

**WEST WILLOW HOMEOWNERS ASSOCIATION
ANNUAL MEMBERSHIP MEETING**

**New San Juan Building, Conference Room
220 East Colorado Avenue
Telluride, Colorado 81435
August 5, 2004, 4:00 P.M. (MST)**

MINUTES

The annual membership meeting of the members of the West Willow Homeowners Association was held on August 5, 2004, in the Conference Room of the New San Juan Building, 220 East Colorado Avenue in Telluride, Colorado.

1. Roll Call and Determination of Quorum.

Board Members Present at Meeting: Julie Close, Unit #4, Vice President; Laurie Quilligan, owner of Unit #3, Secretary/Treasurer

Owner Members Present by Conference Call: Paul Scheibe, owner of Unit #1; Dr. Susannah Smith, owner of Unit #5 (arrived late); Harold Davidson, owner of Unit #6; Tom Hess, owner of Unit #7 (arrived late)

Absent: Ann Mailer, owner of Unit #2

Also Present: Judi Balkind, Property Manager

A quorum was deemed present.

The meeting was called to order at 4:22 P.M. by Julie Close.

2. Proof of Notice of Meeting or Waiver of Notice.

Judi Balkind called for a motion to approve or waive the notice of the meeting. A motion was made by Harold Davidson. The motion was seconded by Julie Close. Motion passed.

3. Reading and Approval of the Minutes of the Annual Membership Meeting held on August 21, 2003.

Judi asked for a motion to approve the Minutes of the Annual Membership Meeting held on August 21, 2003. Harold Davidson moved to approve the Minutes. Paul Scheibe seconded. Motion passed without discussion.

**West Willow Condominium Association
Minutes of Annual Membership Meeting
August 5, 2004**

4. Unfinished Business.

Review Financials for Year Ending July 31, 2004. Judi Balkind reviewed the Profit and Loss Statements which show a net loss of \$12,440 caused by the necessity of painting the exterior of the building (\$16,500) and installation of the trash shed (\$2,855). Neither item had been budgeted. The trash shed was paid for out of the Capital Reserve Account; the painting was funded by the Painting Fund and a Special Assessment. Following questions, Judi noted that as of July 31, 2004, the Balance Sheet shows cash balances in the Capital Reserve Account of \$9,224 and in the Painting Fund of \$2,821. She noted, however, that the painter is still owed \$2,500 upon completion.

Judi further explained several of the items, including:

- Window washing – to be done this fall after the painting is completed.
- Smoke detectors – Judi has made arrangements to have someone check all the smoke detectors in the units. Pursuant to last year's Minutes, the HOA will pay for this check.
- Interior maintenance was over budget because interior repairs were made in Unit #5 following a leak from the roof (\$323) and a dryer was repaired (\$145).
- Liability insurance – over budget because of the timing of payments during the year which belongs to the previous year.
- Water and sewer – over budget because of a leak in one of the water heaters under the building (Unit #7). The Declarations consider this an HOA expense.

There were no further questions.

5. New Business.

a. Membership approval of 2004/2005 Budget and dues. Judi Balkind reviewed the Budget for 2004/2005. Noting the following:

- Insurance costs have increased.
- Leo Brennis has been hired to do the cleaning of the common area. Following question by Judi, the opinion was that the common area looks better.
- Telluride Land Works is doing the lawn work this year.
- Capital Reserve Account/Painting Fund – Judi noted that the total amount is the same on this year's budget, it is just split differently. Susannah Smith pointed out that parts of the roof seem to have been sprayed with the gray paint. Discussion followed concerning whose responsibility it would be to remove the paint that is now on the windows. Judi will check the contract and ask the painter about these matters.
- Management fees have been increased by \$15 per month (first increase in two years).
- Judi Balkind reviewed the proposed dues, stating that the dues will increase \$11-\$13 per month because of increases in costs.

**West Willow Condominium Association
Minutes of Annual Membership Meeting
August 5, 2004**

There being no further discussion, Judi requested a motion to approve the Budget and dues for 2004/2005, LaurieQuilligan moved, Julie Close seconded. The motion passed.

Following request from Dr. Smith, Judi agreed to provide materials for the annual meetings further in advance of the meetings and to give reminder notices two weeks before the scheduled meetings.

Additional discussion ensued about running gas lines to individual units. There is an existing gas line to Unit #7 (gas heating); however, Dr. Smith said she had checked on this for her inside unit and found that it would be “unsightly” and difficult to do. Judi noted that the only thing that would be an HOA issue would be possible placement of pipes on the outside of the building.

b. Installation of fence around the grounds. Julie suggested the installation of a fence around the grounds due to the ensuing construction next door, the community using the lawn area, and dogs running loose. Discussion followed and the general consensus was to wait on this matter until after the public hearing on the lot next door.

c. Installation of a bike rack. Judi said she had given Tom pictures of the proposed bike rack to be circulated among the owners. Tom had asked Judi to postpone this matter until after the painting was completed. Judi asked where the owners would like to have the bike rack placed and what size rack should be purchased. Following discussion, the decision was made to purchase a 10-bike rack to be placed in the grass behind the garbage area.

d. Discuss our position on the notice of public hearing on the development as higher density. Dr. Smith said she had seen the plans. Erin said the development was apparently turned down the first time. This will be their second presentation. Discussion followed that the developer has asked for an increase in density to be justified by providing one affordable-housing dwelling unit. The development is designed for 500-square-foot, single-unit dwellings; the trees will be removed; the building will go to the property line, seven feet from West Willow’s Units 6 and 7; the front corner of the building will give Unit 7 just enough room to make the turn into the parking lot; parking for the development will be underneath. Question was asked about a possible third West Willow building which had previously been proposed. Harold suggested that the HOA hire a real estate attorney to advise the HOA concerning its rights. Judi said that Tom had asked her to note that there was never recorded an easement that would allow Units 6 and 7 to use the driveway to access their carports. Tom has consulted Judi’s husband (a real estate attorney); and Tom feels it is crucial for the HOA to try to get the easement recorded before anything happens with the development so Units 6 and 7 will have access to their carports. [Tom arrived.] Judi asked for a motion to hire an attorney to prepare and record an easement for access to the carports for Units 6 and 7. Tom said that because the access has been used for 17 continuous years, a prescriptive easement should not be difficult to acquire. Tom said he will see what the title company shows before an attorney is engaged, but he is positive there is not such an easement on the property. Harold noted that time is of the essence in this matter. Laurie Quilligan moved that Tom and Judi proceed with checking to see if the HOA has any type of easement and, if not, they proceed with getting one. Harold

**West Willow Condominium Association
Minutes of Annual Membership Meeting
August 5, 2004**

Davidson seconded. The motion passed. The public meeting is scheduled for August 12, 2004 at 6:00 P.M. at Rebekah Hall. Tom will talk with representatives from surrounding HOA's to acquire strong letters to be read at the meeting and strong turnouts from all other neighboring properties. Discussion continued concerning strategy for the public meeting. It was agreed that an attorney (possibly Rob Balkind) should be hired to attend the public meeting. Tom Hess moved that Rob Balkind, if he is available, or another real estate attorney if Rob Balkind is not available, be hired as soon as possible to represent the HOA in this matter. Laurie Quilligan seconded the motion. The motion was amended to include that Tom Hess will spearhead and interact on behalf of the HOA when needed. [Those present were in agreement; however, no vote was actually taken.]

e. Deck repairs to individual units. Judi stated that the deck on Unit 6 had been repaired and the painting has been done, but the tenant in Unit 6 has asked that the painter redo the paint job at Harold's expense. She stated that the tenant in Unit 1 had the deck redone. Julie said she would like to repaint her deck.

f. Parking/non-working vehicles. Judi explained that a vehicle which had previously been discussed had been removed, but was later returned. The tenants are moving out at the end of August, so the car will be removed. Judi said that in the future, she will post a 48-hour notice and then have the vehicle towed if the owner does not remove their vehicle. Judi asked that new tenants be advised from the beginning that their vehicles cannot be left unused on the property, i.e. no abandoned vehicles will be allowed. Discussion continued about having previously voted to have reserved parking and putting up signs in the parking area. Signs with unit numbers will be put up.

g. Exterior painting. Judi said because of the rain, the painting has not yet been completed. The painter knows there will be a punch-list and walk-around upon completion. Judi asked to have Julie and Susannah with her for the walk-around. Judi asked that if anyone sees anything that should be addressed with the painter, they call her office and leave a message.

h. IRS tax rules and tax returns. Judi said tax returns will be filed in August or September and there will probably be a minimal tax liability on the income from the laundry. IRS requires that the HOA designate what will be done with any excess income. Judi asked how the HOA would like to handle an excess of income should there be an excess. She said it has normally been left in the operating account. The other option is to put the excess into a reserve account. Motion was made by Julie Close to keep any excess in the operating account. The motion was seconded by Laurie Quilligan and passed.

i. Other. Junk in the carport (Unit #6) – Question was raised as to outcome of Board meeting regarding changing the Bylaws/Rules so this matter can be addressed. Lengthy discussion followed. Judi suggested that Harold write a proposed amendment to the Rules and Regulations.

**West Willow Condominium Association
Minutes of Annual Membership Meeting
August 5, 2004**

5. Election of Officers.

The current officers agreed to maintain their present positions for the coming year. Upon motion made by Julie Close, seconded by Laurie Quilligan and passed, the following officers were elected for 2004-2005:

President	Erin Hess
Vice President	Julie Close
Secretary/Treasurer	Laurie Quilligan

6. Housekeeping.

Date of Next Annual Meeting. Following discussion, the next annual meeting was tentatively set for Thursday, August 4, 2005.

Julie Close moved and Laurie Quilligan seconded that the meeting be adjourned. The motion passed and the meeting was adjourned.

Respectfully submitted,

Judi Balkind, Property Manager