

Meeting Minutes
Village Center Condominium Association
Home Owners Annual Meeting
Thursday, October 20, 2022 ~ 9:00am (MT)
Conundrum Ballroom, Elevation Hotel

Call to Order

B MacFarlane called the meeting to order at 9:06am MT.

Proof of Notice

Notice was mailed and emailed on

Roll Call/Establish Quorum

In attendance-

Owner	In Person	Zoom	Proxy
Axtel 200 - Crested Butte Mountain Resort	1		
Emmons 100 - CBMR	1		
Emmons 200 - CBMR	1		
Axtell 101 - Dr. Sherman		1	
Axtel 309 - Ronald M. Payne		1	
Axtel 310 - Richard & Reema Koo		1	
Axtel 311 - Alfredo Sotolongo			Roger Hanagriff
Axtel 312 - Nathan & Leigh Baldwin		1	
Axtel 314 - Craig & Mary Nickell			Roger Hanagriff
Axtel 317 - Roger & Gena Hanagriff		1	
Axtel 318 - Julia DuBay		1	
Axtel 319 - Richard & Cortnee Doyle		1	
Axtel 409 - Brian & Sonya Sava	1		
Axtel 410 - Jose A. Rodriguez		1	
Axtel 415 - Taylor & Tiffany Whaley		1	
Axtel 416 - Larry G. Blackwell			Lamar Jackson
Axtel 418 - Cactus Black LLC.		1	
Axtel 419 - J & S Perone LLC		1	
Axtel 420 - Reality CB LLC		1	
Axtel 421 - Scelza & Truninger-Hanley		1	
Emmons 321 - Ken Lousberg			Bill MacFarlane
Emmons 322 - Megan Menagh		1	
Emmons 323 - Joshua & Sarah Schwiesow		1	
Emmons 324 - Christopher Nattress		1	
Emmons 325 - Heather LeVay & Matt Kelly		1	
Emmons 326 - Edwin & Lorina Artmann		1	

Emmons 327 - Sharon Purdom		1	
Emmons 328 - John & Karen Hausdoerffer		1	
Emmons 329 - Greenberry Hill LLC	1		
Emmons 423 - Michael Adkins		1	
Emmons 425 - Jackson Family Trust		1	
Emmons 426 - Gardner (Clark) Taylor		1	
Emmons 427 - Martin & Kayla Chenery		1	
Emmons 428 - CB Emmons 428 LLC Ross		1	
Emmons 429 - Pizzolato & Deschner		1	
Emmons 430 - Amy Sexton		1	
Emmons 432 - Russell & Shari New house		1	
Emmons 433 - Peter Klauck		1	

A quorum was established with 79.17% of the ownership in attendance or represented by proxy.

Also in attendance, Wanda Bearth, Lee Friedman, and Sierra Bearth, Crested Butte Lodging & Property Management staff (CBL).

Reading and Approval of Past Minutes

September 23, 2021

B MacFarlane made the following-

- Motion: Waive the formal reading of the September 23, 2021 meeting minutes and approve as drafted by CBL
- 2nd: R Foldetta
- Discussion: None
- Vote: Unanimous approval

Reports

Financial Reports

Fiscal Year Ending September 2021

L Friedman reported that the 2020 / 2021 fiscal year ended with a total net income of \$110,172. He informed the owners the entire audit is posted on the association's website.

Fiscal Year to Date October 2021 through August 2022

L Friedman reviewed the profit and loss statement for October 2021 through end of August 2022 and noted the association's total net operating income for the fiscal year to date was negative \$9,176. Total net income for the fiscal year including capital reallocation, the association is \$224,715.

Excess Income Resolution, Fiscal Year Ending September 2022

W Bearth informed the membership that they can vote to return excess revenue to owners or forward it to future expenses, however, the association will not be ending the fiscal year with excess revenue this year, so no vote is necessary.

Manager's Report

W Bearth presented the following report –

1. Pest Control-It's been 2 years since the company, Get Bats Out, completed the bat mitigation. We were cautioned that bats would return for many years. Keeping screens on the windows and sliders is important.
2. Insurance- Farmers announced that they will not renew HOA property policies that exceed \$23,000,000 in coverage. Our limit is \$23,500,000 and the policy will expire 1/14/2023. CBL is working with several agencies to obtain coverage. Reminder-the HOA's coverage was reduced to a 'bare-walls' policy 3 years ago and coverage for interior items such as paint, carpet/flooring, fixtures, appliances and cabinets is each owner's responsibility.
3. Axtell Parking Lot & Driveway-The Board secured an agreement with Ski Center HOA (Whetstone) for a shared usage and maintenance plan for the Axtell parking lot and driveway. Maintenance costs will be shared equally; previously the split was 73/27, in Whetstone's favor. Axtell owners will be allowed 15 spots on the Whetstone side and the Axtell side is exclusively for Axtell permitted vehicles.
4. Elevation Hotel Agreement-\$10,800 in compensation was received in July from the Elevation Hotel's previous owners and an agreement with the Hotel's new owners is in the works. We anticipate \$5,400 in compensation annually, which will offset shoveling labor expenses on the Emmons south walkway and maintenance costs for the Axtell driveway.
5. Parking Lot Maintenance-Sealco is scheduled to perform maintenance on the Axtell lot. The Emmons lot will be repaired following the work on the retaining walls, likely next summer.
6. Roof Repairs-Our crew installed specially manufactured seam caps where needed.
7. Water damage-CBL located and repaired leaks originating from units. The building's plumbing allows for installation of an isolation valve in most cases. Installing a unit shut off is certainly more convenient than turning off the neighbor's water when you're working on your own plumbing. Reminder that building-wide water shut offs for remodeling are allowed only during the shoulder seasons (April 10-May 15 and October 1-November 15). Contact our maintenance department if you need assistance confirming that you have a valve or for locating your unit's shut off valve.
8. Laundry – The dryers should be more efficient now that we've properly vented those to the outside.
9. Patrols-CBL performed deck patrols and parking lot patrols during peak demand periods. Reminder that STRs are allowed to copy the parking permit onto letter size paper, preferably on colored paper, include the dates of stay and contact info for the rental manager. Toad will charge \$50 for replacement of the original Axtell permits.

HOA Reminders:

- a. Remodeling – You might not need a building permit from the town for certain renovations but you will always need to get approval from the HOA before performing any remodeling work that will involve any exterior modifications or significant interior work such as (but not limited to) plumbing or wiring or even parking a dumpster for demolition on site.
- b. Fire Extinguishers – Western Slope and Fire Safety will be recertifying the fire extinguishers every fall. The extinguishers should be inspected prior to this meeting. We will notify all the owners of the specific date via email. Please have your fire extinguisher placed outside of your unit door on the day of recertification to cut down on the time and cost of the bill.

- c. Keys – New owner, new code, or new lock, please ensure CBL has emergency access to your unit. In case of leak or other emergency, the Village Center governing documents require the property manager have access. CBL can make copies of keys free of charge.
- d. STR – Please email Sierra@CrestedButteLodging.com for HOA Approval to Short Term Rent
- e. Website – The association’s website VillageCenterCB.org is a quick place to find meeting minutes, rules and regulations, insurance information and more. The password is: 12snowmass

Old/Unfinished Business

Capital Improvement Update

W Bearth reviewed the capital plan noting the window and door replacement has been deferred another year. Several projects have been completed including bat mitigation, Emmon’s hot tub screen, fire suppression head replacement, building signage and a reserve study.

New Business

Declaration Amendment Consideration, Sections 22 and 41.4

B MacFarlane recapped that the association has been billing the commercial owners around 36% of the expenses and split the remaining expenses amongst residential owners evenly. The Declaration states all expenses should be split evenly, including with commercial owners. The Board and management have not been able to find any paper trail or documentation establishing the billing method used for the last 25 years or so. M O’Loughlin, legal counsel for the association, advised the association to cease billing in conflict with the association’s declaration by either following the ratio currently outlined in the declaration or amending the declaration. He further clarified that each unit gets one vote currently, and proposed amendment to section 41.4 would adjust voting percentages to allocate higher percentages to larger units. B MacFarlane informed the membership that the Board is investigating having the entire declaration reviewed and brought to compliance with CCIOA soon, with amendments to section 22 and 41.4 being a cure in the meantime to allow the association to collect dues at a rate other than 1/48th. The membership discussed the possibility of adopting the formula that has been used for the past years for dues collection, and M O’Loughlin explained a declaration amendment could be drafted for that, but not voted on today. The membership discussed the intricacies of the 1/48th method, previously utilized method and proposed square footage method of dues collection and voting percentages. The meeting was opened up for Q&A and comments from the membership.

J Rodriguez made the following –

- Motion: Vote on Section 22 amendment to square footage
- 2nd: R Hanagriff
- Discussion: The members took some time to share their opinions on the proposed amendment
- Vote: 75% of the total membership voted in favor of the prosed amendment to section 22 of the Village Center declaration

J Rodriguez made the following-

- Motion: Vote on Section 41.4 amendment

2nd: R Hanagriff
Discussion: The members shared their opinions on the proposed amendment
Vote: 45.83% of the membership voted against the proposed amendment to section 41.4 of the Village Center Declaration and the amendment did not pass

Approved Operating Budget

B MacFarlane explained that the Board has unanimously approved the budget and the owner's have the right to veto the budget.

S Sava made the following –

Motion: Approve the 2022/2023 operating budget as presented
2nd: K Rice
Discussion: None
Vote: 72.92% of the total membership voted in favor

Approved FY23 Capital Budget and 5 Year Plan

W Bearth clarified that only the 2023 column has been approved and the following years are only proposed and adjusted annually. The work scheduled for 2023 includes retaining wall and drainage repairs, fire panel replacement, metal stair tread replacement and a few other smaller items. B Gallen questioned the window and door replacement project and potential savings for owners that have already replaced theirs. W Bearth reminded owners that the declaration amendment from 2019 states windows and doors are the association's responsibility, and at this time, owners can not opt out of the special assessment for the window and door replacement project.

J Schwiesoh? Made the following-

Motion: Approve the 2022/2023 capital budget as presented
2nd: R Foldetta
Discussion: None
Vote: 75% of the total membership voted in favor

Members Open Forum / Unscheduled Business

B MacFarlane shared with the membership the Board's goal is to increase property value and ensure units are highly valued. B MacFarlane thanked the Board, management, and the association's attorney. He mentioned the Board has been working through insurance, parking agreement, access agreement, reserve study, ownership allocations, and a few other projects in the past year.

Board of Directors Election

Two Residential 3-Year Terms are Expiring

R Foldetta and L Jackson's terms are expiring.
L Jackson would like to retire from the Board.
R Foldetta would like to serve another term.
A Hanley and C Taylor volunteered to serve

By a vote of secret ballot, Clark Taylor and Ross Foldetta were elected to serve on the Board of Directors.

Date of Next Annual Meeting

September 28th, 2023 at 9am MT.

Adjournment

B MacFarlane made the following-

Motion: Adjourn the meeting

2nd: S Sava

Discussion: None

Vote: Unanimous approval

The meeting was adjourned at 11:59am MT.

DRAFT