

**ENCLAVE AT KEYSTONE ASSOCIATION
ANNUAL MEETING
JANUARY 25, 2020**

I. CALL THE MEETING TO ORDER

The Enclave at Keystone Association Annual Meeting was called to order at 9:06 a.m. in the Enclave at Keystone Clubhouse.

II. ROLL CALL, PROXIES & INTRODUCTIONS

Board Members Present Were:

Patti Howell, President, #34	Sharon O'Connell, Vice President, #42
Tom Baugh, Treasurer, #24	Richard Nadolink, Secretary, #11
Meredith Van Dyne, Member, #16	

Homeowners Present (*via teleconference) Were:

Dave & Lisa Allman, #29	David Beemer, #6*
Jill Bergeson, #5	Natalie Berman, #1*
Sharon Bouck, #12*	Joe & Marti Campanola, #39*
Susan & James Carahalios, #15	Robert Chisholm, #4*
Mimi Clair, #38*	Susan Davis, #41
Harold Dobbs, #2	Gary & Deb Gerhard, #21
Bill & Marianna Goslau, #36	Dale Howell, #34
Brad Stark, #13	Geoffrey & Mrinalini Kaeser, #10
Terry Lemmerman, #43	Barbara Verble, #40
Janet Nadolink, #11	Ronald Paquet, #27*
Michael & Laura Rainin, #33*	James Richardson, #39
Kathy Rogers, Unit 14	Christine & Richard Stocking, #28*
Lois & Joseph Thompson, #22*	Ted Trask & Laura Snyder, #23
Mike Truax, #20	Barbara & Jerry Truax, #20*
John & Tracey Weisenfels, #19*	Debbie West, #25

Owners not present at the meeting but represented by proxy were:

Cindy Beeks #17
Leo & Rhonda Johnston #35
Nancy Holland #30
Scott Hamilton #36
Sandra Shevin #9

Attorney Lindsay Smith and Adam Cunningham of Blu Sky were guests at the meeting.

With units represented in person and four by proxy a quorum was confirmed.

Representing Basic Property Management were Gary Nicholds, Eric Nicholds and Patti Vande Zande. Greg Turnbow, on-site Manager, was present at the meeting. Erika Krainz of Summit Management Resources was recording secretary.

III. APPROVAL OF THE ANNUAL MEETING MINUTES

Motion: Richard Nadolink moved to approve the minutes of the January 26, 2019 Homeowner Meeting as presented. Sharon O'Connell seconded and the motion carried.

IV. FINANCIAL REPORT

Tom Baugh reported that as of December 31, 2019, the Reserve Fund Balance was \$591,000 and the Operating Cash balance was \$568,000 for a total cash balance of \$1.159 million. The Operating account ended the year with a \$39,000 surplus and the Reserve account ended the year with a \$4,500 deficit, resulting in a combined surplus of \$34,500. This figure will be adjusted down by \$5,000 - \$6,000 once all back invoices are cleared.

A. Ratify 2020 Budget

Tom Baugh reviewed his process for drafting the proposed budget and the significant variances compared to the prior year.

There was general discussion about the Legal Fees line item. The Association was recently served notice of lawsuit. The legal fees should be covered under the Directors & Officers policy, which has a \$5,000 - \$10,000 deductible. The unit reconstruction should proceed regardless of the litigation. The insurance policy renews March 1st annually. If the Association loses the lawsuit and is required to pay the litigant's legal fees, a loan can be taken from Reserves and paid back over a few years, or there could be a Special Assessment. The insurance proceeds of \$400,000 received for Unit 1 are being held in a separate cash sweep account at Alpine Bank. The balance of the funds that have not been spent are reflected on the Balance Sheet under Accounts Payable and Tom Baugh is watching the expenditures. There is now a new scope of work based on the County change in classification of the property from townhomes to condominiums. The insurance attorney will be handling this issue with the insurance company.

“Pursuant to the amended and restated Declaration, the budget proposed by the Executive Board does not require approval from the unit owners and it will be deemed approved by the unit owners in the absence of a veto at the noticed meeting by a majority of the owners, whether or not a quorum is present.” Lindsay Smith asked if there was a motion to veto the budget and no motion was offered. In the absence of a motion to veto the budget, the budget was deemed approved.

V. MANAGER'S REPORT

Greg Turnbow reviewed the following projects:

1. Replaced two pumps.
2. Replaced carpet in Manager's unit.
3. The light at the east end of the Clubhouse is operational. There is a break in the line at the west end. Solar lights were installed.
4. A leak in the shaft seal in the pool control room was identified and replaced.
5. Installed snow stakes.
6. Replaced tiles around the pool. There are a few more missing tiles to be replaced.
7. Alpine Tree Service did not respond to calls.

8. Installation of Clubhouse roof vents was recommended to relieve humidity but silicone was used on the roof ridge as an alternative. There is a small leak that drips on the ping pong table and the major stack coming out of the roof needs to be replaced in the spring.
9. Raked a large quantity of leaves.
10. New lights were installed on the Clubhouse walkway.
11. Cleaned out the upstairs storage. The remaining items will be removed in the spring.
12. Cleaned out the office.
13. The fire door by the office was delaminating and was replaced.
14. The plumber will install a backflow preventer in the Clubhouse.
15. Shoveling occurs when there is snowfall of 1" or more. Greg confirmed that he shovels all stairs.

VI. UNFINISHED BUSINESS

A. Status of Fire Reconstruction

Adam Cunningham of Blu Sky joined the meeting at 9:22 a.m. He is overseeing the rebuild of Units 1 and 2 and there is also an on-site Project Manager. He provided a summary of the activities to date. He was contacted in mid-October and the project was under contract in November. The structural drawings were sent to the Summit County Building Department in late November. The Building Department would not approve them without a full set of plans but authorized ordering of the trusses. They questioned the contract value submitted by the last contractor. The costs are now believed to be accurate. In early December, the first set of complete drawings were submitted. The truss manufacturer took measurements to verify the materials ordered were correct. The Building Department had questions about the drawings in mid-December. A new set of plans was submitted in early January. In mid-January, the Building Department changed the code requirements and informed Blu Sky that the units are condominiums rather than townhomes. Some of the elements had to be redesigned for code compliance, mainly related to fire protection. The revised drawings were approved on Thursday. The permit card needs to be signed by the Fire Department and Sewer District, which he will have done on Monday, and permit fees paid. He expects to have the permit Monday or Tuesday. Going forward, there will start to be activity on site. Owners are asked to communicate any issues to the Board and they will forward them to the appropriate entity. There will be a pre-construction meeting with the engineer and framing contractor next week to discuss shoring and the structural sequence. New bids have been solicited from all subcontractors. The County will be on site to inspect the demolition and close out the permits, after which the shoring can start and be inspected by the engineer. The next steps will include structural fixes, trusses and getting the building dried in. Unit 2 will be cleaned next. There will be a pre-construction meeting with the Board and unit owners. After the smoke is cleaned from Unit 2, the actual rebuild will start. The cleaning of Unit 1 will follow. The exterior work will be scheduled in the late spring and early summer. Owners were asked to be patient during the process. The Board will communicate the work hours and temporary parking issues.

Owner questions addressed insurance, the AIA contract and release of contractor liens. It is not yet known if the entire cost will be covered by insurance. The contract is a lump sum. Lien releases will be part of the process.

B. Termination of Central Alarm Monitoring January 31, 2020

Several owners described issues they encountered when they tried to contract for individual monitoring systems. Some owners felt the existing monitoring contract should be extended until a permanent solution is in place. An owner noted that Simply Soft can provide self-installed monitoring system with no monthly fee as a stopgap solution. This system can be programmed to notify the owner and/or Fire Department of alarms using wi-fi or a phone line. Tom Baugh said every system the Board has looked at will call the Fire Department or a monitoring company. An owner suggested scheduling regular unit inspections in the interim. Lindsay Smith recommended having inspections only by owner request and having owners sign a liability waiver.

VII. NEW BUSINESS

A. Insurance

The policy renews on March 1st. The Board is working on obtaining bids from other providers but the process has been complicated by the legal proceedings.

Action Item: Gary Nicholds will post the umbrella policy on the website.

B. Establishment of Insurance Review Committee

Owners interested in serving on the committee should contact Tom Baugh. The Board will formally establish the committee at a future Board Meeting, along with a formal charter.

C. Clubhouse

Tom Baugh volunteered to head up a Clubhouse Committee. He toured the Clubhouse with Greg Turnbow. Some items are regular maintenance. Issues included a non-functioning fan, broken spa jets and the doors. The Committee needs to make recommendations to the Board on the future direction for the facility. The committee can look at three options for finish levels and obtain pricing.

D. Owner Questions and Comments

1. An owner requested a list of the changes in the new Declarations. Lindsay Smith said she could draft a document, although she did not draft the amended Declarations. The Board will discuss this request at their next meeting.
2. Patti Vande Zande said the cost for a financial review would be \$4,000 and the cost for a full audit would be about \$6,000. The owners and Board agreed there should be a full audit. Patti Vande Zande will inform the CPA firm.

VIII. BOARD OF DIRECTORS ELECTION

The term of Meredith Van Dyne expired and she was standing for re-election. Debbie West submitted a self-nomination. Secret ballots were distributed and tallied. Counting of the ballots

was conducted by homeowner volunteers with oversight by Lindsay Smith. The result for the first ballot was 21 for Meredith Van Dyne and 20 for Debbie West. Lindsay Smith deemed the results too close to call as members of the counting committee expressed concern that duplicate ballots may have been issued. A second round of balloting was conducted after correcting the issue of duplicate ballots, caused by an owner's submission of proxies in addition to "secret ballots" that were not created by the Association. The result of the second ballot, conducted by the same homeowners, was 21 for Meredith Van Dyne and 15 for Debbie West and Meredith Van Dyne was re-elected to the Board. All proxies and ballots are records of the Association and are available for inspection by members.

IX. RESERVE FUND SCHEDULE REVIEW

Tom Baugh reviewed the following:

1. Roof Replacement – the costs exclude Building 1 and the Clubhouse and are spread over six years starting in 2021 with an inflation factor. The estimates do not include any plywood substrate replacement. A roofing contractor or house inspector will be asked for a recommendation regarding the priority and timing of the roof replacements. The goal is to obtain at least updated three bids.
2. Stucco Maintenance – moved to an Operating expense.
3. Asphalt Sealing- \$16,700 is scheduled in 2021.
4. Clubhouse Mechanical – \$14,200 is scheduled in 2021.
5. Clubhouse Interior - \$21,000 is scheduled in 2020 to replace three sliding glass doors.
6. Exterior Clubhouse Stairs - \$25,000 is scheduled in 2020, rolled forward from 2019.
7. Tennis Courts - \$6,500 scheduled in 2020 for resurfacing.

X. SET NEXT MEETING DATE

The next Annual Meeting will be held Saturday, January 23, 2021 at 9:00 a.m. The Board Meetings will be held April 18, 2020, July 25, 2020 and October 24, 2020.

XI. ADJOURNMENT

The meeting was adjourned at 12:12 p.m.

Approved By: _____ Date: _____
Board Member Signature

**ENCLAVE AT KEYSTONE ASSOCIATION
BOARD OF DIRECTORS MEETING
JANUARY 25, 2020**

I. CALL THE MEETING TO ORDER

The Enclave at Keystone Association Board of Directors Meeting was called to order at 12:13 p.m. in the Enclave at Keystone Clubhouse.

II. ROLL CALL

Board Members Present Were:

Patti Howell, #34

Meredith Van Dyne, #16

Tom Baugh, #24

Richard Nadolink, #11

Sharon O'Connell, #42

Representing Basic Property Management were Gary Nicholds and Eric Nicholds. Greg Turnbow, on-site Manager and attorney Linsay Smith were present at the meeting. Erika Krainz of Summit Management Resources was recording secretary.

III. SELECTION OF OFFICERS

Motion: Meredith Van Dyne moved to retain the same Officers: Patty Howell – President, Sharon O'Connell – Vice President, Tom Baugh – Treasurer and Richard Nadolink – Secretary. Richard Nadolink seconded and the motion carried.

IV. EXECUTIVE SESSION

The Board convened Executive Session at 12:14 to discuss legal matters with counsel and reconvened Regular Session at 12:59 p.m.

The following decisions were made:

1. The Board met with counsel to discuss the request made by some owners to continue providing central alarm monitoring. The Board determined that owners have available to them stopgap measures to monitor their units pending installation of integrated systems, and that the Association has already terminated the contract related to this system monitoring. As such, the Board voted to leave the Resolution in place and terminate central monitoring as originally scheduled, effective January 31, 2020.
2. The Board voted to authorize Linsay Smith to write a Resolution to clarify the ambiguity in the insurance provisions of the Declaration.
3. The Board voted to authorize Linsay Smith to prepare a proposal for amending the Declaration, Bylaws and Articles of Incorporation.

V. ADJOURNMENT

The meeting was adjourned at 1:00 p.m.

Approved By: _____
Board Member Signature

Date: _____

**ENCLAVE AT KEYSTONE ASSOCIATION
SPECIAL BOARD OF DIRECTORS MEETING
JANUARY 28, 2020**

I. CALL THE MEETING TO ORDER

The Enclave at Keystone Association Special Board of Directors Meeting was called to order at 8:30 a.m. in the Enclave at Keystone Clubhouse.

II. ROLL CALL, PROXIES & INTRODUCTIONS

Board Members Participating (*via teleconference) Were:

Patty Howell, President, #34 Sharon O'Connell, Vice President, #42*
Tom Baugh, Treasurer, #24 Richard Nadolink, Secretary, #11
Meredith Van Dyne, Member, #16

Representing Basic Property Management was Gary Nicholds. Lindsay Smith, Attorney participated via teleconference.

III. DISCUSSION OF RESOLUTION

Motion: Patti Howell moved that the Resolution that is the subject of this Special Meeting be treated as an emergency in accordance with the Association's policy on the adoption and amendment of rules and policies because of the urgency to obtain and bind insurance coverage for the Enclave. Tom Baugh seconded and the motion was unanimously approved. Coverage with Community Association Underwriters (CAU) will expire March 1, 2020.

The Resolution prepared by Lindsay Smith to address the ambiguity in the insurance provisions of the Declaration was reviewed and discussed. Insurance counsel and the Association's insurance agent reviewed and approved the Resolution before the meeting. No changes were made subsequent to their review.

Motion: Patti Howell moved the Resolution be approved as presented. Meredith Van Dyne seconded and the motion was unanimously approved. A copy of the Resolution will be sent to owners, Association insurance broker and will be posted on the website.

IV. ADJOURNMENT

The meeting was adjourned at 9:04 a.m.

Approved By: _____
Board Member Signature

Date: _____

Meeting of Enclave HOA –March 8, 2020 at 1PM in Enclave Clubhouse

Executive Session

Member in attendance- Patti Howell, Tom Baugh, Meredith Van Dyne, Dick Nadolink, Sharon O Connell (telecom)

1. Dick Nadolink Drafted a potential email/ letter to all homeowners that solicited interest in serving on the HOA board. It was decided to hold off until present Board members closed on their properties, but otherwise approved the Draft with the exception that the question of Legal Residence should be omitted because of CO HOA Law, TBD.
2. Insurance Board- Tom will get the insurance board activity started as promised at the Annual Meeting. Laura Schneider (unit 23) an insurance attorney will be contacted by Tom for membership and advice. Issues with the workmen's comp invoices will be resolved by Tom by contacting Steve Dorado , our insurance broker.
3. Insurance Issues- Jim Suminski (insurance adjuster) told Patti/All that CAU is saying Belfor wants to take over the Bldg. 1&2 restoration ! Patti/Sharon will ask Garth to have Belfor and Blu Sky to get together and resolve the large \$\$\$ discrepancies in their estimates.

In case of a potential assessment Patti said our Decs say every homeowner should have loss assessment coverage.

Dick Nadolink to send copy of recent email to Brad Damm.. RE Ed Storako, Lawyer, Engineer visit to #1&2 site for walkthrough

4. Tom reported a leak in #33 roof and taken care if it with roof shoveling
5. Tom will get a bid from future potential roofer to include gutters on the front and back of every building
6. West Dumpster Icing Problem- Decided 1. Immediately move dumpster to 1st paved area East of the present location, 2. Pave the ~20'x20' area next to the storage area at the first weather opportunity, 3. Move dumpster to that area, and install new or old rough lumber enclosure TBD. Tom will put out a homeowners notice of temporary move of Dumpster and plan to relocate in the spring.
7. Tom has resolved Greg's extra hours and will decide on a "bonus" rather than OT because he is a salaried employee.
8. Tom will look into buying a recording security camera for the clubhouse due to recent problems with destruction/ abuse (ping pong table example

The meeting adjourned at 3:10 PM

3;15 -Dick walked the Dumpster area with Greg to show where the Dumpster will be moved.

**ENCLAVE AT KEYSTONE ASSOCIATION
BOARD OF DIRECTORS MEETING
July 25, 2020**

I. CALL TO ORDER

The Enclave at Keystone Association Board of Directors Meeting was called to order at 9:11 a.m. on Zoom.

II. ROLL CALL

Board Members Participating Were:

Tom Baugh, President	Meredith Van Dyne, Vice-President
Richard Nadolink, Secretary	Scott Hamilton, Member
Susan Davis, Treasurer	

Owners Participating Were:

Ted Trask	Michael Truax
Deb & Gary Gerhard	Laura Schneider
John Weisenfels	Robert Chisholm
Barbara Verble	Debbie West
Ronald Paquet	Andrew & Jan Galvin
Bill Goslau	Mimi Claire
Natalie Berman	Susie Carahalios
Michael Rainen	Terry Lemmerman
Kelly & Eric #43	Sandi Leven

Representing Basic Property Management was Gary Nicholds. Greg Turnbow, on-site Manager, was present. Erika Krainz of Summit Management Resources was recording secretary.

III. INTRODUCTION OF CURRENT BOARD MEMBERS & OFFICERS

Tom Baugh stated that Patty Howell and Sharon O'Connell both sold their units and resigned from the Board. He said they helped the Board make tremendous progress and thanked them for their service on the Board.

IV. APPROVAL OF PREVIOUS MEETING MINUTES

Motion: Richard Nadolink moved to approve the January 28, 2020 Board Meeting minutes as presented. Meredith Van Dyne seconded and the motion carried.

V. ON SITE MANAGER'S REPORT

Greg Turnbow reviewed completed and pending projects:

1. Alpine Tree Service – will be on site in the fall to trim the trees.
2. Tennis Court - Sport Court and Renner provided bids for repairing the tennis court.
3. Window Washing – bid accepted. Owners can contract independently for their units.
4. Dumpster – there is a problem with ice accumulation around the dumpster at the east end. The dumpster will be moved onto a new concrete pad between the tool shed and guest parking in about two weeks. An enclosure may be built next summer.
5. Pool – the pump failed due to a broken impeller and was replaced.

6. Roof – problems were identified at Units 22 and 39 during inspection. Greg Turnbow was authorized to have the repairs made and to have the wiring installed for the heat tape.
7. Landscaping – trimmed the shrubs.
8. Staircase – repaired the stairs down to the tennis courts at a cost of \$500.
9. Toolshed – replaced a rotted board.
10. Fence – scraped and repainted.
11. Parking Lot – the lot will be striped after the dumpster pad is poured.
12. Aspen Trees – the trees growing on the knoll are being cut.
13. Pool – the pool is closed and there is signage on all doors. Owners are asked to inform their rental management company and rental guests of the closure.

VI. FINANCIAL REPORT

A. Status of Audit

The audit has not been finalized. Tom Baugh received a draft late yesterday and no issues were identified. He would like the auditor to provide feedback on the processes and if anything needs to be changed. The final audit report will be posted on the website and notice will be sent to owners when this occurs.

Action Item: The Board will review Articles VII.F. and VIII.D. to resolve a discrepancy in the audit frequency, which should occur every two years.

B. Status of Insurance for Rebuild of Units 1 & 2

The insurance company has approved \$25,000 for mitigation and \$1.123 million for rebuilding for a total of \$1.148 million. Invoices to date total \$168,000, leaving \$980,000 for remaining expenses. The BluSky contract has known change orders that are already priced and the risk of additional change orders should be minimal. The fireplaces are being brought up to code, which was not in the original bid. There is a potential change order for replacing the gas and water meters if the utility companies will not do it for free. The contract value, excluding the two change orders, is \$1.950 million. With the remainder of the approved insurance, there will be a \$970,000 shortfall in the insurance coverage.

Issues with the insurance company include questioning the need for fencing around the units, underestimation of the amount of stucco, unwillingness to pay for removal of snow from inside the units and on the decks, not wanting to pay for the charred beams and arguing about the cost for the replacement windows, which are the same model as the original windows. Tom Baugh anticipates the Association will have to sue the insurance company and it will be a long-term battle.

Tom Baugh reviewed cash flow. The insurance company has only paid out \$840,000 total to date. After accounting for what has already been paid out for mitigation, restoration and the BluSky Contract, there is a shortfall of \$1.278 million. The HOA's insurance attorney has requested payment for 100% of the line items that are complete but the insurance company is holding the funds until everything is done on both units. It

has been necessary to pay some expenses from Reserves and Operating accounts. The Association accountant Patti Vande Zande has worked out an interest-free payment plan with BluSky wherein they receive \$50,000 every two weeks. At this rate, the Association will run out of cash by the first or second week of October.

The options for addressing the shortfall are to default on the contract, levy a Special Assessment or secure a bank loan. The first option is not feasible. A Special Assessment would need to include language that it is strictly to cover the shortage in insurance payments and any money received would be refunded to the owners. The Board is authorized to obtain a loan up to \$100,000 without owner approval, but this would not be enough. A combination of Special Assessment and a loan would be the last option.

The Declarations state that owners are supposed to carry insurance for an assessment for a loss. Owners should check their policies to determine if they have this coverage. **Action Item:** The Insurance Committee will consider drafting a letter explaining what type of coverage is required.

The Board voted to authorize Tom Baugh to start negotiating for a loan of \$1.028 million. There will be \$250,000 used from Reserves.

Owner comments and questions addressed the following:

1. Attorney name – The firm of Steve Shapiro has been hired to put pressure on the insurance company to pay for the covered losses. This is not the same firm that is defending the lawsuit against the Association.
2. Special Assessment amount and Reserve balance – The Special Assessment would be approximately \$22,000 per owner. The starting balance of the Reserve Fund was \$349,000 and as of last month it was \$32,000.

C. Current Financials

1. Repair & Maintenance - There are some savings, but there are several projects scheduled in the fall. Greg Turnbow will be asked to prioritize them.
2. Legal – One owner is more than three months delinquent. The Association is paying the attorney for collections but should receive reimbursement from the unit owner. The legal expenses for the fire were unbudgeted. Expenses related to the insurance issue are \$16,500 to date and are projected to be \$7,400 per month through October for a total of \$46,100 for the year.
3. Reserve Projects - The Clubhouse doors and tennis court projects are on hold. The Clubhouse steps were completed for \$500 instead of the budgeted \$21,000.
4. Total Projected Expenses – \$46,000 over budget. This does not include the insurance funds shortage.

VII. UNFINISHED BUSINESS

A. Status of Units 1 & 2 Rebuild

Unit 2 should be done in October and Unit 1 in November. Exterior stucco was completed this week. Both units look very good. Richard Nadolink has provided a summary of progress the first week of each month.

B. Status of Insurance Review Committee

There have not been any volunteers to serve on this committee.

VIII. NEW BUSINESS

A. Revision of Documents

The Board, Association attorney and two owners worked on the revisions. The allegation that owners would be voting to change the insurance is false. The insurance has already been changed to a bare walls policy. Owners should ensure their personal coverage dovetails with the Association policy. The Association was denied insurance at the end of January because there were conflicts between the Declarations and Bylaws. The Board passed a Resolution in order to enable the Association to obtain insurance when the policy renewed March 1st. The amendments require approval by at least 67% of the membership. Multiple bids were obtained for insurance but they were not for full unit interior coverage in accordance with the advice of the attorney. The reason for carrying bare walls coverage is the numerous upgrades and changes to individual units. In addition, insurers were unwilling to provide full unit interior coverage. It was noted that bare walls coverage is standard among most Associations and owners can select the level of coverage desired for the unit interior.

The attorney recommended updating the Declarations and Bylaws at the same time since they were outdated and out of synch. The Board negotiated a \$3,000 legal fee for the attorney to make the updates to eliminate conflicts and inappropriate information and for compliance with CCIOA.

Owners were encouraged to submit their ballots by scanning and emailing or taking a photo and sending to one of the Board members' cell phones.

Owner questions and comments addressed the following:

1. Quorum – Some owners felt 10% was too low. Tom Baugh said the documents were already sent out for owner approval and changes cannot be made right now.
2. Future Amendments - A suggestion was made to separate future amendments into smaller segments to allow the owners to vote on the items individually.
3. Secret Ballots – An owner felt there should be open voting for transparency. Gary Nicholds explained that per Colorado law, secret ballots are only required for contested elections or if requested by the membership.

4. Board Meetings – An owner supported scheduling the Board meetings around July 4th and Christmas to encourage more owner participation.

B. Status of Re-Opening Clubhouse

Richard Nadolink said Colorado Department of Health lists 14 requirements for opening pool facilities, including a full time attendant. The Board is hoping to be able to re-open for the winter season. The attorney will be providing a liability waiver that owners will have to sign in order to obtain a new key for access.

C. Unit 1 Lawsuit

A lawsuit has been filed. The Board is unable to discuss legally privileged information. The insurance company is defending the lawsuit under the D&O Policy and is hiring the attorneys. The maximum Association exposure is the \$10,000 policy deductible. There will be court-ordered mediation. Six parties were named in the lawsuit, including the management company, and the same set of attorneys are being engaged for their defense. The publicly available documents are posted on the website. Tom Baugh has not received anything from the insurance company regarding claims that are not covered or reservation of rights, but there could be potential exposure for the interior repairs.

D. Gutters

Richard Nadolink inspected the property during the winter and concluded that the units with gutters had little or no ice problems. The units without gutters had moderate to severe problems. He received one bid of \$800/unit for the entire front side of end units and it should be less for middle units. He requested for two estimates: a bulk bid for all units and a bid for individual units. There are 18 units that need gutters and he has the unit numbers and a map.

Action Item: Richard Nadolink will send the map to all owners.

E. Owner & Board Communication

Tom Baugh has looked into establishing an unofficial Facebook group to allow owners to communicate among themselves. Two Board members would be assigned as administrators. It would be a closed group for owners only. In a virtual show of hands, a majority of owners were in favor of the concept.

Action Item: The Board will follow up on this concept.

F. Speeding on Drive

There is an ongoing problem with cars speeding through the property. Speedbumps would be expensive and a problematic for the Fire Department.

Action Item: The Board will explore solutions.

G. Hot Tubs

An owner approached Tom Baugh about installing a hot tub. The owner was asked to develop a full proposal that addresses costs and insurance for Board consideration.

H. *Window Seals*

The plastic window seals are deteriorating and should be replaced for all windows. Tom Baugh said windows are an individual owner responsibility. Richard Nadolink commented that the plastic is a specialized insert and is very expensive. No vendor in this community will make repairs on Anderson Windows.

Action Item: Richard Nadolink will contact Anderson about pricing.

I. *Manager's Scope of Work*

Tom Baugh noted that Greg Turnbow is not technically responsible for obtaining bids for projects unless requested by the Board. Owners requested a list of Greg's responsibilities. Tom noted that he has seen three different versions.

Action Item: Tom Baugh and the Board will review the Manager's contract, determine which version is accurate and post it on the website.

IX. PROPOSED 2020 MEETING DATES TO BE CONFIRMED

The next Board Meeting was scheduled for Saturday, October 24, 2020.

X. ADJOURNMENT

Motion: Richard Nadolink moved to adjourn the meeting at 11:42 a.m.

Approved By: _____
Board Member Signature

Date: _____

**ENCLAVE AT KEYSTONE ASSOCIATION
SPECIAL BOARD OF DIRECTORS MEETING
August 22, 2020**

I. CALL TO ORDER

The Enclave at Keystone Association Board of Directors Meeting was called to order at 9:07 a.m. via videoconference.

II. ROLL CALL

Board Members Participating Were:

Tom Baugh, President, #24	Meredith Van Dyne, Vice-President, #16
Richard Nadolink, Member, #11	Scott Hamilton, Member, #26
Susan Davis, Member, #41	

Owners Participating Were:

Natalie Berman, #1	David Beemer, #6
Jill Bergeson, #5	Bill & Sharon Bouck, #12
Susan Carahalios, #15	Robert Chisholm, #4
Deb & Gary Gerhard, #21	Robert Jackson, #13
Geoffrey Kaeser, #10	Kelly Anderson, #43
Lynn Merrill, #18	Cherilyn & Bruce Lampert, #42
Janet Nadolink, #11	Ron Paquet, #27
Michael Rainen, #33	Jim Richardson & Joe Campagnola, #39
Sandra Shevin, #9	Laura Schneider & Ted Trask #23
Mike Truax, #20	John Weisenfels, #19
Debbie West, #25	

Representing Basic Property Management were Gary Nicholds and Eric Nicholds. Erika Krainz of Summit Management Resources was recording secretary.

III. RESOLUTION TO ALLOW BOARD TO OBTAIN LOAN IN EXCESS OF \$100,000

Tom Baugh answered questions about the loan and Special Assessment:

1. Requirements - A Special Assessment would only require a Board vote. A loan in excess of \$100,000 requires an owner vote. A loan would have an encumbrance of the Clubhouse building. For the Board to encumber any common elements will require a written ballot.
2. Unit Sales - If a unit sells, only the current owner can be assessed. Owners who are selling should address responsibility for the Special Assessment in their sales contract. Any refunds will be issued to current owner.
3. Property Values - Unofficially, several units that were assessed this summer for financing had increased values and the data from County does not reflect any decreases.
4. Financing Costs – Interest and loan closing costs would be included in the lawsuit.
5. Alarm – The alarm update cost would not be included in a lawsuit.
6. Cause of Fire - Tom Baugh read from the report commissioned by the insurance company. Opinion 1 identified the origin of the fire as the third floor hallway, floor level against the south wall where corded and battery tools were located. Opinion 2

identified a damaged or altered power cord for the Hitachi grinder. These are the only two opinions in the entire report.

7. Building Permit – No permit was issued for remodeling in Unit 1.
8. Contractor Insurance – The contractor insurance paid about \$150,000 to the Association’s insurance company and the Association attorney is investigating this payment.
9. Alarm – No alarm sounded during the fire. It appears the alarm was unplugged by someone who had access to the unit.
10. Inspection – The unit passed inspection about 10 months prior to the fire.
11. Lawsuits – The attorney is determining who should be sued and for how much (potentially for the loan, increased insurance rates, consulting and expert fees).
12. Statute of Limitations on a Lawsuit? - There are several lawsuits and the lawyers are well aware of the deadlines. There will not be any proceeds from these lawsuits in time to take care of the current situation.
13. Cross Claim against the Contractor – This is being discussed with the legal team.
14. Lawsuit against the Insurance Company for Bad Faith – This is being discussed with the legal team but there is a high bar. The pros, cons and costs need to be weighed.

Tom Baugh reviewed the insurance situation:

1. The total claim is \$1.086 and the Association has a \$10,000 deductible.
2. There is no intent to revisit contracts that have been signed and paid.
3. The first two parts of the BluSky contract are unchanged. There are change orders for the charred beams that were not approved by the insurance company, bringing the fireplaces up to code and replacement of the electric and gas meters (Xcel may pay for the meters).
4. The total amount in dispute with the insurance company is \$1.031 million.
5. The cash flow situation is as follows: \$657,000 has been received to date and \$167,000 has been paid out. There will be \$250,000 paid from Reserves. CAU is holding back \$428,000 until the project is 100% finished but the lawyers are disputing that action since the contractor wants to be paid at completion of each line item. The full amount should be received by mid-December but there will be a \$782,000 shortfall. Per the Declarations, this amount is to be divided equally among the 43 units, equating to an assessment of \$18,000 per unit. The assessment would be due by December 15, 2020. Without the \$250,000 from Reserves, the assessment would be \$24,000 per unit.

Owner questions and comments addressed the following topics:

1. Lawsuit against the Insurance Company – The insurance company can be sued for bad faith under common law if they acted in a willful and wanton manner in adjusting a claim, and then under C.R.S. 10-3-1115 and 1116 if there was an unreasonable delay (or denial) of a claim. The statutory bad faith allows for the damages plus two times the damage.
2. Letter for Recovery of Special Assessment through Owners’ Insurance - The Board will provide a generic letter as soon as possible.
3. Loan Option – A loan will have more fees that will take years to recover, if ever. An assessment would be more prudent. This will be an owner vote. It was confirmed that

- any Special Assessment will be charged to the current owner of the unit when it is levied. Owners who sell will need to arrange for the payments with the buyer in their closing documents. There would not be any prepayment penalty for the loan. The intent is to pay off the loan from insurance or lawsuit settlements or through a Special Assessment once the final amounts are known.
4. Date of Lawsuit - January 2019. The document is posted on the website.
 5. Mitigation Cost – The total cost for mitigation was \$147,000 and the insurance company only reimbursed \$24,000. Part of the cost was for safety work before the mitigation. This is included in the lawsuit.
 6. Unit Values - The price per square foot for the Enclave units is about 10% lower than the average and having the encumbrance of a loan against the property could affect the ability to sell. The repairs appear to have cost more than the value of the units. This is due to the costs for demolition and mitigation. Owners may be able to file an insurance claim for the assessment if they have the proper coverage. This coverage would not apply to a loan and therefore, an assessment would be preferable.
 7. Loan - If the loan (line of credit) option is approved, the recommended amount is \$1.1 million at 4% fixed interest with a 15 – 20 year amortization, 0.5% origination fee on the full value, \$1,500 in legal fees and no title insurance or appraisal required. These funds would only be used to pay the contractors. The attorneys are being paid from Operating or Reserve funds. Three banks were approached. The interest rate was 2% higher for one of the banks and the second bank was unresponsive.
 8. BluSky Contract - The contract is \$1.950 million with two potential change orders. There should not be any new discoveries. There may need to be a Special Assessment for any shortfall over the loan amount.

Motion: Tom Baugh moved to give the Board the authority to enter into a loan with a maximum draw cap of \$1.1 million at the prevailing market rate. The proceeds of the loan are only to be used to pay for the restoration of Units 1 and 2 as a result of the November 2018 fire. All insurance proceeds must be used first before any loan proceeds can be used. Any additional proceeds received from insurance must be applied against the principal balance of the loan. Dick Nadolink seconded.

Owner comments addressed an owner's insurance company's preference for a loan, owners could not file an individual insurance claim to recoup costs for a loan and there should be an amendment to the motion indicating the line of credit will be closed once the balance is paid off.

Tom Baugh added "the line of credit will be closed as soon as the balance is paid off" to his motion as a friendly amendment.

A vote on the motion was conducted. There were 13 votes opposed, 17 in favor and one abstaining. The motion passed, but approval by at least 67% of the entire membership on a written ballot will be required to have an encumbrance. The vote was close enough that Tom Baugh was not comfortable sending out a written ballot.

IV. APPROVAL OF CASUALTY ASSESSMENT IF NECESSARY

The Board has the authority to approve a Special Assessment but wants to open it to discussion with the membership.

Motion: Tom Baugh moved to approve his proposed Resolution:

The Board is authorized to approve a casualty loss assessment due to the November 2018 fire damage to Units 1 and 2 in the total amount of \$1.1 million. An initial amount of \$23,996 per unit will be due October 1, 2020 and the balance due November 15. The proceeds from this assessment are only to be used to pay for the restoration of Units 1 and 2 as a result of the November 2018 fire. All insurance proceeds must be used first before any casualty loss assessment proceeds can be used. Once all the bills have been paid for the restoration and final settlement made with the insurance company, the remaining funds from the assessment will be returned to the owners of record at that time within 45 days. The total amount will be \$23,996 per unit, with \$18,000 due October 1st and the remainder of \$5,814 due November 15st.

The motion was seconded Owner comments and questions addressed the following topics:

1. Only 30% of the ownership voted against the assessment, so there is the possibility of 70% voting in favor of encumbrance by written ballot. Tom Baugh responded that given the voting history of the Association, seven or eight owners will not vote at all and it will not be possible to obtain the required 67% approval. In meantime, the Association will apply for a loan as a contingency but may not go through with it.
2. There was a suggestion to conduct a vote and proceed with the Special Assessment only if there is not 67% approval for the encumbrance. Tom Baugh explained that it would take at least two weeks to send out a written ballot and timing is a factor. There are currently 13 votes in opposition, which is enough to prevent passage.
3. The vote on a Special Assessment should be contingent on the failure of the vote on the encumbrance. Tom Baugh said he is not confident the encumbrance will be approved and a contingency would not change when the funds are needed. A loan would take about five weeks to close and there is no requirement for an appraisal.

A straw poll was conducted and five owners indicated they would vote against an encumbrance.

Tom Baugh proposed an amendment to the Resolution. He added as a first sentence “This is contingent upon not getting approval for a loan.” He will ask the bank if they can provide the loan without an encumbrance.

Owner comments and questions addressed the following topics:

1. Completed Vote - There is a valid vote and the Board needs to proceed with the next step, which would be asking for the encumbrance vote. Tom Baugh said this was addressed in his amendment to his motion.
2. Units Represented – There are 31 units represented on this call.

3. Written Ballot – There was a question about balloting by email or electronically with a short term deadline. The Board will confer with the attorney and send the vote out as soon as possible.

Motion: Tom Baugh moved to approve his restated Resolution:

This is contingent upon not getting approval for a loan. The Board is authorized to approve a casualty loss assessment due to the November 2018 fire damage to Units 1 and 2 in the total amount of \$1.1 million, which is \$23,996 per unit. The initial amount of \$18,000 per unit is due October 1, 2020 and the remaining balance of \$5,814 will be due November 15, 2020. The proceeds from this assessment are only to be used to pay for the restoration of Units 1 and 2 as a result of the November 2018 fire. All insurance proceeds must be used first before any casualty loss assessment proceeds can be used. Once all the bills have been paid for the restoration and a final settlement made with the insurance company, the remaining funds from the assessment will be returned to the owners of record at that time within 45 days.

The motion was seconded and carried unanimously.

V. CHANGE TO BYLAWS TO INCREASE MEETING QUORUM TO 25%

There has been feedback about quorum size and the number of members on the Board. There are two ways to change the Bylaws. One is with a ballot and a requirement for approval by at least 67% of all owners. The second is for the Board to approve amendments. Scott Hamilton has taken on an update of the Policies and Procedures with a target of a vote at the October meeting.

Tom Baugh reviewed the proposed changes to Section 4.5 addressing quorum. Instead of 1/10 of the total membership, the Board is proposing $\frac{1}{4}$ of the total membership to establish quorum. He will change the wording for the quorum from four to eleven members.

Motion: Tom Baugh moved to approve the change to the quorum requirement. The motion was second and carried.

In Section 5.1, language was added “Any time the number of Directors falls below five, the Board shall properly move to fill the vacancies to achieve a five person membership in a timely manner” and “The number of Directors may be increased or decreased within this range by either the Board or members” was deleted.

Motion: Tom Baugh moved to approve the change to the number of members on the Board. The motion was second and carried.

VI. RECOMMENDATIONS FOR GUTTERS AND CONTRACTORS

Dick Nadolink and Mike Rainen have been working on this project. Three units have drainage problems. There are 17 units that do not have gutters. The strong recommendation is to install gutters on all units at the owner’s expense. They identified four potential vendors. One has provided a firm quote of \$800/unit. He will send an email to all owners with the names and

contact information for the gutter contractors. Dick confirmed that owners will have the choice to install gutters or not.

VII. TRASH ISSUES

There is a bear in the neighborhood. There are problems with people throwing trash on top of or outside the east dumpster enclosure or into the open construction dumpster by Unit 1. Bears have damaged the east enclosure trying to get at the garbage. The majority of the violations occur on Sunday night or Monday morning. There was a suggestion to add signage regarding accessing the dumpster through the side door.

Action Item: The Board will discuss this matter with the on-site Manager.

VIII. ADJOURNMENT

Tom Baugh said he is willing to take calls from owners between 8:00 a.m. and 10:30 p.m.

Motion: Tom Baugh moved to adjourn the meeting at 12:07 p.m.

Approved By: _____ Date: _____
Board Member Signature

**ENCLAVE AT KEYSTONE ASSOCIATION
BOARD OF DIRECTORS MEETING
October 24, 2020**

I. CALL TO ORDER

The Enclave at Keystone Association Board of Directors Meeting was called to order at 9:00 a.m. via videoconference.

II. ROLL CALL & DETERMINATION OF QUORUM

Board Members Participating Were:

Tom Baugh, President, #24

Susan Davis, Treasurer, #41

Meredith Van Dyne, Member at Large, #16

Scott Hamilton, Vice President, #26

Richard Nadolink, Secretary, #11

Owners Participating Were:

Harold Dobbs & Christine Thoreson, #2

Fred Sousek, #4

Mike Truax, #20

Laura Schneider, #23

Michael Rainen, #33

Cherilyn Lampert, #42

Robert Chisholm, #4

Jan Galvin, #5

Deb & Gary Gerhard, #21

Deb West, #25

Bill Goslau, #36

Terry Lemmerman, #43

Attorney Lindsay Smith joined the meeting in progress.

Representing Basic Property Management were Gary Nicholds and Eric Nicholds. Erika Krainz of Summit Management Resources was recording secretary.

III. OPENING REMARKS BY BOARD MEMBERS

Tom Baugh reviewed the conduct of the meeting.

IV. APPROVAL OF THE MEETING MINUTES

Motion: Richard Nadolink moved to approve the July 25, 2020 Quarterly Board Meeting minutes as presented. Meredith Van Dyne seconded and the motion carried.

Motion: Richard Nadolink moved to approve the July 25, 2020 Executive Board Meeting minutes as presented. Meredith Van Dyne seconded and the motion carried.

The August 22, 2020 Special Meeting minutes will be approved at the next meeting.

Action Item: Gary Nicholds will send the August minutes to all owners for review.

V. ON-SITE MANAGER'S REPORT

1. Heat tape was installed for #22 and #37.
2. The damages drywall was repaired in #22 and #37.
3. Replaced all burned out bulbs in the streetlights.
4. The leaf raking has not been done. (Since the meeting, most of it has been done)
5. Fixed the locks in the Clubhouse.
6. The dumpster pad was poured, and the dumpster moved to the new location.
7. Trimmed the trees by #1 and #2 for the fire inspection.
8. Replenished the glycol.

9. Repaired rotted steps at #37.
10. Blew out the irrigation lines.
11. Installed new speed limit signs.
12. The sewer testing was done in the summer.
13. The Snake River Water District will be testing the water in five randomly selected units next week.

VI. FINANCIAL REPORT

A. Audit Status

A financial audit for 2019 was completed by Stuhr & Associates in Frisco. They found the financial statements for 2019 were materially presented fairly and conforming with GAAP. They reviewed the Basic Property Management processes and checked the internal controls. They determined that all employees have unique functions and it would be very difficult to orchestrate fraud. Some journal entries were re-categorized. The audit was clean. The report is posted on the website.

B. Reserve Study Status

The Board approved hiring Association Reserves to draft a professional Reserve Study. They have performed a site visit and the report should be delivered in early December. The cost was \$3,510.

C. Financial Report

The September reports are posted on the website. Susan Davis reviewed the balances as of October 23, 2020:

1. Operating Cash – \$83,985
2. Reserve Cash – \$61,181
3. Total Cash – \$145,166
4. Assessments Paid – \$730,924
5. Unpaid Assessments – \$300,904. Once received, the balance will be \$446,070.

It is believed that all Blue Sky invoices to date have been paid (confirmed after the meeting).

Most of the unpaid assessments are for the smaller amount. Patti Vande Zande's recommendation for Special Assessments is not to charge any late fee if payment is made in October. If only one payment is made in October, the second payment must be made before November 30th to avoid a late charge. If no payment is made by October 31st, a delinquency letter will be sent by certified mail with a 30-day deadline to pay or establish a six-month payment plan. If there is no response to the letter by the end of November, late fees of \$10/month and an 18% per annum finance fee will be charged and the account will be turned over to a collection agency.

Tom Baugh said eight owners have not paid anything at this point for a total of \$192,000. Some owners have made partial payments totaling \$18,000 and he assumes these owners will pay the second amount. Only one owner has requested a payment

plan and the Board will have to approve any additional requests for payment plans. He does not anticipate these balances will cause a cash flow problem. He felt 18% interest was excessive and suggested changing it to 8%, which is within the Board's authority. Richard Nadolink noted that any payment plan should be uniform for all owners.

Motion: Tom Baugh moved to approve the proposal from Patti Vande Zande for Special Assessment late payments with the interest rate changed to 8% and for any payment plan to be uniform for all owners. Meredith Van Dyne seconded and the motion carried.

There was an owner question regarding where the Special Assessment funds are deposited. Tom Baugh explained that there is careful accounting for all money. Some funds were borrowed from Reserves to pay Blue Sky and will be reimbursed from the Assessment.

VII. UNFINISHED BUSINESS

A. Status of Units 1 & 2 Rebuild

Richard Nadolink said Unit 2 was completed in early October and the owners have moved in. Unit 1 is scheduled to be completed in early November. Permits are required from the County for occupancy and for fire mitigation. The Xcel gas and electric connection could cause a delay.

B. Status of Re-Opening Clubhouse

The plan was to open the Clubhouse by November 6th but as of last night, the County has tightened restrictions and re-opening has been put on hold.

C. Status of Document Revisions

The Rules and Regulations should be completed by the Annual Meeting. The Policies and Procedures are still in progress. There have been some owner suggestions, such as charging owners who rent higher assessments for the wear and tear on the Clubhouse. This type of change would entail an amendment to the Declarations.

D. Status of Unit 1 Lawsuit

Tom Baugh and Richard Nadolink attended a mediation session on October 1st. A settlement was not reached and he is not allowed to disclose any of the details.

E. Status of Insurance Claim for Units 1 & 2 Casualty Loss

Some insurance funds were received based on the agreement at the August meeting but the total amount allowed by the insurance company has not changed. There was supposed to be a meeting on September 30th to review expenses line by line but the insurance company stopped responding five days prior to that date and the meeting did not occur. The Association attorney has been authorized to file suit for damages plus 2X damages for bad faith.

Debbie West requested that the original signed Blue Sky contract, change orders and all meeting minutes be posted to website. Tom Baugh will follow up. She asked how the \$2.1 million contract was signed without a vote of the membership, citing a requirement in the Bylaws 7.2.i. for membership approval for any Association indemnity in excess of \$100,000, and how many owners did not have insurance for the assessment. Tom Baugh said it was his opinion that the contract was not an indebtedness. He did not know how many owners did not have insurance but would like to know how much owners paid out of pocket for potential inclusion in the lawsuit.

VIII. NEW BUSINESS

A. *Role & Responsibility of On-Site Manager Discussion*

Tom Baugh said the exterior maintenance could be improved.

1. Power wash and stain garage doors – The documents indicate garage doors are an individual owner responsibility. In the future, the Association will be responsible for power washing and staining the garage doors to ensure a uniform appearance throughout the complex. Owners will still be responsible for repairs.
2. Inspection of wood burning fireplaces – This agenda item was not discussed.
3. Staining of steps – The Association will be responsible for maintaining and staining the steps.
4. Landscaping: sprinklers, fertilize & flower beds – The irrigation heads need to be adjusted to provide better coverage. The landscaping was never fertilized and weeds were not controlled. All landscaping is the Association's responsibility. Owners may plant flowers in the area between units that has trees.
5. Emergency checks – The manager will not be making routine checks due to liability concerns.

Tom reviewed the following:

1. Three new indoor and one outdoor security camera have been purchased for the Clubhouse. They will be set up in the next few weeks.
2. The manager responsibilities are posted on the website. It was clarified that the manager reports to the Board and does not take direction from individual owners.
3. Annual training is required for the Board and must be offered to owners. The Board will be addressing this requirement.

IX. PROPOSED 2020 MEETING DATES

The Annual Meeting will be held on Saturday, January 30, 2021 at 9:00 a.m.

X. ADJOURNMENT

Motion: Meredith Van Dyne moved to adjourn the meeting at 10:30 a.m. Richard Nadolink seconded and the motion carried.

Approved By: _____ Date: _____
Board Member Signature

Meeting of Enclave HOA Board – 6 Nov 2020 at 1:30 PM via Zoom

Executive Session

Members in attendance- Tom Baugh - President, Meredith Van Dyne Member, Dick Nadolink - Secretary

1. Quorum was established by the virtual presence of at least three Board members
2. The meeting was requested on short notice by Tom Baugh due to the need to approve/disapprove a proposed settlement of the Berman lawsuit by COB.
3. Tom Baugh discussed the proposed settlement which was outlined by Mr. Brad Damm (defense attorney hired by CAU to defend the HOA) in a legally privileged e-mail Tom Baugh had sent to all Board Members ahead of the meeting.
4. The proposed settlement does not impact the damage assessment levied against the Bermans by the Board on 10/24/20.
5. The three members present unanimously voted to approve the draft settlement contingent upon Garth Gersten's (HOA's Lawyer for this issue) review and approval that actual settlement language matches what the e-mail says and has the appropriate clauses to protect the HOA's rights.
6. Scott Hamilton, Vice President had also given his approval before the meeting via e-mail.
7. The meeting adjourned at approximately 2pm.

NOTE: These minutes were approved by e-mail vote of the Board on 11/11/20

Meeting of Enclave HOA Board – 14 Nov 2020 at 9 AM via Zoom

Executive Session

Members in attendance- Tom Baugh - President, Scott Hamilton – Vice President,
Dick Nadolink – Secretary, Susan Davis – Treasurer, Meredith Van Dyne Member

1. Quorum was established by the virtual presence of at least three Board members
2. The meeting was requested by Tom Baugh to make decisions on which companies to sue or not to recover the shortage of insurance funds to cover the Units 1&2 fire.
3. The pros/cons and lawyer recommendations on which companies to sue or not were discussed.
4. The deadline to file the lawsuits is Nov 20, 2020.
5. A vote was taken on each company.
6. There was a unanimous vote to not sue each of three companies, which was in synch with the lawyers recommendations
7. There was a unanimous vote to sue two of the companies the lawyers recommended to sue
8. There were four yes votes and one abstention to sue a third company the lawyers recommended to sue
9. The board has discussions about complaints and taskings of the On-site-Manager. A new approach was agreed upon for closer and more frequent supervision of the On-Site-Manager.
10. The meeting adjourned at approximately 10:15 am.

NOTE: These minutes were approved by e-mail vote of the Board on 11/15/2020