

## **OWL CREEK HOMEOWNERS ASSOCIATION**

---

### ***MINUTES OF THE April 16<sup>th</sup>, 2018, BOARD OF DIRECTORS MEETING***

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

Mr. Anderson called the Meeting called to order at 12:08 pm via a conference telephone call. Other Board members present via conference call were David Barnes, Scott Schlesinger, and Connie Hodson. Barton Craig of Snowmass Lodging Company was also present.

#### **II. Approval of Minutes of December 6th, 2017**

Mr. Hodson made a motion to waive the reading of the minutes of the December 6th, 2017, Board of Directors meeting. Mr. Barnes seconded, and the motion passed. Mrs. Hodson made a motion to approve the minutes, as written, and Mr. Anderson seconded. The motion passed via voice vote.

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

##### **General Contractor EIFS Inspection**

Per a decision after the Annual Homeowners Meeting on December 27<sup>th</sup>, 2017, Management has contracted Kevin Herman to inspect all 31 Owl Creek Homes to create a spec for repairs to EIFS and gutters for this spring/summer. Mr. Herman has completed 10 inspections and is now preparing a preliminary report and estimate for repairs, as he and management feel he has a large enough sample to understand the scope of the project. We hope to have that report for the Board in the next week or two. Mr. Craig noted that in his opinion after meeting with Kevin Herman on multiple occasions that the EIFS and gutter repairs will exceed the original half-day to one-day per home estimate.

Mrs. Hodson suggested sending a letter to all members of the HOA updating them on the status of this project, as well as the road and driveway repairs. Mr. Anderson seconded the motion, which passed via voice vote. Mr. Craig will draft a letter and send to the Board for review with the goal of sending out this letter in the next several days.

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

##### **Policy for HOA Response to Building Inspection Reports**

Mr. Craig reminded the Board that last week he received a request from a local realtor in regards to the inspection report for Owl Creek Home #1, which is currently under contract. The request was for exact dates for repairs to various exterior HOA elements, notably EIFS siding, gutters, and grout repairs. Other items were also noted in the report which were either already scheduled for repair by the HOA, or were simple repairs that were not part of a larger maintenance plan. Mr. Craig provided estimated dates of completion for these repairs but was unable to guarantee dates of repair for the larger items. Mr. Craig has since had communication with the realtor and is under the impression that this will not jeopardize the contract for the sale of the home, but it was a concern.

Mr. Craig provided background on this issue. Building Inspection reports and HOA response to them has always been a part of management of the HOA each time an Owl Creek Home is sold. He noted that he has always felt that providing timely and professional response to these requests is an important aspect of management of the HOA. Management's goal has been to aid in the sale of Owl Creek Homes in whatever manner possible. However, items are now appearing on these reports which are not easily resolved and involve larger and more complicated responses for the HOA. This trend will likely increase in the coming years as roofs, fire control systems, roads, EIFS, gutters, flagstone, hot tub decks and other elements of the complex appear more often on these reports.

Mr. Anderson opened discussion on this issue to the Board and asked if any Board members had an opinion on the policy the HOA should take on this matter.

Mr. Schlesinger discussed the need to create a plan for scheduled maintenance for the next 5 years for these items, so that in the future the HOA can refer to this plan as the date of future repairs. In regards to grout repairs specifically, the Board instructed management to obtain a bid for grout and stone repairs throughout the complex as a larger HOA project for this year or next, but gave management discretion to perform grout and stone repairs at individual homes in the short term if they appear on inspection reports, if the repairs are in the \$200-1000 range. Mr. Schlesinger made a motion to instruct management to reply to the inspection report regarding EIFS and gutter repairs that the HOA is in the process of studying this issue and has plans to perform these repairs in all Owl Creek Homes in 2018, but that the work is not yet scheduled for a specific date. Mr. Anderson seconded and the motion passed via voice vote.

## **Homeowner Jay Warren Dissatisfaction**

Mr. Craig noted to the Board a meeting he had with Mr. Warren at his home on March 20<sup>th</sup>. In that conversation Mr. Warren expressed in no uncertain terms his continued dissatisfaction with the Board, the management by Mr. Craig and Snowmass Lodging Company and the direction of the HOA. He demanded personal guarantees that all of the EIFS repairs and all of the underlying causes of this damage would be repaired by the HOA this spring and summer to his satisfaction. He expressed continued annoyance that drainage issues around his house that he raised were not being addressed. Since Mr. Craig was not in a position to make those assurances, the conversation deteriorated and became uncomfortable and confrontational. Although Mr. Warren made no direct threats against the Owl Creek HOA or Snowmass Lodging Company, he did make reference to the fact that he assumed all entities were properly insured with D&O and other Liability insurances policies. The conversation was disturbing enough that Mr. Craig shared it with the General Manager of Snowmass Lodging, as well as Board member Mr. Romanski, who happened to be in residence at the time. Mr. Craig presented this information to the Board in the interest of transparency and in an ongoing effort to satisfy him as a member of the HOA.

Mr. Schlesinger noted that in any HOA there is often one or more party that cannot be satisfied but expressed confidence in the direction the Board is taking on these matters, and in the management of the HOA being provided by Mr. Craig and Snowmass Lodging Company. All of the Board members echoed this sentiment and while they regret that Mr. Warren is not satisfied with the operation of the HOA, they are committed to serving the entire membership and hope that by doing this that eventually he too will feel that his needs are being addressed.

## **V. Adjournment**

Mr. Schlesinger made a motion for adjournment. Mrs. Hodson seconded, and the motion was passed. The meeting was adjourned at 12:59 PM.

Submitted by,

---

Mr. Schmitt, Secretary