

Meeting of the Executive Board of Directors of the Summit County Recreation Center, September 29, 2009, at 6:00 pm at the SCRC

Attendance

John Karras Lake Haus E12 Tim Tiefenbach Lake Haus B16
Paddy Brown Class B Dennis Bosio Lake Haus D4

Management in attendance

Rick Pyle, Bob Towne and Moya Callahan represented Mount Royal Properties

Dennis Bosio called the meeting to order at 6:04 pm and Moya Callahan recorded the minutes.

Approval of previous minutes

Paddy Brown made a motion to approve the minutes from the August 10, 2009, meeting as presented and was seconded by John Karras. As all were in favor and none opposed, the motion passed.

Dennis Bosio made a motion to approve the minutes from the September 15, 2009, meeting as presented from Jay Bauer and was seconded by Paddy Brown. As all were in favor and none opposed, the motion passed.

Insurance renewal & policy

Rick reported that he spoke with Leslie Weiss and it was not good news. The problem is that if there is no General Liability insurance, then, American Family will not renew the policy on November 1. Further, American Family will not write a policy and assume responsibility when the building is being demolished or remediated for asbestos. Rick advised that the fire department would need to cover the building during their burn process. The Association is a victim of the renewal date and timing of the project. Rick stated that the Board would be exposed, as the Directors & Officers insurance (D&O) cannot be renewed without the General Liability in place. If they had a blank piece of land, then they will not have issues with getting coverage. Rick suggests the Board research other insurance companies and offered to have MRP complete some research on different options. One of the requirements for any of the contractors bidding on the project is to have their own insurance. Rick will report back to the Board within a week regarding his insurance investigation.

Bank account signatures

Paddy Brown has returned the forms to Alpine Bank and signed all required materials. John Karras will be completing his portion and returning to Alpine. The signatories on the accounts are Rick Pyle and Paddy Brown on the operating account and Paddy and John Karras on the reserves.

Member list

Tim Tiefenbach reported that there are nineteen people without email addresses on the member list. There are three each from Lake Haus and Class B members without known email addresses and the balance are Lakeside members. There was some confusion with the number of members on the list and it was concluded that there are 140 members. There are 121 members with valid email addresses.

Fire Department status meeting

The meeting with the Fire Department is scheduled for October 8th. Paddy, John, Jay Bauer, Rick Pyle and Bob Town will all attend the meeting. The Board concluded that there are several questions to pose to the Fire Department at the meeting:

1. Should the pool be drained prior to the fire and what kind of safety measures will they take with an empty pool?, 2. Will the fiberglass pool need to be removed prior to the fire, 3. Does the Association need to remove the hot tub, 4. How quickly can the Fire Department install a fence, 5. If the Fire Department decides that they do not want to complete the burn until some time in 2010, then that will be another meeting for the Board to determine how to proceed.

Accounts Payable

The attorney bill from Richmond Sprouse & Murphy has a balance of \$513.08. The previous Board approved the work the attorney completed and the current Board determined that the invoice should be paid in full.

Bob spoke with Kaupas Water earlier in the day and reported that they wished to remove some of the items from the SCRC, specifically the pool heater. They gave a discount to the SCRC for the work completed on the hot tub. Bob reported that Kaupas is not interested in the hot tub, but will work with the Association so they can take all of the pool equipment at the same time. Bob voiced some concern surrounding draining the pool, as the equipment will be needed to perform the drain. Bob recommends letting Kaupas remove all of the equipment for \$700 and the burden is off of the Association. There is a credit on account from Kaupas in the amount of \$2,395.90.

John Karras made a motion to accept Bob Towne's recommendation regarding Kaupas Water removing the equipment from the SCRC and was seconded by Paddy Brown. As all were in favor and none opposed, the motion passed.

Valdes lien

Rick gave the Board some history surrounding the Valdes account. She is a Lakeside owner and two years ago left the county and rented the unit. There was a problem collecting both the SCRC and Lakeside dues and a collection process was initiated with Richmond, Sprouse and Murphy. The owner became current with both Associations, however, there has been no communication and all mail is being returned. Rick recommends that they place a lien on the unit immediately as the balance is currently \$755.64. Paddy thinks they should file a lien and Tim agrees.

Paddy Brown made a motion to file the lien against the Lakeside unit of Tanya Valdes and was seconded by Dennis Bosio. As all were in favor and none opposed, the motion passed.

Asbestos Removal

Dennis and Rick spoke with Tony Contizano from DJ Enviro Trust today regarding the results from the updated asbestos test and almost all of the drywall came back positive for asbestos. He billed \$265 to pull the samples again. The opinion is that the Association should remove all of the drywall down to the studs. The Board will need to acquire a new bid from the contractors for this change in scope of work. Tony Contizano verified that Rocky Mountain Abatement (RMA) was as good of a contractor as the others that quoted on the asbestos removal. The Board wondered if they should bring all of the contractors back in to bid on the project or make a decision on RMA. The Board felt that the job might be easier as the contractor will have less to protect. They felt the contractor should bid on removal of the carpet as part of the bid.

John Karras made a motion for MRP to obtain a final bid from Rocky Mountain Abatement with the new information from DJ Enviro Trust and to move forward with the asbestos removal and was seconded by Dennis Bosio. As all were in favor and none opposed, the motion passed.

The Board signs the contract upon approval, then, the contract will be submitted to the state and will take approximately 10 – 15 days for permit approval. RMA reported that the project would take about a week to complete. The Board was interested in how much of an increase there will be to the bid. Rick reported that Tony indicated about \$40,000; the original bid from RMA was for \$10,000 for asbestos removal in the ceiling only. Paddy confirmed that there were no additions to the building and it was deemed that the asbestos is in the texturing.

Update on the Sequence of events

Does the Board feel they need to change the dates:

1. Re-bid the asbestos removal (Rick)
2. Insurance quotes (Rick)
3. Close October 1 – what does that mean in terms of security? – Deadbolt & sleeves in windows. (Bob)
4. Manager moves out on October 5
5. October 8 the meeting with the fire department
6. Get bids for debris removal
7. Drain the pool – confirm with the fire department
8. Close off utilities after asbestos removal – need water and electric until then.
9. Debris removal & level the site
10. replant the area in the spring.

Closing facility on the Oct 1st and securing the area

1. New deadbolt on the front door.
2. Sleeves on the windows
3. Bob will inspect the area to confirm deadbolts and security.
4. Leave the lights on all night and the motion sensors.
5. Ask the Sheriff's office to have additional patrols of the SCRC.

The Board discussed the best way of removing personal property at the SCRC. The Board decided to email the membership that the SCRC will be open on September 30th on a first come first serve basis for members to remove any of the personal property. The Board agreed to let Rick have some of the deck chairs.

The Board agreed to stop the trash with Waste Management as of October 1.

New Business

Accounts Receivable

Dennis wanted to be clear on the policy and the need to continue with late fees. A few people withdrew their ACH and there have been several questions from the members as why they need to continue to pay their dues. Rick asked how the Board wants to proceed with the late members after October 5th and those members refusing to pay their dues. Dennis said that technically, the membership needs to pay the late fees. There was discussion surrounding the report MRP provided to the Board regarding late fees. John felt the Board should table the late fee discussion, as there are egregious examples of late fees on the accounts receivable report. He felt the Board should write a letter explaining why the membership needed to pay the dues as the Association needs the money to tear down the facility, insure and clean up the area.

Dennis Bosio made a motion to send a letter explaining the continuation of dues via email and hard copy to the membership and was seconded by Tim Tiefenbach. As all were in favor and none opposed, the motion passed.

Paddy said she would take care of the mailing via USPS as she has been taking this to the MRP office for assistance. The Board agreed to table the late fee discussion until further notice

Communication with MRP

Dennis wanted to make sure the Board is speaking as a Board and wanted to discuss how they could be most effective in their communications with MRP going forward. Rick asked that he, Bob and Moya Callahan are included in the email communication

Rick asked what the intention of the Board is going forward and the Board reported that they will not be self managing. Rick suggested that MRP propose and rewrite a new contract with a price that will be fair with the management fees. The Board will need to determine how much management the Association will need in the future. Rick noted that this meeting was the last one included in the contract. Dennis suggested that at the next meeting the Board review a proposal from MRP.

Excavation & debris removal

Tim began contacting contractors and contacted three companies via email for excavation and debris removal. The three companies are Ewing Trucking & Construction in Eagle/Gypsum, the Alpine in Arvada and another company in Vail. He put together a scope of work removing debris after burn, breaking up concrete, earthwork to level the site, removing the parking lot and tennis court and included all dump fees and disposal. He is acquiring quotes for the clean up after the burn and if they need to take down the building. Jay said there was someone in the county that is interested in completing the work. The old Silverthorne Elementary School is being demolished and Bob will get the name of the contractor to Tim. RKR may have some interest in this also and Bob will give RKR Tim's email. After the October 8th meeting the Board will have a better idea of the scope of the work.

Alternatives available to members

Swan Mt Resort – Tim contacted to inquire about the members using the facility as a substitute, however, they do not offer outside memberships. Tim will try to get in touch with Buck Ridge.

Norris Design sent a final bid and the Board for the work completed according to the contract.

John Karras made a motion to pay the invoice according to the contract and was seconded by Paddy Brown. As all were in favor and none opposed, the motion passed

Dave's resignation

Dave Lawson submitted his Board resignation via email yesterday evening. The Board can appoint a replacement should they wish to have a fifth member. The Board agreed that they needed to fill the position and see if they can get someone who is compatible with the group. Dennis offered to make a few phone calls and return to the Board with any interest.

Legal questions

It was suggested to the Board that they explore their legal due diligence of disposing the property and all agreed.

The Board agreed to rotate the Board meetings at Board member houses. The next meeting is tentatively scheduled for October 20th at 6:00 pm at John Karras's Lakehaus unit E12

Adjournment

As there was no further business to discuss, Dennis made a motion to adjourn the meeting and all were in favor. The meeting adjourned at 7:58 pm.

I hereby attest that these minutes are a true and accurate account of the meeting thus held on August 10, 2009.

Signed: _____ as _____ (Title)

Dated: _____