

OWL CREEK HOMEOWNERS ASSOCIATION

MINUTES OF THE December 10, 2024, BOARD OF DIRECTORS MEETING

I. Call to Order

Kay Hanafin called the Meeting to order via Zoom conference call at 3:04 pm with Board members, Kay Hanafin, Z. Divjak, Jay Warren, Chuck Lohmiller, and Ed Thomas present. Mike George and Kevin Mize of Frias Properties of Aspen, LLC., were also present.

II. Proof of Notice of Meeting

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

III. Reading and Approval of the Minutes

Mr. Warren made a motion to waive the reading and approve the Minutes of the November 11, 2024, Board Meeting. Mr. Thomas seconded, and the Minutes were approved as written.

IV. Old Business

Construction Update 2024

Mr. Warren updated the actual costs for the Board members to include anticipated final amounts for 509 BMD, 1120 BMD, and 1121 BMD deck replacement. Some questions remain, and discussions and review of billing details are still underway with JA Vasquez, general contractor.

Soft costs were discussed (Bob Kaufman, Chris Beebe, water sealing, and concrete specialists). Discussions included detailed questions from Mr. Thomas regarding units on Phase III vs. Phases I & II. Mr. Warren was able to produce slides with the costs broken down to help answer some of those questions.

Mr. Divjak and Mr. Lohmiller questioned some of the soft costs associated with project to review the source of the present figures, how those costs could vary in 2025, and what components comprised those numbers. Mr. Divjak suggested that the HOA continue its review of the costs during the first quarter of 2025 to help project costs for future work.

Discussions continued regarding how costs should be analyzed by the consultant and, subsequently, the Board. Mr. Divjak suggested that comprehensive, aggregate project costs be part of the analysis.

Mr. George advised that management provides general ledger detail, purchases by vendor, and project costing by type of work, but that costs by physical location – deck by deck - are not available from the general contractor.

Mrs. Hanafin asked if the goal of the Board was to be able to provide a 2025 construction schedule/plan for the owners at the upcoming Annual Homeowner's Meeting. Mr. Warren agreed that having those numbers would be appropriate. Mrs. Hanafin then brought up the probability that a fourth and possibly fifth assessment installment could be levied for the remaining project costs.

A discussion ensued regarding the possibility of financing for future project costs. Mr. Thomas, Mr. Warren, and Mr. Divjak discussed different loan options vs special assessments. Mr. George subsequently checked with the Alpine Bank Snowmass President, Drew Detrick, and Mr. Detrick welcomes loan applications by local property owners.

V. New Business

Board terms expiring

Mr. Mize 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

Mrs. Hanafin noted that the HOA Declaration states that if an owner makes a change to the shell of the property, that owner is responsible for the associated costs of those changes. Those obligations run with the property and are assumed by successor Unit owners. Mr. Warren described certain costs as related to corrective work to common shell elements at Mr. Thomas' residence.

Mr. Thomas noted that the HOA has not been consistent regarding enforcing the language in its governing documents concerning changes owners may have, or did, make to the shell common elements of the property.

Mr. George noted that other HOA clients use a Unit Modification process to document changes that an owner may wish to make to both that owner's Unit and any associated common elements, and that Owl Creek may wish to reconsider using a similar system. The form is a contract between the Unit Owner and the HOA, and it can specify the obligations of each party to run with the property, as may be necessary.

The Board decided that the costs of the corrective work under discussion should be presented to the owner of 1120 Burnt Mountain Drive in compliance with the bylaws.

2025 Proposed Amendment Budget

The Board has been provided with the amended 2025 Proposed Budget, which includes a total assessment of \$970,016.84, which is an increase in assessments of 8.21% for Phase 1 and 2 homeowners and an increase of 4.96% for Phase 3 homeowners. The amended line items include an additional \$5,000.00 in R&M General for additional power washing of decks in the spring. It also includes an additional \$8,500 in Grounds for an additional gutter cleaning in the late spring 2025.

Mr. Hanafin made a motion to approve the 2025 Proposed Amended Budget, with an assessment of \$970,016.84, to adjust the R&M – General line item budget to \$100,000, and to adjust the Grounds line item budget to \$193,500, and any surplus related to allocated costs by Phase to be carried forward to 2025. Mr. Warren 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

Mr. Lohmiller made a motion for adjournment. Mr. Warren seconded, and the motion passed. The meeting was adjourned at 5:45 pm.

Submitted by,

Eugene Schmitt, Secretary/Treasurer