

## MINUTES OF SPECIAL MEETING OF BOARD OF DIRECTORS

### ELKSTONE OWNERS ASSOCIATION, INC. (“EOA”)

Friday, March 27, 2015 at 10 A.M. MT/noon ET, via phone conference.

The meeting was called to order at 10:12 am MT.

**1. Roll call/determination of quorum of directors.**

All of the board members (Elizabeth Barth, Lee Hooper and Wes Link) were present.

Also present: Nicole Pieterse, attorney and Tom Musselman, Unit #6 owner

**2. Discussion of snowmelt installation project status.**

Lee Hooper presented the status of the project, a construction contract has been signed with Onsite Builders, the work is scheduled to take place April 7 to June 10. Traffic will be accommodated throughout the project. Mr. Musselman cited concerns, as a full time resident, about contractors’ parked vehicles blocking access, mud being tracked from the cul-de-sac to the pavement, and ruts being made in the front yard of townhomes where they turn around. Lee Hooper will follow-up with Dan Dockray and Josh Borof of Onsite Builders to request temporary parking permits for Mountain Village Boulevard, consider graveling the end of the road and otherwise minimize impacts to townhome owners, although some inconvenience is inevitable.

**3. Other business.** Other business was discussed prior to remaining agenda items as follows:

- Tom Musselman stated that spider extermination must be scheduled for May. Elizabeth Barth will follow-up on the scheduling.

- Tom Musselman also noted that the drainage pipe is still exposed in places. Lee Hooper stated that this is most likely temporary due to the fact that the pipe system installed for odor mitigation requires testing.

The board convened an **EXECUTIVE SESSION** pursuant to CRS 7-128-203(3)(d) to receive legal advice regarding the following agenda items:

**4. Discussion of allocation of costs proportionate to expansion area.**

Nicole Pieterse advised the board regarding the CCIOA provision requiring the owner of development rights within the Elkstone community to pay a share of expenditures for community improvements benefitting that property. The

Declarations authorize the board to determine and collect, or assign the rights to collect that amount.

**MOTION** Elizabeth Barth moved to direct Nicole Pieterse to prepare a board resolution outlining EOA's collection rights, determining the allocable share of the cost to complete the snowmelt system, and to prepare an assignment of rights to collect the allocable amount to Sterling. Wes Link seconded the motion. Lee Hooper abstained from voting. The Motion carried unanimously.

**5. Discussion of temporary construction license for staging area.**

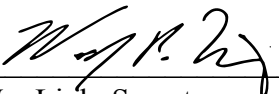
Nicole addressed the Board regarding the EOA's obligations to maintain, improve and remove snow from the general common areas and its easement to use all areas within the Elkstone community to carryout such work, and recommended that EOA provide Sterling with a temporary license to stage in the general common areas, including the Expansion Area, during snowmelt installation.

**MOTION** Elizabeth Barth moved to direct Nicole to prepare a license agreement allowing Sterling to use the General Common Areas, including the Expansion Area, for temporary construction staging during the snowmelt installation project. Wes Link seconded the motion. Lee Hooper abstained from voting. The Motion carried unanimously.

**6. Adjourn.** The board adjourned the meeting at 11:51 am MT.

The foregoing minutes of the were APPROVED the 9 day of December, 2015.

ATTEST:

  
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Wes Link, Secretary