

**LAKE DILLON CONDOMINIUMS ASSOCIATION
BOARD OF DIRECTORS MEETING
January 28, 2013**

I. CALL TO ORDER

The meeting was called to order at 3:00 pm by Forrest Scruggs.

Board member attending in person was:
Sue Donalson, Member

Board members in attendance via telephone were:
Forrest Scruggs, President
Chris Ansay, Member
Scott Roper, Secretary
Julie Hummel, Member
Walt Spring, Treasurer

Attorney Wilton Andersen was present via phone.

Representing Summit Resort Group were Peter Schutz (via telephone) and Kevin Lovett. A quorum was present.

II. LDC vs. SBS

A. Update - Wilton Andersen provided update to LDC vs. SBS electrical power line failure claim. Wilton has contacted insurance adjusters for SBS (Summit Building Solutions), Higher Ground and Ascent Electric. SBS Adjuster states there is no coverage as the policy has expired. Ascent Electric Adjuster states that there is no coverage as the fault lies with the excavator, Higher Ground. The adjuster for Higher Ground has offered \$12,400 to settle. Current total damages are \$42,000, not including attorney fees.

B. Question 1- Wilton discussed question raised, "Can the Association accept the \$12,400 offered from Higher Ground and still pursue the other entities?". Yes, but the acceptance may complicate the claim and may reduce the likelihood of receiving the full settlement if the other entities state fault is with Higher Ground and LDC has "signed off" on claim with Higher Ground with acceptance of the \$12,400.

C. Question 2 - If case goes to trial, what are expected legal expenses? Wilton stated legal fees could range from \$10,000 to excess of the total damages.

D. What is satisfactory amount to be recovered - the Board agreed that collecting between \$30,000 and \$35,000 would be satisfactory.

E. Discussion - the Board discussed options to proceed to include negotiating with Higher Ground Insurance Adjuster for increased offer and to send a demand letter to SBS as the general contractor.

F. Motion - Walt moved to have Wilton draft and send demand letter to the electrician, SBS and to continue negotiations with Higher Ground Insurance adjuster; Scott Roper seconds and the motion passed unanimously.

G. Comments - Forrest stated that it would be very difficult to go after John Sabal personally.

VIII. NEXT MEETING DATE

The next Board of Directors meeting will be held via conference call once responses from SBS and Higher Ground are received.

IX. ADJOURNMENT

With no further business, the meeting adjourned at 3:30 pm.

Approved By: Approved at 4-19-13 Board Date: 4-19-13
Board Member Signature mtg