

Brooktree Townhouses Association
Annual Meeting
Date: 10/15/20
Time: 6:00 pm
Location: Teleconference

MEETING MINUTES (UNAPPROVED)

1) Roll Call/Quorum/Call to Order

Owners Present:

Karen Perez 104A
M.J. Mastalir 107A
Kimberly & Robert MacNamee 201A
Lisa Byther 202A
Mamie Black 204A
Jason Katzman 207A
Sue Gillies 111B
Leonard & Michele Loudis 112B
Chris Carpenter 209B
Carlos Molina 210B
Patrick Meyer 211B
Tara Closky 212B
Joe Greco 113C
Greg McGinnis & Natalie Ford 302C
Claudia Carroll 116D
Larry Ulrich 120D
Dina Castillo 216D
Blake Martin 217D
Pam Gouger 218D
Joel Heath 219D
Krista Baumgartner 220D
Zach Peterson & Hannah French 304D

Owners Represented by Proxy:

Donald Cuomo 213C to President
May Lew 301C to Greg McGinnis 302C

Others Present:

Steve MacDonald, Vail Management Company
Abel Vega, Vail Management Company
Dan, Brooktree Legal Counsel
Josef Lehner, Onsite Caretaker

A quorum was established with 22 properties in person or represented by Proxy, Karen called the meeting to order at 6:22pm.

2) Approval of the 2019 Annual Meeting Minutes

a) Lisa Byther moved to approve the minutes. Mamie Black second. The motion passed unanimously, and minutes were approved.

3) BluSky Lien

Dan, the legal counsel for Brooktree, gave a summary of Brooktree's current relationship with BluSky (BS) and the dispute of what, if anything, is owed to BS for the construction project. Dan stated the work done by BS was found to be unacceptable and another contractor had to be hired. Any back charges will be totaled and applied to the balance due to BS. BS issued a blanket mechanics lien for all units and the work that was done. The amount that BS is asking for with the lien is more than what is owed, and the total amount does not include work that was not done or any liquidated damages. The Board has worked hard to reach a resolution but have been met with a difficult legal counsel representing BS. As of this morning the Board and BS reached a deal after the Board looked to reclassify the lien from being a blanket lien over the full property, which is easier to file, to being divided by all 48-units, which is more difficult to file. Dan stated he and the Board believe the lien may be deemed unenforceable as BS has breached their contract with Brooktree. Dan stated that he and the Board has helped owners move forward with the sale or refinancing of their unit, and owners will have a mechanism that can be used to help with this over the next 90-days. Dan and the Board will look to go into mediation to come to a solution. There is a chance that BS does not offer a deal and moves to arbitration. Dan stated other options for removing the lien would be to offer collateral in the interim while mediation takes place which can be done with a bond, property collateral, or a line of credit. Karen Perez stated part of the agreement with BS is that they will not foreclose on the lien while in mediation. Karen Perez encouraged owners to notify the Board if they have questions or are refinancing or selling their unit.

4) Review of Financials

Joe Greco stated a full financial packet was provided to owners prior to the meeting. This included a Reserve Study that was created by John Cona. This Reserve Study shows the next 5-years of expenses. The flat roof replacements are scheduled for 2023, 2024, and 2025. The Board would look to redo the Reserve Study after 2025. Steve MacDonald reminded owners that the D-building flat roof was completed this year. Joe Greco stated that a few options to pay for expenses over the next 5-years were included in the meeting packet provided to owners. This includes raising dues, a special assessment or the pushing out of expenses to avoid a special assessment. The association would risk running out of funds in 2027 if dues are not raised or if a special assessment is not applied. Karen Perez stated the Board has worked with John Cona on how to plan for an address deferred maintenance. Joe Greco stated maintenance needed would be railing, walkway and parking area improvements. Karen Perez stated the insurance premium has increased due to the burst pipes that

occurred during the construction last October, and legal fees also increased due to the construction project. Joe Greco moved to approve the budget as provided to owners. Carlos Molina second. All were in favor. This would raise the quarterly dues for 2-bedroom units to \$1,003.12 and 1-bedroom units to \$777.42, an increase of 7%. Joe Greco stated that the P & L report provided to owners shows the association has an operating loss of \$5,276.51 for 2020. Joe Greco moved to move \$5,276.51 from the reserve account to the expense account to cover the overages. Carlos Molina second. All were in favor. Joe Greco stated the association pulled the full line of credit and put it in the Lien Waiver Account. Once the Board has the final construction numbers and has paid everything off, the Board will pay back what is left in the Lien Waiver Account to the line of credit and have it re-amortized. This will also be the time when owners will have an opportunity to pay off their portion in full. Joe Greco moved to continue to collect the construction loan assessment amount that was previously approved. Carlos Molina second. All were in favor.

5) Old Business

a) **Construction Update** – Karen Perez stated the remaining construction is being done by Jace Management. Any remaining units with interior damage are also being completed by Jace Management. Stairwell inspections were also completed as of today.

6) New Business

a) **Caretaker Introduction** – Karen Perez introduced the new onsite caretaker, Josef Lehner. Owners can contact Josef by emailing brooktreecaretaker@gmail.com.

a) **Election of New Board Members** – Karen Perez stated Joe Greco & Tara Closky's terms have ended. Joe Greco stated he is stepping down. Tara Closky stated she would like to run again. Mamie Black had nominated Brent Black. Karen Perez moved to include Tara Closky and Brent Black on the Board of Directors by acclimation. Carlos second. All were in favor. The terms are for 2 years. Per the motion, the Brooktree Board of Directors will consist of:

Karen Perez
Carlos Molina
Lisa Byther
Tara Closky
Brent Black

7) Adjournment

a) Karen Perez moved to adjourn the meeting. Carlos Molina second. All were in favor. The meeting adjourned at 8:22pm.