

**Dillon Pines Apartment Association
Board of Directors Meeting
306 W. Lodgepole, #S8
July 30, 2006, 10:00 am**

Agenda

- I. CALL TO ORDER
- II. APPROVE MINUTES FROM JUNE 10, 2006 BOD MEETING
- III. PRESIDENT'S REPORT
- IV. MANAGER'S REPORT
- V. FINANCIAL UPDATE
- VII OLD BUSINESS
 - A. Repair N-1 and N-2 Back Steps
 - B. Seal Coat Parking Area
 - C. Kayak/Canoe Storage Rack
 - D. Landscaping around Trees
 - E. Signage for Enforcement of Dogs-On-Leash Policy
 - F. Homeowner Work Day Plan
 - G. Replacement of Balcony Railings on North Building
- VIII. NEW AND OTHER BUSINESS
 - A. Date for Homeowner's Meeting
 - B. Mayor Barbara Davis to Present at HOA Meeting
 - C. Update of By-Laws, Declarations, Rules & Regulations
- IX. ADJOURNMENT

Minutes

Attendance

The following were in attendance: Linda and Doug Ostergaard (S4), George Harrison (S8), Carol Bosserman (S9), Mary Carvara (N9) for one hour, Stephen Gardner (Property Manager). (Susan Fero tendered her resignation this past week. Lary Milner couldn't attend due to a health problem, and gave George his proxy on all decisions requiring a quorum.)

Approval of June 10, 2006 BOD Minutes

The minutes from the last June 10, 2006 BOD Meeting were reviewed. **Motion:** George moved that we approve the minutes. Carol seconded. All present approved.

Board Member Resignation

Linda Richards presented a letter indicating her intention to resign from the board immediately because she believes that “the Board has not always represented the best interests of the general homeownership as outlined in the governing documents, as well as by direction of the majority of the homeownership during previous voting opportunities.”

Her resignation was accepted with thanks for her years of service to the Dillon Pines Apartment Association, Inc.

Report on S5

A letter was sent by the attorney retained by the BOD (Richmond, et al.) to S5. There has been no response. Bart Hamilton sent an e-mail to Dillon Pines, and Linda Richards replied by e-mail (see Attachment A).

Property Manager Report

Stephen reported on the following:

Water Meter in South Lawn

The Town of Dillon has decided to require all properties with an irrigation spigot in their lawns to put in a permanent meter (DP currently has a temporary meter). This will cost approximately \$1,500-\$2,000. **Follow-Up:** Stephen will inquire whether Eric Holgersen will postpone the change-over until next year, or longer.

Ongoing Roof Leaks

Roof leaks in various units (which occur only in units with wood burning stoves) have to do with non-ventilation of a double-wall pipe.

Parking Lot

Stephen presented estimates of \$2,000 (for materials only) for a seal coat of both parking lots, and \$38,858 for a resurfacing.

Stairs on N1 and N2

Stephen presented estimates on replacing the existing wood stairs leading to N1 and N2 with metal stairs. The question arose about what to use for railings so that the railings on the stairs and the railings on the balconies would match. Carol suggested that the badly deformed boards on the railings of the balconies of N1-N3 be scraped and repainted. Therefore, there would not need to be congruency between the railings on the balconies and the railings on the steps. The BOD agreed.

Dogs, N2

The tenant in N2 has continues to keep her dog(s) tied outside of the unit, despite requests from the property manager that she not do this.

The tenant is now able to walk her dog(s) on a leash. George moved that ~~N2~~ be put under notification that they are in violation and that the tenant needs to move out or remove the dogs from the premises. (The tenant is also hanging laundry over the balcony railing.)

Remodeling, N2

Some of the recent modifications made in N2 are not according to code and might present a fire hazard. George said he had a conversation with the owner of N2 in which he asked that they have an inspection done by the county building department with a report back to the BOD. This has not happened. George said he will send them an e-mail with a deadline of this Friday, August 4. If there is no reply, the BOD will contact the County to have them do an inspection.

Lawnmower

The lawnmower has been breaking down. The BOD authorized the property manager to pay up to \$350 for new lawnmower.

President's Report

Tree for N-8

N8 reported to the Board that, among other things (see Attachment B), a Spruce tree died and was removed in front of their unit. N8 was offered a cluster of Aspen (in the amount of \$300) to replace the Spruce that died. N8 rejected this offer and wanted the Spruce tree replaced with an equivalent (which would cost ca. \$___). The BOD agreed to replace the tree in the amount of \$300. If N8 would like to replace with an equivalent tree, then N8 has the option of paying the additional cost. The board agreed that there are so many other big ticket items that we need to address them before we replace the tree.

Sewage Backup in S4

Regarding the ongoing sewage backup in S4, George moved that the BOD approve a TV video of the Sewer line in the South Building. Linda seconded. All present approved. Stephen will arrange for this.

HOA Work Day

A proposal, presented by Carol, to create a Homeowner Work Day (see Attachment C), was approved for Sunday, August 20th, with a back-up day of Sunday, September 17 (the day after the HOA Meeting).

Each unit will do one day of work, or pay an assessment of \$100. Carol and Stephen will work out the details. The tasks will include sealing the parking lot and scraping peeling paint and repainting. Lunch and drinks (hydration) will be provided.

Landscape Master Plan

Carol asked the BOD to consider making some changes that would reduce our watering costs. The Board asked Carol to contact Mary Kay and John about their friend who has done consulting

work for the Denver Botanic Garden and see if he would come up and do us a master plan. Carol will send an e-mail.

Heat Tape, electrical Outlets

We need to pull an additional five circuits to support heat tape on the roof. George moved that Stephen should get 3-4 bids for this work. This is the first priority after replacing the stairs in front of N1 and N2. He should consider contractors from Denver as well.

N2 Remodeling Approvals

N2 still needs to have the county look at the work they have done. George will write a note to N2 and give them a deadline of Friday to respond. (George, should this include the remodel that has been done on N3 as well? I think an independent contractor did that work for Tony's brother. He is no longer in the county.)

Dogs, S5

George will draft a notice to S5 regarding keeping their dogs on leash at all times when they are outside the unit, and picking up all waste matter immediately.

Mayor's Request to Visit Annual HOA Meeting

Carol will contact the Mayor of Dillon (see Attachment D) and see how much time she wants and what she wants to cover.

Kayak/Canoe Storage

Carol presented two possible plans for a kayak/canoe rack, one of metal, the other of wood. Another possibility is that homeowners continue to store their kayaks/canoes on their patios.

Annual HOA Meeting

The date of the Annual Meeting is Saturday, September 16, 2006, 10:00 am. (It was determined that this date is not a religious or secular holiday.)

Adjournment

The meeting was adjourned at 2:00 pm.

Carol S. Bosserman
Secretary, Board of Directors, Dillon Pines Apartment Association

Appendix A

Dear Mr. Hamilton:

Thank you for your response. I cannot address the past due account on S-5 as that has been handed over to our Attorney's. I can however give you the facts, as I know them, on the roofing situation.

1. We were informed last winter that there was a leak on S-5, shortly after a demand for payment was made. The roofing company was dispatched to S-5 shortly thereafter. No leaks were found in the roofing membrane. The roofing company caulked the chimney stack as a precaution. A full report was sent to S-5 along with letter from the roofing company that if a leak persists the following steps need to be taken:
 - a. the roofing company would need to do an inspection during an active leak
 - b. if the problem continues the stack could be the likely causeThe roofing company did not replace the stacks with the roof, only the roofing membrane. S-5 was informed that any protrusion through the roofs (stacks included) is a homeowner responsibility. Odd as that may seem to you, that is how our governing documents were written and how the Association has always operated.
2. Dillon Pines was never contacted or informed that there was a continuing problem until another demand for payment was made to S-5 this spring.
3. The roofing company attempted to contact S-5 to set up another inspection due to item (2) above. S-5 never returned the phone call to set up an appointment.
4. Dillon Pines made its' own arrangements to have the roof inspected again on Monday July 17, 2006.
5. No leaks were found on the July 17 inspection
6. Homeowners are not allowed on the roof, without making prior arrangements and with Board approval, for the obvious safety reasons as well as for protection of the roofing membrane.
7. It is a priority with Dillon Pines to resolve this or any issues involving any roofing or water leakage situation.
8. S-5 has taken no measures to mitigate any potential water damage, including but not limited to making arrangements to inspect, replace, or repair the chimney stack in question.

By copy of this letter I am informing the remaining Board Members, our Attorney, Mr. Mark Richmond, and yourselves, The Board will undertake the following action:

To protect all interests involved, Dillon Pines will move expediently to contact Turner-Morris and have them replace any protrusions near and around the chimney in question. Since this is an

action taken by the Association on behalf of a homeowner, the cost of the replacement/repairs will be borne by the Homeowner. As soon as the Association has received an invoice from Turner-Morris, we will forward the invoice to S-5 for payment. If reimbursement for the repairs/replacement is not made within a reasonable amount of time (30 days), this charge will become a part of the collection amount.

Thank you,

Linda Ostergaard
Dillon Pines Apartment Association
Vice President & Treasurer

-----Original Message-----

From: William Hamilton [mailto:wbhamilton@yahoo.com]
Sent: Friday, July 21, 2006 8:52 PM
To: Linda Richards-Ostergaard
Cc: Jinger Hamilton; freds@friscolawyers.com
Subject: Re: Dillon Pines S-5

Dear Linda

My daughter Jinger and her fiancé Landon inform me that they will become current with the past due HOA fees and the associated late fees. I trust this will be the case. I wish they would pay in a more timely manner because it would certainly be less costly for them

I have spoken to them on a number of occasions about the new roof installation and the remaining balance of the assessment charges owed. And the facts as I am understanding them don't add up.

As I previously discussed with you, they inform me that they have water leaks in the area of their chimney that were not present before the new roofs were installed. There is also ongoing damage to the interior finishes to their unit as a result. You informed me when we last spoke that penetrations through the roofs were not something that would be covered or guaranteed by the work performed by the company performing the roof work. After further reflection, this seemed odd to me. I am in the construction business myself and I have installed new roofing on many occasions. There are typically a number of roof penetrations on almost all structures - from plumbing stacks to skylights, to attic vents as well as fireplaces. It is typical and customary as well as the duty of a roofer to render the structure and these areas watertight. That is the reason you employ the skills of a professional roofer. Flat surfaces with no penetrations are a no-brainer and could be performed by practically any handyman.

If there were any leaks on any project I were involved with, I would make it a priority to resolve the issue - determine the cause of the leak and fix it.

Landon informs me that he has not been able to coordinate a mutually acceptable time for a roof inspection with the roofers who did the job, the purpose of which would be to determine the cause of the leaks. Also as you told me, somehow nobody is allowed on the roofs except for the roofers. Which means Landon would have to stay on the ground while the roofers could possibly report to him whatever the damage was that would be not their fault somehow - and he would not be able to see for himself what they were talking about.

I think Landon and Jinger are within their rights to withhold final payment on the roof assessment until their house is rendered watertight.

Furthermore. I believe they are entitled to the damages to the interior of their unit resulting from the water damages.

It is my opinion that Jinger and Landon should become current with their HOA dues and late charges -. even pay them in advance. They can ill afford the late fees. I also think they should continue to withhold the final roof assessment payment until they receive satisfaction as to their leaks.

Sincerely

Bart Hamilton, coowner S5

Linda Richards-Ostergaard lostergaard@cantera-resources.com wrote:

Ms. Jinger Hamilton

Mr. Bart Hamilton

Since the Board of Directors attempts to collect the past due amounts on your account at Dillon Pines have been unsuccessful, your past due account has been turned over to Dillon Pines Associations Corporate Attorney for collection. Any further communication or correspondence in this regard should be directed to Mr. Mark Richmond at the following address.

Richmond, Neiley & Sprouse, LLC
620 Main Street
P.O. Box 280
Frisco, CO 80443
Office (970) 668-0176
freds@friscolawyers.com

Please be advised that any and all costs in association with the collection of your account will be billed to you, the homeowner, and will become part of the amount due to Dillon Pines Apartment Association.

Our records indicate the following amounts Past Due as of 7/9/06.

\$1,000.00 Roof Assessment Remaining
\$25.00 Late fee carryover from 1/19/06

\$25.00 May Late Fee
\$225.00 6/1/06 HOA Dues
\$25.00 June Late Fee
\$225.00 7/1/06 HOA Dues
\$25.00 July Late Fee
Dillon Pines Board of Directors

Appendix B

To Board of Directors:

1. Summer of 2005 a blue spruce in front of 8 N appeared diseased. Summer of 2006 situation is worse and has spread to adjacent blue spruce. Management has been alerted both years. We wish to retain trees.
2. N-8 had interior leaks this winter from roof behind/above fireplace. Management alerted.
3. Request to Management to wash/hose upper deck.
4. Am I to maintain watering of planted area outside condo door--have been doing for their survival?
5. If a resident has used the services of an upper window washer we would appreciate the contact.

Thank you, respectfully, Kathleen and David Kelble, 8N

Appendix C

Proposal to the BOD of Dillon Pines Apartment Association Summer Work Day at Dillon Pines DRAFT, June 16, 2006

Proposal: To set up a work day at Dillon Pines in which Homeowners spend a day helping with landscaping and other maintenance tasks at Dillon Pines. Those who cannot, or will not participate, have the option of being assessed \$100. This money will be used for supplies and materials for the tasks or put into the Operational Budget to cover other expenses.

Purpose: To build camaraderie among Homeowners at Dillon Pines; accomplish required tasks; save money and avoid raising dues.

Tasks: The list could include the following:

- Seal parking lot
- Scrape peeling paint, and repaint
- Paint decks

- Dig up weeds
- Remove sod from under trees
- Replace sod with mulch

Dates: One Saturday during the June or July, with one alternate date for those who can't make the first date.

Times: 9:00 am-4:00 pm, lunch 12:00-1:00 pm

Food: Picnic lunch, snacks, water, and sodas provided by Dillon Pines HOA.

Tools and materials will be arranged for by Management. Participants should wear appropriate clothing, bring their own gloves, sunscreen, etc.

Management will determine which tasks are to be done, based on which tasks have priority and how many people participate.

Draft

Appendix D

July 7, 2006

Dillon Pines Condominium Homeowners' Association
P.O. Box 4214
Dillon, CO 80-435

To Whom It May Concern:

On behalf of the Dillon Town Council and in an effort to keep out citizens informed of what's happening in Dillon, I am writing to request an invitation to attend your annual Homeowners' Association meeting. This would provide an opportunity to update your homeowners on Town issues and encourage them to ask us any questions they may have.

Please let me know if you are willing to include us on your agenda, and when and where your meeting will be held. You may contact me at (970) 262-3407 or bdavix@comcast.net.

Sincerely,

Barbara Davis, Mayor
Town of Dillon