

**Minutes of
Board Meeting of
FALL CREEK VILLAGE HOMEOWNERS ASSOCIATION
Telluride, CO
April 17, 2014
3:00 P.M. (MDT)**

A board meeting of the Fall Creek Village Homeowners Association was held on April 17, 2014, at 3:09 p.m. All members attended by telephone.

1. Call to Order:

Mark Murray called the meeting to order at 3:13 p.m. MDT.

2. Motion to Approve/Waive Notice of Meeting

Mark Murray made a motion notice was duly given. Attendance of all members of the board in attendance therefore notices duly given. Attendance is a waiver of the notice.

3. Roll Call and Determination of Quorum.

Owners Present Via Teleconference: Board members present were Mark Murray (Lot 3, 4 & 8), Brian Wohl (Lot 1) and Lynn Black (Lot 7) and Scott Elkins and Mark Simpson (Lot 5).

Also present were: Erin Johnson, Attorney at Law, Judi Balkind, HOA Manager,

Acts of the board meeting will constitute a quorum.

Absent: Lettie Kuehn (Lot 6)

4. Approval of the agenda. Brian Wohl made a motion to approve the agenda. Lynn Black 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.
 - a. No Request to speak on the agenda topics.

6. Old Business:

- a. Approval of minutes from 12/13/2013 board meeting. Lynn Black wanted to make changes to New Business: Section 7:a, 3rd sentence, it should state: Lynn noted the it was estimated to cost \$17,000 to lay the pipe to the vacant lot and another estimated cost of \$8,000 to move the meter. These estimates were made in 2012.

Lynn requested changes to Section 7:c – Motion – She thought the agreement stated it did not have to be complete logs. Discussion ensued. It was suggested contacting the manufacturer for proper verbiage. **Mark Murray approved the minutes subject to the two corrections, and clarified at a later date. Lynn Black seconded and motion passed.**
- b. Update on Kuehn Foreclosure. Kuehn has paid assessments and attorney fees and is paid in full. The foreclosure has been withdrawn.
- c. Update on easements for Lot 1, 2 and 8. Erin reported to the board the easements are done and are recorded and provided the copies to the department of health. Mark asked to have items 6. b, c and d removed from the next board meeting agenda.
- d. Review of Lynn Black's agreement. Completed and recorded.
- e. Update on Scott Elkin's request. Request involves the construction of a house with less than the minimum requirements and setbacks. Mark received a letter from Lettie who opposes the setbacks variances.

Mark has requested a site plan for everything including a garage, house and whatever you need to do. Erin noted that we don't have enough detail to see if there is adequate living space (according to the Fall Creek Village declarations a minimum of 1,250 interior square feet is required) – we need design documents with a scale and measurements to know what the interior living space will be.

Scott stated there would not be a garage, and the second floor would have a roof, walls and

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floor but may not be finished. Scott stated he was looking for a footprint variance and setbacks. Mark noted we would need to know the setbacks from the lot line not the edge of the road. Scott is asking for a reduction from 25 to 17. Mark is not opposed to the setback variances but noted the person most affected by the setbacks objects to it. Lynn Black noted her house is 10 feet from the property line and is sympathetic to his setbacks. Lynn suggested Scott look at each house that is correctly built and look at their setbacks to see if they meet the setback requirements. Lynn asked Scott to call her at her office and she will help with obtaining the measurements for the other properties.

7. New Business.
 - a. Review of Policy #2 as amended re: collection policy. Erin stated we just updated policy #2 – the CCIOA laws changed which is specific to the collection policy. The board has to direct the attorney to foreclosure. If someone is delinquent on their assessment you have to offer a one- time payment plan option that cannot be less than six months.
 - b. Other. Erin asked for a planning session for the association. Mark asked for a plan to extend the septic lines to the East.
8. Other Business date and Owner Comments: Discuss changes to financials.
9. Next meeting date and place. Tuesday, May 13, 2014 at 3:00 pm.
10. Executive session - RE: Update of engagement agreements with counsel. Mark discussed clarifications with the Erin's contract. Erin stated any litigation would not fall into the \$100/hr rate but would be billed at \$250.00. **Lynn Black made a motion to approve the engagement letter as presented. Mark Murray seconded and motion passed.**
11. Adjournment. **Mark Murray made a Motion to adjourn the meeting at 4:21 pm and Lynn Black seconded.**

Respectfully submitted,

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By: Jarmik Property Management, Inc.