

OWL CREEK HOMEOWNERS ASSOCIATION

MINUTES OF THE June 15th, 2023, BOARD OF DIRECTORS MEETING

I Call to Order

Kay Hanafin called the Meeting to order via Zoom conference call at 3: am with Board members, Ed Thomas, Gene Schmitt, Jay Warren, Z. Divjak and Chuck Lohmiller. Barton Craig of Snowmass Lodging Company was also present.

II Proof of Notice of Meeting

Mr. Craig presented proof of notice of the meeting, which was via email.

III Reading and Approval of the Minutes

M made a motion to waive the reading of the Board Meeting Minutes of May 21stth, 2023, and approve them as written, M seconded, and the motion was passed unanimously via voice vote.

IV Old Business

Rudd is doing their punchlist and doing demo on the 5 decks under warranty. Mr. Warren explained he has spent approx 16 hours in discussio with Rudd in person over the last severl weeks. Mr. Warren has significant concern on the quality of the work done by Rudd, especially as related to the color consistency of the concrete decks. After pressure washing decks in 600 building, Mr. Warren's concerns have not be abated. Mr. Warren has real concners moving forward with Rudd, even if the Board does not have an alternative lined up at this time.

There is not agreement in total on which decks require remediation. Mr. Warren proposes inspection the decks at all 15 homes with the Rudd principles and Chris Beebe and Bob Kaufmann. Mr. Warren is not confident an agreement will be reached on which decks are unacceptable AND that Rudd is capable of performing the work a second time and producing acceptable results. The concrete subcontractor appears to be at least one source of the inconsistency of the concrete and Rudd has said that they do not have another concrete subcontractor or will not change subcontractors.

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V. New Business

VI. Adjournment

M made at motion for adjournment, the motion was seconded by M
and the meeting was adjourned at pm.

v. New Business

Rudd Construction Contract/Construction Project Update

Per directions from the Board, Mr. Warren has been in talks with Rudd to discuss the issues that caused Rudd to terminate the contract and what it would take to bring them back onto the project. The result of these talks is that it will take an additional \$1.2-1.3 million for Rudd to come back on the project. This number is based on the cost per home incurred on the 15 units completed and prorated for the remaining 16 homes. Further, a new contract would be “cost plus” rather than a GMP. Mr. Warren said that Mr. Kaufmann indicated that the alternate would be to bid the project out the same 12 Contractors that the HOA solicited in 2021 (which resulted in only 3 bids) and that likely they would not even provide a proposal until early 2024 and work would not start until 2024. If Rudd were brought back on the project, work could start as early as June, but the project would not be completed until 2024, as two months would have been lost.

After discussion, The Board voted unanimously to move forward with Rudd to draft an amended contract and price based on the discussions noted above.

Executive Session

Mrs. Hanafin called the meeting into Executive Session at 10:00 to discuss a legal matter. Mrs. Hanafin ended the Executive Session at 10:02.

VI. Adjournment

Mrs. Hanafin made a motion for adjournment. Mr. Warren seconded, and the motion passed. The meeting was adjourned at 10:06 am.

Submitted by,

Eugene Schmitt, Secretary/Treasurer