

SAN JUAN WAREHOUSE COMMERCIAL CONDOMINIUM ASSOCIATION, INC.

MINUTES OF ANNUAL MEMBERSHIP AND BUDGET MEETING

**238 East Colorado Avenue, Suite # 9, in Telluride, CO
September 3, 2010
2:00 P.M.**

The annual membership and budget meeting of the members of the San Juan Warehouse Condo Association was held on September 3, 2010 at 2:00 P.M., at the office of Jarmik Property Management Inc. 238 East Colorado Ave, Suite #9 in Telluride, Colorado.

1. Calling of Roll and Certifying of Proxies.

Owner Members Present in Person or via conference call: Leslie Evans (Unit A), Jerry Sklar, President (Unit C), Mike Metz (Tenants and Owner of Smuggler Restaurant), Alan Towbin (Owner of commercial space occupied by Smuggler Restaurant, vacant commercial space, and two deed-restricted units).

Also Present in Person: Judi Balkind, Property Manager.

A quorum was deemed present and Jerry Sklar, President called the meeting to order.

2. Motion to Approve/Waive Notice of Meeting.

Jerry Sklar made a motion to approve the notice of the meeting – motion was seconded and passed.

3. Reading and Approval of the Minutes of the January 12, 2007.

Les Evans objected about the noise and smell; talking about odors getting worse primarily from the smoke stack ventilating from the roof not from the beer stack. Les indicated that he did not state, “that as long as corridor was kept clean and a wall was put up that he would not complain about the malt containers.” As was included in the 2007 minutes. Jerry Sklar made a motion to approve the minutes with the changes requested. Motion seconded and passed.

4. Reports of Officers. Jerry Sklar noted to the members that he had sent a letter to Mike Metz, owner of the Smuggler demanding the area in the back of the building be kept clear of any “malt barrels” and the area be cleaned and power washed. Jerry noted the malt barrels were covered and the area power washed. Les stated the malt barrels should not be in the common area and should be bear proof for safety issues. Mike Metz has noted the barrels will be placed outside on the day they are to be picked up and he will continue to try to keep the area cleaned.

5. Reports of Committees. None

6. **Election of the Executive Board.** It was noted at the last meeting, that all owners are directors. Jerry Sklar was nominated as President and Les Evans was nominated as Secretary/Treasurer. Jerry Sklar has resigned at President. **Jerry Sklar nominated the four members to remain as directors and in office for a year. Mike Metz accepted, Alan Towbin accepted, Jerry Sklar accepted and Les Evans accepted but reserved the right to object to the enforcement of the rules of the CC & R's.**

- Jerry Sklar nominated Les Evans as President – Les Evans declined and did not accept the nomination.
- Jerry Sklar nominated Alan Towbin as President – Alan declined. And did not accept the nomination. Mike Metz cannot be an officer.
- No directors were willing to serve as an officer for the association. So, the directors will run the association.

It was noted that John Steele was the association's lawyer. Les objected to John Stelle representing

A vote of the units owners based on their ownership – weighted vote.

7. **Unfinished Business.**

a. **Review 2007-2009 Financials –Treasurer's Report. Common element**

Discussion ensued regarding the 2007-2009 financials and the following requests have been made.

- Request has been made to investigate the cost of the electrical charges. Find out why the lights are not going on outside the carport.
- Send spreadsheet for allocation of expenses.
- The budgets for 2007, 2008, and 2009 have remained the same.

8. **New Business.**

- a. **Approve Budget for 2010 and Allocation of Dues.** The 2010 budget was presented to the members noting the budget will remain the same as the 2009. **Jerry Sklar made a motion to approve the 2010 budget; Alan Towbin seconded the motion, all in favor and motion passed.**
- b. **Exterior Painting** – Bids were obtained for the painting of the store front on the east side and staining of the wood siding on both sides of the building. Additional bids will be obtained in early spring and will be sent to the directors for review. If approved a special assessment will be needed.
- c. **Reminder about individual unit owner's responsibility for mechanical and utility within the unit.** It was noted that each owners is responsible to pay for repairs to the inside of their units, not the HOA's responsibility.
- d. **Clarification that owner's request to Association to facilitate repairs within the unit is essentially an agreement by the owners that it is contracting with the tradesman and is subject to lien rights by the tradesman.** All owners

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are required to pay the vendors they hire and the association shall not be liable for any repairs or payments to the interior of units.

- e. **Permitted uses of the common areas of cleanliness.** Les Evans has commented that the common areas must be kept clean and the CCR's need to be enforced. He noted the unit above the carport looks better. Les has asked that the some type of coverings be placed in the windows to the old "Wildflower Bakery". Les stated there is a significant increase in brewing. Mike Metz has been working on a new fan to help decrease the exhaust and food smells.

9. Adjournment. Jerry Sklar made a motion to adjourn the meeting, Alan Towbin seconded and passed and the meeting was adjourned.

Respectfully submitted,

By: Jarmik Property Management, Inc.
Judi Balkind, San Juan Warehouse Commercial Condominium Association HOA Manager