

JACKSON COURT CONDOMINIUM ASSOCIATION

Minutes of Special Members meeting held on June 2, 2016 at 170 S Jackson St #104.

Present:

Ardyce Lebowitz #101
Adrienne Chew #102, #203 and proxy for #105, #202, #204 and #205
Rosemary Caho #103
Loretta Ukelele #104
Debra Schwartz #106
Lance Freedman #201
Dana Fox #206
Inna Frey #113
Donna Fryer #115

14 members being present in person or by proxy established a quorum, so the President Adrienne Chew called the meeting to order at 7:40pm.

The Vice President Dan Fox presented an overview of the concrete and drainage project. All sidewalks in the courtyard and at Jackson St will be taken out. Drainage pipe will be laid underground between the townhomes and the common garage and flow to the back alley under the patch where the rear walk wood retaining wall now is. That rotting wood retaining wall will be replaced by a new retaining wall, which is also part of the funding that the meeting is voting on. Originally we had not intended to dig out that patch with the wood retaining wall. But seeing that the condition of that wood wall was rotting, the contractors who bid on our project suggested we replace it. A second drainage system will have a pan to collect ground water from the townhouses, curve around #106 and exit to Jackson St. This will be collecting ground water from the front of the townhomes and water from the townhome roofs down into the courtyard.

The concrete sidewalk between JCC1 and JCC2 will be raised,

All sinking back patios concrete facing townhouses will be replaced. Concrete at the corner at #103 and #203 will be replaced with a no seam slab.

Downspout at side of #113 will go underground and connect to the drainage system.

Dana mentioned that a lot of work has been put in to get this project workable. We looked at 6 bids from different contractors and we gained a lot of knowledge and suggestions from experienced general contractors who had good ideas. There were bids that were over \$100k. One of the highly ranked and experienced general contractors told Dana he would not do the drainage project if there was no retaining wall put in on the Jackson St slope. This made us understand that it was important to have the retaining wall included as part of the project. Loretta added that her son-in-law who is an architect had commented that in his view, the retaining wall should have been installed originally when Jackson Court was first built.

Besides staving off soil erosion, the retaining wall on the Jackson St slope would also help to solve the problem of water loss from sprinklers and rain.

The retaining wall contractor suggested 2 tiered retaining wall from the Jackson St staircase to #104 – one will be about 3 feet away from our sidewalk, and other will be midway between that first upper retaining wall and the public sidewalk.

To have the retaining wall installed now at \$15k is more cost effective than waiting till next year to do the retaining wall as there are cost savings from the concrete contractor doing the excavation work for the retaining wall while he is doing the drainage project.

The Treasurer Lance Freedman presented the scheme for payment of this \$15k. The proposal is to “borrow” from our reserves in 2016, and have repayment into the reserves by special assessment on homeowners in 2017 to be paid monthly over 12 months. The Treasurer also presented to homeowners the 2017 retaining wall special assessment total payment, and the monthly payment schedule. Monthly installments will start in Jan 2017 and will be added to our monthly HOA dues. This is the minimum due and the total balance can be paid off by lump sum anytime during 2017.

The Treasurer proposed a vote for the retaining wall project and funding, and the members unanimously approved the retaining wall project at \$15k and the payment scheme proposed by the Treasurer as aforesaid.

The meeting ended at 10:20pm with thanks to Loretta for hosting.

JACKSON COURT CONDOMINIUM ASSOCIATION
Annual Members Meeting
Minutes November 3, 2015

I. CALL TO ORDER

The meeting was held at the Ross-Cherry Creek Library, 305 Milwaukee Street, Denver, CO 80209.

The meeting was called to order at 6:10 PM

II. INTRODUCTIONS

There were six (6) homeowners present and Mark Brooks was present from A&M Properties. Mark Brooks introduced himself as Community Manager and asked those present to introduce themselves.

III. VERIFICATION OF QUORUM

There were six (6) homeowners present and five (5) proxies submitted for a total of eleven (11) members in attendance. The required quorum of 25% or four (4) members was met, therefore the meeting continued.

IV. PROOF OF NOTICE

Management presented the Annual Meeting Notice to the Members and confirmed the Notice was mailed to the Members on October 12, 2015 by The United States Postal Service in compliance with the Associations legal documents.

V. PURPOSE OF THE MEETING

Management explained the purpose of the meeting was to approve the 2014 Annual Meeting Minutes, approved the September 2015 Special Members Meeting Minutes, elect four (4) Members to the Board of Directors, and to discuss any additional issues the Members have regarding the community.

VI. APPROVAL OF PREVIOUS MEMBERS MEETING MINUTES

The 2014 Annual Meeting Minutes were presented to the members. After all questions were addressed the members approved the minutes as presented. The 2015 September Special Meeting Minutes were presented to the Board. Under New Business, Approval of Expenses Vote, the members changed the vote total to 8 votes against and 4 votes for. With these changes made to the minutes the members approved the Special Meeting Minutes.

VII. PRESIDENTS REPORT

Donna Fryer, President of the Board, gave the members a recap of the projects that had been addressed in 2015, and the projects that were currently being addressed moving forward into 2016.

VIII. ELECTION OF THE BOARD

There were four (4) Board Position open for election. The floor was opened for nominations from the owner's present. There were four nominations, Adrienne Chew, Dana Fox, Gaylene Garbizo and Lance Freedman. With no other nominations all four were voted to the Board by acclamation.

IX. ADJOURNMENT

With no further business to discuss the meeting was adjourned at 8:40pm.

X. MEMBERS DISCUSSION

The members discussed the issues of concrete and drainage as it relates to different area of the community. The members review and discussed several proposals as they related to this issue. The new Board Members requested all documents related to the concrete and drainage issue be forwarded to them. In addition the Board will need to review any open work orders, the 2016 Budget which has not been approved and the 2016 A&M Properties Management Agreement.

Jackson Court Condominium
Special Members Meeting

Mon. December 14, 2015 at 170 S Jackson St, Unit 104

Members Present:

President: Adrienne Chew (#102, #203, #202 by proxy, #205 by proxy)
Vice President: Dana Fox (#206)
Treasurer: Lance Freedman (#201)
Members: Ardyce Lebewitz (#101)
Rosemary Caho (#103)
Loretta Ukulele (#104)
Debra Schwartz (#106)
LSL Co LLC (#204) by corporate representative Matt Lewan

The Special Members Meeting was called to order by the President at 7:08 p.m.

The Vice President recorded the number of members present in person and by proxy as 11 members, and confirmed that the required quorum of members was present.

A. The following Members Resolutions were unanimously passed.

To amend Articles of Association

Articles of Association
Board of Directors

1. Article VII of the Articles of Association shall be revised as follows:

To delete the first sentence and replace with:

“The affairs of this Association shall be managed by a Board of directors of not less than two (2) and not more than four (4) directors, except that the initial Board of directors shall consist of two (2) persons.

To amend Bylaws

Article V
BOARD OF DIRECTORS – SELECTION-TERM OF OFFICE

2. Article V Section 1 of the Bylaws shall be revised as follows:

To delete the first sentence and replace with:

Section 1. Number. The affairs of this Association shall be managed by a Board of not less than two (2) and not more than four (4) directors, who shall serve as officers of the Association.

Article VII
MEETINGS OF DIRECTORS

3. Article VII Section 3 of the Bylaws shall be revised as follows:

Section 3. Quorum. A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by the majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as an act of the Board. A director may attend regular and special meetings of the Board of Directors by conference call or video conferencing.

ARTICLE III
MEETINGS OF MEMBERS

4. Article III Section 4 of the Bylaws shall be revised as follows:

Section 4. Notice of Meetings. Written notice of each meeting of the Members shall be given by, or at the direction of the secretary of the Association or by the person authorized to give such notice, by mailing a copy of the notice, postage prepaid, at least 15 days before such meeting to each Member entitled to vote thereat, addressed to the Member's address last appearing in the books of the Association or supplied by such Member to the Association for the purposes of such notice. Such notice shall specify the date, place and hour of the meeting, and in the case of a special meeting, the purpose of that meeting. With a Member's consent, any notice to that Member may be given by email, to the email address supplied by such Member to the Association for the purposes of such notice. Notice by email shall be deemed to have been received by a Member on the day it was sent unless sent after 5 pm on a weekday, or anytime on a Saturday, Sunday or public holiday, in which event, the notice is deemed to be given on the next business day after that weekday, Saturday, Sunday or public holiday. Upon request, each First Mortgagee shall be entitled to receive notice of all meetings of the Members and shall be permitted to designate a representative to attend all such meetings.

ARTICLE IV
OFFICERS AND THEIR DUTIES

5. Article IX Section 1 shall be revised as follows:

Section 1. Enumeration of Offices. The officers of this Association shall be a president and a vice-president, who shall at all times be members of the Board of Directors, a secretary, a treasurer and such other officers as the Board of Directors may from time to time by resolution create. One member may hold the office of secretary and the office of treasurer.

Ratification of the appointment of 4 directors

6. The appointment of the 4 directors to the Board on Nov 3, 2015 under the amended Bylaw, Article V Section 1 was ratified.

To amend Declaration of Covenant 12.11

ARTICLE TWELVE
Restrictive Covenants

7. Article 12.11 of the Declaration of Covenants shall be revised as follows:

12.11 Floor Covering Restriction. Jackson Court Condominium has been designed to minimize sound transmission between adjoining units. Essential to this design are restrictions to floor coverings in the "upper level" Condominium units. "Upper level" Condominium units are those Condominium Units situated directly above a separate Condominium Unit. Owners of upper level Condominium Units shall not install any floor covering other than carpet over padding or other floor covering as approved by Jackson Court Condominium from time to time in any room, hallway, or closet. All floor covering approved by Jackson Court Condominium under this Article 12.11 including carpet, shall provide for reasonable sound proof subflooring, padding or underlayment as approved and specified by Jackson Court Condominium from time to time, to be installed under any such approved floor covering. All Condominium Units shall comply with all rules and regulations specified by Jackson Court Condominium from time to time relating to (1) use of noise mitigating materials for approved flooring; and (2) noise abatement practices in the use of Condominium units.

B. Registration by Attorney of Amended Declaration of Covenant 12.11

The Members Meeting unanimously agreed that the Amended Declaration of Covenant 12.11 may be subject to amendment by the Attorney of the Association in relation to legal drafting and not in substance, before being registered with Denver County Clerk or other relevant authorities in Denver County, Colorado.

C. Hard Surface Flooring Rules and Regulations

The Members Meeting discussed the draft of Hard Surface Flooring rules and regulations presented by the Board. The Members agreed that the Rules and Regulations are to include provisions that (1) members first talk to their neighbors if they have any complaints or concerns on noise transmission and noise abatement; and (2) Members must first seek mediation before litigation to resolve these issues. The Members meeting acknowledged that there are some upper level units in the Condominium with existing hard surface flooring which were installed by previous owners, and in that in the spirit of neighborliness, the Association will not require the current owners to remove such hard surface flooring. The current owners, who "inherited" such hard surface flooring in their units are also in the spirit of neighborliness required to use their units with consideration towards the lower units in relation to noise transmission and noise abatement as per the hard surface flooring rules and regulations.

D. Drainage and Concrete Project for \$66,000 and 2016 Special Assessment

The Treasurer presented the 3 Financing plans for the Drainage and Concrete Project of \$66,000

	From Reserves	Owners 2016 Special Assessment
1.	\$0	\$66,000
2.	\$5,000	\$59,000
3.	\$10,000	\$56,000

The Treasurer advised the Meeting of the advantage of keeping a healthy amount in reserves in relation to the salability of condo units to potential purchasers and mortgagees, and keeping FHA certification. Rosemary Caho informed the Meeting that during her term on the Board, even with the 2014 Special Assessment for the new roof when \$20,000 was withdrawn from reserves, the Association's application for FHA approval was granted. Rosemary then handed over to the Vice President a copy of survey plan of the Condominium property that has been registered with the Denver County Clerk. The Members unanimously voted to finance the Project with Option 3.

The Treasurer presented 3 payment plans for the Owners 2016 Special Assessment:
Option A -- 6 monthly installments starting January 2016
Option B -- 2 equal installments, 1st in March 2016, and 2nd in June 2016
Option C -- One payment in March 2016.

Members are to notify the Vice President, Dana Fox which payment plan they choose.

The Vice President has appointed 2NCivil civil engineer to do (1) a Field survey of the central area and (2) to design a drainage plan, for the total fee of \$2,000. We expect to have the engineer's plan by end of January after which the Board will solicit bids based on the same design plan.

The President has contacted EVStudio to consult a structural engineer on whether the Condominium Building with the common garage has foundation problem due to the drainage issues. Members were in agreement that the Board also consult the structural engineer on the load bearing capacity of the 2nd story in relation to hard surface flooring being approved flooring under Amended Declaration of Covenant 12.11.

E. Hailstorm and Roof Insurance claim

The President informed that Carl Hesse of CH Roofing who installed the new roof in February 2014 did the latest roof inspection on Dec 8, 2015. Carl who is also an Insurance Claim Professional stated that our Class 4 impact resistant roof shingles have only minor damage and our roof warranty is intact. However there is hail damage to our skylights, (requires replacement) and the A/C units (requires repairs as the "grills" have been badly dented which affects the efficacy of the A/C), both of which would be covered under our roof policy. Richard Mann, our AmFam insurance representative has explained that any damage to the roof or any exterior items if caused by a hazard (like hail, wind or other natural disaster) is covered under the policy. Replacement or repair required due to the wear and tear and aging are not covered under the policy. In the current situation, the damage was caused by hail so we are in a good position to file an insurance claim, as the last time the Association was paid by insurance was in the first half of 2011. In fact, our insurance premium has even been reduced under the recent annual renewal in Nov 2015. Since we have a 2,500 deductible, we will look at the cost of replacing the skylights and repairing the A/C grills before considering filing the insurance claim.

The Meeting ended at 9.20pm with thanks to Loretta Ukulele for graciously allowing the Association to have the meeting at her home and providing snacks and refreshments.