

**Minutes of
Board Meeting of
FALL CREEK VILLAGE HOMEOWNERS ASSOCIATION
Telluride, CO
September 19, 2013,
3:00 P.M. (MDT)**

A board meeting of the Fall Creek Village Homeowners Association was held on September 19, 2013, at 3:00 p.m. All members attended by telephone.

1. Call to Order:

Mark Murray called the meeting to order at 3:00 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 (Lot 5).

Also present were: Judi Balkind, HOA Manager,

Acts of the board meeting will constitute a quorum.

Absent: Lettie Kuehn (Lot 6)

4. Approval of the agenda. Erin Johnson requested the water issue be added to the agenda, as well as discussion of issues with regard to Lot 5 and the Foreclosure lawsuit on Lettie's Kuehn's property which should be discussed in executive section. Mark Murray made a motion to add as Item g. - discussion of water rights. Add as Item h. discussion of issues with regard to Lot 5 and requests for variance and add as Item i. Foreclosure law suit for Lettie Kuehn property. **Lynn Black made a motion to approve the agenda. Brian Wohl 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 records reflect Mark Murray asked if Lettie Kuehn was on the line. No response.

6. Old Business:

a. Approval of minutes from 07/11/2013 board meeting. **Mark Murray approved the minutes as presented. Lynn Black seconded and motion passed.**

7. New Business.

a. River Trail #4 – Lot 8 - Variance for less than ½ log exterior on garage. Mark asked for a variance on the garage that has already been built. Mark sent a picture of the garage to Brian for his review. **Lynn Black made a motion to approve the variance of ½ log on the exterior of the garage. Brian Wohl seconded. Mark Murray abstained. Motion passed.**

b. River Trail #4 – Lot 8 Request for waiver of the setback requirements for Lot 8 garage. How much is the setback on his garage – possibly a 10 foot setback? Discussion ensued. Erin asked Mark to obtain the specific measurements for setbacks (where the garage is) and information on county setbacks, HOA's declarations stated setbacks and the actual setbacks for the garage.

c. Update on easements. The discharge line between Val Levy's and Brian Wohl's property is still being worked on.

d. Review of Lynn Black's agreement. The agreement is in final form but Lynn wants to send the document to the state (CPED) to review it before finalizing the document. Lynn

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will find the state's contact name and send the document to them.

- e. Accounts receivable. Lettie's Kuehn's outstanding is \$4,474.77. Erin noted the foreclosure is scheduled for October 10th.
 - f. Foreclosure on Lettie Kuehn. This will be discussed in "Executive session.
 - g. Discussion on water rights. There are tracts of land upstream from the Fall Creek Village HOA. A realtor, Jim Pettigrew has contacted Mark and asked if we had the capacity to add lots. It was noted that the Fall Creek Village HOA may have more capacity than the HOA would need to use. It was explained it would be an advantage to the HOA because the other lots would be willing to pay for usage plus reimbursement on the installation of the septic system. Lynn suggested contacting Mark Hamilton for information on water rights.
 - h. Discussion on Lot 5. Scott Elkins noted the garage would be included in the square footage of the home of 1,000 sq feet on the lower level. Scott is asking for two separate variances. Discussion ensued. The board asked Scott to find out what the setbacks requirements from the county are and compare them to the setbacks he is requesting and report back to the board. It was requested that Scott send the information to Lettie Kuehn and allow her to have an opportunity to review. Scott asked if the HOA would prefer two separate buildings. It was suggested that Scott maintain one building. Lynn noted to Scott that the structure must be made of logs.
- 8.** Other Business and Owner comments:
- 9.** Next meeting date and place. TBD
- 10.** Adjournment. **Mark Murray made a Motion to adjourn to go into executive session without taking action to discuss the foreclosure on Lettie Kuehn's property and adjourn the meeting without coming back into session. Lynn Black seconded.**

Respectfully submitted,

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By: Jarmik Property Management, Inc.