

**MOUNTAIN SIDE CONDOMINIUM AND HOMEOWNER ASSOCIATION
ANNUAL HOMEOWNER MEETING
September 3, 2022**

I. CALL TO ORDER & INTRODUCTIONS

The meeting was called to order at 9:05 a.m. via videoconference.

Board members participating were:

Pete Pfeiffle, President, 210J

Sharon Schutz, Treasurer, 170J

Whitney Thompson, Member, 321C

David Arnold, Member, HOA, 7862

Meredith Williams, Member, HOA, 621

Lucinda Green, Vice President, 264I

Colleen Remsberg, Secretary, 270J

Don Cacace, Vice President, HOA, 742

Paul Hamilton, Member, HOA, 823

Condominium homeowners participating were:

Stuart Huels, 102H

Susan Crisfield, 109E

Herb Allen, 124I

Desiree Terrell, 129E

Sandra Hayward, 154I

Harvey Hoogstrate, 171C

Marsha & Jay Ruggeri, 177D

Bill Muldoon, 205A

Bill Patton, 209E

Jerry Barnes, 224I

Andrea & Jim Baer, 240J

George Muntean, 254I

Mike Evans, 303B

Frank Vezzi, 315A

Joelle Miller, 317D

Lyn Pierce, 322H

Patricia Fairchild, 333B

Simone Mancuso, 362H

Peter Digel, 106G

Stephanie Pastorini, 117D

Nora Brown, 128F

Drew Gibson, 133B

Tim Warren, 169E

Rick Lien, 176G

Bryant Battenfelder, 186G

Joelle Miller, 206G

Marty Cuerdon, 220J

Chad Alber, 234I

Jim Diekman, 247D

John Hess, 263B

Ben & Shaylisa Turner, 312H

Joanne Slavin, 316G

Eric & Dara Kline, 319E

Judith Hinds, 331C

Dana Steele & Jeremy Brown, 351C

Single family homeowners participating were:

Tony Giaccone, 544

Dick & Joanne Malmgren, 601

Katey Shirey, 613

William Schutz, 625

Linda Painter, 674

Lee Carlin, 733

Jon Ginsberg, 822

Steve Duree, 922

Ross Sheeley, 7892

Gail Hess, 573

Judy Meek, 611

Ross Mueller, 623

Kathy Nicol, 665

Eric Mendelsohn, 675

Peter Vettters, 802

Ben Green, 902

Mary Francis & Rich Ahlquist, 7872

Bob Lembke 7972/Lot 32

Representing Summit Resort Group (SRG) was Kevin Carsen. Erika Krainz of Summit Management Resources transcribed the minutes from recording.

II. PROOF OF NOTICE/PROXY/ROLL CALL

Notice of the meeting was sent on August 1, 2022. With units represented and proxies received a quorum was confirmed for both Associations.

III. PROPERTY OWNERS' FORUM

1. Bill Muldoon said four of the bike racks are completely full and three are almost full. The racks are not adequate for storing expensive bikes, parts can be easily stolen and they do not accommodate D locks. He requested that the Board consider an amendment to the Covenants to allow storage of bikes on decks.
2. Ben Green said the owners around the lake have historically paid for most of the expenses for its maintenance. The lake needs maintenance and there is about \$230,000 allocated for clean-up, dredging and improvements but there is not currently a plan to execute the work. The lake shore owners believe \$500,000 is a more accurate number to dredge 8', rework the dam and create fish habitats, assuming the lake shore owners would allow access over their properties to avoid the need for a conveyor system. In order to fund the needed work without a Special Assessment for all owners, the lake shore owners are prepared to contribute \$350,000 individually to fix the lake and will provide access for the project. In return, they request that the trail be used for walking and fishing be limited to the dam and possibly the south side of the property. He requested addition of this topic to the next meeting agenda.
(Jon Ginsberg was removed from the meeting at 9:48 a.m. after repeated interruptions and warnings that he was out of order.)
3. Ross Sheeley noted his support of Ben Green's comments.
4. Robert Lembke said owners around the lake have contributed \$300,000 - \$400,000 to maintain the lake over the past 20 years. Ben Green has offered access over his land for dredging. He requested the Board schedule a Special Meeting to consider this issue among the general membership.
5. Desiree Terrell asked about the paint scheme. Pete Pfeiffle said an architect has come up with three paint schemes for each building in earth tones.
6. Stephanie Passerini requested an update on the pending lawsuits and costs. Pete Pfeiffle said there is one pending lawsuit related to unpaid dues for a lot.
7. Linda Painter complimented the work by the hot tub.
8. Stuart Huels asked if there was a committee being formed to address potential new fitness equipment in the Clubhouse. Pete Pfeiffle said this will be addressed at the next Board Meeting.
9. Chad Alber asked about the rationale for making two sides of Building I no parking, leaving only five usable outside spaces. David Arnold said the west side is a fire lane.
10. Katey Shirey asked where owners can access information about the lake. Pete Pfeiffle said owners can attend Board Meetings and there will be a report later during this meeting.
11. Drew Gibson asked about the status of parking work vehicles outside parking structures. Pete Pfeiffle said there is a new Colorado law that is challenging some of the Association rules. The Board is working with the attorneys to make the required changes.

IV. APPROVE MINUTES OF LAST ANNUAL MEETING

Lucinda Green noted that in the first paragraph of Section VI.A. and VI.B., "audit" should be changed to "Reserve Study".

Motion: Lucinda Green moved to approve the minutes of the September 4, 2021 Annual Meeting as amended. Colleen Remsberg seconded and the motion carried.

V. PRESIDENT'S REPORT

Pete Pfeiffle reported on changes over the past 10 years. A water heater replacement program with bulk pricing was executed twice. The Clubhouse was remodeled, including the sauna, the Board Room was converted to an exercise room and improvements were made to the sound system. The pool and pool decking were redone. The cable contract was renegotiated to include high definition at a lower cost and rewiring of the entire property (in progress). Building and landscape architects were hired to refresh the structures and campus. The buildings that are two colors will be changed to three colors with three different paint schemes. The landscaping has been improved. The irrigation system has been reworked to save water and optimize the appearance and the billing system has been rectified. There will be a Special Assessment for the condominiums, the first in many years, to address safety issues. The balusters on the decks and stairwells are spaced too far apart and must be replaced for code compliance and to meet insurance requirements. The architect is helping to select metal balusters and a wooden rail cap. A Special Assessment will be levied next year and will be \$6,000 - \$9,000 for one bedroom units and \$9,000 - \$14,000 for two bedroom units. The Board has improved communications through a newsletter and the website. Pete noted that there have been three different management companies and SRG has provided the best service. The lake is for the enjoyment of all owners. The Board instituted annual audits ensure the investments are protected. The Reserve money has been invested in government-backed securities. The Major Component Reserve Study looks out 15 years, is reviewed annually and assists with financial planning for large projects. The Architectural Control Committee guidelines have been modernized.

Pete Pfeiffle said he would be stepping down from the Board in accordance with the term limits. He thanked all the Board members and owner volunteers who have worked very hard on behalf of the Association. Don Cacace thanked Pete for his ten years of service on the Board and for the long list of accomplishments under his leadership.

VI. COMMITTEE REPORTS

A. *Landscape*

The landscaping improvements were discussed during the President's Report. David Arnold said he continues to work on mapping, maintaining, modernizing and managing the irrigation system. The road frontage in front of D Building is finally turning green. The system now has a rain sensor. There are 26 patio homes that are tied in to a community water system, which the owners cannot control. These owners pay \$150 per year for activation, winterization and maintenance. Resource Central will conduct another conservation audit next year. Owners can contact him regarding irrigation concerns at mountainsidesprinklerhelp@yahoo.com. A weather station has been set up on the property. The data can be accessed at www.pwsweather.com.

B. *Communications*

Sharon Schutz said the communication since SRG has been managing has been much improved and there has been positive feedback from the owners. Newsletters are being sent quarterly and owners are encouraged to submit ideas of content. All Association

documents are posted on the website. An owner Facebook page has been established and instructions for access will be included in the next newsletter.

C. *Lake*

Don Cacace reported that the committee established an Emergency Action Plan, which was approved by the Division of Water Resources, to provide contact information for resources in the event of a problem with the dam. The dam is inspected by a State Engineer every other year. The inspection occurred a few weeks ago and no significant problems were identified. Some vegetation needs to be cleared. It was discovered that the lake has water and evaporation rights in the Green Mountain Compact, which will eliminate the need for dropping the lake level 18" every fall. The committee has developed a vision for improvements to the lake, including better fishing and pathway access and improving the appearance by adding vegetation over some of the cobble to create a more natural appearance. Part of the vision includes dredging. It was hoped this could be done in 2023, but the Board has not been able to come to terms with the lake shore owners, who wanted to attach conditions for the access that would permanently affect property rights and access to the Association property. The engineering phase of bridge reconstruction has been completed. Decking will be added to make the entire bridge 3' wide and railings will be installed on both sides. This project should be completed in October. The Association owns the first 10' of shoreline all around the lake and there is an additional 15' easement over the lake shore owners' properties to allow pedestrian access for all owners. After the dredging in 2004, however, part of the shoreline was submerged, preventing continuous access around the lake during the summer. The committee is trying to develop a solution with the affected property owner or by adding a bridge system over that section. Some signage has been installed by the lake shore owners regarding the path and fishing. The wording is not entirely accurate and the committee will be working with the lake shore owners to ensure all signage is appropriate.

D. *Architectural*

Two buildings are usually painted every year. All future painting will utilize the new color schemes.

VII. CONSENT AGENDA (ACTIONS VIA E-MAIL)

The Board took several actions by email, all addressing compliance with the new CCIOA legislation.

VIII. FINANCIAL REPORT

A. *Condos Financials*

Sharon Schutz reported that a new audit firm, McNurlin, Hitchcock and Associates, was engaged for the 2021 audit. There were a few reclassifications but no material changes. The audit will be posted on the website.

As of June 30, 2022, the Condos were operating \$47,000 unfavorable to budget mainly due to timing of projects, an overage in natural gas and sprinkler and drywall repairs.

B. HOA Financials

As of June 30, 2022, the HOA was operating \$25,000 unfavorable to budget due to overages in natural gas and pool/hot tub maintenance.

IX. MANAGING AGENT'S REPORT

A. Property Management Team

Kevin Carson reviewed the contact information for the SRG team.

B. Report on Completed & Pending Items

Kevin Carson reviewed highlights of his report.

Completed Projects:

1. Improved the condominium garage heating system.
2. Serviced or replaced many of the furnaces.
3. Sealcoated and re-stripped the parking lots.
4. Repaired damaged concrete.
5. The Town replaced several water meters.

Pending Projects:

1. The upcoming Comcast cable upgrade will require entry into some units. Notice will be sent to owners once Comcast provides the schedule.
2. The building painting is in progress.
3. The railing replacement will be done next year.
4. Supplemental support columns will be installed in the condominium garage.
5. Bids will be obtained for improvements to the Clubhouse security system.
6. The recycling will be improved with clear labeling and instructions for use of the containers. Owners are reminded not to put plastic bags in the recycling. Seven-gallon recycling cans will be placed in every condominium unit with bilingual instructions at no cost to the owners or Association.
7. The C Building decks will be repaired.

C. Reminders

1. Short and long term renters are prohibited from having pets.
2. Parking of RV's, trailers and commercial vehicles is limited to seven days within a 30-day period.
3. Bikes stored long term in the garage must display the appropriate sticker for identification, which can be obtained from SRG.
4. Storage of items on decks is prohibited.
5. Storage of any items in the condo garages other than bikes, strollers or vehicles in their designated space is prohibited.
6. Internet service for the condominiums is included in the dues. Owners with outdated equipment can obtain upgrades at the Comcast store, which has relocated to the shopping center by Sierra Trading Post. Comcast will provide a router at no charge for any units that do not already have one.
7. Each unit has a water shutoff valve, usually located under the sink or in the supply closet by the kitchen. The valve should be tested before plumbing work is scheduled to ensure it is functional. Owners who require a full building water

shutoff are asked to provide adequate notice so it can be communicated to owners at least 48 hours in advance.

D. Owner Education

Kevin Carson provided information regarding how water leak claims are handled through the Association and individual unit insurance policies. There is a letter from the insurance carrier posted on the website that explains what type of coverage is recommended for individual owners.

E. Annual Disclosure

The required annual disclosures related to House Bill 14-1254 and CCIOA were included in the meeting packet and are posted on the website.

X. ASSOCIATION BUSINESS

The Condo and HOA members convened separate meetings at 12:05 p.m.

XI. ELECTION OF DIRECTORS

A. Condo Elections

There were two seats up for election. The candidates were Simone Mancuso, Chad Alber and Bryant Battenfelder. The candidates introduced themselves and summarized their backgrounds and reasons for wanting to serve. The vote was conducted by electronic ballot. There were 195 ballots cast with 90, 62.5 and 42.5 for the three candidates respectively. Simone Mancuso and Chad Alber were elected.

B. HOA Elections

There were two seats up for election. The candidates were David Arnold, Ross Mueller and Bob Lemke. The vote was conducted by electronic ballot. There were 50 ballots cast with 24, 14 and three for the three candidates respectively. David Arnold and Ross Muller were elected.

XII. PROPERTY OWNERS' FORUM

Owner questions and comments addressed the following:

1. There was a suggestion to construct an enclosure for owner bike storage.
2. Dara Klein asked if the Board looked into private cages or lockers that could be put at the front of the parking spaces. It was noted that storage lockers would cause large vehicles to stick out and impede access. There could also be concerns about storage of hazardous materials. Lucinda Green said this topic was tabled but the Board can discuss it at the next meeting. She suggested that owners interested in this project do some research and present their findings to the Board.
3. Bill Muldoon commented that a storage unit at the end of the parking space would not be wide enough for bikes. He reiterated his request for further Board discussion of suspending the fines for storage of bikes on decks. Lucinda Green explained that Covenants and Declarations prohibit storage on the decks and the Board has an obligation to enforce the governing documents. Amending the Declarations is an involved process but this can be considered in the context of other changes that may need to be made.
4. Jay Ruggeri suggested creating a list of preferred contractors. He requested that the Board keep wheelchair access in mind when undertaking projects. Pete Pfeiffle noted it would be

very difficult to make the lake path wheelchair accessible. SRG or the owner Facebook page might be good resources for contractor recommendations. Whitney Thompson volunteered to create a Google document that can be shared for owners who do not use social media. She can also create a document that lists free items and appliances that owners are giving away.

5. Chad Alber reiterated his question regarding lengthwise parking on the west side of Building I. Pete Pfeiffle said it is one of the narrowest places on the campus and it is a fire lane issue. The south side of the building was also marked off because it is a snow storage area. The Building I residents have the underground parking and there are two guest spots.
6. Desiree Terrell asked why the buildings were being painted before the railings are replaced. Pete Pfeiffle said the railings will be metal and will not require painting.
7. Bill Muldoon requested an owner forum or working group to allow for feedback on the new railings. Lucinda Green said an owner committee was an excellent idea, once the Board has collected all the information.
8. Glenn Schutz noted that there are Himalayan prayer flags and additional fencing on some decks. Lucinda Green said part of the new legislation involves a review of the Bylaws and Policies and Procedures, which the Board will be doing this year. There are some probably legal conflicts in the existing Declarations and legal counsel will be consulted. The additional fencing should not be necessary once the new balusters are installed.
9. Dana Steele asked if wooden balusters were considered as a less expensive option. Pete Pfeiffle said the architect recommended metal because they are more durable and decorative. The estimated cost was covered during the President's Report.
10. Frank Vezzi noted that there are drainage issues in the garage that result in ice formation. The Board will follow up with Kevin Carson.
11. Simone Mancuso said the downspouts are deteriorating and some are not functioning properly or are turned in the wrong direction. There are also issues with grading and water coming in through the foundations. Pete Pfeiffle noted that the new support columns are unrelated to the water issues. The drainage is an ongoing problem and some buildings are affected by their proximity to wetlands. The Board will look at the drainage in terms of the spending priorities.
12. Lynne Pierce said she has a problem with bats in the roof and roosting on the balcony. Rabies is a safety concern for all owners. Kevin Carson said he had a bat mitigation expert at the property several times. They did some limited work but were not able to find the specific intrusion areas. Bats are protected and cannot be removed if they are roosting but they are migratory and should move on soon.

XIII. NEXT MEETING DATE

Motion: Lucinda Green moved to schedule the next Annual Meeting on Saturday, September 9, 2023 at 9:00 a.m. Whitney Thompson seconded and the motion carried.

XIV. ADJOURNMENT

Motion: Chad Alber moved to adjourn at 12:25 p.m. Sharon Schutz seconded and the motion carried.

Approved By: _____ Date: _____
Board Member Signature