

DRAKE LANDING CONDOMINIUM ASSOCIATION BOARD OF DIRECTORS MEETING February 9, 2009

A regularly scheduled meeting of the Drake Landing Board of Directors convened Monday, February 9, 2009, at the office of Carlson, Carlson & Dunkelman in Frisco, CO. Directors present were Gerry Hibbard, Bren Davis, Ron Carlson and Tom Silengo. Present from Wildernest (WPM) were Roxy Hall-HOA Liaison, Barb Walter-Director of HOA's, Geovanni Hercules-Property Manager and Daniel Vlcek-Director of Off Mountain Properties. The meeting was called to order at 9:10 A.M.

APPROVAL OF MINUTES

RESOLUTION: Upon motion made, duly seconded and passed unanimously, the minutes of the December 19, 2008, meeting were approved as written.

MANAGEMENT REPORT

Property Issues:

The wrapping of the pipes was completed in the mechanical rooms of Buildings B and C. Mr. Silengo questioned why this project was needed and Mr. Vlcek explained it was recommended by the fire system inspector to prevent the possibility of frozen pipes. Mr. Silengo suggested additionally blocking the large vents in those buildings, as he does not believe code requires them to be as large as they are. He offered to investigate current code and report back to the Board.

Mr. Hibbard addressed the lack of seating and storage in the hot tub area.

RESOLUTION: Upon motion made, duly seconded, and unanimously passed, it was approved to spend an amount NTE \$100 on hooks or other storage options in the hot tub area.

Mr. Hercules confirmed that light bulbs are being replaced by fluorescents as needed.

Because the current winter trash removal schedule appears to be excessive, the Board decided by consensus to return to the summer trash collection schedule. However, Mr. Hercules will continue to monitor the schedule and alert the Board if the reduced schedule becomes inadequate.

The Board directed WPM to actively begin issuing violations for unauthorized signage on the property. The Board will allow 'For Sale' signage at the entrance to Drake Landing only.

Parking Issues:

The Board discussed a recent tow issue and the impact of the rules enforcement on the atmosphere of the property and attitude of the owners. Although Mr. Silengo indicated that the towed vehicle met all the reasons to be towed, he expressed his desire to maintain a more "friendly and neighborly" approach to rules enforcement while still maintaining the necessary control needed on the property. The following ideas were suggested:

- Designate a long term parking area on the property for residents who will be absent for extended periods of time.
- When snow accumulates around a car parked in one spot, instruct the staff to hand remove the snow around the vehicle and bill the appropriate owner.

Mr. Carlson offered to write a policy to incorporate these suggestions into the current parking rules. In the meantime, WPM was directed not to tow any vehicle from the property without prior notification to the Board. The Board admitted that the WPM staff is trying to meet their expectation and previous direction to enforce the rules but in doing so are being put in a difficult position.

Ms. Walter reported that she negotiated with the tow company to waive the storage costs associated with the recent tow in question so that the owner was only charged the actual tow fee. The Board expressed appreciation for this intervention and Mr. Silengo volunteered to personally talk to the owner to explain the circumstances of the incident.

Parking Lot Snow Removal:

Confirmation was made that the HOA has permission to utilize the developer's additional lot for snow storage after the on site storage is depleted.

WPM was directed to contact Premier to remove the snow blocking the law office's signage and ensure that snow storage does not interfere with any commercial signage visibility in the future.

ROOF ISSUES

Turner Morris Roof Inspection and Report:

The Board asked for Mr. Silengo's response to the Turner Morris roof inspection report, particularly the information on the pages designated at the last Board meeting as potential construction defects. Mr. Silengo asked for additional time to review and respond to the report. He further suggested a meeting or conference call with Board members only to discuss his response. A meeting was tentatively scheduled for 9:00 a.m. on Thursday, February 12, 2009, at the office of Carlson, Carlson & Dunkelman for this purpose. If Mr. Hibbard cannot attend in person, he will join the meeting by teleconference.

Reimbursement of A8 Repair Invoice and Review of New Leak:

This invoice has not yet been reimbursed to the HOA because Mr. Silengo's desire is to solve the leak problem permanently and to pay for the past repair expense along with the pending repair costs. The owner of A8 recently reported a new leak into the unit and Turner Morris was previously approved to perform another repair. However, WPM was directed to immediately contact Turner Morris to halt the repair scheduled for later this week. Mr. Silengo suggested soliciting engineering assistance to design the permanent fix for this problem and committed to paying for both the engineering expense and the recommended repair.

WPM was directed to contact Turner Morris to solicit a recommendation for an engineer who will design a permanent guaranteed fix for the roof leak associated with A8. Turner Morris will then use the engineered specifications to prepare a repair proposal for the Board's review.

In response to Mr. Silengo's questions regarding insurance coverage, Ms. Walter confirmed that an insurance claim was filed on damage in Unit C2, which resulted from a roof leak. She will investigate why the damage in C2 was covered while the damage in A8 was not covered. A copy of the insurance information associated with C2 will be provided to Mr. Silengo.

Roof Snow Removal:

Ms. Walter presented a roof snow removal invoice for \$845 from Turner Morris, which was approved for payment. She pointed out that the initial invoice did not include the requested detail. Thus far, snow removal has been performed only after personal contact to Ms. Walter by Turner Morris and only in very specific leak-prone areas. The Board noted with satisfaction that Turner Morris' recommendation to only remove roof snow in these specific problem areas, as opposed to doing no removal at all, has proven successful. Thus, the Board decided to stay with the current program for roof snow removal.

FINANCIAL MATTERS**Balance Sheet:**

The draft year-end financials as of December 2008 were briefly reviewed. Ms. Walter noted the total assets of \$67,823.86 with liabilities of \$67,505.80 leaving equity of only \$318.06. She pointed out that there is still a large balance of \$43,137.70 due from the Reserve Account to the Operating Account. This amount reflects the previous need to pull funds from the Reserve Account to often cover monthly Operating expenses. The Board discussed how to address this debt, specifically whether to continue to carry the amount as a Due To/Due From and try to repay it in the future when account balances increase or whether to make the debt a permanent transfer and remove it from the Balance Sheet. The Board decided to continue to carry it as a Due To/Due From because this is a more accurate representation of the financial status of the HOA.

Financial Statements:

The year-to-date Operating statement indicated a loss of \$16,107.67, which was \$26,723.59 over budget. The overage is primarily associated with utilities and lot/roof snow removal costs, legal fees, plumbing/heating repairs and landscaping expenses. The \$3,037.50 credit in Hot Tub Maintenance was related to a reimbursement for a previous overcharge by WPM.

Delinquency Report:

WPM was asked to verify that the garage and unit dues have been properly applied to accounts as some dues accounts have a credit balance equaling the amount of the delinquent garage dues.

Major Maintenance Chart:

After brief review, it was noted that the chart looks much more positive with the planned cost of the painting project reduced from the previous bid number.

Painting Bids:

The painting bids solicited by WPM and Mr. Hibbard were reviewed by the Board. After noting the large discrepancy between the final prices of the various bids, the Board asked WPM to contact all the bidders and request the following additional information:

- Any further discount on pricing
- References from previous customers
- Locations of previous paint jobs.
- Adherence to a work schedule starting 7/6/09 and completion by 7/31/09
- Does the bid include the dumpster enclosures?
- Proof of insurance

WPM was directed to create a spreadsheet comparing all information previously received from the contractors, as well as the new information requested.

OTHER MATTERS

Garage Maintenance Policy:

After discussion, the Board determined a policy for clarification of garage maintenance responsibility.

RESOLUTION: Upon motion made, duly seconded, and passed unanimously, it was resolved that the HOA is only financially responsible for exterior maintenance of the garage and the individual owner is responsible for all interior repair and/or owner-caused damage.

Management Philosophy:

Mr. Hibbard reiterated that he expects WPM to manage the property without continuous direction from the Board, to include enforcing the rules as they stand without approval of enforcement actions needed from the Board members. Ms. Hall expressed to the Board that her goal is to meet and exceed their expectations and asked for their support and patience during her transition in the Liaison position; she emphasized she will only ask for direction if conflicting instructions are received from the Board. It is the goal of both the Board and WPM to keep Drake Landing an "A" property.

A copy of the requested management contract for a monthly set fee was distributed to the Board. The contract will be discussed in Executive Session.

Miscellaneous Issues:

Discussion of the B-7 Noise Violation was tabled to be discussed immediately following this meeting in Executive Session.

Mr. Silengo presented a copy of a repair bill from Breckenridge Mechanical, which was several months old and had not been paid by WPM. The bill was related to a heating issue in one of the commercial units which took more than three weeks to resolve. It was confirmed that heating problems are the responsibility of the HOA. Ms. Walter will facilitate payment of the bill immediately and will investigate the delay in addressing the heat issue, as well as in paying the bill.

Next Meeting Date:

An Executive Session BOD Meeting was scheduled for Monday, March 16, 2009 at 4 P.M. at the office of Carlson, Carson and Dunkelman.

The Spring Walk-Through with a Board meeting to follow was scheduled for Friday, April 24, 2009 at 2:00 P.m.

ADJOURNMENT

The meeting adjourned at 11:30 A.M. and was followed by an Executive Session.