

Minutes - Aspen Grove Condominium Association Board of Directors Meeting
1 p.m. Friday February 7, 2014
CAMCO 12219 Business Park Drive Ste. 8; Truckee, CA 96161
Conference call access: 855-212-0212 Meeting ID: 890-613-628#

Directors present: Tom Amen, Dick Bjur, Bill Hoffman, Lynda Ward Pierce, Bob Thornton
Others present: Peter Miller – CAMCO
Owners present: Larry Armstrong & Marian Hansen, Bill Ginn, Phil Matin, Andrew Sackheim,
Tom Merrick, Chris Vall Spinosa, Bill Leckonby, David Johnson,
Mathew & Dian Page

- I. Call to order
The meeting was called to order at 11:05 a.m. by President Bjur.
- II. Approval of minutes:
It was moved (Pierce), seconded (Amen), and passed (3 in favor - Amen, Bjur, Pierce, and 2 opposed – Hoffman, Thornton) to approve the January 16, 2014 Board of Directors Meeting minutes with a deletion.
- III. Executive Session Meeting Report
Mr. Bjur reported that at the January 16, 2014 Executive Session Meeting the Board addressed the following:
 - 1) Water quality monitoring in two locations by Placer County Public Works
 - 2) Future legal cost projections
 - 3) Code violations by Northstar/Vail
 - 4) Status of a legal case against an owner for non-payment of monthly and emergency assessments.
- IV. Financials
The Board reviewed a draft of the January 2014 Financial Statements. It was noted on the balance sheet that the operating fund had a negative balance of over \$42,300 while the reserve account had a balance of over \$224,000. Monthly assessments receivable were over \$2,200 while prepaid assessments were over \$36,500. Accounts payable were over \$670,400. On the year to date income and expense statement it was noted that at the end of the first quarter of the fiscal year expenses exceeded income by over \$199,572.

Mr. Miller reported that in January interest checks were sent to the 58 owners enrolled in the homeowner loan program. A second call payment request will be sent to these owners by February 15th. A cover letter from Mr. Bjur will accompany the call payment request.

Invoices in the amount of \$1,500 for the second phase of the three-phase assessments program to pay off the \$600,000 line of credit will be mailed to the entire membership by February 15th. The payments will be due by March 15th. A cover letter from Mr. Miller will accompany the invoices.
- V. Grounds and Building Issues
An update was given on the installation of metal-faced storage lockers in the four tower buildings' laundry rooms by Meng Construction. At this time two buildings, 3157-3168 and 3169-3180, have had the new locker doors installed. Design flaws have been detected in the prototype doors installed in 3169-3180. (Mr. Miller subsequently confirmed that the contractor will have new ones fabricated and replaced in that building at no additional cost to the association).

The remodel of unit 3173 was addressed. Neighboring owners' comments were expressed regarding remodel noise, hours of work, the contractor's disposal of building materials in dumpsters on Association property, and a request that in the future all owners in the building be notified when remodel work is to be done. The Board reviewed a summary of the steps taken by the homeowner. They submitted a form to the ARC, got approval from the Board for the work, and obtained building permits from Placer County and hired a licensed contractor.

The Association hired a civil engineer to evaluate the structural integrity of the common wall on which three Murphy beds had been attached. The engineer's calculations proved and the report stated that the installation of the three beds on the wall did not compromise the structural integrity of the wall or the floor. The Board has addressed the issue concerning structural integrity and is satisfied that the structural integrity of the building has not been compromised. It was moved, seconded, and passed unanimously that the owners have met the requirements of the remodel.

The authority of the Board to approve the remodel of Unit 3120 as submitted and approved at the last Board of Director's Meeting was addressed. Mr. Bjur reported on the advice of Counsel regarding the Board's authority to approve the proposed remodel. According to the Association's general counsel Bruce Inman and a second opinion from attorney Brent Patten, Section 4.2 of the CC&Rs does not apply to the enclosing of the entry deck and relocating the front door to the top of the steps. Decks and entrance areas are exclusive use common areas. Both attorneys were in agreement that the Board had the authority to go forward and rule on this issue.

It was moved (Thornton), seconded (Hoffman) to go to the homeowners and get at least 50% approval for this type of modification. (Motion failed, 2 in favor – Hoffman, Thornton, and 3 opposed – Amen, Bjur, Pierce).

The Association's Towing Policy was discussed. Over the past five years 3-4 cars have been towed while not displaying dashboard placards or windshield stickers. It was later found that all cars belonged to renters staying in Aspen Grove. A new pass system was devised and implemented to cut down on the number of day skiers using the lots. It was suggested that cars without the appropriate passes should be towed after the issuance of two tickets and the passing of at least 72 hours between the ticketing. After discussion of whether or not the Association members wanted cars towed or not, it was moved (Amen), seconded (Hoffman) and passed unanimously that the policy of the Aspen Grove Condominium Association will be to tow vehicles. However, the Association will be towing according to a new written policy to be developed and voted on at the April 11th meeting. It was requested that a notice be sent out advising renters and guests to prominently display parking placards on dashboards. Mr. Sackheim offered to draft the policy for the Landscape and External Aesthetics Committee. The policy will then be forwarded to Mr. Bjur to distribute to the Board.

Mr. Bjur reported that water quality monitoring of Martis Creek in two locations by Placer County was reviewed and approved by the Association's litigation counsel. The monitoring has no impact on the lawsuit.

Suggestions for additional grounds and building maintenance projects during dry winter periods were discussed. Staining of the plywood boxes at the parking lot stairway entrances to each of the tower building's walkways was suggested. It was requested that another Mutt Mitt dispenser be installed between tower buildings 3157-3168 and 3169-3180.

VI. Report on Litigation

Mr. Bjur reported that the Association's legal counsel has received the appeal brief and has responded to it. They have also filed a partial motion to dismiss and are waiting on the Court's ruling. The process is going slow. The Board has made efforts to get into mediation. The judge will force the parties into mediation after the present appeal is ruled upon by the Appellate Court.

VII. Recent Legal Opinions requested by the AG Board and at the Request of Individual Directors

Mr. Bjur reported that the Association's General Counsel has responded to these questions and his responses have been shared with the Board.

VIII. Policy for Seeking Legal Counsel's Opinions and Maintaining a File of these Opinions

It was requested that Mr. Miller maintain a file of all opinions from the Association's General Counsel.

IX. Discussion and Approval for Activating Aspen Grove's New Website
It was reported that construction of the website was nearly complete. Committee members and owners were thanked for their contributions to it. It was moved (Pierce), seconded (Amen) and passed unanimously, with Mr. Bjur's final approval of the website, to launch it in the week of February 10-14.

X. Committee Reports:
Budget and Finance Committee
Mr. Kimball reported that a letter addressing the legal costs and attorneys' fees paid to date and expected in the next few years is being written by the committee for Board review and approval. Once approved, it will be emailed and mailed to the membership. The 2013 annual audit and financial statements prepared by McClintock Accountancy will be mailed separately.

Landscape and External Aesthetics Committee
Mr. Miller reported that the sign and flag policy drafted by the committee was to be sent to the membership at least 30 days in advance of the April 11th Board Meeting. At the meeting owner comments will be reviewed and considered by the Board prior to its adoption.

Communication Committee
The website launch is scheduled for the week of February 10-14.

NPOA Liaison Committee
An article for *Northstar Living* has been written by Mr. Bjur and was recently submitted for publication in the next edition.

XI. Open Forum - Homeowner Comments on Items not on the Agenda
The owners of unit 3121 asked for a board opinion on a director entering their unit during a remodel without owner approval and bringing information back to the board. The next step is for the board to discuss this in executive session and exercise due process for both parties.

An owner expressed a desire that the website have a feature that notifies owners of a new posting. This will prompt them to go onto the site to see what has been posted.

An owner suggested that the Board seriously consider having an assessment strictly for maintaining the property. No dollars should be expended from it for legal expenses.

An owner suggested that the Board find a way to move forward in a positive fashion, working towards a better understanding of issues together, and not being dysfunctional.

An owner reported that he had experienced problems with the electrical subpanel in his unit. Internet research on the panel indicated that a potential fire hazard could exist with it. He replaced the panel at a cost of around \$500. It was requested that Mr. Miller get information to the Board on having the panels inspected for fire safety by an electrician.

An owner reported that in Beaver Creek Colorado, a group had sued Vail Resorts and won. The group's efforts had involved hiring a public relations firm. The owner will provide information on the PR company to the Board.

XII. Set Date for Next Board of Directors Meeting
The next meeting was confirmed for 3 p.m. Friday April 11th at the Adult Clubhouse, Northstar Rec Center.

XIII. Adjournment
There being no further business the meeting was adjourned at 3:20 p.m.

Respectfully submitted,

Peter Miller
Property Manager