

**MARINA PARK  
BOARD MEETING  
MARCH 14, 2008**

**MINUTES**

1. **Call to Order.** The meeting was called to order at 4:08 p.m.
2. **Affirmation of Attendance and Quorum.**
  - A. Board members in attendance were Rich Rutledge, Ron Melgren, and Zeke Gazett.  
  
A quorum was established.
  - B. Other owners in attendance were Melissa Sharpe, Jason Brewer, and Jermiah Floyd.
  - C. Representing Mountain Managers were Eric Gill, Susan Witkowski, and Judy Freese (via conference call).
3. **Approval of Minutes from the 1/11/08 Board Meeting.** A motion was made, seconded, and passed to approve the minutes as written.

Since there were a couple of owners in attendance that needed to leave early, it was decided to revise the order of agenda topics to allow for early discussion of landscaping, parking and other issues.

4. **Old Business.**
  - A. Landscaping: Jermiah Floyd presented plans for landscaping at Marina Park. His plan would begin on the south end and include the corner space by the stairs going to the pool as well as the fronts of A & B buildings. He would like to transplant some of the existing plants and trees to different locations. All new plantings will be drought resistant, low maintenance, and appropriate for the climate zone. There were some questions on irrigation and it was noted that the only spots not irrigated are in front of the retail and commercial units. While all new plants will require extra watering, it was decided that additional irrigation systems are not needed. Jermiah explained that the entire landscaping project will be accomplished over 2 to 3 years. He estimates that the initial phase to be done this spring will cost \$2,000 for plants to fill all beds. He also has prepared an inventory of plants and trees currently on the property and plans to use all existing plantings. He will include planting a variety of flowers that will bloom at different times ensuring color throughout the complex into the fall months. He would also like to plant bulbs in the fall – this is not included in the price but bulbs are not that expensive. Additionally, he mentioned bringing in some stone and moving boulders around to enhance the property's appearance but he does not know the cost of doing this.

Eric asked about continued maintenance costs. If (in the future) Jermiah leaves, what kind of maintenance/cost will the HOA be looking at to maintain the landscaping? Jermiah estimates 4 to 5 hours per week (depending on the weather) will be needed at a cost of \$150 to \$200 per month. This will need to be done this summer and every year thereafter.

The Board asked about next year's projected cost to continue with the landscaping. Jermiah explained that depending on what the HOA wants to have done, it could be more or less than this year's \$2000. Some owners have expressed interest in helping out (under Jermiah's supervision) and the possibility of having an owner planting/work day was mentioned.

All thought the landscaping plan looked great. The Board agreed that the shortage of funds precludes authorizing the expense now.

Eric pointed out there are monies due from Dr. Bernier and Michael Bosma that remain unpaid. Another letter was sent to both parties shortly before this meeting detailing the amounts due and asking for a written response as to when this would be paid. Dr. Bernier previously verbally agreed to pay \$19,167 for painting but in a recent conversation with Eric he said he does not want to pay until painting is actually done. The Board's view is the promised funds are a commitment from the developer to adequately fund the reserves to the HOA and feels this delay is unacceptable. Dr. Bernier has also yet to pay the agreed upon legal fees (\$1,171).

Michael Bosma (AGR) owes for insurance/warranty expenses from the two water leaks in unit B-commercial. The leaks were a result of valve failure. The building has a one year warranty that is still in effect. Money can be obtained from the insurance company who might then subrogate against AGR for the funds. To avoid the claim and make things easier, the invoice was sent directly to Michael Bosma requesting reimbursement to the HOA. (Subsequently, the insurance company was contacted and will be sending a check. This will give the Association much needed funds to accomplish upcoming projects.) It was noted that the water closet in A building is the same as in B and should be addressed. He also owes for the re-keying. The total owed for these two items is \$17,202.26.

Until these funds come in, the HOA is not in a very solid financial position. It was asked if late fees and interest are being charged. Eric explained that this has not yet been done since it was believed the funds would be forthcoming from Dr. Bernier. The most recent letter to Dr. Bernier asked for a written response not later than 4/3/08. If funds are not forthcoming, a final letter of demand will be sent. The letter will detail exactly what is owed including all outstanding warranty work and could include penalties and interest. The Board is hopeful Dr. Bernier will honor his verbal commitments to the HOA. To avoid additional cost, an attorney will not be retained at this time.

Returning to landscaping, a motion was made to adopt Jeremiah's landscaping plan pending funds coming in to pay for it. Jeremiah's plan is terrific and the price can't be beat (no labor charges). Curb appeal will be greatly enhanced and it was unanimously approved to go ahead once funds are available.

Zeke noted that while the Marina Park sign has been put on hold, he still feels this is needed. A motion was made and passed to keep the sign on the proposed projects list.

- B. Parking: Parking in the exterior spaces has been discussed at length at previous meetings. Jason Brewer and Melissa Sharpe are the two people most affected and both were in attendance. At the annual meeting, Jason stated he would prepare an alternate parking proposal that would be fair to all owners. He has not yet done this and explained that he was trying to give Melissa a chance to get the motorcycle removed from the lot before setting new rules. In view of the heavy snow, moving the motorcycle has not been possible but it will be moved as soon as possible and definitely not later than the end of the month. Melissa pointed out that there are other owners/guests that are using the

exterior spaces and parking their vehicles for days without moving. Jason also noted that his and Melissa's units have carports and not garages and the carports are not actually big enough to comfortably park two vehicles. The Board's main concern is extended parking and not moving vehicles to allow for snow removal. A question was raised as to whether or not the rules and regulations had been changed to prohibit owners from using guest/visitor spaces. It was pointed out that the original rules and regulations were prepared in 2003 as part of the original documents (before control was turned over to the HOA). These rules state, "The Owners may permit their guests, invitees, family, etc. to use the guest parking spaces on the Project, if any, pursuant to these rules and regulations. No such parking shall be used for more than a period of four hours per day by any such Owner. An Owner may not use the parking spaces provided for guests, if any, for its use for parking the Owner's vehicles for any period other than the temporary period provided above. In addition, no Owner may park its vehicle in a space which is not contained within the Owner's garage, unless the Owner is the Owner by Deed of such space or the space is leased by the owner, pursuant to applicable provisions contained herein and in the Declaration. The Association may set reasonable rules and regulations for the use of the guest parking spaces."

Jason will continue to work on a proposal that will include all vehicles being moved for snow removal and any owners using these spaces moving their vehicles during peak times to allow room for renters/guests. The final decision on parking rules was tabled pending receipt of Jason's proposal.

Parking between the buildings in the fire lanes was also discussed. The Town required that signs be posted and these cannot be removed. Violating vehicles need to be tagged with notice that their cars are subject to towing if parked in the fire lanes. Some of the violators appear to be renters of Dr. Bernier's unit – Mountain Managers will make sure that any of their renters know not to park in the fire lanes.

Additional parking has become an issue for Marina Park. It was pointed out that the complex has adequate parking for the number of units. Some complexes have only one parking space per unit. Marina Park has more parking than most and has access to other parking areas (government building lot, etc.)

- C. Hot Tubs: Eric noted that the hot tub is currently in a bad location that is too small to make using the covers convenient. On the next go round, something will be built to allow for the cover to sit on its side. It was noted that the hot tub probably only has one more year of life in it. When it "dies" it might be better to consider moving it to another location. It was pointed out that since 30% of owners have their own hot tubs, a "community" tub may not be necessary. Since units were purchased with a hot tub in place, this will need to be taken into consideration.
- D. Exercise Room Survey: There are not enough funds to do anything at this time. Several surveys have been received but results are inconclusive. Turning the room into a game room could prove problematic since this may result in the creation of a "party room" and cleaning could become an issue. It was resolved to leave the room as an exercise room for now but to remove any equipment that does not work.

- E. A & B Building – Water Closets – discussed earlier. This will be addressed in the next letter to Dr. Bernier.

5. **New Business**

- A. Parking in fire lanes was discussed under parking.
- B. Tax Bill for Owners: Eric stated he received a call from Bernie Zurbriggen saying they were trying to figure out why Dr. Bernier received a \$16,000 tax bill. Apparently the County entered information to reflect A and B buildings as one unit and Dr. Bernier was sent the tax bill for all 12 units. The County records do not currently reflect individual ownership for A & B buildings (C & D are OK). Land Title will be sending tax bills to owners who did not receive tax billings. This issue is being looked at and will be corrected.
- C. Questions were raised on the expected heavy spring run-off and if Marina Park was in good shape. Eric noted that Marina Park is in better shape than many complexes. Some water/ice will collect in front of B-commercial but should melt quickly. Mountain Managers will keep an eye out for any problems.
- D. Painting: Zeke presented information on touch up painting he is planning to do including sealing decks on C & D buildings. A & B has areas that were totally missed and will be painted. How often decks should be sealed was discussed. Zeke noted that he recommends once per year to keep decks looking good, however, some decks can go longer depending on the deck, weather, sun exposure, etc. Sealing/painting of decks needs to be added to the MCR. This should be included whenever painting is required, but decks will need sealing/painting more often.

A motion was made and passed to approve the painting project (Zeke did not vote). The start date will be dependent on receipt of funds.

- 6. **Financial Report.** Eric reviewed the February financials and the year-to-date numbers. He noted that there were still some fees showing from the previous “a-la-carte” management agreement.

Utilities: Mountain Managers pays the gas and electric bills. The power went off in Michael Bosma’s unit for non-payment. Michael Bosma’s secretary called and said Mountain Managers was not paying the bills and power was going to be shut off. It was discovered that some invoices had not been forwarded to Mountain Managers. There are 3 meters not currently being paid for by Marina Park and this will need to be allowed for in the budget. This is mostly for heat tape, lights and heaters – heat tape and heaters will be turned off soon so there should only be a few more utility bills higher than anticipated.

Pool utilities can’t be broken out since they can’t be separated from the walkways and drives. The pool will be opened next week per the Rules and Regulations. To get an idea of what the pool is costing (utilities) Eric suggested shutting walkways and drives off for the month of May and see what the difference in utilities are. All agreed to give this a try to get a basic idea of pool cost.

Trash was over budget and may be due to extra pick ups. An eye will be kept on illegal dumping.

Snow removal was up; heavy equipment snow removal and roof snow removal were OK.

The insurance reimbursement does not reflect the full amount.

All other items were either below budget or on budget.

The line item for "legal" should read "legal/tax".

Eric noted that the doorbell system that was installed does not work and something else needs to be tried. It's important to get the doors locked to prevent unauthorized entry, vandalism, etc.

The balance in the checking account was a negative \$9,385.68 and the balance in the money market account was \$9,699.63

Delinquencies were reviewed.

Outstanding warranty work (the crack in the driveway going to the drain, the gutter by Ron's unit, retaining wall by pool, etc.) will be added to the next letter to Dr. Bernier.

7. **Schedule Next Board Meeting.** The next Board meeting will be 4/18/08, 4:00 p.m. at Mountain Managers. This can be a conference call meeting – information will be provided to the Board.
8. **Adjournment.** There being no further business, the meeting was adjourned at 6:12 p.m.

Signed:

Reviewed – OK to distribute

3/24/08

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Rich Rutledge, President

Date

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Judy Freese, Recording Secretary

Date