

## **OWL CREEK HOMEOWNERS ASSOCIATION**

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### **MINUTES OF THE September 10th, 2024, BOARD OF DIRECTORS MEETING**

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

Mrs. Hanafin called the Meeting to order via Zoom conference call at 3:02 pm with Board members, Z. Divjak, Gene Schmitt, Jay Warren, Ed Thomas, and Chuck Lohmiller present. Barton Craig of Frias Properties of Aspen, LLC., 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**

Mrs. Hanafin made a motion to waive the reading and approve the Minutes of the June 18th Board Meeting, Mr. Thomas seconded, and the Minutes were approved as written

#### **IV Old Business**

##### **Construction Update**

JA Vasquez is proceeding with deck replacement on 3 homes (1120, 1121 and 509 Burnt Mountain). The 1100 building has the final concrete pour tomorrow. For 509 concrete will be completed later this month. Waterproofing on all decks of these 3 homes is complete and flood tested. After the final concrete pours are done there will still be EIFS and copper and painting and deck railing work to complete. Mr. Warren noted a few unexpected complications and a learning curve as part of the project but overall indicated that he is extremely satisfied with the work and character of JA Vasquez. Mrs. Hanafin concurred.

##### **Metal wrap deck railing project**

This is almost completed on Streamside Court, with 9 of 10 units done. Five more homes need the work performed on Burnt Mountain Drive. This project was approved to mitigate the issues with paint and warping of portions of the Azek deck railings that were part of the deck replacement on 15 homes done in 2022/23. The contractor will move the 5 homes on Burnt Mountain Drive next week.

**Copper Detail accepted by TOSV to meet the height requirement of the deck railings.**

## **Review 2025 Construction Budget**

Mrs. Hanifin noted that the Board still does not know what the cost will be for full deck replacement until the work and billing is nearly complete. Mr. Warren noted that the metal wrap of the Azek deck railings was an added expense that was not part of the original project, as well as the added snowmelt manifolds that will be installed as a test in the 3 units this year.

## **Damage due to owner modifications that impacted patio decks**

Mrs. Hanafin noted that it has been determined that many homes with deck leaks on the FL2 are due to substandard work done during door/window swaps that were performed by homeowners, and this brings the question of who bears the responsibility for the additional cost of mitigating this damage. Mr. Warren noted that most recently this has been determined to be the case at 1120 Burnt Mountain Drive. Mr. Warren posed the question of who should be financially responsible for these costs. Mr. Divjak suggested that if the defective work was done while the current homeowner owned the home, then that homeowner should be responsible for the mitigation costs. But if the work was done by a previous homeowner, then the HOA should bear the expense. Mr. Thomas noted the possible complications of the HOA becoming responsible for determining the exact cause of a leak, which can sometimes be quite difficult. Mr. Warren noted that the Declaration states clearly under Maintenance Responsibility of Owners that the current owner of a home is responsible for any action taken by prior owners. After discussion, no decision has been made but it was determined that Mr. Warren will get advice from legal counsel on interpretation of the Declaration related to this matter and report back to the Board.

## **Fire Sprinkler head replacement**

The fire sprinkler replacement project is complete, and the HOA insurance carrier has been notified. The total cost of the project came in at just under \$100,000. The exact number of heads to be replaced was a bit higher than estimated by about 4-5 heads per home, but the costs for repairs and drywall replacement were significantly less than anticipated, so the project came in on budget.

## **V. New Business**

### **Corporate Transparency Act (CTA)**

Mr. Craig reminded the Board members that the only filing requirement

currently necessary to meet the obligations of the CTA is to complete the Beneficial Owner Form that has been provided to each Board member, which must be filed by 12/31/24.

### **Barton Craig leaving as Property Manager**

Mr. Craig announced to the Board that he would be resigning his position as Property Manager and resigning from Frias Properties. He explained that after 25 years it was time to pursue something different and that he feels nothing but gratitude to his employer and especially to the Board and the homeowners at Owl Creek Homes for opportunity to pursue a career that allowed him to feel a sense of helping people and solve problems and assist the Owl Creek Homes as they have continued to be a valuable and desirable place to live. Mr. Craig will leave the position as Property Manager in mid-November. He introduced Kevn Mize, who will be taking over as Property Manager with Frias Properties and begin training in mid-October. Mr. Mize has been living in Snowmass Village for 10 years and has experience in many aspects of property management, including home, HOA and construction project management.

### **VI. Adjournment**

Mrs. Hanafin made a motion for adjournment. Mr. Warren seconded, and the motion passed. The meeting was adjourned at 4:30 pm.

Submitted by,

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Eugene Schmitt, Secretary/Treasurer