

**Minutes of  
Annual Members Meeting of  
FALL CREEK VILLAGE HOMEOWNERS ASSOCIATION  
Telluride, CO  
December 22, 2011, 2011  
3:00 P.M. (MDT)**

The Annual Members meeting of the Fall Creek Village Homeowners Association was held on December 22, 2011, at 3:00 p.m. All members attended by telephone.

**1. Call to Order:**

Bob Franzese called the meeting to order at 3:05 p.m. MDT and the meeting was turned over to Brian Wohl as acting chair.

**2. Motion to Approve/Waive Notice of Meeting.**

All directors acknowledged and waived notice of the meeting.

**3. Roll Call and Determination of Quorum.**

**Owners Present Via Teleconference:** Board members: Robert (“Bob”) Franzese (Lot 2), Mark Murray (Lot 3, 4 & 8), Brian and Greg Wohl (Lot 1), Elizabeth (“Lettie”) Kuehn (Lot 6) and Lynn Black (Lot 7).

**Also present were:** Judi Balkind, HOA Manager, and Erin Johnson (attorney for the HOA).

**Absent:** Suzanne Ross (Lot 5).

**4. Approval of the agenda.** Lynn Black made a motion to approve the agenda. Bob Franzese seconded and the agenda was unanimously approved.

**5. New Business:**

- a. Advance requests to speak on agenda topics.
  - b. Final requests to speak on agenda topics.
- No comments on the declarations.

**6. Old Business:**

- a. Approval of minutes from the last annual members meeting. No record of last annual meeting.

**7. New Business.**

- a. Election of Directors.

Nominations were as follows:

- Lynn Black nominated Brian Wohl.
- Brian Wohl nominated Lynn Black.
- Lynn Black nominated Mark Murray.
- Lettie Kuehn nominated Lettie Kuehn.
- Mark Murray nominated Bob Franzese.

Brian Wohl moved to close the nominations and Mark Murray seconded the motion – All in Favor – motion passed. An independent person had been arranged to take calls for the secret ballot. Ballots were cast and the vote was taken. The following individuals were voted as Directors: Mark Murray will serve a 3 year term, Lynn Black will serve a two year term and Brian Wohl will serve a one year term.

- b. Consideration of adoption of Declarations, Articles of Incorporations and By-Laws.
  - Amended and Restated Articles of Incorporation - No comments. Lynn Black made a

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motion to adopt the Amended and Restated Articles of Incorporation, Mark Murray seconded, all in favor and motion passed.

- Amended and Restated By-Laws. – No Comments. Brian Wohl made a motion to adopt the Amended and Restated By-Laws, Mark Murray seconded the motion and motion passed.
- Amended and Restated Declarations – Lynn Black requested that Article 9.11 the language referring to the animal clause and the section of the paragraph, “animals shall not be bred” be removed. The Article 9.06 needs to add that “trash needs to be kept in bear proof containers. Mark Murray made a motion to adopt the changes and adopt the Declarations. Lynn Black seconded the motion and motion passed unanimously.
- All 3 documents passed with more than 67% of the owners’ approval.

c. Presentation of Approved 2012 Budget. The 2012 Approved budget was presented to the owners. It was noted the monthly dues for the Lots without home would decrease while the monthly dues for Lots with homes would increase. A small reserve is established. The budget was adopted by the board at the last board meeting. It was noted the members can veto with a 67% vote. A vote was taken and all members approved – 2012 Budget passed. It was noted to the owners, that Lynn Black has a credit on her dues and her credits will be applied to her monthly payments.

8. d. Any other business before it’s members. Lettie asked for detail information regarding the proposed electrical line. There is no formal proposal at this point in time.
9. Next meeting date and place. A board meeting will be held on January 19, 2012 at 3:00 p.m. MST via teleconference.
10. Adjournment. **Mark Murray made a motion to adjourn and Bob Franzese seconded, all in favor and the meeting was adjourned.**

Respectfully submitted,

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