

## **OWL CREEK HOMEOWNERS ASSOCIATION**

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### ***MINUTES OF THE October 11th, 2017, BOARD OF DIRECTORS MEETING***

#### **I. Call to Order**

Mr. Anderson called the Meeting called to order at 10:02 am via a conference telephone call. Other Board members present via conference call were Gene Schmitt, David Barnes, Richard Romanski, and Connie Hodson. Joe Zueno of WVR and Barton Craig of Snowmass Lodging Company were also present.

#### **II. Approval of Minutes of November 17, 2016**

Mr. Anderson made a motion to waive the reading of the minutes of the November 17th, 2016, Board of Directors meeting. Mr. Schmitt seconded, and the motion passed. Mr. Schmitt made a motion to approve the minutes, as written, and Mrs. Hodson seconded. The motion passed via voice vote.

#### **III. Old Business**

#### **IV. New Business**

##### **A. Road and Driveway repairs**

Mr. Craig noted that street and driveway repairs and seal coating have not been done for several years and are needed. Mr. Craig and Mr. Schmitt walked the property two weeks ago. Mr. Schmitt agreed that performing repairs before the winter, if possible, should be a priority. Mr. Craig has received two proposals for this work. The first was for \$40,000 and the second bid is for \$18,000 and comes with a two-year warranty and can be performed this fall, as long as the weather holds. This type of work would generally be allocated from the Reserve Fund. The current balance of the Reserve Fund is \$864,352.

After discussion regarding the state of the street and driveways, and the comparable nature of the two bids, Mr. Schmitt made a motion to accept the bid of \$18,000 and contract SealCo, Inc to perform these repairs this fall if at all possible and that the funds be allocated from the Reserve Fund. Mr. Anderson seconded and the motion passed.

##### **B. EIFS Inspection Report and Request for Repairs**

Mr. Craig reminded the Board members that per follow up from the sale of Owl Creek Home #8 last winter, that a certified EIFS inspector was brought in by the HOA to inspect the EIFS siding at the home to determine the nature of the deficiencies that were noted in the original

building inspection report when the home was purchased. The HOA had agreed to perform minor repairs that were noted in the inspection, but when a certified EIFS repair contractor was brought in for the repairs, he deferred that he could not assess the extent of the damage to the siding without a certified inspector being brought in.

The report from Chris Lacey, the EIFS inspector, noted a very large number of deficiencies, both due to age and to faults of the original installation. In particular, the deficiencies due to installation would be difficult and costly to address. They deal with recommendations for flashing, backing materials and adhesion of the EIFS to other materials. While Owl Creek Home #8 is the only home to have an EIFS inspection, management's opinion is that this home is probably somewhat representative of all of the Owl Creek Homes. As a result, any repairs done at this home might also be necessary at many other Owl Creek Homes. Because this could be potentially a very large and expensive issue, management has asked the Board to provide direction on this matter. Mr. Craig also noted that the homeowner in question has been very insistent on these repairs, as well as several others.

Mr. Craig provided a few more points of discussion. Related to the maintenance of the EIFS siding are caulking and gutter repairs. The EIFS is caulked, or should be caulked, at every point where it transitions to either concrete or wood. In many areas this caulking was never installed or is cracked or failing. Also, some areas where the EIFS siding is damaged is due to gutters that were either improperly designed, or need repair. Over time the gutters can move and this causes a slight change in the slope and can result in improper drainage. Management recommends that a major caulking project and major gutter inspection and repairs be performed throughout the complex as soon as it is practical, and will obtain estimates for this work. This work has never been systematically performed throughout the Owl Creek Homes.

Mr. Schmitt noted that these issues should be addressed throughout the Owl Creek Homes and because of this fact, action by the Board should be taken carefully and with all of the information that the Board can reasonably gather.

Mrs. Hodson asked if the EIFS inspection report from Chris Lacey (noted above) was the only formal inspection of these elements of the homes that the HOA had received. Mr. Craig answered that currently the HOA only has this one opinion of the state of the siding.

Mr. Barnes noted that EIFS inspectors are certified by the same company that manufactures the EIFS materials and felt that getting an opinion on the state of the exterior siding from a qualified party that is not associated with EIFS would be prudent.

The Board agreed that issues of caulking and gutters are related to the condition of the EIFS siding and that if another party is brought in for an opinion, that all of these elements should be inspected.

Mr. Anderson made a motion for management to hire a local qualified General Contractor with experience with EIFS to consult the Board on the state of the EIFS siding and gutters and caulking and provide recommendations on appropriate action to repair and preserve

these elements of the Owl Creek Homes. This inspection should include Owl Creek Home #8 so that they Board can receive a second opinion on the same building, but should also include inspection of at least one or more Owl Creek Home. Mrs. Hodson seconded and the motion passed via voice vote.

The Board also agreed that a letter from the Board should be drafted to send to the owner of 408 Burnt Mountain Drive, so that he is aware that the Board takes this matter very seriously and that because these issues concern the entire complex it will perform due diligence to ensure that the best and most prudent decision can be made to protect and preserve HOA property.

### **C. Request for French Drain installation**

The owner of Owl Creek #8 has requested installation of one of more French Drains because he believes that water drainage on the surface of the grounds presents a threat to the foundation of the home. The HOA has installed a couple French Drains over the years in the grounds in areas where water pools in low spots and has caused loss of vegetation or muddy areas. Mr. Craig walked the area with Mr. Schmitt and both came to the conclusion that the water drainage at Owl Creek #8 is typical of many of the Owl Creek Homes. If the HOA meets the request because of a perception of foundation damage by a homeowner, then many other homeowners could make the same request. The request may represent a valid concern for the safety of the home and many other Owl Creek Homes, but presently that validity is unknown.

Mr. Anderson noted that he was present when the first Owl Creek Homes were built and that the foundations are wrapped by waterproof materials.

Mr. Romanski noted from his experience that even if there are water drainage issues at the house (which has not been established) that French Drains may not be the appropriate solution.

Mr. Anderson requested that when a General Contractor is consulted about the EIFS siding and gutters and caulking that they also be consulted about the water drainage to the homes.

Mr. Barnes made a motion that the owner of Owl Creek #8 can submit a proposal to the Board to install French Drains at his own expense. If the homeowner submits such a proposal it should document a practical necessity for such work and document that the French Drain will be an appropriate solution. Mr. Anderson seconded and the motion passed via voice vote.

### **D. Schedule & Agenda for Annual Owners Meeting**

Per prior emails to the Board, the Annual meeting is scheduled for December 27, 2017, at 4:00 pm. The meeting can be held at either The Enclave or Woodrun Place, depending

upon availability of either meeting room. Directions will be provided in the Notice of the Meeting to the members.

**E. Re-bidding HVAC Service Contract with Climate Control Company**

Management has been requested by the owner of Owl Creek #8 to contract a different vendor for the HOA service contract on the HVAC system. Management can acknowledge that there has been a fair amount of turnover at Climate Control and the quality of work has suffered. Re-bidding the service contract is appropriate. One bid has been received so far but the cost was nearly double that of Climate Control Company. Management will continue to look for a competitive price from a different vendor for the work for 2018 but it not committed to changing vendors.

**F. Board Elections**

Mr. Wagman resigned his position from the Board after his home sold last month, leaving the Board with six members. The Declaration allows the Board to appoint a replacement to fill the vac. The Declaration required a minimum of three Board members and maximum of seven. Only Mrs. Hodson's Board position is up for election at the Annual Meeting, as she was elected to a three-year term in 2014.

**G. Adjournment**

Mr. Anderson made a motion for adjournment. Mr. Schmitt seconded, and the motion was passed. The meeting was adjourned at 11:26 A.M.

Submitted by,

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Mr. Schmitt, Secretary