

**Meeting Minutes**  
**Eagle's Nest Townhouses of Mt. Crested Butte**  
**Annual Homeowners Meeting**  
**Elevation Hotel and Spa's Capital Ballroom**  
**Monday, August 1, 2022 ~ 9:00 a.m. MDT**

**Call to Order**

Clements called meeting to order at 9:03am

**Proof of Notice**

Proof of notice was sent on July 8<sup>th</sup>, 2022 via usps and email.

**Roll Call/Establish Quorum**

In attendance –

Unit	Owner	% Ownership	In Attendance	Proxy
1	Randy & Rosemary Ewing	2.50%	Yes	
2	James A. & Judith W. Gibbs	2.50%	Yes	
3	Richard & Susan Barnes	2.50%	Yes	
4	Sonja K. Straus-Mays & Aaron Mays	2.50%	No	No
5	Mark Schaeffer	2.50%	Yes	
6	George & Bambi Beshire	2.50%	Yes	
7	Charles & Rebecca Novak	2.50%	No	No
8	Sylvia Mitchell	2.50%	Yes	
9	Monique B. Patton	2.50%		Wanda Bearth
10	Darren Berns & Kathleen FitzCallaghan	2.50%	Yes	
11	Milisa Rizer	2.50%	Yes	
12	John A. Carter	2.50%		Wanda Bearth
13	Beier Family Revocable Trust	2.50%	No	No
14	Peter Spitz & Suat Tan	2.50%	No	No
15	Richard E. Morrison	2.50%	Yes	
16	Jay & Carolyn Maltby	2.50%	Yes	
17	Joseph & Jennifer Stembridge	2.50%	Yes	
18	Roy T. Pitcock	2.50%	Yes	
19	Michael & Kelli Brown	2.50%	Yes	
20	Kelly & John Ritch	2.50%	Yes	
21	James Breen & Frank Poeschel	2.50%	No	No
22	Cole Investment Properties	2.50%	No	No
23	Michael Henry Thornhill	2.50%	Yes	
24	Anthony Perez	2.50%	Yes	
25	Christin D. & Albert M. Neroni	2.50%	Yes	
26	Justin Hall & Kelsey Bernius	2.50%	Yes	
27	Dan B. & Laurie J. Goetz	2.50%	Yes	
28	Alexander Illingworth	2.50%	Yes	

29	Michael & Nicole Blagden	2.50%		<b>Evans Clements</b>
30	Patrick & Loretta Johnson	2.50%	<b>Yes</b>	
31	Jari Uitto & Jennifer Lynskey	2.50%	<b>No</b>	<b>No</b>
32	Luis & Karen Vargas	2.50%	<b>No</b>	<b>No</b>
33	Steven & Susan Murphy	2.50%	<b>No</b>	<b>No</b>
34	Lapis Sky, LLC.	2.50%	<b>Yes</b>	
35	Anita Carmen Gardner	2.50%	<b>No</b>	<b>No</b>
36	Alex & Zheila Holloway Revocable Trust	2.50%	<b>Yes</b>	
37	The Topham Family Trust	2.50%	<b>No</b>	<b>No</b>
38	John & Janice Clark	2.50%		<b>Evans Clements</b>
39	David & Jacqueline Desposato	2.50%	<b>Yes</b>	
40	Daniel & Vicki Dunkelberg	2.50%	<b>Yes</b>	

A quorum was established with 72.50% of the membership in attendance or represented by proxy.

Also in attendance, Wanda Bearth, Lee Friedman, Matt Hart, and Sierra Bearth, Crested Butte Lodging & Property Management staff (CBL).

### **Reading and Approval of Past Minutes**

August 2, 2021

R. Ewing made the following –

- Motion: Waive the formal reading of the August 2, 2021 meeting minutes and approve as drafted by CBL
- 2nd: J. Gibbs
- Vote: Unanimous approval

### **Reports**

#### Manager's Report

S Bearth presented the following report-

1. Engineer Update – Cesare, Inc. was hired to do a ground water study to help determine what factors might be causing the quick deterioration of the parking lot and concrete aprons. The piezometers were installed in front of various garages and monitored throughout the spring for two years. The engineer expressed concern about the daylight drain for the storm drains, so CBL assisted in cameraing the drain lines to ensure there was not an obstruction. The engineer has ceased monitoring the piezometers and has started drafting a report of findings. At the time of this writing, the report has not yet been received.
2. Deck Posts – CBL has been sealing all of the deck posts to prevent further swelling from water. CBL does not require access through the unit to complete this work, and all decks will be completed by the end of summer.
3. Crawlspace Inspections – CBL performed visual inspections of the radon barrier in every crawlspace and found one crawlspace flooded. Water was coming in through the concrete foundation around the water main. We completed a hydro-patch to keep water out of the crawlspace.
4. Radon Tests - CBL performed the yearly radon tests and did not find any concerning readings.
5. Plumbing – CBL tested and found several dysfunctional PRVs. Some PRVs were

adjusted to improve water pressure to the unit and Timberline Mechanical was hired to replace several faulty PRVs.

6. Blower Door Test / Master Beam Leaks – We received reports from 10 units this winter of leaks from the master bedroom beam. In an attempt to find the source, we had a blower door test completed in one of the leaking units. This test helped us create the best practices sheet and lead us to add a phased project to the capital plan. More on that later in the agenda.
7. Carpet tape – All rugs in the common hallways have been secured with carpet tape
8. Flood – CBL responded to a garage flooding from spring run off. We emptied the garage of water and sealed all the cracks with Lexel. We're working to get the garage mud jacked and French drain looked at and repaired as needed.
9. Pest Control – We responded to several mice reports, sealing any areas critters could be getting in.
10. Garage Doors – CBL inspected all garage doors and replaced weather stripping on 9 garage doors where needed.
11. Paint – All the light brown wood trim, the belly band, and the roof edge trim around the buildings is currently being touched up by a 3<sup>rd</sup> party professional painter and will be completed before the end of summer.
12. Snow removal – This winter CBL's plow operator broke his foot right before the large storm in December. Lacy was hired to plow the lots for the remainder of the year. CBL completed touch up with the tool cat and graveled the lots.
13. Dumpster – The dumpster lid was welded this summer, but due to the amount of rust, the weld job did not hold up. New hinges have been made for the dumpster and will be welded on as soon as possible. The association owns the dumpster and is responsible for all the repairs. The association does not own the cardboard recycling dumpster and we are working with Waste Management to get a tougher lid.
14. Fireplace Inspections – Units with operable fireplaces have had the fireplaces cleaned and inspected. Inspection reports have been mailed to all owners.
15. HOA Reminders -
  - A. Remodeling – You might not need a building permit from the town for certain renovations but you will always need to get approval from the HOA before performing any remodeling work that will involve any exterior modifications or significant interior work such as (but not limited to) plumbing or wiring or parking a dumpster on site. Please email [Sierra@CrestedButteLodging.com](mailto:Sierra@CrestedButteLodging.com) for information on getting HOA approval to remodel.
  - B. Keys – New owner, new code, or new lock, please ensure CBL has emergency access to your unit. In case of leak or other emergency, the Eagles Nest governing documents require the property manager have access. CBL can make copies of keys free of charge.
  - C. Dogs – Only owners are allowed to have dogs on Eagles Nest property. Please note, Mt. CB does have a leash law that requires pets to be on leash while outside. Please clean up after your pet.
  - D. STR – Please email [Sierra@CrestedButteLodging.com](mailto:Sierra@CrestedButteLodging.com) for HOA Approval to Short Term Rent
  - E. Website – The association's website is filled with information!  
[www.eaglesnestcb.org](http://www.eaglesnestcb.org)

1. Please inform your unit manager, tenants, and Realtor that they can retrieve Rules and Regulations, Declarations, meeting minutes and other important items from the Eagles Nest website. The password is:  
31marcellina

#### Financial Report, YE 8/31/2021

W. Bearth reviewed the financial statement for the fiscal year ending August 31, 2021. She noted the association ended with \$235,444 in available cash. The association ended the year \$9,405 under budget, largely due to snow removal and contract labor being under budget.

#### Financial Report, YTD 2022

W. Bearth updated homeowners on current finances YTD. She pointed out the negative A/R account, showing owners have prepaid on dues. The association has \$231,490 in available cash. As of the end of June 2022, the association is over budget by \$11,709 with a variety of line items contributing to this including snow plowing, maintenance repair, hot tub upkeep and water damage repairs.

#### Excess Income Resolution

S Bearth explained that owners may vote to forward any excess income to future expenses or return it to owners.

J. Desposato made the following-

Motion:	Forward any excess revenue to future expenses
2nd:	J. Gibbs
Motion:	Passed

#### **Old Business**

##### Extended Hot Tub Season Poll Results and Discussion

S. Bearth discussed the results of the poll sent to all homeowners. Majority of homeowners preferred the previous hot tub closure schedule. The association will continue to close the hot tub in the off seasons and share the schedule with the membership.

A. Perez asked about hot tub costs, and why it's so expensive. S. Bearth mentioned the hot tub schedule agreed on at the last HOA meeting, and the change during mid-offseason. M. Hart offered information about rising costs for chemicals, average cost for hot tub maintenance, and increased usage. Importance of the hot tub as an offered amenity, and cost savings of closing on shoulder season.

P. Johnson mentioned the average desired cost to manage the hot tub from survey vs. real world cost to operate. Poaching and cameras were discussed, and liabilities and costs associated with camera installation. Possibility of using a key card lock system on hot tub gate, and a trial run on lower EN hot tub deck. Codes vs key cards, and pros/cons of each were talked about as well.

E. Clements asked homeowners who are here during off-season who uses the hot tub, and how frequently. A. Perez mentioned the slow period between Thanksgiving and Christmas, and possibly keeping tubs closed through that slow period as well. The idea of a resort fee came up, and the desire to curb the cost to the HOA for renter abuse of hot tubs.

M. Dunkelberg made the following-

Motion: Keep hot tubs closed during off season, as well as the board finding a way to track usage and access to the hot tub.  
2nd: M. Schaffer  
Motion: Passed

M. Brown made the following -

Motion: Explore charging short term renters or owners who short term rent an amenity fee.  
2nd: A. Perez  
Motion: Passed

#### Cable Poll Results and Discussion

Based on poll results, homeowners preferred a cheaper cable and internet if available. S. Bearth discussed new cable/internet package being offered. Cable and internet quote from Resort internet offering \$68 per unit for cable and internet package vs. \$45 per unit for only cable under the current contract. Resort Internet would install all necessary connections if contract is signed. The membership posed several follow up questions on ResortInternet's proposal, including:

- A. Illingworth asked about possible optional internet speeds per unit, and S. Bearth said she would look into it.
- Discussed Wood Creek, and their impressions of Resort Internet.
- Rates could possibly be 6% annual increase from Resort as opposed to 4% annual increase from Spectrum.
- J. Stembridge asked about whether or not the cable was internet based, required a dish, or required a physical cable run in the unit. All options are possible depending on what package the association selected.
- E. Clements asked if the majority of homeowners would be willing to do away with the current cable contract, and move forward with Resort Internet. F. Callaghan expressed interest in any options available to upgrade internet speeds.
- P. Johnson requested information for Wood Creek internet/cable pricing for comparison, and asked what percentage of homeowners would need to agree to change the current contract. S. Bearth clarified it was a Board of Director's vote.

Discussion moved to internet and cable as an either/or option, and what the best decision for the whole HOA would be. S. Bearth discussed \$1,000 assessment, and its relationship to the survey questions, and covering overages. Discussion about cable/internet was tabled for the remainder of the meeting.

#### Hillside Landscaping at Upper Level

S. Mitchell mentioned the potential need for planting some foliage at the top of upper Eagles Nest parking lot.

#### **New Business**

##### Approved Budget

S. Bearth presented the approved budget including the \$1,000 per unit special assessment due October 31<sup>st</sup>, 2022. The special assessment is in part going to operating to avoid a dues increase while the cable contract is discussed and also going to capital for mud-jacking and other capital projects. Rent is increasing for the association's units above hot tubs.

Capital Repair Plan

S. Bearth discussed the blower door test, and roof vent work to mitigate leaks throughout all of the units. The plan included mud-jacking to repair garage slabs #25, #26, and #30, as well as the possibility of repairing all bad aprons. Cesare engineering report may require a different fix, and CBL is working on finding the best course of action to move forward with garage and apron repairs.

Best Practices Information Sheet

A. Perez mentioned the quiet hours, and making sure renters and tenants adhere to them.  
E. Clements suggested having best practices printed and put in owner binders. Homeowners discussed garage heat, and timing of turning on and off.

**Members Open Forum/Unscheduled Business**

Question was raised about gravel at upper Eagles Nest driveway, and associated safety concerns. CBL will continue to gravel the upper driveway as frequently as possible.

**Election of Board of Directors**

Two 3-year Terms

A Perez volunteered to serve on the Board. E Clements volunteered to serve another term.

J Stembridge made the following-

- Motion: Nominate A. Perez and E. Clements to the Board of Directors
- 2nd: E. Clements
- Motion: Unanimous approval

**Date of Next Annual Meeting**

R Ewing made the following-

- Motion: Hold the next annual Eagles Nest Homeowners meeting on August 7, 2023 at 9am MT
- 2<sup>nd</sup>: A Perez
- Vote: Unanimous approval

**Adjournment**

The meeting was adjourned at 11:52am MT.