

TERRACES AT MEADOWS RUN
A COLORADO NONPROFIT CORPORATION

Minutes for Joint Annual Meeting of Board and Members on February 6, 2019

(A) Roll call: Proof of Quorum:

A quorum was present as follows:

Owners/Board members represented in person or via teleconference: Unit 201 Rick Makely-President, Unit 601 Kelly Messenger- Vice President, Unit 202 Peter Gassaro- Secretary & Treasurer, Unit 702 Dean Melton-Member at Large, Unit 901- Brian Linxwiler & Angela Kirby, Unit 1102- A & J Holdings, Unit 401 Daniel & Katherine Reardon, Unit 801 Karen Locke, Unit 302 -Curtis Laub, Unit 1201-David Fry, 1001 Doris Forman (arrived late).

Owners represented by proxy: Unit 301- Piotr Smolarczyk, Unit 802-Scott & Kimberly Anderson and Unit 1101-PNJ Properties

Non-Owners represented: Barrett Miller (ASAP), Marcy Pickering – Peak Property and Nicole Pieterse - Legal Counsel for HOA

(B) Proof of Notice: Not less than 10 days and not more than 50 days in advance of date of annual meeting: Barrett (ASAP) stated that notice was posted on website, sent via mail and email on 1-25-19. A motion was made to accept the proof of notice, Rick Makely seconded the motion, all were in favor, motion passed unanimously.

(C) Approve Agenda for 2019 Annual Meeting 2-6-2019:

Rick Makely asked that the duplicate line “H” be removed and if there were any other changes, hearing none he asked for a motion. Kelly Messenger motioned to approve the agenda for the annual meeting 2-6-19 with the changes as noted, the motion was seconded, all were in favor, motion passed unanimously.

(D) Approval of minutes of prior annual meeting 1-24-2018:

Rick Makely asked that a signature line for the secretary be added to future minutes. There was a motion to approve the minutes for the prior annual meeting 1-24-18 as presented, the motion was seconded, all were in favor, motion passed unanimously.

(E) Report from/on Property Management:

Rick Makely asked Marcy Pickering of Peak Property Management for a report. Marcy stated that she has put together a report of completed general property projects and Capital expenses that include:

Irrigation was initiated and repaired as necessary

Landscaping- due to drought no upgrades were done, just basic landscaping, installed rock wall planters and planted raised bed planters.

Exterior Repairs and/or improvements- assembled & installed new benches, replaced exterior light on chondola, replaced damaged stair light post fixture, annual roof inspection and window washing was completed in July.

Interior Repairs- Replaced 4 exhaust fans in Mechanical Room, replaced 2 failed light timers in buildings 100/200 and 300/400.

Multiple boiler repairs were complete for the following units: 1401,1402,901,1202,1102,1402,1102, 301,402, 1201, 101 and 102.

Capital Expenses- replaced domestic hot water heater in Unit 1102, Window replacement in unit 901 and 1402, resealed the driveway, extensive deck repairs, staining the building and replaced the front entrance mats.

Rick Makely asked for questions. Unit 1201 David Fry stated that the lights for the common lights and the hallway were wired into his unit of which he has been paying electric on. Rick Makely asked if he brought this to Marcy's attention. Marcy stated that she understood it to be the heat tape. Rick asked that she investigate and bring the findings to the Board to remedy the situation at a later date.

(F) Introduction of Nicole Pieterse (Terraces HOA Attorney):

Rick Makely introduced Nicole Pieterse as the attorney for the HOA. Nicole stated that she has reviewed the governing documents and continued to detail the owner responsibility of the units as the upper boundary being the unfinished surface of the ceiling, the lower boundary is the finished floor to the surface of the subfloor through the subfloor and the vertical boundaries are to the exterior finishes. The HOA is responsible for the exterior finishes, shared walls are part of the respective owners' units to the middle of the studs, interior doors are not part of the unit unless it is between interior rooms, utilities (boilers) serving one unit are part of the unit even if not physically located in the unit. Nicole continued to state that there are a few inconsistencies to correct along with updating the governing documents to be compliant with CCIOA laws (Colorado Common Interest Ownership Act).

Rick Makely asked for questions. Unit 801, Karen Locke asked if their delaminating front entry door is an HOA responsibility? Nicole Pieterse stated that yes, it is an HOA responsibility.

Barrett Miller of ASAP Accounting & Payroll asked that Marcy provide her information for the new owners who may not have it.

Marcy Pickering stated that the mailing address is 618 Mountain Village Boulevard Unit 107, Phone # 970-729-0178, after hours phone # 970-729-8461, Fax # 970-728-0998, email: marcy@peakpropertytelluride.com or office@peakpropertytelluride.com. Marcy continued to state that this information will be mailed out to owners asking them to return contact information as well.

(G) Review of Financials 2018:

Barrett Miller of ASAP stated that the 2017 and 2018 actuals were reconciled and the bottom line stayed the same. Barrett continued to detail the actuals versus the budgeted amounts, some categories were over budget some under budget, leaving a final balance of -\$5,822.62.

There was a question as to the ongoing window replacement line item in the budget. Marcy of Peak Property stated that the original windows that were installed had a manufactures defect and were failing, with more than 100 replaced before the manufactures warranty was up there were more to be replaced that the association decided to add the line item until all the windows that failed could be replaced.

(H) Old Business:

1) Rental Documentation compliance:

Rick Makely stressed the importance of having rules for compliance especially when dealing with bears, recycling and parking. The Rental documentation is posted on the website. All owners are obligated to submit the form to Marcy at Peak Property Management in case of emergencies. Owners will also be held responsible for the details of guests and or renters.

2) Emergency Access:

Rick Makely stated that we are 99% in compliance with the emergency access and asked Marcy of Peak Property Management to provide some details. Marcy stated that there is a lock box that is only accessed by the Fire department for emergencies which holds keys to all units, there is also a lock box guarded by code for the Peak Property Management team to access each unit. Peak Property Management checks the lock boxes quarterly for accuracy and changes the code for security.

3) Reserve Study update:

Rick Makely stated that Aspen Reserve Specialist has been retained to complete the reserve study, although there has been some delay/miscommunication in the process, it is currently being worked on and the status will be posted on the website when it becomes available. If there are any changes to the reserve amount everyone will be involved.

4) Landscaping:

Rick Makely commented that there were plans to improve the landscaping, due to the drought and the landscaping company disappearing, none of the plans came to fruition.

5) Sealcoat paving:

Rick Makely stated that there were challenges with the different activities around town making the sealcoat difficult and asked Marcy to comment. Marcy of Peak Property Management commented that although all tenants were notified, not all complied and opted to drive on and park in the garage, which required some repairs, luckily at no additional cost.

6) Snow Hero:

Rick Makely stated that this is the 2nd year of a flat rate contract and asked for comments. Peter Gassaro stated that the road seems to be icy but overall, he felt they were efficient and doing a good job. Unit 1201 David Fry commented that his unit is shaded which allows for the snow to melt and refreeze

making it dangerous as he has nearly fallen and believes a neighboring unit has slipped and broken a wrist. Marcy of Peak Property Management stated she would look into mitigating the issue and that it was the first she has heard of anyone falling and having broken a wrist.

7) HOA Community updates (webpage):

Rick Makely stated that he would like to see the property management company fulfill the commitment to update the website (www.terraceshoa.com) within 7-10 days instead of the 6-7 months.

(I) New Business:

1) HOA Insurance:

Rick Makely stated that the HOA insurance was lacking in replacement cost and has been updated reflected by a \$6,000 increase in the budget. The insurance policy is posted to the website.

2) Review of Limited Common Elements:

Nicole Pieterse, attorney for the HOA stated that the governing documents have been reviewed and in the past the HOA has paid for and covered everything that had failed. Some units have been billed for a common usage of heat tape or electricity, of which Nicole will work with Barrett of ASAP and Marcy of Peak Property to determine those that need to be billed appropriately. Nicole Pieterse also stated that some changes need to be made to the way the boilers and Mechanical room items are handled. Boilers that serve one unit are considered to be part of the unit, boilers serving more than one unit will be treated as Limited Common Elements whose maintenance can be split between all respective owners served by that boiler, if the Board chooses.

3) 2019 Budget review (vote to members):

Rick Makely stated that the Board will address the 2019 budget and asked for any questions from the Board. Hearing none, Rick commented that the amount for Mechanical Systems needs to be increased to \$5,000 to take care of issues due to the aging system and that the reserve amount be decreased to \$25,000 to offset this change. Peter Gassaro made a motion to accept the 2019 budget with the proposed change to Mechanical Systems and Reserve amounts, Kelly Messenger seconded the motion, all were in favor, motion passed unanimously.

Rick Makely then presented the 2019 budget to the members and asked if any wanted to veto the approved 2019 budget, hearing none the 2019 budget was ratified.

4) Staining and maintenance schedule review:

Marcy of Peak Property Management stated that bids are being sought to bring the staining up to standard, completed by June, then put on a rotating schedule. The stain will remain the same color scheme as it is an extensive process to get a different color approved. Window washing will be done after the staining is complete. All owners will receive a list of proposed projects that includes dates.

(J) Election of Directors:

Rick Makely stated that since the governing documents have not been modified, only 3 are allowed at this time. Rick asked for anyone with interest to run, none was presented. Dean Melton declined to run, Kelly Messenger and Peter Gassaro along with Rick Makely agreed to stay on as Directors. Karen made a motion to elect a slate of directors and having Dean Melton step off, the motion was seconded, all were in favor, motion passed unanimously.

(K) Open discussion for Non-Agenda Items:

Unit 801 Karen Locke stated that the inspection of the building revealed some rock movement at the end of the asphalt which is making the entry into the garage difficult. A summary was sent to Marcy at Peak Property Management for review and evaluation. Marcy stated that it is on a list to get evaluated and will see if there is anything to mitigate the issue in the interim.

Unit 401 Katie Reardon had concerns about the drive into the complex being very slick and snow packed. Katie also stated that there needs to be communication posted regarding renters bringing skis into the units instead of leaving them in the garage. Katie also noted a significant amount of noise outside of her unit, possibly from the boiler.

Unit 901 Brian Linxwiler stated that he had replaced an exhaust fan as noted in an inspection report and understood it may be an HOA responsibility and will follow up with Marcy at Peak Property. Brian also asked about the hardware on doors, whose responsibility it that? Marcy will look into it and let him know.

Unit 801 Karen Locke asked where the recycle containers were located. Rick Makely stated there are 2, one in building 1001/1101 and another in the upper end of the garage. Karen also asked about the excessive heat in the lobby of the 800 building. Marcy stated that the common areas are not heated and that the mechanical room doors are to remain closed. Karen stated that the gutters seem to be leaking, causing ice to build up. Marcy of Peak Property will look into this issue.

Unit 1102 JC asked whose responsible for the water that is leaking into an interior wall from an ice dam on the roof. Marcy of Peak Property Management asked if the heat tape was on, although there are know problems with the heat tape working intermittently, she will look into this issue.

Unit 302 Curt Laub asked what items were acceptable to recycle. Marcy will post a list of acceptable recycling and have Barrett Miller of ASAP update the website.

Unit 1001 Doris Forman asked if the maintenance of the boiler and water heaters were the responsibility of the owners. Rick Makely stated that the HOA is responsible for the equipment but that shared boilers are a shared expense and water heaters are an owner responsibility. Marcy stated that the maintenance repairs are paid by the HOA and billed to the respective owners.

(L) Adjournment of meeting:

Karen Locke made a motion to adjourn the meeting, the motion was seconded, all were in favor, meeting adjourned at 4:50pm

Date of Approval: _____

Attest:

Peter Gassaro, Secretary & Treasurer

DRAFT