

Approved

ETTA PLACE TOO HOMEOWNERS ASSOCIATION
MINUTES TO BOARD MEETING
February 8th, 2017, 3:00 P.M. (MST)
Office of Jarmik Property Management, Inc.
120 South Pine Street
TELLURIDE, CO 81435
Call in number: 1-712-432-0080 Passcode: 716940#

1. Roll call, determination of quorum and certification of proxies.
Members' attendance by telephone. Brendan Shine (Unit #106) - President, Karen Lawrence (Unit #112) – Treasurer, Susan Day – (Unit 104), and Connie Harris (Unit 108) Vice President. Also present: Beth Corcoran (Unit 101 &102), Diana Serpe (Unit 110), Jerry & Ellen Esrick, (Unit #111), and Alison Atkinson (#114) and Art Waldrop (Unit 115).
Judi Balkind – HOA Manager and Stephanie Fanos, Attorney for Karen Lawrence.

Brendan called the meeting to order at 3:05 pm
2. Motion to approve/waive notice of meeting. Karen Lawrence made a motion to approve the notice of the meeting. Diana Serpe seconded the motion and passed unanimously.
3. New Business
 - a. Attic Space Issue - Brief Summary of the issue: background and steps taken so far.
Karen Lawrence sent a history of events and recapped the summary of events. Karen Lawrence became aware of a space adjacent to her unit – its unfinished space, no flooring, exposed conduit and wiring. Karen Lawrence approached the board at that time and indicated she was interested in making the transfer of the space to her unit. Jerry Esrick bought his unit in 1990 and the space had already been opened up. It was noted that Jim Warren, owner of unit 114 had the space opened up as well. Alison Atkinson bought in 2007 and the listing showed 4 bedrooms 3 baths. Stephanie Fanos noted when the surveyor measured the spaces they had him measure it a few times. The old condo documents vs. the new procedures. It was noted that the old documents may not be have been measured as usable space i.e. Plant shelf in Karen's unit. It was noted the space ranges from 100 – 350 square feet.
Beth noted she just had her units appraised at \$550/sq.ft. and feels there is a market value for the spaces.
Jerry Esrick noted this issue was debated at length two years ago when the agreement was decided and the benefit of this transaction to the HOA would be that the HOA would receive \$7,500 to the reserve account and the three owners dues would be increased and the other unit owners would be reduced.
Discussion ensued.
-It was noted condo documents are not correct and not in compliance with Colorado Law
Stephanie Fanos noted the Etta Place Too HOA is a pre-CCIOA community. Some provisions apply to us and some that do not. In 2006, they did a significant overhaul. The statue provides you can longer have a not have a requirement more than 67%. By operation of law it will go down to 67%. It was also suggested Etta Place Too acquire Written Governances Policies which

the board actually adopts.

Stephanie Fanos noted things were not documented properly in the 1990's with the town or in their own documentation.

The two owners (Units 113 & 114) could petition the court as an amendment to the documents. There is a Statute of Limitations for one year for physical changes and if the association doesn't bring an action these owners may go a different route to get this amendment passed.

b. Discussion of the recent ballot and results. Karen noted the ballots were sent out went out and because our documents state we need 100% of an affirmative vote to change the documents, and we had two owners who voted "NO".

For this vote, the owners made the decision to stick with the 100% requirement for this issue. The association is adhering to the vote to have 100% affirmative vote for the conveyance of the common area space to Karen Lawrence.

The vote failed and no action is taken. The association is at a standstill.

b. The reason for this board meeting is a plan to go forward. Karen's issue to purchase her space. The second issue is the condo documents and the map is not correct. It was noted the Etta Place Too documents are not in synch with Colorado Law.

c. Outline of options for moving forward highlighted in Karen's email.

Karen suggested going forward with Options 2 & 3. Beth Corcoran stated she would bring this information back to her family for discussion and feedback to the association. Karen noted the annual HOA meeting will be coming up soon and this board meeting was bringing everyone up to speed on this issue.

d. Other. Art Waldrop – repair to his deck on the third floor units. It was noted to the members that all of the other decks are supported by other parts of the condo. One the wall jets out they are cantilever out. We would need to go into the condo and rip up the building. Jesse Pekkalla's came back with the pole.

6 Adjournment. Karen made a motion to adjourn. Brendan Shine seconded.

Respectfully submitted,

By: Judi Balkind
Jarmik Property Management Inc.
Judi Balkind, HOA Manager