

# **The Lodge at Riverbend Homeowners Association Annual General Meeting Minutes**

August 30th, 2008

Minutes of the Annual General Meeting of the members for The Lodge at Riverbend Homeowners Association, August 30th, 2008, on the porch at the Lodge at Riverbend.

## **Attendance:**

Jim and Connie Bull Unit#108  
Jim Schuetz Unit#107  
Jim Polsfut Unit #202

Tom and Jacque Ingram Unit#201  
John Fitzpatrick Unit#209

## **Proxies:**

John Gerlach Unit#206

Kathy Ireland Unit#105

## **Management in Attendance:**

Bob Towne and Rozlyn Wilder

## **Call to Order and Welcome:**

The meeting was called to order at approximately 8:40 am and Jim Bull, as President, welcomed all participants.

## **Quorum and Notice of Meeting:**

The notice of the meeting was mailed on August 20, 2008, in compliance with the Association's Governing documents. As two (2) proxies were received and five (5) owners were in attendance, a quorum was achieved.

## **Meeting Chairman and Secretary:**

Jim Bull chaired the meeting, and Roz Wilder recorded the minutes.

## **Approval of Previous Annual Meeting Minutes:**

A motion to approve the previous Annual Meeting Minutes was made by Tom Ingram and seconded by Jim Schuetz. As all were in favor and none opposed it was unanimously resolved that:

**The meeting minutes of August 31, 2007 were approved as presented.**

## **Financial Report:**

Jim Bull gave the Financial Report. The association had approximately \$23,000 in reserves at the close of 2007. Bob explained the repair at unit 202. The screws from the installation of shelves penetrated the pipes, which caused a breach in the downspout and subsequent dry wall damage. The repairs were made and Mount Royal Properties (MRP) is waiting for the statements from the contractors. Jim Bull suggested writing a letter to the developer asking them to accept responsibility for the cost of repair in light of it being a defect and not a warranty issue. He reported that guests who did not properly remove and replace the hot tub cover caused the damage to the hot tub. The group proposed to post a sign instructing users how to operate the cover. Connie Bull suggested an additional fee for owners who short-term rent their units to cover routine costs like hot tub maintenance and repair that occurs due to guests. Upon review of the financials, Jim Polsfut asked about the snow removal account. Bob explained that it was lower than the Board might expect because the MRP contract allows for 22 hours of maintenance including snow shoveling. The Streamside HOA also maintains the plowing for the Lodge at Riverbend. Jim continued and explained the management contract with MRP. The contract is automatically renewed

with a 5% increase annually. The 2008 increase was omitted and the contract renewed with no increase last year. Jim Bull was very pleased with the management of the association. Jim Bull made a motion to renew the management contract with MRP with the 5% increase and John Fitzpatrick seconded. As all were in favor and none opposed it was unanimously resolved that:

**The management contract between The Lodge at Riverbend Owners Association and Mount Royal Properties is renewed with a 5% increase.**

As the board was satisfied with the financials as presented, Connie Bull made a motion to approve the 2007 year-end financials, and the year to date July 2008 financials and Jim Schuetz seconded the motion. As all were in favor and none opposed it was unanimously resolved that:

**The 2007-year end financials and the July 2008 year to date financials were approved as presented.**

Jim Bull reviewed the budget with the members. There was some discussion as to whether Working Capital is put into the operating account or if it is deposited to reserves. Roz will provide the answer via email. John Fitzpatrick made a motion to approve the 2008 Budget as presented and Jim Scheutz seconded the motion. As all were in favor and none opposed it was unanimously resolved that:

**The 2008 budget was ratified as presented.**

#### **Management Report:**

Bob Towne gave the manager's report. He explained that the roof required shoveling this past season. He also requested some warrantee work from the roofing contractor, Turner Morris. The warrantee work included a free roof inspection and careful attention was given to the flat roof sections, because they tend to be problematic. The inspection determined that the roof is in excellent condition and no repairs were necessary. Bob highlighted a number of summer maintenance projects including: seal coating the parking area and re-striping, touch up paint for the handrails, a new hot tub cover, pressure cleaning the garage, and Snowbridge cleaning the garage drains. Bob plans to touch up the hallways and access doors on the interiors as the season winds down. Bob recommended that the mats provided by Summitex are not a good use of funds and he will purchase mats and housekeeping will clean them. There was some discussion about adding more mats to increase the life of the hall carpets. Bob will determine how many mats are necessary and the exact placement. Connie Bull mentioned that there are hard water stains in the restroom at the hot tub and she would like to see these addressed by housekeeping.

**Old Business:** The 2007 elections were discussed and it was decided that Jodie Munsie's Board position expired, as she sold her unit. No one would be elected to her position in order to get the board back to the original number of members, as there was one additional person voted to the Board by mistake previously. Bob briefly explained an HO6 rider and how it would benefit each owner.

#### **New Business:**

*Member Education:* Bob briefly explained an HO6 rider and how it would benefit each owner.

*Corporate Standing:* Roz explained that the corporate renewal was completed and the Lodge at Riverbend is in good standing.

*Election of Board Members:* John Fitzpatrick nominated Jim Polsfut. Jim Bull made a motion to dismiss the secret ballots and John Fitzpatrick seconded the motion. As all were in favor and none opposed it was unanimously resolved that:

**The secret ballots were dismissed and Jim Polsfut was elected to the Board of Directors by acclamation.**

*Other new business:* No other new business was discussed.

**Next AGM:** The next AGM is scheduled for Saturday, August 29th, 2009, at 9am.

**Adjournment:**

As there was no further business to discuss, the meeting adjourned at 10:36am.

I hereby attest that these minutes are a true and accurate account of the meeting thus held on August 30th, 2008.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

Board Member Position: \_\_\_\_\_

**Lodge at Riverbend Association  
Annual General Meeting of the Homeowners  
August 31, 2007**

Minutes of the Annual General Meeting of the homeowners of the Lodge at Riverbend, held Friday August 31, 2007 on the front deck of the property.

**Attendance:**

John Fitzpatrick	209
Larry & Jodie Munsie	207
Jim & Connie Bull	108
Tom & Jacque Ingram	201
Kathy Ireland	105
Lisa Buonoraso	104
Murray Bain , Rick Pyle and Julie Gasner	— Mount Royal Properties Inc.

**Proxies:**

Harry William (102) proxy to Jim Bull  
John Gerlach (206) proxy to John Fitzpatrick  
Patricia Gaspar (202) proxy to Ken Burks  
Barbara Myers (109) proxy to Jim Bull

**Call to Order and Quorum:**

Jim Bull, as President called the meeting to order at 4:15pm. Jim chaired the meeting and Julie Gasner recorded the minutes.

**Previous Minutes:**

All owners have been given a copy of the previous Annual Meeting Minutes with the notice.

**Financials:**

Murray Bain explained that the accountings were transferred to QuickBooks. He explained that, being a zero based budget, the Association continued to have a tight cash flow issue. He reviewed the year-end financials and reported that \$3600 was transferred into the reserves. He discussed the profit and loss statement. On the Operating side the Association was running close to budget. He mentioned that the hot tub expenses were higher because of the purchase of a new hot tub cover. The Janitorial and Cleaning expenses were primarily due to the mats and carpet cleaning. Landscaping and Grounds Maintenance were discussed, by Murray, who noted that Jim Bull did purchase some landscaping items. Jim asked if a dues increase would be necessary. Murray explained that currently there were some unplanned one-time expenses, and suggested that special assessments may be a more appropriate way to address such items in the future. Utilities were also down and were little less then budgeted. Jim will send out a letter to the membership with estimates of all future reserve items. Jim suggested having an annual inspection of the property to look at future expenses. Murray also explained to the members that the Reserve Schedule is reviewed and adjusted each year. A motion was made by John Fitzpatrick, seconded by Tom Ingram, and as all were in favor and none opposed it was unanimously resolved that:

**The 2006 year-end, as well as July 2007 year-to-date financials were approved.**

### **Management Report:**

Rick reviewed the painting that was done this year as well as the pressure washing of the garage. The glycol in the boiler was also checked this year. The hot tub maintenance had been difficult. The high temp switch failed but was taken care of in-house by Mount Royal Properties staff. There was a problem with the elevator getting stuck but it was taken care of. Snow removal went well with both shoveling and plowing. Rick also announced the relocation of the management office to Summit Blvd.

### **Executive Board Election:**

Deferred to later in the meeting.

### **Corporate Standing:**

Murray reported that the Association is in good standing and is up for renewal on September 30, 2007.

### **Old Business:**

No further old business was presented.

### **New Business:**

*Budget ratification:* The budget was presented to the members as previously approved by the Board. After discussion a motion was made by Jodie, seconded by John, and as all were in favor, none opposed it was unanimously resolved that:

**The 2007 operating budget and reserve plan was approved.**

*Garage security:* Jim Bull discussed that in the past there have been some bikes stolen from the garage. A short-term renter did report that someone backed into his car, although the Board was doubtful that this actually occurred on the property. Another resident reported that he had his license plates were stolen. Rick presented the option of installing a garage door with remotes and sensor, which would cost about \$5600 and then closing in the arches with iron fencing. Bids came in at \$2800 to \$7100 for this. It would cost approximately \$1500 additionally to enclose the rear entrance. The cost of keeping it ADA approve was also mentioned.

### **Open discussion:**

Jackie thinks it may be a good idea.

Kathy thinks that it is not necessary.

Lisa thinks that it is not necessary, as she has taken certain measures to protect herself.

Tom suggested the possibility of hiring security during certain periods.

Karl thinks that the cost is too high.

Connie suggests residents take in their bikes during certain periods.

Jodie thinks that Frisco is a safe place, but the cost seems to high and likes the ideas of security.

Larry also added the need to address the elevator entrance by installing an external door to enclose the entrance because of the temperature effecting the lubrication of the elevator. Rick will follow up the discussion with the elevator technician.

John suggested security cameras.  
Jim believes the cost is too much.  
Jim Bull summarized the outcome of the discussion by asking the management company to look into adding cameras and hiring security during town events.

#### **Other New Business:**

Karl questioned the cost of the hot tub maintenance and repairs. It was discussed that the costs were higher as it is not a commercial hot tub and does get a lot of use. Murray suggested the possibility of installing an external filtration system. Tom mentioned the cost of changing to a commercial hot tub, which may also help with utility costs. Rick will get quotes on this.

The Comcast contract expires next year June 30<sup>th</sup>.

Kathy mentioned that in the 109 parking spot the paint was peeling away and said there may be a leak. She also noted the poor lighting in the garage and the light fixtures do need to be cleaned. These are on a timer. This would also improve security. Rick will take care of this.

Manny the cat issue was discussed. All felt the issue was minimal for the time being.

Insurance – Rick reported that American Family underwriting was reviewing the contract and coverage.

#### **Member Education:**

Owner Rights and Responsibilities in Colorado Common Interest Communities were handed out to the members present. Larry asked about the fairness of The Creek Homeowners Association governing The Lodge at Riverbend. Murray explained to everyone that the Lodge at Riverbend has 17 votes in the Creek HOA. These votes can be consolidated to significantly sway the operation of The Creek HOA, but it does come at a cost.

#### **Executive Board Election:**

It was mentioned that the new State laws require that annual board member elections be held by secret ballot. After some discussion, it was motioned by Jodie to dismiss with the secret ballots: seconded by John. As all were in favor, none opposed, it was unanimously resolved that:

**The secret ballot requirement for this board member election was waived.**

The floor was then opened for nominations. Lisa, Tom & Kathy were all nominated. Motion to approve these nominations by Jodie: seconded by John. As all were in favor and none opposed, it was unanimously resolved that:

**Lisa Buonoraso, Tom Ingram and Kathy Ireland were elected to the Board by acclamation.**

#### **Adjournment:**

As there was no other business to discuss, the meeting adjourned at approximately 5:43 p.m.

I hereby attest that these minutes are a true and accurate account of the meeting thus held at the date and time above.

Signed: \_\_\_\_\_ Board Position: \_\_\_\_\_

Dated: \_\_\_\_\_

### **Lodge at Riverbend Association Executive Board Meeting**

Minutes of the Board of Directors the Lodge at Riverbend, held Friday August 31, 2007 on the front deck of the property. Meeting Began at 5:45 pm.

#### **Appointment of Officers:**

A motion was made and was seconded. As all were in favor, none opposed, it was unanimously resolved that:

**The following Officer positions are elected by acclamation as follows:**

President	Jim Bull
Vice President	Tom Ingram
Secretary	Kathy Ireland
Treasurer	Karl Ossentjuk
Member at large	Lisa Buonoraso
Member at large.	Jodie Munsie

As there was no further business the meeting was adjourned at approximately 6:00 pm.

## **Lodge at Riverbend Association Annual General Meeting of the Homeowners**

Minutes of the Annual General Meeting of the homeowners of the Lodge at Riverbend, held Saturday July 29, 2006 on the front deck of the property.

<b><u>Attendance:</u></b>	Jim and Connie Bull	108
	Kathy Ireland	105
	John and Ivete Fitzpatrick	209
	Tom and Jacque Ingram	201
	Harry Williams	102
	Barbara Myers	109
	Jim Schuetz	107
	Karl and Martha Ossentjuk	103
	Ron Riske and Barbara Fry	205
	John and Jeanne Gerlach	206
	Patty Gaspar	202
	Murray Bain and Rick Pyle – Mount Royal Properties Inc.	

<b><u>Proxies:</u></b>	Roger Beaty (#101) valid proxy to President
	Larry Munsie (#207) valid proxy to John Fitzpatrick

### **Call to Order and Quorum:**

Jim Bull, as President and Chairman, welcomed all attendees and called the meeting to order at approximately 3 p.m. Introductions were made all around. A quorum was established with 13 units represented (9 needed).

### **Previous Minutes:**

All had been given a copy of the previous annual meeting minutes in the notice of mailing. After brief discussion, it was motioned, seconded and unanimously resolved that:

**The minutes of the annual general meeting of August 27, 2005, were approved.**

### **Financials:**

Murray Bain presented and reviewed the balance sheet and year-to-date income and expense statements for the year ending June 30, 2006. The cash position appeared strong with a certificate of deposit, in the amount of \$10000, recently established. Excess snow removal from the roof occurred, but the costs were absorbed into the monthly management fees. Insurance costs were lower than expected, primarily to reduced premiums from American Family Insurance. Allocated reserve transfers, from the operating account, are on budget for the year. Jim Bull indicated the Board's desire to build the reserves without increasing the Dues unnecessarily. Murray finalized his report by noting that the balance sheet now contains an "advance assessments" liability account, to track those regular assessments paid in advance of when due. He thanked Jim Bull for paying his full year's assessments early in the year, as this helped offset the negative cash flow generated by the assessments paid in the first quarter to The Creek.



### **Management Report:**

Rick Pyle briefly reported on the following projects since the last meeting:

- Touchup painting in various areas has been completed.
- The carpet in the common areas (hallways and common room) has been cleaned.
- The fire suppression system has recently been inspected. The only added costs were to replace the damaged fire extinguisher covers.
- The concrete floor of the garage has been pressure washed.
- The pond adjacent the Ten Mile Creek was sandbagged this spring to minimize runoff and erosion.
- The elevator sump pump was installed by Compass Homes LLC, at their expense.
- The garage walls were painted.
- Edge guards for the hallways have finally been located and installed.
- The common entry doors now have kick plates.
- The hot tub cover and lift bar have been replaced due to excessive wear and tear.

Jim Bull mentioned that the hot tub appears to sustain some abuse, leading to increased expenses. As this excessive use appears to be from guests or tenants, all were requested to caution their guests to use the hot tub properly and with all due care. Harry Williams asked that all owners assist to keep the property looking good by picking up any trash they see. It was also mentioned that if any owner has extra artwork, feel free to contribute to the beautifying of the hallways and common room.

### **Executive Board Election:**

It was mentioned that the new State laws require that annual board member elections be held by secret ballot. After some discussion, it was motioned, seconded and unanimously resolved that:

**The secret ballot requirement for this board member election be dispensed with.**

Jim Bull mentioned that there is nothing in the governing documents that places a limit on the maximum number of board members. Currently, the Board consists of Kathy Ireland, Jodie Munsie, Bud Cook, Tom Ingram and Jim Bull. All terms are for 2 years. Jim and Jodie's terms are up for re-election this meeting. As Bud recently sold his unit and has resigned from the Board, the remainder of his term is up for re-election. Both Jim and Jodie have expressed a desire to remain on the Board. Jim Schuetz was nominated to fill the position vacated by Bud. Karl Ossentjuk also expressed interest in serving. After no further nominations were offered, Jim motioned, Harry seconded, and as all were in favor, it was unanimously resolved that:

**Jim Bull, Jodie Munsie and Karl Ossentjuk were elected to the Executive Board by acclamation. Additionally, Jim Schuetz was elected to replace Bud Cook.**

Therefore Kathy Ireland, Tom Ingram and Jim Schuetz will serve the remainder of their terms, to expire at the annual meeting in 2007. Jim Bull, Jodie Munsie and Karl Ossentjuk are elected to new terms, to expire at the annual meeting of 2008.

### **Corporate Standing:**

As corporate reports are now required annually, a recent review indicated that the association is in good standing. The next report is due September 30, 2006.

### **Old Business:**

*Common Room Furnishings* – the membership was asked if they would like to see anything specific in the common room. A couple suggestions were offered –ping pong table, card table. As there was no further response, the matter was deferred.

*Other Old Business* – as all other items on the agenda were reported on and discussed earlier, there was no further old business presented.

### **New Business:**

*Management Contract* – the current management agreement was entered into, on behalf of the association, by the original developers. Jim Bull has been acting on behalf of the Board, and periodically communicating with the Board, in negotiating new terms and conditions with Mount Royal Properties Inc. A one-year contract with a 90-day renegotiation feature, as well as very specific maintenance and janitorial requirements, and their respective associated charges, is being discussed and fine tuned. Mountain Managers, another management company, was solicited to provide a proposal, based on the same format for Mount Royal. However, their initial proposal doesn't compare well. Kathy Ireland is conducting negotiations with the Mountain Managers to ensure the proposals are of equal criteria. Jim reiterated that there really are no significant problems with Mount Royal and that their response has been timely and more than sufficient. Tom Ingram mentioned that, from his experience, it is important to create a long term partnership with the management company and it might not be wise to renegotiate annually, especially if this means soliciting proposals from other companies. It is also very important to compare "apples to apples" should another company's services be solicited. The Board's responsibility is to ensure the association receives the best possible service for the necessary cost of management. Harry Williams spoke of the great work Jim and Murray have achieved, thus far, in identifying the association's needs and expectations. There were no real standards originally set, but now the list is very detailed. The Board will make the final decision before the end of August.

*Budget and Reserve* – Murray presented and summarized the 2006 operating budget and reserve plan. No increase in Dues was expected, however, expenses projections are lean to accommodate this. Allocated reserves are based on about \$24/unit/month. The reserve plan is beginning to become more established, with a funding level close to 10 years. Murray encouraged the membership to consider what they feel is a comfortable level of reserve funding and try to achieve this level in future budgeting. After discussion, John motioned, Ron seconded, and as all were in favor, it was unanimously resolved that:

**The 2006 Operating Budget and Reserve Plan was approved and ratified.**

*Painting* – the "sunny side" trim is cracking and peeling. Rick presented a couple bids to repaint the weathered trim. After a unanimous desire to conduct the painting and discussion about the companies and their expertise, Tom motioned, John seconded, and as all were in favor, it was unanimously resolved that:

**The Management make the final determination as to which company is contracted to proceed with the trim repainting.**

*Window Cleaning* – John wondered if the group had any interest in employing a contractor to clean all the window exteriors. It was mentioned that the windows are easy to clean as they flip over, allowing easy access to the exterior side. As most preferred to do their own windows, the request was declined.

*Cash Flow* – January through March each year create a tremendous impact on the association's cash flow, primarily due to the large assessment obligations for The Creek at Frisco, as well as heavy heating costs. Those owners that have paid advance assessments have helped to ease the cash flow concerns considerably. At the end of last fiscal year, the operating account had a small surplus of about \$3000, which could be moved to the reserves. Additionally, the \$4250 owed The Creek could be considered a reserve expense. These actions should minimize the future cash flow concerns at the start of each year. After further discussion, Patty motioned, John seconded, and as all were in favor, it was unanimously resolved that:

**The 2005 surplus operating funds shall be moved to the Reserve account and the assessments for The Creek at Frisco be considered a reserve expense for all future budgeting.**

*Common Heating System* – Jim Bull explained the heating system for the building. It is a "side by side" system whereby the boiler heats the domestic hot water, as well as the glycol heating system. Individual unit zone valves do fail from time to time. Each unit has one in the closet. Additionally, the electrical system is all common; the main breaker panel being in the mechanical room. It was mentioned that the water pressure is still a problem in some units. It has been checked at the roadside and was considered above normal. Rick will follow up further to try to determine if a unit's water pressure could be increased.

*Comcast Contract* – a few owners are still not getting adequate picture definition, especially in Hi-Definition channels. Murray is working with Comcast to ensure the service is appropriate.

**Adjournment:**

As there was no other business to discuss, the meeting adjourned at approximately 4:30 p.m.

I hereby attest that these minutes are a true and accurate account of the meeting thus held at the date and time above.

Signed: \_\_\_\_\_ Board Position: \_\_\_\_\_

Dated: \_\_\_\_\_

## **Lodge at Riverbend Association Annual General Meeting of the Homeowners**

Minutes of the Annual General Meeting of the homeowners of the Lodge at Riverbend, held Saturday August 27, 2005 in the common room adjacent the hot tub.

**Attendance:** Jim Bull, 108  
Jodi and Larry Munsie, 207  
Kathy Ireland, 105  
Bud Cook and Barbara Jennings, 103  
John and Ivete Fitzpatrick, 202  
Tom and Jacque Ingram, 201

**Proxies:** Jon Klimchalk held Sean Klimchalk's Proxy, 106  
Kathy Ireland held Carol Hoppe's, 203  
Jim Bull held Harry William's, 102 and Ronald Riske's, 205  
Murray Bain, and Heidi Eilers—Management Company

### **Call to Order and Quorum:**

The meeting was called to order at approximately 3 p.m. Introductions were made all around. A quorum was established with 10 units represented (9 needed).

### **Previous Minutes:**

All had been given a copy of the previous meeting minutes in the notice of mailing. As all were in favor, the 2004 annual general meeting minutes were approved.

### **Financials:**

Murray Bain reviewed the current balance sheet and year-to-date income/expense sheets for the association. Murray explained that he had not made the latest allocated reserve transfer into the Reserve Fund as yet as he wanted to avoid a "low balance" service charge as imposed Bank of the West (to balances less than \$2000), whom he is working with to remove these charges to the operating account in the future. Of the expenses, the Utilities account was indicated as being minimally over budget. The issue of the heat tape having remained on until July was brought up. Heidi will have maintenance determine the length of tape on the building as there is a standard calculation used to determine energy used, and therefore utility cost associated with having left the heat tape on. No other expenses were noted as unusual.

### **Management Report:**

Heidi Eilers reported on the following more notable projects and happenings since the last meeting:

- Insurance was switched from Farmers to American Family, saving the association about \$1548. The building values were not changed.
- Zone valves, water shutoffs and breaker boxes have been mapped out for each condo.
- The central boiler has needed minor repairs, but there are still complaints of low flow throughout the building. The town checked to see if the water was on full strength at the street, and it was discovered that the pressure from the street was already higher than average. Jim Bull suggested that perhaps the new developments in the block across the

street have been affecting the water flow. Further investigation will occur as to determining a solution.

- The hallway and stairwell doors are in the process of being painted with a semi-gloss, so it will be easier to clean. Kick plates were added to reduce the amount of scuffing at the bottom of the doors. The stairwell scuff marks will be touched up as well, and corner protectors put along the corners.
- Operation of the elevator has been inconsistent. The jacks are often out of synch regardless of how many times Thyssen-Krupp would come out to service it. It was suggested Management write to the actual manufacture of the elevator and bypass Thyssen-Krupp altogether. Heidi mentioned that the elevator well had water in it again this spring, and had to manually sump-pump out the water, as the Cranes have yet to install a permanent sump-pump. Heidi has been in communication with the Cranes, so they are aware of the impending need for this work to be completed.
- The Fire Suppression System will undergo its annual inspection. Already, 4 leaky heads are known throughout the property. Those will be handled at the same time as the inspection.
- The carpets were cleaned in the hallway for the first time. More regular service will be needed in the future.
- Another dead aspen was pointed out. A Cut Above has been contracted to remove it, because of its height. Other smaller dead trees can be managed by Maintenance.
- The rodent extermination contract extended through July. The amount of rodents does seem to be less than last year, but perhaps some credit should be given to Lisa's cat, as she has been seen effectively on the prowl.
- A load of topsoil and mulch was dumped for various projects around the building. Jim Bull plans to use the rest of the load to build a more desirable berm on the South side of the building. This area will also be reseeded with grass in a less expensive solution to landscaping. It was asked that a sign be erected stating that the south easement is private, and the public access is on the East side of the parking lot.

It was mentioned that oil spots were visible in the parking garage in 206's stall, and at the far north stall on the outdoor lot, where it is believed that Lisa parks. Both owners will be contacted about cleaning up the oil. Jon Klimchak displayed a very nice parking sign made for the stall that 106 is entitled to reserve. Jim Bull confirmed that unit 106 was the only unit with such a title to an outdoor reserve spot. Jon indicated that he would most likely choose the spot closest to the North curb of the lot, and will make sure that the sign is erected with a 4x4 wooden post at the height of the existing railing. At this point Jim also mentioned that Lisa in unit 104 is asking if any owners are willing to lease or sell their indoor parking spot to her. Any interested parties should contact Lisa.

### **Old Business:**

Interior Garage Paint—It was confirmed that the interior garage will not ever be completed by the developer; that if owners want to see it painted, it will need to come out of their own funds. Heidi will have the painting estimates updated for Board review. Larry indicated that bids should be obtained for "airless spray." It was confirmed that only the drywall would be priced to paint, not any cement. Murray mentioned that funding for such a project was already budgeted

for by way of scheduling it in the 2007 reserve schedule. For now, it was discussed and agreed that the garages should be washed.

#### **New Business:**

##### Miscellaneous projects:

As garage level stairwell landing looks in bad shape from not being protected during development, the solution will be to paint the non-carpeted portion of the floor with a cement paint with sand in it for grip.

All exterior rail painting will be redone in summer of 2006.

##### Maintenance/Housekeeping Expectations:

The original maintenance and housekeeping duties were contracted between the developer and Management. During the last year, because owner expectations regarding frequency and specific tasks have slowly changed from the initial contract, as well as inconsistent service has caused some unhappiness regarding the current arrangement. As a result of needing to re-evaluate the maintenance and housekeeping process, Management has come up with a list of daily, weekly, monthly, and yearly tasks to be spelled out on a checklist which will be posted in the common room for anyone to view at any time. Management handed out an example to be further fine-tuned with members of the board.

##### Standing Water in the Common Bathroom:

Water standing in the bathroom has been a consistent problem as the flow of water outside of the shower area is away from the drain and towards the wall where the sink and toilet are. In an attempt to control this, shower curtains and a bathmat have been purchased. It was decided that a small rubber threshold should also be mounted at the floor of the shower as a further method of preventing water from traveling away from the drain.

Settlement cracks were discussed as being a common occurrence in individual units. Larry Munsie explained that there are primary and secondary settlement cracks, based on the size of the crack.

##### Landscaping:

It was confirmed that in an effort to regain grass at the South side of the complex, grass seed should be spread some time in October. Neils-Lunceford had come out to look at the situation, and stated to Heidi that the soil was not too hard to have success with seed, and as inexpensive as seed is, one could do it with a rake several times over if need be. He did not recommend spending a lot of money on a new project; rather care should be spent on the existing trees and plantings. In regards to whether or not Management should trim the street and sidewalk sides of the grass, a vote was taken, and majority stated that indeed it should.

##### Common Room:

Jim stated that plans for the common room were still being explored which is why they've intentionally not spent any money for it. One of the plans was to explore using the space as extra storage. Ownership/tax was brought up as something to consider and explore before this option is finalized.

**Election:**

Jim Bull and Jodie Munsie still have one more year to their 2 year term, making their seats expire in 2006. Kathy Ireland, Bud Johnson, and Tom Ingrahm's positions are up for re-election in 2005. No other volunteers were made known and Kathy, Bud and Tom were open to staying on board. Therefore, John Fitzpatrick motioned for the Kathy, Bud and Tom to be reelected to the board. Debra Jennings seconded, and as all were in favor, the motion carried. Their terms are for 2 years.

**Rules Reminder:**

After a brief discussion on how pets and noise are still an issue on property, Management will send out a letter to all owners reminding them of the rules and stating that the HOA and board intends to enforce them, and penalties for violations will be imposed. Kathy also mentioned that people are often keeping things out in the hallways, which poses a real fire hazard. It was agreed that this reminder would also be in the letter. Cigarette butts are also found all over the property. Smokers are reminded to use the container provided near the elevator.

The bicycle storage solution was presented to owners as a hefty eyelet which is epoxied into the cement wall in front of where one would park their car. A cable securing the bikes could be then threaded through the eyelet. Owners were to sign up with Management indicating whether they wanted one eyelet or two, at \$30 each.

**Adjournment:**

As there was no other business to discuss, the meeting adjourned at approximately 4:30 p.m.

I hereby attest that these minutes are a true and accurate account of the meeting thus held at the date and time above.

Signed: \_\_\_\_\_ Board Position: \_\_\_\_\_

Dated: \_\_\_\_\_

## **The Lodge at Riverbend Owners Association Annual General Meeting of the Homeowners**

Minutes of the Annual General Meeting of the homeowners of The Lodge at Riverbend,  
held Saturday August 28, 2004 on the entryway balcony of the Lodge at Riverbend.

### **Attendance:**

Barbara Myers (109)  
Phylecia Platte (206)  
Jim Bull (108)  
Kathy Ireland (105)  
Jacque and Tom Ingram (201)  
James Risinger (207)  
John Fitzpatrick (209)  
Murray Bain, Bob Hooper - Management

Valid proxy notices were received from Ron Riske (205), Harry Williams (102),  
Jo Anne Munsie (207), Bud Cook (103)

### **Call to Order and Quorum:**

A call to order, roll call and introductions were made. It was determined that with the members present, in addition to the proxies held, a quorum was established. Jim Bull, as President of the HOA, chaired the meeting.

### **Reading and Approval of Previous minutes:**

Murray Bain read the previous minutes. As there were no changes, a motion was made and the minutes were unanimously approved.

### **Reports:**

- President – Jim Bull summarized the year's business, complimenting the existing Board for being so proactive and committed. A number of challenges have arisen that the Board has either tackled, or is in the process of such. Primary challenges include the elevator breakdowns, heating and moisture issues related to the elevator shaft, and budgetary constraints (some of which are due to costs of increases in insurance coverage, higher utilities, unanticipated repairs and maintenance, and 2004 dues for The Creek). Secondly, the Board added systems that seemed to make sense to the operation of the complex – locks on hot tub room doors, pet waste stations, some landscaping attention, bike racks and the entryway mats. Jim urged all homeowners to get involved and help make the complex an even better place to live.
- Property – Bob Hooper outlined some of the issues the Management has faced over the last year. These include:
  - water pressure problems that were found to be a faulty circulation pump
  - implementing a pest control program to manage the pocket gophers
  - adding the dog waste pickup stations
  - installing an entryway light fixture
  - removing several dead or diseased trees
  - placing rocks by the fire hydrant to deter vehicles driving over the curb
  - marking the storage units
  - power washing the garage south wall
  - trim work around the elevator

Bob expounded on the most recent elevator issues. Although the repairs and upgrades conducted earlier this year have somewhat stabilized the elevator problems, an engineer was called in to inspect the jacks



when the elevator once again went out of sync. Of all the same model elevators in service, it was mentioned that this was the only one experiencing these jack problems. It is often expected that the jacks will take some time to settle in but, due to the extended nature of the out-of-sync breakdowns, the engineer will arrange to dismantle the jacks to inspect. Obviously, this will result in the elevator being out of service for a short period, but hopefully the result will be a more reliable device. It is, of course, hoped this will be done before the winter sets in.

- Financial – Murray distributed the current financials to those present, briefly summarizing their content. For the year ending July 31, 2004, the cash assets are about \$7,700 between the checking and reserve savings accounts. Although \$10,000 was initially transferred into the reserves earlier this year, we had to take \$5,000 back into the operating account to offset the unexpected financial constraints Jim Bull had referred to in his opening remarks, and detailed in a June letter sent to all members indicating our options for remediation. Also discussed was a Cash Flow projection for 2004, updated from the May one included in the letter. Several items were singled out in May, June and July that were higher than expected – increased repairs and maintenance that included hot tub enhancements, warranty upgrade costs for the elevator, and increased insurance premiums. To offset these costs, it was agreed by the Board at their meeting that preceded this AGM, that any discretionary expenses be deleted from the current budget – for example, the Capital Improvement Commons line item which was for furnishings improvements. As nothing has been spent from this yet, it was determined that it was no longer needed. The net result is that by the year's end, we expect a loss of about \$8400 (similar to what was predicted in the June letter).

### **Executive Board Members**

No elections were held at this time. According to the Bylaws, a system is to be established whereby the Executive Board terms shall be three (3) years each in duration. At the earlier meeting of the Executive Board, initial terms were finalized whereby the sitting Board would take the following:

Jim Bull	3 year term
Kathy Ireland	2 year term
Bud Cook	2 year term
Mike Manco-Johnson	1 year term

Following the expiration of these initial terms, a newly elected member shall take on a full three (3) year term. The eventuality is that all members shall serve 3 year terms, thus most terms then become staggered. This ensures continuity of the Executive Board. It was noted that Mike Maco-Johnson has resigned and the Board is seeking a replacement member. Any interested parties should contact Jim Bull.

### **Corporate Standing**

A search with the Colorado Secretary of State has revealed that the Lodge at Riverbend Homeowners Association, as a Nonprofit Corporation, is in good standing within the laws of Colorado. A certificate has been printed and added to the minute book to reflect this.

### **Old Business**

No outstanding old business issues, that haven't been already discussed, were presented.

### **New Business**

- Budget Shortfall survey – the results of the Owner 2004 Budget Survey, as mailed to all owners on June 15, 2004, indicated that most owners prefer a special assessment to offset the expected shortfall by the year's end. There were 9 respondents, 6 indicating the special assessment option. Upon presentation and discussion of a revised 2004 Budget/Cash Flow Projection, Jim Bull further reiterated that the updated shortfall, expected to be about \$8400, should be decided by the Association as a whole, even though the Board has the power to make this decision. John Fitzpatrick suggested that the HOA should consider a greater special assessment now to avoid a possible Dues increase later. Jim responded that an increased special assessment would only be a temporary fix and that we should still consider a Dues increase at a

later time. Murray stated that, to his understanding, a special or supplementary assessment can be imposed to cover a budget deficit, but not to offset future costs that are, as yet, undecided. After some further discussion, it was motioned by Tom Ingram, seconded by John Fitzpatrick, and resolved (with one vote in opposition) that:

*The revised 2004 Budget/Cash Flow Projection be accepted and that a one-time special or supplementary assessment be imposed to offset the budgeted deficit in the amount of \$8400. Such assessment shall be charged on the October owners statements, and due and payable by October 31, 2004. The assessment shall be based upon an owners pro-rated share of the deficit which shall be calculated by square footage.*

- Exercise Equipment update – included as part of the Budget survey, a unanimous vote of the respondents indicated that the Association should postpone the investigation and purchase of any exercise equipment, at least until next year. The Executive Board shall take the matter up then.
- Garage Painting – a small survey that was sent with the July statements requested whether the garage interior should be painted for a finished look. Of the 14 respondents, 9 were opposed to this. The garage painting shall therefore be cancelled.
- 2005 Budget and Dues increase – a very preliminary estimate of next year's expenses has suggested that these might total about \$75,500. The expenses include increases in Repairs and Maintenance, Elevator, Insurance, The Creek dues, and allocating funds towards the Replacement Fund in order to undertake longer term projects. This allocation did not occur in the previous budget, although it was noted that the Working Capital balance (the 3 months initial dues that all owners paid in upon their purchase) was used to initiate the Fund. It is necessary to build this Fund to ensure the future maintenance well-being of the community is provided for. A healthy reserve fund also assists in maintaining your real property values. The Board believes about \$30 per unit per month should be set aside for this Fund. A full Replacement Fund schedule will be completed along with next year's Budget later this Fall. Jim Bull reminded those present that most expenses are included in the Dues – cable TV, heating, hot water, trash removal, The Creek dues – to name a few. In total, it is expected that a Dues increase of about \$50-60 per unit per month might be required. The Executive Board would revisit the issue at their next meeting to make the decision. Phylecia Platte motioned, Barbara Myers seconded, and it was unanimously:

***Resolved:** the preliminary 2005 budgeted expenses of \$75,000, which includes an allocation of \$6120 to the Replacement Fund, be accepted along with the necessary accompanying Dues increase, based on a square footage pro-rated share, to commence January 01, 2005.*

- Hot water pressure – concern was raised on the inadequate water pressure in several units (109, 209, 207, Clubroom). Bob responded that Mid County Plumbing had been contacted before and repaired a circulation pump. He agreed to follow up and inspect the units to see what else could be done.

As there was no further business, the meeting was adjourned at approximately 4:45 pm.

I hereby attest that these minutes are a true and accurate account of the meeting thus held at the date and time above.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

As \_\_\_\_\_

# **The Lodge at Riverbend Owners Association**

## **First Annual General Meeting of the Homeowners**

Minutes of the Annual General Meeting of the homeowners of The Lodge at Riverbend, held Saturday August 16, 2003 at the Lodge at Riverbend common room #204.

### **Attendance:**

Barbara Myers 109  
Phylecia Platte 206  
Dawn Crane - 2 units  
Jon and Karla Klimchalk 106 (proxy for Sean Klimchalk)  
Bud Cook and Debra Jennings 103  
Harry Williams 102  
Jim Bull 108  
Michael Manco-Johnson 208  
Ronald Risker and Barbara Fry (205 – closing September)  
Murray Bain, Bob Hooper, Heidi Eilers - Management

No further proxies were submitted on behalf of those owners unable to attend.

### **Call to Order and Quorum:**

A call to order, roll call and introductions were made. It was determined that with the members present, in addition to the proxies held, a quorum was established. As this was the first annual general meeting for The Lodge at Riverbend, Murray stated that he would be happy to chair this meeting, with Heidi acting as meeting secretary and recording the minutes, unless those present voted otherwise. All were in agreement of this arrangement.

### **HOA administration:**

Murray passed around his summary of Robert's Rules of Order as a guideline for the "parliamentary" conduct at such meetings. He also summarized the need for strong cooperation with the elected Executive Board, emphasizing that the Management customarily takes direction from the association President to ensure smooth communication. Jim Bull requested that, as this was such a new Board, the Management consider all requests and direction from its members. Murray and Bob agreed, provided there is no conflict between directives issued.

### **New Business:**

#### **1. Developer Update**

- The membership discussed the building of the ski lockers. The Developer stated they needed to be at least 9" away from sprinkler heads. Design and paint would then be decided through the board. The exhaust fan ventilation could not be blocked when building any storage spaces. It was decided that in addition to the ski lockers, the Executive Board would investigate availability and use of any additional space in the mechanical room for a few lockers.
- It was suggested that a bike rack could be built along the empty wall in the garage. The fire department did not allow the Developer to do it, but the Board will not have the same restrictions and can allow for bike storage.
- The hot tub area is almost complete. The Developer is waiting on the lift topper and steps. Hooks and benches will be left up to the Association to install.

- Left over paint will be stored inside a locked closet in the common room once it is too cold to be left in the dumpster enclosure. Each homeowner who needs touchup paint should retrieve a pint of their color from storage.
- Removal of construction trash and doing a final construction clean on all common areas was discussed. The Developer will coordinate.
- The dumpster side door to the garbage area needs to be reworked. It was decided that the association will stay with the same size (4 yard) dumpster. Management has requested a bid from Timberline Services - a new trash removal company. This company is focusing on better service and may be less expensive.
- The Developer has finished the painting by the elevator at the garage level. Painting of the actual garage will be tabled for the Board to consider. The Developer is not responsible for completion of this. In addition, once movers have primarily settled, all areas will be power washed and touched up.
- The landscaping has been transferred to Association care and is no longer the Developer's responsibility.
- An aesthetic solution to the back of the Bighorn Building was discussed. It was determined that power washing would be a liability to the electrical equipment on the inside as there are visible cracks in this wall. The other option is to scrape and paint. Murray will talk with the building owner to encourage execution of this task.
- Assigned space parking was discussed. Every unit will have a space in the garage except for #104 and the 2<sup>nd</sup> space for #106. Both will be allocated a space outside.
- The lights in the garage are to be kept on all night. This is a security measure.
- The leaking sprinkler heads (3 in the hallways, 1 in garage) need to be repaired and will be the Developer's expense.

## 2. Appointments to Executive Board:

This meeting established the transition from the Developer to the Association, via the Executive Board of Directors. The bylaws require 2-5 members to serve on the Executive Board. Murray suggested staying with 3 Board members. Jim Bull suggested that the membership was not functional enough at the moment to have just a President, but that they should have more of a committee. After an appropriate suggestion that the Developer continue to be an active Board member, it was motioned by Jon Klimchalk, seconded by Phylecia Platte and unanimously:

**Resolved:** The Executive Board of Directors be elected, as nominated, by acclamation, and would include Tim Crane for at least 6 months, Michael Manco-Johnson, Jim Bull and Bud Cook. Their specific positions would be determined at a subsequent Board meeting.

## 3. Management Duties and Obligations:

The introductory letter forwarded to all new members from the Management Company, and passed out at this meeting, summarized the management duties. Of note is that a significant portion of the management contract is performed "back-office". This introductory letter is to be used as a benchmark guide. If changes need to be made, Management can accommodate the various needs, under consultation with the Board.

Cleaning on interior common areas is performed weekly. The current management budget allows for an exterior walkway clean once a month. The garage is cleaned twice each summer. Basic landscaping care will be done on an as needed basis.

#### 4. Membership Responsibilities and Covenants, Restrictions, Rules and Regulations:

Murray indicated that the current Due's structure of the Association should be sufficient for its needs, provided each member pays its regular dues in a timely manner. Management typically sends out statements the 3<sup>rd</sup> week of the month. The governing documents, however, state that dues should always be paid by the first of the month, regardless of whether a statement has been received or not. Statements are considered a courtesy record of a member's current account status. It was suggested that the Board become familiar with the Bylaws, Declarations, Rules and their restrictions. Management will deal with any infringements, such as pet and parking violations, but requests membership assistance in observing and reporting them. As a clarification, owners may have pets; not tenants. A preliminary set of Rules has been prepared by the Developer's attorney, in conjunction with the management, and is currently in place. The Board may change the Bylaws and Rules without a vote of the membership.

#### 5. Dues and Working Capital:

Dawn mentioned that, as no receipts (or Dues) were collected by the Developer on behalf of the Association, an audit was not required, nor conducted, when the financial records were transferred to the Management Company. The General Liability and Property Insurance was the only bill paid on behalf of the Association by the Developer. It is established that a new buyer pays three months to a working capital reserve. Once sold, the existing reserve stays and the new buyer will also pay into the reserve. The Developer is exempt from paying the working capital on Developer owned units. Currently, the reserve and dues amounts are in one account, but temporarily. Options on accounting for the funds were discussed. Money market accounts will be set up at a later date.

#### 6. Association Financial Condition:

Financials were passed out at the meeting and are attached. Murray reviewed and explained the current format of each report. Fidelity Bond insurance is carried by Mt. Royal Properties. It was suggested the Board have a copy of this document on file. The Board discussed having a centralized book of documents in the common area to be attainable by the membership. The Membership discussed the various options for cable television. Murray indicated that the current contract that Comcast has submitted to Management has many restrictions. It has not yet been signed. The Developer's attorney has reviewed it and written a detailed memo in response. Murray will follow up with Comcast to hopefully reach a more amenable agreement. High speed internet could be investigated as another option. The Board will take this issue up at their next meeting.

7. 2003 Budget and Reserve Schedule:

Although the preliminary budget and reserve schedule have been approved by the Developer and are currently in use, Murray indicated that they should be discussed further, and amended if necessary, with the new Board of Directors. A copy (attached) was included in the financial handout. It was recommended by Murray to adhere to at least a 10-year reserve schedule. \$65 out of the dues per month per unit would satisfy the plan. The reserve schedule does not account for inflation or interest.

8. Other Items:

- A discussion on the fire alarm ensued. It was clarified that the Fire Department will automatically be called should the common area smoke alarms go off, not if individual unit smoke alarms go off.
- The Creek at Frisco is an Association which manages the private street. It was decided that Phylecia and Jon would attend the Creek at Frisco meeting (to be held Sept. 1<sup>st</sup>) with, hopefully, 15 proxies from The Lodge at Riverbend. This would facilitate a majority of votes to enable a change in the snowplowing and possible membership if needed. Proxies were passed out for voting at the Creek Association. The membership all agreed to vote now to an increase on a late fee. It was agreed to vote yes to retain a manager for management of the Creek Association. The last two points should be left blank. Those issues were "no street parking at any time", and "no on street parking during snow season". All proxies were signed and given to Phylecia.
- Murray asked the membership if they would like to be set up with automatic payment procedure (ACH) with the bank. There is an accounting fee of \$20/month. The Board agreed to table the issue for future review.
- The security of the common room and hot tub area was discussed. Rules are posted and the room has been secured with a deadbolt for the time being. The membership agreed to install a combination lock for access. Although this would permit 24-hour access to those with the combination, it was hoped that all residents would conform to the hours of 8am to 10pm. It was suggested to have this lock only at the inside entrance, and the exterior exit will have a one-way door opening system.
- Bob Hooper indicated that if an owner wants to have Management do basic security checks, they could set this up through him. The fee is included in the management fee.
- It was reminded that if locks were to be changed, they should be changed to also fit the master. Notify Management if locks are to be changed.
- Common area light bulbs are checked and replaced by maintenance.

Harry Willams motioned to adjourn the meeting. Seconded by Jon Klimchalk, and all were in favor. The meeting ended at 12:15 p.m.

I hereby attest that these minutes are a true and accurate account of the meeting thus held at the date and time above.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

As \_\_\_\_\_