

**Eagle's Nest Townhouses  
Of Mt. Crested Butte  
Condominium Association  
Board of Managers Quarterly Meeting  
September 11, 2006**

**Call to order**

The meeting was called to order by President, Rick Morrison at 9:10 a.m.

**Roll Call/Establish Quorum**

The following Board of Managers were present by telephone:

Rick Morrison  
Bob Patton  
Ron Warner  
Jim Szalankiewicz  
Gary Garret

A quorum was established, with all five board members present.

Management company present:

Wanda Bearth  
Kendall Collins

**Financial Report**

The association is currently holding \$48,139 in the checking account, \$10,331 in the capital reserve account and \$4,862 in savings. Accounts receivable is \$2,020 and Crested Butte Lodging & Property Management (CBL) sent demand letters on September 7 to the 2 homeowners who are 90 days delinquent on payment of their association dues. Additionally, CBL sent demand letters to the 5 owners of time share weeks who are 90 days delinquent. The accounts receivable for the timeshare association currently totals \$3222.06.

**Managers Report**

Kendall updated the Board on the progress on the following concerns which were identified the days following the August annual meeting:

- Insurance adequacy-bids are on the way for association and interior insurance from the current carrier and a local insurance broker.
- Hardie Plank failure-CBMR construction crew has been notified of our Hardie Plank issue. (see Old Business for a detailed update on the Hardie Plank failure).
- Sealcoating of parking lots-not this year, but asphalt patching is scheduled to be completed in next 2 weeks.

- Cable TV wires-dangling wires have been taken care of.
- Satellite TV service-bid coming in conjunction with internet access.
- Concrete aprons-request going out to homeowners asking that they notify CBL if they experience water running into the garage when it rains. CBL will inspect each garage during the next heavy rainstorm. Garage door weather stripping will begin as we know of leaks.
- Concrete block remnants-most have been hauled away.
- Deck membranes-Rod is working with Avalanche on #3 as a test unit. CBL is directed to match existing siding and use composite decking.
- Electrical box cover-repaired as directed.
- Employee units-CBL sending written proposal and lease to the BOM.
- Garage door painting is done.
- Garbage-employees are placing trash into the dumpster which is often left near (but not in) by those in residence.
- Lower hot tub-temporary stairs will suffice until next year; lower hot tub will remain open pending addition of light fixture with fan, addition of shower curtain, installation of door to toilet area and tile repair (matching tile not required for this repair).
- Upper hot tub-BOM directed CBL to close upper shower area; estimate for upper hot tub room remodel is \$15,000.
- Electrical main cap-repaired between #8/9
- Parking lot-address emergencies only. \$2700 bid from SealCo, United suggested a more extensive repair job, quoted at \$6000 for the lower lot and \$8200 for the upper. Rick directed CBL to have an engineer check the retaining wall for issues that might arise when the lot is paved. Detailed paving quotes will be ordered.
- Parking lot, north and south ends-railing is being installed, rather than boulders being placed. To be done by Sept. 30 as part of the retaining rail project. New railings will be primed only, the BOM directed CBL to paint the new railings this fall and repaint all railings, as needed, next spring.
- Retainer walls concrete base-cracks in concrete at the base of the upper retaining wall will be repaired.
- Flat roof coating/replacement-repair has been done and Avalanche roofing recommended repairs over the next 5 years, rather than replace.
- Storage unit-broken window to be replaced by Everclear Glass in the next week.
- Stucco-\$22,000 bid in hand for ground level and chimney stucco repair.
- Landscaping-Bob walked the property with a landscaper and has several ideas for landscaping.

## **Old Business**

Website-the BOM approved \$1,000 (at the annual meeting). Wanda is obtaining bids from 2 local companies: Thin Air and Rob Pennie Photo. Gary will work with Wanda and the website company regarding design and functionality desired.

Sewer lines-Western Wastewater is scheduled to camera the line near #8; ask them if another scan is necessary of the entire system-given the age of the last scan; BOM directed CBL to proceed if estimate is \$1,000 or less for a new scan. Also, CBL will check invoices from 2003 to ensure that all known sewer issues were handled.

Wanda offered that she will be doing an audit of the meeting minutes from the previous 4 years to ensure that action items have been dealt with appropriately. She will work on this over the next few months.

Hardie Plank-Gunnison based attorney Art Trezise spoke with the group at length regarding the failing paint on the new Hardie Plank siding and offered a methodology for effectively and successfully working through the legal process. He recommended sending a “notice of intent to sue” and “notice of construction defect” with a detailed list of defects. He furthered that the notice must be sent to everyone involved in the manufacture and installation of the product to avoid an instance where some amount of blame is placed on someone who is not a defendant. The Colorado Consumer Protection Act allows plaintiffs to collect litigation expenses in addition to damages. In 75 days, if corrective action has not been taken, the association can proceed with a lawsuit.

Jim made the following:

Motion: To retain Art Trezise as legal council and  
move forward with the Hardie Plank issue, as he outlined  
2<sup>nd</sup>: Gary  
Vote: Unanimous Approval

### **New Business**

There was no new business.

### **Adjournment**

The meeting was adjourned by President Rick Morrison at 11:45 a.m. with no objections from the Board of Managers.

Approved: \_\_\_\_\_  
Date

By: \_\_\_\_\_  
Ron Warner  
Secretary

