

Sunridge at Avon Phase 2 Homeowner's Meeting (unapproved)

December 7, 2013 5:30 PM Avon Town Council Chambers

Attendance: 27 units in person, 36 units represented by proxy Total:63

Minutes of last year's meeting approved

Treasurer's report: Presentation of end of year financials and budget for 2014. Association is on solid financial footing and no increase in assessments is required.

Manager's report:

Projects completed 2013:

- Created data base for each unit
- Finished drain jetting project
- Applied two drain treatment on all lower floor systems
- Removed fencing around bike path
- Added more lights in hallways
- Expanded outdoor storage applied two lawn fertilizer/ weed killer treatments
- Bus shelter issue with CDOT and ECO Transit
- Safety inspection of 160 units
- New parking permits
- Added recycling stations
- Power washed halls decks and entry ways
- New web-site
- Created relationship with Orkin for pest control
- Resealed and striped parking lots
- Remodeled rock around buildings
- Added some gutters

Proposed Projects for 2014

- New Signs and remodel street entrances
- Relocate satellite dishes
- Clean decks no hanging bikes from rafters
- Ash trays for entrances to buildings
- Dog feces problem : new trash containers and monitoring the worst areas
- Address lighting in the buildings on an as needed basis

Paint the buildings: The buildings are scheduled to be painted in 2014. Discussion about pigments included the color of the windows compared to the molding, the color of the primer on the replacement boards, and a general agreement to use earth tone colors instead of the purple, red, and green.

Election of Board Members

Nominated: Dennis Havlik, Jonathan Rosman, and Nick Antuna

Elected: Dennis Havlik, Jonathan Rosman, Nick Antuna 60-0

Adjourn: 7:30

Sunridge board Meeting September 16, 2013 Bob's restaurant

Attendance: Jonathan Rosman, Nick Antuna, Mark Luzar, Steve Lay, Dennis Havlik, Jeff Lineback, Homeowner- Marisella Pinela J-104 **Absent:** Emily Bee

Homeowner Pinela requests the association pays for water remediation to her unit. Jeff tells the board the problem was caused because a sewer pipe was left uncovered during the remodel the homeowner did. The Board determines the homeowner was negligent and should pay the cost of the remediation.

Cigarette and trash problem around J-204: Action: Jeff will look into problem.

Board votes to approve the minutes of the June meeting. Unanimous

Motion to approve the budget as presented with changes made by Chris Spaeth. Board votes to approve motion 6-0.

Manager's Report:

Work to be done on dumpster sheds

30 units had windows done

Check deck G -103

Parking lot to be sealed and stripping

Metal trim border is removed around buildings

Irrigation work done and sprinklers have been working.

Safety inspections starting and Jeff is getting more Keys to units

Land survey on hold may not be needed

Westgate building has encroached on our property and continues to me a problem with trash behind their building

Action: Possibly contact attorney

Board approves recycling costs and areas at dumpsters

Look into sign logos

Check cost of relocating all satellite dishes

Approve tree spraying and trimming cost of around \$6000

Approve new parking passes

Cigarette asstrays buildings I,H,and K

Annual Meeting set for December 7th, 2013

Adjourn: 8:30

Sunridge at Avon Board Meeting

June 3, 2013 Avon Town Council Chambers 5:30PM

Attendance: Emily Bee, Nick Antuna, Steve Lay, Mark Luzar, Rich Barnes, Jeff Lineback

Homeowner: Chris Mahalik for Owner Nicole Galvin H-303

Absent: Dennis Havlik and Jonathan Rosman

Approve minutes of last meeting. Minutes approved

Homeowner H-303 requests permission of the board to run gas line to the unit for kitchen appliances and permission to add two vents. Homeowner requests permission to install hardwood floors and will put in underliner.

Motion to give permission with the following caveats.

1. Association will check with lawyer about restrictive covenants
2. Possible necessity for blue prints.
3. To run gas line inside cabinets and not on visible side of building
4. Homeowner will pay cost of attorney fees.

Motion approved 4-0

Financial report: No unusual expenses, plumbing costs looking better with the aggressive cleaning of the drains.

A/R

Vasquez and Archuleta continue to be a problem. Board agrees to allow Ms. Archuleta to pay only \$350. /month until Sept. Action: Rich will look into both these units.

Managers' Report:

1. Lighting Problems in I and H will be addressed with Bob Shearon.
2. Dog Feces is better due to installation of trash cans and Rick's custodial work.
3. Plumbing back flow valve repairs
4. Irrigation, hire homeowner Green R-202
5. Jim Daley will address carpentry repairs on the property.
6. Power wash decks and hallways
7. Removal of all abandon satellite dishes.
8. Dryer vent cleaning

Old Business:

1. Window and sliding glass doors moving forward for those homeowners who wish to pay for the replacement of their windows.
2. HOA e-mails
3. Parking lot maintenance
4. Safety inspections to start.
5. Entry way trash cans and ashtrays options
6. Try to use flower pots.
7. Survey complete will check cost of plat survey

New Business:

1. Gutter repairs go ahead
2. Motion to remove fence along bike path. Motion approved 4-0

3. Authorize \$800 to spray for weeds. Approved

4. Roof damage: action call Horn Brothers

Adjourn: 5:30

Sunridge Board Meeting

April 15,2013 5:30 PM

Avon Town Council Chambers

Attendance: Richard Barnes, Steve Lay, Jonathan Rosman, Dennis Havlik, Nick Antuna, Homeowner Maricela Pinela J-104, and property manager Jeff Lineback. Absent: Mark Luzar, Emily Bee

Homeowner Pinela requests permission to remodel J-104. Permission unanimously granted with one caveat. The Board will check with insurance man about gas lines to and use of gas range, and the homeowner understands she must obtain required building permits and inspections from TOA.

Minutes of last meeting approved.

Secretary's report: Attorney advises board to include a statement to minutes concerning the cost of lawsuit filed against the association by homeowner Djana Kozar unit L-202. Board votes unanimously to include attached statement. See attached statement to minutes.

Manager's Report:

Dogs: New trash cans, monitor common areas,

Fence: discussion to remove all or part of fence.

Plumbing: P-103 problem

Landscaping: continue with George

Custodial: After review we are going to continue with Rick.

Lights: stronger and broader lights in entry ways.

Dishes: Removal of unused dishes and wires

Roof inspection

Windows : Jeff is talking with contractor and home depot to bid windows and sliding glass doors.

Parking lot repairs: Jeff will evaluate and price sealing and/or repairing sections of parking lots.

Safety inspections of units to start.

Landscaping: New signs in entrances and use of whisky barrel flower pots.

Trash cans and cigarette depositories for entrances to buildings. Board approves for 2 buildings on an experimental basis.

Survey: Board approves a further survey called a plat survey.

Adjourn: 8:00 PM

Statement to minutes concerning Unit L-202 owned by Dijana Kozar.

The Association received in May of 2010 a letter from an Attorney, Beth Ayres, saying she represented Dijana Kozar and that Ms. Kozar had concerns about the Sunridge Property. After exchanging e-mails, Board members Havlik and

Barnes met with Miss Ayres and Ms. Kozar on June 21st 2010 to discuss her concerns. The Board had no further contact with Ms. Kozar or Miss Ayres in this matter.

The property manager received a letter on July the 11th dated July 8, 2011 demanding payment for legal fees that Ms. Kozar had incurred the previous year totaling \$2,502.50. The property manager notified the Board. The Board members were notified by telephone and agreed to put the request on the agenda for the next Board Meeting. The next day July 12, 2011 Ms. Kozar filed suit in the combined Eagle County Court alleging that the Association had not paid her for her attorney's fees and she also claimed that the Association owed her for loss of rent. The total of Ms. Kozar's suit was \$6,150.50.

The Board members were polled by phone and unanimously agreed to hire an attorney, Miss Kirsten Canada of Garfield and Hecht, to defend the association in the lawsuit. Miss Canada on behalf of the Association pointed out to Ms. Kozar that according to the bill she sent the Association there were legal fees incurred for issues with a different HOA combined with the invoice. Miss Canada pointed out that a judge may rule the suit brought by Ms. Kozar to be frivolous and that Ms. Kozar then may have to pay all the legal fees incurred by the Association. Miss Canada, with guidance from the Board made the offer, if Ms. Kozar withdrew her claim and seek no further redress in this matter, the Board would write off the legal fees incurred by the Association.

Ms. Kozar withdrew her claim and lawsuit on July 25th 2011. The cost to the association was \$1796.44

Sunridge at Avon Phase 2 Board Meeting

Sun. Jan. 24, 2013 5:00 PM

Attendance: Steve Lay, Rich Barnes, Nick Antuna, Dennis Havlik, Jonathan Rosman, Emily Bee, Mark Luzar, Jeff Lineback, Christian Caslin

Read minutes from last Board meeting. Action: minutes approved

Welcome new Board Member, Mark Luzar, to Board.

Legal questions from Homeowner's meeting:

Attorney Christian Caslin educates Board members.

1. Fiduciary responsibilities of Board Members.
2. Obtaining learned opinions.
3. The hierarchy of law is Federal , State, Local then the Condo Declaration, Bylaws and finally the Rules and Regulations.
4. Mr. Caslin explains that motions at homeowner's meetings must be on the agenda of the meeting when the notice of the meeting is given. If Notice of a motion is not announced to all homeowners that motion is not a proper motion and may be ignored.
5. A Document was distributed at meeting libeling the good name of Mr. Barnes, Mr. Antuna, and Mr. Lay was called by Mr. Caslin as to be "Patently untrue".
6. Homeowner's Lists provided to homeowners should include only the name and unit numbers but not the mailing or electronic addresses.
7. Dog DNA: Mr. Casling offered the opinion the association can register dogs on the property but we could not charge the homeowner to register their dog. To register and DNA test dogs and charge a fee or fine would require a change to the Rules and Regulations.

Motion to Hire Avon Property Management, Jeff Lineback , to manage the property. Motion approved 7-0.

Mr. Lineback discusses obtaining:

1. Parking passes
2. Computer
3. Telephone line
4. Redoing the web-site
5. Creating a data base for association
6. Do security and safety inspections of each unit after notification.
7. Homeowners should provide keys to the management company

Board approves all these actions.

Newsletter: Jeff will work to get newsletter out as soon as possible.

Discussion about CO and Smoke detectors: Should the board require CO detectors and should the association pay for the detectors. Action: Jeff will include in his survey of all the units as to how many units have smoke and CO detectors.

Discussion about Dogs: Should we register, and pay for DNA testing or not. The Board would have to change the Rules and Regulations. We also discussed the problem of Vicious Dogs. Mr. Caslin's opinion is that the dog is the property of the homeowner or guest and that the association has no liability. Action: Jeff will look into our dog problems and make recommendations.

Homeowner Christopher Hooe unit L-102 has made a request to be reimbursed for plumbing charges he incurred with a sewer problem. Motion is made to credit Mr. Hooe's account \$431.25. We also will inform Mr. Hooe that in the future he cannot expect to be reimbursed for any charges or bills he originates. Action: Mark Luzar will write Mr. Hooe a letter to inform him of the decision of the Board.

Homeowner Michelle Lake units F104 and G203 are requesting to remodel their units by replacing the windows and sliding glass doors. Motion is made to the board to approve the remodel. Motion passes unanimously. Action: Rich will notify Ms. Lake of the decision of the Board and will advise her to contact Jeff Lineback for direction as to what windows to get.

Adjourn: 7:30

***The following statement was inserted into the minutes and voted for approval:
(see next page)***

Statement to minutes concerning Unit L-202 owned by Dijana Kozar.

The Board received in May of 2010 a letter from an attorney, Beth Ayres, saying she represented Dijana Kozar and that Miss Kozar had concerns about the Sunridge Property. After exchanging e-mails, Board Members Barnes and Havlik met with Miss Ayres and Miss Kozar on June 21st 2010 to discuss her concerns. The Board had no further contact with Miss Kozar or Miss Ayres in this matter.

The property manager received a letter on July the 11th dated July 8, 2011 demanding payment for legal fees that Miss Kozar had incurred the previous year totaling \$2,502.50. The property manager notified the Board. The Board members were notified by telephone and agreed to put the request on the agenda for the next Board Meeting. The next day July 12, 2011 Miss Kozar filed suit in the combined Eagle County Court alleging that the Association had not paid her for her attorney's fees and she also claimed that the Association owed her for loss of rent. The total of Miss Kozar's suit was \$6,150.50

The Board members were polled by phone and unanimously agreed to hire an attorney, Miss Kirsten Canada of Garfield and Hecht, to defend the association in this lawsuit. Miss Canada contacted Miss Kozar and informed her that she represented the Association. Miss Canada on behalf of the Association pointed out to Miss Kozar that according to the bill she sent the Association there were legal fees incurred for issues with the River Pines condos. Miss Canada pointed out that a judge may rule the Suit brought by Miss Kozar to be frivolous and that Miss Kozar then may have to pay all the legal fees incurred by the Association. Miss Canada, with guidance from the Board made the offer, that if Miss Kozar withdrew her claim and seek not further redress in this matter, the Board would write off the legal fees already incurred by the Association.

Miss Kozar withdrew her claim and lawsuit on July 25th 2012. The cost to the Association was \$1,976.44.