

OWL CREEK HOMEOWNERS ASSOCIATION

MINUTES OF THE November 12, 2024, BOARD OF DIRECTORS MEETING

I Call to Order

Kay Hanafin called the Meeting to order via Zoom conference call at 3:07 pm with Board members, Z. Divjak, Jay Warren, Chuck Lohmiller, Gene Schmitt and Ed Thomas, present. Barton Craig and Kevin Mize of Frias Properties of Aspen, LLC., were also present. Barton Craig introduced Kevin Mize to the Board members.

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 September 10th and October 31st, Board Meetings, Mr. Thomas seconded, and the Minutes were approved as written

IV Old Business

Construction Update

Mr. Warren noted that JA Vasquez is wrapping up work for the season on deck railing upgrade on 15 homes and deck replacement of 1120, 1121 and 509 Burnt Mountain. There are a few small outstanding issues and a few punch list items to be finalized in the next week or so. Mr. Warren noted the significant differences between JA Vasquez and Rudd in terms of completing work and highlighting JA Vasquez responsiveness and follow through. The HOA does not have final billing yet for deck replacement on the three homes. There has been additional scope added to these homes. This is primarily the metal wrap upgrade to portions of the deck railings. JA Vasquez also corrected hidden defects of the original construction as needed and remediated deficiencies caused by Rudd. New snowmelt manifolds have also been added to the three homes that received deck replacement this year. Mr. Warren responded to a question by Mr. Divjak that Bob Kauffman is preparing reports that will show the dollars amounts and categories of all 2024 expenses. These will be completed and sent to the Board in the coming weeks. Mr. Divjak will request the interim report from Bob Kauffman.

Mr. Warren also noted that he has spoken to Steve Narvaez to give serious thought to the total scope of work for 2025 and if JA Vasquez has the resources to complete the project next year.

Mr. Thomas noted that because of deck replacement work done at his home this summer, several shingles are missing. This has been common in all homes under construction and will likely continue next year. S&S roofing has already replaced shingles throughout the complex in September, but additional shingles have broken since and need replacement. Mr. Craig is working with two roofing companies to get these shingle replacements completed.

Mr. Warren inquired about the stock of Cedar shingles held by the HOA. Mr. Craig noted that there are approximately 10 bundles of shingles (20 per bundle) and the HOA has more than enough for this year's repairs. Mr. Warren requested that Management order enough extra shingles to restore the HOA supply to what it was when the roofs were completed in 2020, which is about 30-40 bundles that will be stored with one or two bundles in each garage. Management will follow up on this order.

Construction Plans for 2025

The Board is waiting for final billing from JA Vasquez and input from JA Vasquez on scheduling and their capacity to complete the project in 2025. This information should be available prior to the next Board meeting on December 10th.

Corporate Transparency Act

Management has the required form completed for 6 of 7 Board members but still needs the information from one Board member before the information can be filed the HOA put into compliance, which must be done December 31, 2024.

V. New Business

Date, Time and Location of Annual Homeowner's Meeting

Mrs. Hanafin suggested Sunday, December 29th at 4:00pm Mountain Time at the Snowmass Chapel. Mr. Craig will check to see if the meeting room at the Snowmass Chapel is available for that day and time and report back to the Board.

Board terms expiring

Mr. Craig reminded the Board that the terms of Mr. Thomas and Mr. Lohmiller expire at the end of the year. Both Board members indicated that they would serve another term if nominated and elected at the Annual Meeting. The Board instructed Management to send information as part of the Notice of Annual Meeting packet to all homeowners asking if they would like to serve on the Board with a document inviting

them to describe their qualifications.

Proposed Declaration Amendment

Mr. Warren noted that the Board was presented with a draft prepared by the HOA attorney for a Declaration amendment related to homeowner responsibilities if they are approved for a modification to a Limited Common Element. Mr. Divjak and Mr. Thomas indicated that the existing language in the Declaration is sufficient and does not require an amendment. Mr., Warren noted that the HOA attorney recommended memorializing language either through an indemnification agreement between the homeowner and the HOA, or a Declaration amendment to provide clarity on the homeowner responsibility for approved modifications to Limited Common Elements. A vote was taken on the matter of whether to pursue a Declaration amendment. Mr. Warren, Mrs. Hanafin and Mr. Schmitt voted yes, and Mr. Divjak, Mr. Thomas and Mr. Lohmiller voted no. As the vote ended in a 3-3 tie, the matter did not pass, and the issue will not be pursued for now.

304 Streamside request for tree planting

The new owner of 304 sent a request with edited photos to install about 10-12 trees and replace hot tub shrubs. The Board agreed to revisit this request in the spring/early summer so that Board members could walk the area to make a more informed decision.

Q3 Financial Review

Per reports sent to the Board, Mr. Craig summarized that as of the end of Q3 The HOA has a surplus of \$5,089. The HOA is under budget in Painting by \$10,200 and by \$24,888 in insurance. The HOA is over budget in Grounds by \$19,998, snow removal by \$2,045 and Legal by \$7,087. Mr. Craig detailed the reasons for these variances in the written report and summarized them for the Board. Mr. Craig asked the Board if they had further questions on the Q3 report.

2025 Proposed Budget

The Board has been provided with the 2025 Proposed Budget, which includes a total assessment of \$936,516.84m which is an increase in assessments of 4.2% for Phase 1 and 2 homeowners and an increase of 1.66% for Phase 3 homeowners. The only line item with a significant increase for 2025 is for Grounds, which increases the budgeted amount by \$20,000, or 12%, to be the same as the expected current year expenses. Mr. Craig noted one additional item to discuss in the 2025 budget, which is that the HOA Landscaping vendor noted that no later than 2025 the Holiday lights that are strung on a total 3 large pine trees will need to be stripped and replaced next year.

The estimated cost for this project is \$20,000. The HOA has typically done this work about every 4-5 years and was last done in 2019. Mr. Craig recommended adding \$20,000 to the Operating Budget for this expense, or plan on allocating funds from the Reserve Fund for the project.

Mr. Craig asked the Board members if they had specific questions about the Proposed Budget.

Mr. Thomas made a motion to approve the 2025 Proposed Budget, with an assessment of \$956,516.84 amended to adjust the R&M Budget to \$95,000, with any unallocated surplus or deficit paid by the Reserve Fund, and any surplus or deficit of costs allocated by Phase carried forward to the 2025. Mrs. Hanafin seconded, and the motion was unanimously approved. Management will send the Proposed Budget to all homeowners with the Notice of Meeting packet prior to the Annual Homeowners Meeting.

VI. Adjournment

Mrs. Hanafin made a motion for adjournment. Mr. Thomas seconded, and the motion passed. The meeting was adjourned at 4:35 pm.

Submitted by,

Eugene Schmitt, Secretary/Treasurer