
- d) Affirmation that Renters have received all condominium rules and have agreed to abide by all rules.
- e) If a renter has a service animal, the landlord shall obtain the following information: 1) Is the dog a service animal required because of a disability? and 2) What work or task has the dog been trained to perform?

3. Subletting.

Owners were reminded that subletting of units is not permitted. All rental agreements must be between the Unit Owner and the Renter.

4. Service Animals.

While legitimate service animals that are under the control of their handler at all times are welcome at Galena Lofts, some renters have claimed to have service animals that are actually pets. Renters are not permitted to have pets at Galena Lofts. Per ADA Guidelines (www.ada.gov/regs2010/service_animal_qa.html), "the dog must be under the handler's control at all times." A claimed service animal may not be left unattended at Galena Lofts. For example, recently, a renter claimed to have a service animal; but left the dog unattended while the renter went skiing. It was unanimously agreed that, if a renter leaves an animal unattended at the rented unit, the owner of the unit shall be fined \$1,000/day for the violation. All renters shall be made aware of this regulation by their landlord.

Also, per the ADA Guidelines referenced above, "There are organizations that sell service animal certification or registration documents online. These documents do not convey any rights under the ADA and the Department of Justice does not recognize them as proof that the dog is a service animal."

5. Rental Managers.

There have been concerns expressed by owners regarding rental managers who have violated condominium rules or disturbed Galena Lofts residents. Per the condominium documents of Galena

Lofts, the HOA board can determine the rental managers approved for the building. Mr. O'Brien commented that this provision provides him with comfort, especially if rule violations continue to be a problem.

6. Other Business

Mr. O'Brien needs to replace several windows in his unit. In an effort to obtain windows more efficiently for all owners at Galena Lofts, Mr. O'Brien asked if any other owners needed to replace windows. Owners are encouraged to contact Kevin O'Brien if they may be interested in replacing any windows.

There being no further business, a motion was made by Mr. Abbott at 3:40pm to adjourn the meeting. Mr. O'Brien seconded the motion and the attendees unanimously voted to adjourn the meeting.

Submitted by the Galena Lofts HOA Board
January 5, 2022