

DRAFT
LIVERY HOMEOWNERS' ASSOCIATION
ANNUAL MEMBERSHIP MEETING
May 2, 2023, 11:00 A.M. (MDT)
Call in number: Zoom Call

Minutes

1. Roll call, determination of quorum and certification of proxies.
Present: Josh Rapaport Unit 100 (10.8%), Adiena Bednarz Unit 1A (21%), Erica Berkland 2C (12%), Craig Jackson 2A (9.60%) joins at 11:03
Not present: William and Michelle Herringer Unit 1B, Sarah and Zachary Glatfelder 1C, Navid Hoomanrad 2B
Proxied: Clifford Hansen proxied by Richard Sowden Unit 101(7.6%)
Josh Rapaport calls the meeting to order at 11:02 a.m.
2. Motion to approve/waive notice of the meeting.
Adiena Bednarz made the motion to approve the notice of the meeting, Clifford Hansen seconds, motion passes.
3. Determination of quorum of Owners – Majority of the total number of Unit owners – 50% of the unit owners of the undivided interest. Quorum is met with 51.4% present; 61% when joined by Craig Jackson
Voting. Voting shall be based on the percentage of the undivided interest of each Unit owner in the general common elements.
 - a. Election of New Board member, Clifford Hansen has sold his unit (3-year term)
 - Nomination and vote – The term of office of one board member may be fixed for one year, the term of office of one board member may be fixed at two years, and the term of office of one board may be fixed at three years. – At the expiration of each term the officer shall be elected to serve a 3-year term.
 - Open Board seat – Open for a 3-year term
 - Adiena Bednarz – 2 years remaining.
 - Josh Rappaport – 1 year term remaining.
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 - Board elects the officers – President, (open), Vice President, Josh Rappaport, Secretary and Treasurer, Adiena Bednarz.
Clifford Hansen made a motion to nominate Richard Snowden for the open board seat, Craig Jackson seconded that motion, motion passes unopposed.
Sarah Glatfelder had expressed that she would run if there was no interest.
 - b. Approval of the Minutes from the March 22, 2022, Annual meeting. **Adiena Bednarz made the motion to approve the minutes as presented. Josh Rapaport seconded – all in favor – motion passes.**
5. Unfinished Business.
 - a. 2022 Year End Financials. *Craig Jackson made the motion to approve the 2022 financials as presented – Josh Rapaport seconded – motion passes unanimously.*
 - b. Signage for Deck closure at 10:00 pm and common area quiet times 10:00 pm to 8:00 am
No complaints – signage is in some of the short-term rentals.
6. New Business.
 - a. YTD -2023 Financials
 - Discuss and approve 2023 Budget and Dues including reserve funding -Keep the same as 2022. **Josh Rapaport made a motion to keep the 2023 budget as presented – Adiena Bednarz seconded – motion passes with all in favor.**

b. Special Assessment:

- Leaks: Split or damaged gutters, inoperable heat taping, and faulty deck installations are all contributing to the leak problem in the garage. These must be fixed prior to addressing the garage leak.

Bid from Copper Mtn Roofing includes replacing damaged gutters, ensuring working heat tape in all gutters, replacing some screws on the roof, remove identified problem siding to correct deficiencies in waterproofing and return the siding, replace coating on 2C deck. Estimate #1610 Copper Mtn Roofing - \$6,140.00, Estimate #1609 \$7,480.00 and estimate #1608 \$4,760.00.

Total Copper Mtn Roofing: \$18,380

Josh asked about decks and their LCE designation. Adiena Bednarz noted that her deck problem was the result of poor installation upon initial construction from the unit above her. Since decks need to be fixed before the garage can be addressed, the general consensus was that further investigation regarding the distribution of expenses can follow the completion of this essential work.

Josh also points out that there is another estimate expected from Copper Mtn to fix the walkway to upstairs units that he guesses will be 10-15K as well as pointing out that the landing to that walkway will require the attention of an engineer. He adds that these elements should be included in the consideration of cost disbursement.

- Garage ceiling repairs – Estimate -Eugene Barlow \$ 12,725.00.
Josh noted we are trying to get the insurance company to cover as much of the garage ceiling as possible.
- Metal doors for garage – Bear Proof – Estimates – Eugene Barlow – 2 doors -\$4,200.00 or Jeremy Womack – 2 doors \$7,165.00. **Adiena Bednarz made a motion to get the bear gates installed ASAP, Josh Rapaport seconds, motion passes unanimously.**
Total for all the above - \$38,270.00.

Craig Jackson made a motion to approve the \$38,270 special assessment, to be assessed now and made payable by June 30, 2023. Erika Berkland seconded – the motion passed unopposed.

c. Other Repairs:

- Hire a structural engineer to investigate why the stairs from Pine Street up to the second floor are sinking. – the landing has settled 3 or 4 inches
- The garage door part has been pulled off the wall and is missing. Additional protection for the unit may be necessary. That is being worked out now.

d. Owner remodels: Review steps. Any remodel other than painting and carpeting needs to have the board's approval. Once the approval letter is presented, the owner or owner's contractor needs to apply to the town for a building permit.

e. Owner responsibilities:

- Boilers and water heaters – owners need their own plumber; these are not HOA.
- Deck repairs and snow removal – Owners are responsible for snow removal on decks – any damages to common areas from the decks, moving forward, will be charged to the owner.
- Access code to units must be given to the HOA manager. Please give a code or key to Jarmik.

f. Update on fire sprinkler repairs. Broken piping of the suppression system was replaced in

unit 1A. The HOA's insurance covered \$5,000 of the sprinkler system repair and a portion of the mitigation costs from Servpro. Adiena reported that her insurance covered what the HOA's didn't. She is working with the HOA insurance adjuster to get the garage ceiling covered.

g. Bill signed by Governor Polis – members to adopt the policies. **Craig Jackson made a motion to adopt the new state policies as noted in Governor Polis bill. Josh Rapaport seconds – motion passes with all in favor.**

h. IRS ruling on excess income: Motion by owners
Craig Jackson made a motion that any excess of membership income over membership expenses for the year ended December 31, 2022, shall be applied against the subsequent tax year member assessments as provided by Internal Revenue Service Revenue Ruling 70-604. Adiena Bednarz seconded: Motion carried.

Craig Jackson made a motion that any amounts collected by or paid to the Association for major repairs or replacement, or remaining in the Replacement Reserve, at the end of the year ended December 31, 2022, in excess of the amounts originally scheduled for Replacement Reserves, shall be set aside for future major repairs and replacement, and allocated to capital components as provided by the guidelines established by the Internal Revenue Service Section 118 and Revenue Ruling 75-370 and 75-371. Adiena Bednarz seconded the motion. Motion carried.

i. Other. Insurance – owners check their insurance policies for loss of income as HOA insurance does not have this coverage.

7. Next meeting date and place: TBD

8. Adjournment: Craig Jackson made the motion, Josh Rapaport seconded, meeting adjourned.

Respectfully submitted,

By: _____
Jarmik Property Management, Inc.
Judi Balkind, Livery HOA manager