

MOUNTAIN SIDE CONDOMINIUM AND HOMEOWNER ASSOCIATION
BOARD OF DIRECTORS MEETING
August 22, 2023

I. CALL TO ORDER & INTRODUCTIONS

The meeting was called to order at 5:30 p.m. via videoconference.

II. INTRODUCTIONS

Board members participating were:

Lucinda Green, President, 264I

Sharon Schutz, Treasurer, 170J

David Arnold, Vice President, HOA, 7862

Meredith Williams, Member at Large, HOA, 621

Whitney Thompson, Vice President, 321C

Chad Alber, Member at Large, 234I

Paul Hamilton, Member at Large, HOA, 823

Ross Mueller, Member at Large, HOA, 613

Condominium homeowners participating were:

Joan Barnes, 224I

Lyn Pierce, 322H

Patricia Fairchild, 333B

Jeremy Brown, 351C

Kerry & Deborah Eagan, 237D

Rick Schwarz, 236G

Willard Cole, 121C

Andrea & Jim Baer, 240J

Judith Hinds, 331C

Chan Dillon, 105A

Ted Eden, 126G

George Muntean, 254I

Paul Fairchild, 333B

Veronica Casados, 213B

Single family homeowners participating were:

Katey Shirey, 613

Jon Gray-Ginsberg, 822

Jim & Ellen Daily, 892

Representing Summit Resort Group (SRG) were Kevin Lovett and Deb Borel. Erika Krainz of Summit Management Resources was recording secretary.

III. PROPERTY OWNERS' FORUM

George Muntean said he noticed a natural gas odor on Bills Ranch Road. Kevin Lovett said Xcel Energy was on site today, tested with a sniffer and did not detect any leaks at the Clubhouse. They believe the odor may be related to a tuning feature when the boilers fire up. Design Mechanical will be checking the pressure of the boiler.

IV. APPROVAL OF PREVIOUS MEETING MINUTES

Motion: Lucinda Greene moved to approve the minutes of the June 1, 2023 Board Meeting as presented. Ross Mueller seconded and the motion carried.

V. COMMITTEE REPORTS

A. Communications

Sharon Schutz reported that a newsletter was recently sent. The next one will be sent in late November. There are a few new members on the Facebook page. Five Board terms will expire at this year's Annual Meeting. Owners are encouraged to consider serving.

B. Lake

Ross Mueller said about 20 willow trees were removed per the State engineer recommendation. An area near the bridge was infilled. A trash can was added. Options for signage and benches are being explored.

C. Landscaping

Katey Shirey reported that a lot of planting was done, including perennials. Photos have been posted on the Clubhouse bulletin board. A map of all the garden beds is being created. Three dead trees were removed and there are plans to replace two of them. It is likely additional hazardous trees will have to be removed. The irrigation system is being fine-tuned and some sprayers were replaced with drips. Fall clean-up, fertilization and irrigation shut down will occur in October. David Arnold can help owners with irrigation issues. Owners interested in serving on the Landscaping Committee should email her.

D. Insurance

Chan Dillon said Kinser Insurance was unable to renew the Mountainside policy through Farmers Insurance. The current policy is through the excess and surplus market with CSC. Nine layers were required to obtain \$55 million of coverage for full replacement. Many carriers are unwilling to provide coverage for properties with insured values over \$50 million. The committee has communicated with four retail agents who specialize in HOA insurance in an effort to find a carrier willing to provide a single policy for all risk. Steve Dorado thinks he may be able to provide an option through Avalon and has requested control of that market. It needs to be confirmed with Kinser that they did not approach Avalon. Mountain West was unable to secure a quote from CAU due to the property value. Tracy Warren with JJ Insurance was very optimistic about RPS, but that program would still involve multiple layers of coverage. Tracy Johnson has been investigating the Fair Plan, which will be available in Colorado in 2025, but the coverage limits would not serve this property. It is not recommended by the insurance brokers to break Mountainside into several smaller associations. The next step will be to engage Steve Dorado in September to explore the options through Avalon and Philadelphia.

Owner questions addressed the following:

1. Jeremy Brown asked if some level of insurance responsibility is being passed from the Association policy to the individual owners, and if so, if there is a list of recommendations. Lucinda Greene said the coverage changed at renewal. A letter is posted on the website that explains the changes and lists the recommended owner coverages. It should not increase the cost for HO6 coverage significantly. Owners are being asked to increase their coverage to meet the deductible. The HOA coverage now only extends to the unpainted drywall and the subfloor.
2. Kerry Eagan suggested that there might be some level of insurance that owners could retain that would encourage other brokers to bid on the policy, i.e. a type of self-insurance combined with traditional insurance.

VI. CONSENT AGENDA

1. 6/15/23 Motion to approve both Homeowners and Condo 2022 Audit Report; approved.
2. 6/19/23 Motion to contract BobbyCat for Clubhouse tree removal work recommended by the landscape Committee; approved.

3. 6/15/23 Motion to approve BobbyCat for \$1,500 to do the state engineers recommended work on the dam near the lake amenity; approved.
4. 7/18/23 Motion to approve TSH Tree Service to complete tree trimming/removal work as directed by insurance loss control.
5. 6/15/23 Motion to approve Condominium Insurance Committee, Charter and appoint Committee members; approved.
6. 7/21/23 Motion to have Kirk Holleyman write letter to CSC to fix or agree to amend lease so that we may repair them ourselves; approved.

Motion: Whitney Thompson move to approve the consent agenda. Ross Mueller seconded and the motion carried.

VII. FINANCIAL REPORT

A. July 2023 Financial Review

Sharon Schutz reviewed the financial statements as of July 31, 2023.

1. Condo Financials – The Total Checking/Savings balance was \$647,000, including the insurance assessments. Two payments were made for the renewal and financing charge. Legal/Professional was \$12,202 unfavorable to budget. Total Grounds Maintenance was \$10,769 favorable to budget and Total Utilities was \$5,058 favorable to budget. Year-to-date Reserve expenses totaled \$308,000 for roof repairs, staining Building H and the baluster project.
2. HOA – The Total Checking/Savings balance was \$170,647. Total Administrative was \$5,843 unfavorable to budget due to timing of the audit and tax return. Total Building Maintenance was \$6,498 favorable to budget, Total Recreational Facilities was \$7,686 favorable to budget and Total Utilities was \$1,992 favorable to budget. Year-to-date Reserve expenses totaled \$9,087 for the new spa heat exchanger and fob locking system in the Clubhouse.

Action Item: Kevin Lovett will follow up on the missing \$8,000 Reserve transfer.

VIII. ASSOCIATION BUSINESS

A. Project Updates

1. Railing project – Completed. The final bill has not yet been paid.
2. Walkway Repairs – The metal grate for the C Building walkway is pending.
3. Roof Leaks – The roof work has been completed. The interior repairs are pending for I144, I204, H202, B203, D207, J230, A315, C301, A335 and E369.
4. Miscellaneous Roof Items – NW Roofing will replace missing shingles on the shed and will provide a proposal for F Building gutter work. There are two leaking skylights in the Clubhouse.
5. Insurance Loss Control – Completed the paper work and tree work.
6. Building A Garage – Replace the old furnace and get a bid to replace and rework ducting from the furnace.
7. Buildings A, B, C and F – Change out five remaining evaporation pans with new Neutrapump condensation pumps.
8. Water Backflows – Two backflows failed the last inspection. The fire sprinkler backflow in I Building was repaired. The domestic water backflow has to be replaced.
9. Property Manual – Pending.

10. ASR Repairs – The concrete post drywall will be deducted from the final bill.
11. Fireproofing – 11 supplemental columns will be treated with fireproof paint.
12. Electrical Items – A list has been developed for the electrician.
13. Pool – MCPS will provide proposals for the pool liner and hot tub covers.
14. Raquetball Court – Door trim install is pending.
15. Clubhouse – Touch up painting and paint small hot tub surround panels. A punchlist has been created.
16. Hot Tub Railing – The railing was tightened.
17. Fence Repair – The fence is leaning around the hot tub at the Clubhouse. The project was assigned to a contractor today.
18. Fireplace Replacement in Clubhouse – Consider It Done submitted an \$8,000 bid. The fireplace can no longer be repaired and it is the primary heat source for the room.
19. Laundry Room – A contractor will work on the counter crack and caulk.
10. Brick Repair – The east entrance repair is pending.
11. Summit EMS Knox Box – The Fire Department needs 12 keys.
12. Tree Removal/Stump Grinding at Clubhouse – Pending.
13. Building I Fire Panel – The panel is beeping intermittently. Allied Security recommends replacement at a cost of \$2,837.
14. Comcast - Outstanding wire clean-up is on their list.

B. Mechanical Service Agreement

David Arnold said he has not been pleased with the performance of Breck Mechanical over the past year, but the recommendation is to continue with the current contract that auto renewed last month.

Action Item: Paul Hamilton and David Arnold will work with Kevin Lovett to schedule a meeting with Breck Mechanical.

C. Bylaw and Declaration Amendments and Revisions to Rules & Regulations

The Board is working with attorney Maris Davies at Altitude Law. The laws have changed over the past several years. The governing documents are from 2010 and are outdated. She provided a bid for revising the policies, which was done, and a bid for a full review of all governing documents, which now needs to be done based on changes to the insurance, election issues and RV parking.

Motion: Chad Alber moved to defer enforcement of the parking rules that prohibit long term parking of recreational vehicles in the parking lot until December 1, 2023. Whitney Thompson seconded and the motion carried.

Motion: Lucinda Greene moved for the Condo and HOA Associations to send both sets of Bylaws and Declarations to Maris Davies and to request a draft of updated documents. Whitney Thompson seconded and the motion carried.

Action Item: Kevin Lovett will forward the documents to Maris Davies.

D. Chimney/Fireplace and Dryer Vent Inspection

The inspection cost is \$85 for chimney/fireplaces and \$95 for dryer vents and it will be done October 2nd – 4th. This will be an Association expense.

E. 2023 Election of Directors Process Procedure Modification to Allow Vote by Mail

If the election is contested, the election will have to be conducted by mail and the results will be tallied by the end of September. Owners can opt to waive the right to vote anonymously and submit their votes by email. Biographical information for the candidates will be also be sent out. The candidates will be given the opportunity to introduce themselves during the meeting. Owners interested in serving should email Kevin Lovett.

Motion: In accordance with Section 3.12 of the Bylaws and the Colorado Non-Profit Act, Lucinda Greene moved to proceed with the “secret ballot vote by mail process” for the 2023 Board of Directors election. It is noted that if the election is uncontested, the secret vote by mail process will not be needed and candidates will be elected at the Annual Owner Meeting. It is noted that per attorney direction, a formal amendment to the Bylaws is not required to proceed with this process modification. Ross Mueller seconded and the motion carried unanimously.

F. Annual Meeting Planning/Luncheon

The Annual Meeting will be held on Saturday, September 9, 2023 at 9:00 a.m. via Zoom. Deli Belly was selected to provide the food for an owner gathering. Otto will set up the room at the Senior Center during the meeting. The food order assumes attendance of about 50.

G. Staffing

A new Property Manager has been hired and will be starting September 12, 2023.

IX. NEXT MEETING DATE

The next Board was scheduled for Monday, October 9, 2023 at 5:30 p.m. via Zoom.

X. ADJOURNMENT

Motion: Lucinda Greene moved to adjourn at 6:47 p.m.

APPROVED 10-9-2023