

**MARINA PARK
BOARD MEETING
APRIL 18, 2008**

MINUTES

1. **Call to Order.** The meeting was called to order at 4:12 p.m.
2. **Affirmation of Attendance and Quorum.**
 - A. Board members in attendance were Rich Rutledge, Ron Melgren (via conference call), and Zeke Gazett (via conference call).

A quorum was established.
 - B. Representing Mountain Managers were Eric Gill, Susan Witkowski, and Judy Freese (via conference call).
3. **Approval of Minutes from the 3/14/08 Board Meeting.** A motion was made, seconded, and passed to approve the minutes as written.
4. **Repair and Maintenance Report.** Eric reviewed the report and several items were discussed.
 - A. Mountain Managers will continue to keep an eye on water that may collect in front of B commercial and next to A-1 during spring run off.
 - B. Deck seal/paint has been added to the MCR.
 - C. The snow blower that Zeke sold to the HOA required repairs (transmission gears).
 - D. Insurance claim for Retail B to be discussed later in the meeting. Ron noted that the water closet in Building A has the same poor design as Building B and should be added to the list of items that need to be repaired. A letter will be sent to AGR putting them on notice that this needs to be fixed to prevent the same problem as occurred in Building B.
5. **Financial Report.** Eric reviewed the March financials and several items were brought up for discussion.
 - A. Utilities were over budget by \$1789 as of March. Eric explained that he recently received a bill from X-cel Energy for Buildings A and B. These were not originally forwarded to Mountain Managers as bills that should be paid. The bill was for \$9,400 and dated back to October. AGR was receiving these bills. Mountain Managers now has the electric bill for A and B coming to their office. The error was discovered when the power went out in Building A due to non-payment. It was noted that Mountain Managers prepared Marina Park's budget based on the bills Mountain Managers has been paying. These unfortunately did not include Buildings A and B. This will affect the total budget and will adversely affect the Association's cash flow.

Eric will research the utility billings and prepare a study detailing how much it costs to run the pool, hot tub, heat tape, etc. Rich made several suggestions on how to gain immediate savings on utilities:

- (1) Cut off the ice melt system to the roofs now. Any more snow will hopefully melt in 24-48 hours.
- (2) Don't open pool at all
- (3) Suspend hot tub use
- (4) Check outside lights and make sure they only come on at dusk and go off at sunrise.

Ron was in agreement but Zeke had some reservations about closing the hot tub since it gets substantial use and owners seem to want it open. Eric estimated that the hot tub costs approximately \$70 per month for the electricity to run it so closing it would not result in substantial savings. It was decided to leave it open for now pending the results of Eric's utility study. Eric will complete the study and break down the costs per meter going back 4 months. This will enable the Board to make better informed decisions on where to cut back on utility expenses.

- B. Snow removal was slightly over budget due to the heavy snow year.
- C. Grounds – the snow blower purchase and repair is reflected in the March financials.
- D. Delinquencies: These are looking good – no owners are over 30 days past due with the exception of Bernier/Bosma. They account for the majority of the delinquent amount. Ron asked that late fees/penalties be imposed on the past due amounts. Eric feels late fees and interest can be charged on delinquent dues payments. Eric noted that Michael Bosma holds power of attorney for Michael Bernier and is supposed to be paying all bills. Dr. Bernier had not been getting the information and did not realize that Michael Bosma was not paying dues. This was brought to his attention when he reviewed the last set of financials. A motion was made, seconded, and passed that if the issue is not resolved prior to the next Board meeting, a lien will be placed on the unit.
- E. Bernier/Bosma situation: Eric did a walk around with Bernier, Bosma, Roger (AGR) and Terry. Items looked at included the sprinkler room, the concrete crack by Rich's unit (the crack is not that big an issue but the fact that there is no heat in that area is a major concern). Terry has been working with Eric but they have not yet figured out the problem. It was agreed that this must be fixed. The doorbell system for B10, 11, & 12 was also looked at. The system that was installed does not work and they are aware that this must be remedied.

Dr. Bernier wants the Association to give him a “walk away” figure so when he writes a check, he’s done and can’t be asked for more funds. The Board does not feel they can relieve Bernier/Bosma of all further obligations for things that may surface down the road. Michael Bosma is preparing a letter spelling out what is being paid for. The letter will stipulate that the Association will not be able to ask for more money in the future for these specific items.

The retaining wall by the pool area was discussed. Eric noted that this is cultured stone and some of the stones have fallen off. He also noted that the wall itself looks fine and has no cracks. Eric does not believe that it is a foundation issue and regular maintenance might need to be budgeted for to reattach stones. Zeke was on site at the time of the meeting and agreed that the wall itself appears to be in good shape. The problems that have been encountered do not seem to be the result of any design flaw and could not be foreseen. Therefore, it is not something that the developer/builder should be expected to correct. Once the snow melts, other options will be explored to improve drainage.

There is a lot of calcium deposit on the stones that results from the wall being saturated with water. Mountain Managers will shovel on a regular basis to mitigate the melt/freeze cycle that can cause damage. Zeke noted that he can acid treat and power wash and remove most of the deposit. A small inconspicuous area will be tested before using any acid on the entire wall. Hopefully, power washing alone will accomplish the job.

- F. Insurance claims: To date, insurance reimbursement totals \$13,150 (\$1,000 deductible). Eric noted that a second claim could be filed but was trying to avoid this to keep loss history at a minimum. A total of \$17,202.26 was submitted to AGR for payment but they have refused to pay. The insurance company is subrogating – the building is less than 1 year old and should be the responsibility of AGR, not the HOA. Eric is hoping that subrogation will solve the problem but the HOA needs cash now. Ron noted that AGR should be concerned with their reputation in Frisco since they are planning another project in the area. Eric stated that the current developer/builder did not do the actual design, however it was pointed out they bought the design when they bought the property. Dr. Bernier was part of the original company, bought them out, and hired AGR.

It was resolved to go ahead with the 2nd insurance claim – cash is needed to be able to pay bills.

- G. The balance in the checking account was a negative \$12,939.73 and the money market account balance was \$5,019.62.

6. **Old Business.**

- A. Bernier/Bosma (discussed under financials).

- B. Parking. At the last Board meeting, parking in the exterior spaces was discussed. Jason Brewer was to submit a suggestion for utilizing these spaces by owners. His proposal is as follows:

"The west-end parking area is Common space but may be used by Owners to park their vehicles for periods up to 36 hours at a time. The owners of all the units are aware of the value short term renters have to some unit owners, the necessity of parking for those renters, and will make an effort to park their vehicles in other spaces during busy rental times."

The Board felt this needed clarification (i.e. can owners/renters move their vehicles from space to space or does the 36 hour rule apply to any space). It was also noted that short term renters may be in residence for a week or longer and may have vehicles that do not fit into the garage. Can they park outside? There also needs to be verbiage stating that all vehicles must be moved to allow for snow removal. It was felt that owners/renters should use parking/carport parking first. The parking spaces along the west side of the building are provided as overflow parking for owners/guests. Any use of exterior spaces should be limited to 24, 36, or 48 hours.

The Board also noted that parking is not usually a big issue and the main concern is to prevent long term storage and to also allow for snow removal.

Eric and Judy (Mountain Managers) will work on a revision to the current Rules and Regulations and provide it to the Board.

- C. Zeke noted that the water closet doors were not shut tight. Eric explained that the doors need to shut firmly to be secure. Locks have been installed and Mountain Managers will ensure they are locked.

7. **New Business**

- A. Insurance reimbursement was discussed under financials.
- B. Hot tub: Eric met with Maximum Comfort Pool and Spa (Shannon) and discussed options for possibly relocating the tub when it needs to be replaced. It was noted that the current tub is in a "funky" location and is on the 2nd cover at this time. If a shell was installed in a different location (pool area) the downstairs equipment would be used to run it. Shannon will look at the area and see what could be done and the cost. The current tub will probably need to be replaced in the not too distant future. A decent residential tub would run about \$8,000 and will last 6-8 years. Installing a shell would cost considerably more (\$50,000) but would last forever and could be re-plumbed to the current heaters. This might be something to consider and look at in the future (no funds for this at the moment).

8. **Schedule Next Board Meeting.** The next meeting will be scheduled at a later date. Eric will complete the utility study and forward to the Board. After reviewing, the Board can decide if a meeting is required in the near future. It might be good to wait until the May financials are complete since these will give a much clearer picture of the Association's finances.
9. **Adjournment.** There being no further business, the meeting was adjourned at 5:28 p.m.

Signed:

Reviewed – OK to distribute

4/30/08

Rich Rutledge, President

Date

Judy Freese, Recording Secretary

Date