

Prospect Point Townhomes

Board of Directors Special Meeting Minutes

Frisco, Colorado
December 29, 2023
9:00 am
Zoom Meeting

- I. Call to Order:
Steve Wahl, Community Manager – Summit Resort Group, welcomed everyone and called the meeting to order at 9:02 am.
- II. Board Members and Summit Resort Group in Attendance:
 - Garret Poulos, President; Pete Catalano, Vice President; Robin Pitts, Secretary; Bob Roggow, Director, Bill Word, Director; Ron Borchert, Director. Summit Resort Group (SRG): Kevin Lovett, Steve Wahl.
 - Quorum was met for this meeting.
 - Members Absent: Steve Thompson, Jeanne Belli.
 - Other Owners/Guests: None
- III. Owner’s Forum:
No other owners were present. *This was a special meeting called on short notice and limited to one primary topic.*
- IV. Deck Maintenance Financial Responsibility Discussion
 - The original decks at Prospect Point Townhomes are approaching 25 years old. The Board is beginning to receive more requests for deck repairs. The Board has approved a few deck repairs previously done at HOA expense. The Board wanted to get a legal opinion on how the HOA governing documents address deck repairs in terms of financial obligations. (*Who is responsible for arranging deck repairs and who is responsible for costs related to deck repairs?*)
 - Maris Davies, Esq., Altitude Community Law, provided a legal opinion related to deck maintenance responsibilities. Her opinion is attached to these minutes along with the Amended Declaration dated 5/22/97.
 - The legal opinion stated that decks are considered Limited Common Elements intended for the benefit only of the owner compared to a General Common Element which may be utilized and enjoyed by all HOA owners. Maintenance performed on Limited Common Elements is the responsibility of the owner. The HOA does have the responsibility to paint the decks on a regular basis.
 - Board Discussion:

- The board discussed whether the HOA expenses related to previous deck repairs should be recouped from those owners. The Board is not aware of many decks that were repaired at HOA cost and does not believe that reimbursement should be pursued. Metal stair treads were installed on all front entry stairs many years ago. This is different since this was done as a safety precaution and the HOA required all stairs to be modified to set a consistent safety standard.
- Because of the age of most decks, the Board believes that a recommendation to all owners would be to have a professional inspection done at owner cost. A list of engineers/contractors will be provided to owners.
- Any alterations or repairs done to decks and front stairs still need to be approved by the Board via the HOA Unit Modification Request process.
- A recommendation will be made to all owners to have their individual insurance policy (HO6 policy) reviewed with their insurance provider to ensure that they have coverage for the HOA insurance deductible if their deck is damaged from an event which would qualify for an HOA insurance claim. The current HOA deductible is \$5,000.00. Owners may require an insurance rider to cover this. The HOA insurance policy would cover a deck insurance claim, but the owner would be required to cover the HOA deductible.
- An email will be sent to owners summarizing the existing policy toward deck repairs. A letter from the HOA president and Summit Resort Group will provide a broad explanation of the policy and include the Altitude Community Law opinion letter and the Amended HOA Declaration. The letter to owners should state that the decks are now 25 years old and seeing increased maintenance needs. This is the motivation for this deck maintenance inquiry by the Board.
- The letter to owners should include:
 - The call to action by all owners to get a deck inspection and include a list of engineers/contractors.
 - Owners should consult their individual insurance provider and inquire about a rider to cover the \$5,000 HOA insurance deductible.
 - Mention of the requirement that all deck repairs or alterations must get Board approval through the existing Unit Modification Request process.

V. Approval of December 4, 2023 Board Meeting Minutes

- Motion by Garret Poulos to approve the December 4, 2023 meeting minutes. Seconded by Bill Word. Motion carried unanimously.

VI. Motion to Adjourn

- A motion to adjourn the meeting was made by Bill Word, the motion was seconded by Robin Pitts and approved unanimously.
 - The meeting adjourned at 10:02 am.
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Recorded by:

Steve Wahl – Community Manger, SRG.

Robin Pitts – Secretary, PPT Board of Directors