

While doing some other HOA research and came across your bill on access and notice. I am not in favor of the bill, but I will not oppose it either. It needs to be amended in 2 regards.

First, the 24-hour window for maintenance before formal notice needs to be change to 72 hours. Second, strike the language requiring signage.

This is my reasoning:

I am the VP of our HOA and the guy who arranges and manages all the asphalt maintenance and street repair. When we do the work, we must close the street to vehicle traffic. The seal coat is also very slippery when drying, so foot traffic is also impacted - but never prohibited. No matter what, it takes 48 hrs for the crack seal, seal coat, and asphalt patch to cure before vehicles can drive on it.

We run into scheduling problems here in Estes Park because of weather. Every spring/summer we do maintenance and repair on all or part of the HOA private streets. It can only be done when the temperature is high enough and with no snow or rain. So we have a window to do the work of about 120 days a year. And - the weather changes rapidly. So, we schedule work only to be forced to cancel it and reschedule.

We are a single-family residential community with 20 of us as full-time residents. The rest are summer people, and we have 16 short term rentals. We give notice to owners, full time tenants, and rental agents. And the contractor puts up traffic cones to bar vehicles.

During the summer 2021 I had to reschedule 3 times because of hail, cold, or rain. One of my major projects was installing a drain field and repaving a section of street in front of 3 Units. We thought it would be done by 4 pm, and it was. But the asphalt had not cured and cones were put up to bar vehicles for an addition day to let things set up - lots of cones. It was apparent that no one was to drive there. But one of the short term renters (guest) decided that it was just too inconvenient to unload his pickup and haul the luggage from the cones to the Unit. So, he removed the cones and drives his pickup over the hot asphalt, making a mess in the process. His excuse was he did not know what the cones were for. The owner was fined and assessed the cost of remedial asphalt paving.

I do not want to have to give guests notice. I think it is the Unit owner who is responsible for the action of the guest. No excuses.

I have more horror stories of people, especially vacationers and their guests, doing just dumb things while we try to maintain the place. Their logic is that they are on vacation and should not be burdened or concerned.

I live here and I want access to my Unit and to use the common elements. But 24 hours is too short and the posting requirement is too much to ask of the association. It just

gives people who ignore our email and notice posted on Unit doors a possible defense to fines and repair costs when they tear up the new work - done for their own benefit.

So please strike this language from the bill: "POST A VISIBLE, CLEARLY LEGIBLE NOTICE AT EACH PHYSICAL ACCESS POINT TO THE COMMON ELEMENT, WHICH NOTICE REMAINS POSTED FOR THE DURATION OF THE RESTRICTION OR PROHIBITION AND INCLUDES THE ELEMENTS DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION."

Respectfully Submitted,

Herbert Sampson