

**Out Run Condominiums
Annual Homeowners Meeting
August 7, 2020 4:00 p.m. MDT
Zoom Call**

Call to Order

Board President, John Maurus, called the meeting to order at 4:01 p.m.

Roll Call/Establish Quorum

Members Present	Unit #	# of Votes
Kris Murray	A1	1
Bud and Rokhshie Malone	A2	1
Bud and Rokhshie Malone	A4	1
Dusty Demerson	B1	1
Jonathan Ferrell and Tiffany Todd	B4	1
Jurgan Teinze and Charlene McAlphin	C2	1
John Maurus	C3	1
Torrey and Stephanie Mullen	C4	1
Tim Tosta and Nancy Martin	D1	1
Peggy Toft	D2	1
Jerry and Sharon Tinianow	D4	1
John Taylor	E2	1
Adam Moore	E3	1
Gene and Betty Hunt	J2	1
Ross MacLean	L1	1
Stacey Banks	L4	1
Bob and Vevonna Kennedy	M1	1
Carl Weisbrod	M2	1
Gary Cook	M3	1
Steve Barknecht	O3	1
Kevin Adams	P1	1
Jeff and Lynda Mikos	P4	1
Brant Bair	P5	1
Martin Zubek	P6	1
Alenka Vobornik	P7	1

Members Present by Proxy	Unit #	# of Votes
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Dusty Demerson Proxy for:

Elinor Knutson	E4	1
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Gary Cook Proxy for:

John and Kelly Card	L2	1
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Clark Nelson	L5	1
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Jan Fielder	M4	1
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Ross MacLean Proxy for:

Ryan and Norah Randles L3 1

Management Company Present

Donna Oros

A quorum was established with 63% of the membership present in person or by proxy to start the meeting. Also in attendance was Bruce Messinger.

Members Joined After Meeting Start	Unit #	# of Votes
Candace Coen	A3/5	1
Mark Yaklich	C1	1
Jim Howard and Brenda Lockhart	D3	1

Proof of Notice

Proof of Notice was established being mailed on July 24, 2020.

**Reading and Approval of Past Minutes – August 2, 2019
– December 12, 2019**

Gary Cook made the following:

Motion: To waive the reading of the August 2, 2019 Annual Homeowners Meeting Minutes and the December 12, 2109 Special Homeowners Meeting Minutes and approve the minutes as submitted.

Seconded: Ross MacLean

Vote: Unanimous Approval

Reports

Officers

None

Managers

Jerry Tinianow was thanked for hosting the Zoom meeting so the Out Run Association could hold the 2020 Annual Meeting during the pandemic. Management is not experienced in running or attending virtual meetings, so his efforts are greatly appreciated.

It was reported that the association is being taken to court for payment of an invoice from a local restoration company. The invoice pertains to alleged services from the sewer backup in the Poplar building in 2018. The association is counter suing the restoration contractor for fraudulent billing. The court date was scheduled for today, but (because of Covid-19) has been rescheduled for January 29, 2021.

A lot of unit interior remodeling has happened at the Out Run over the last year. The contractors have been very good about asking permission and providing plans for changes to building plumbing/electrical/structure. They have also been good in providing insurance documentation to management. Some of the contractors have not been great about cleaning the common areas of

construction debris, so it was asked that owners reiterate that contractors doing work in a condominium have an obligation to keep the common areas clean.

Because of circumstances, the Out Run website is no longer being maintained. It was asked if any owner was willing to help design a website for the association. Kevin Adams, Adam Moore, and Kris Murray all said they were willing to help with the task.

Financial

The Financial Report was on pages 22-30 of the meeting packet that had been distributed via email prior to the meeting. Line items with variances to budget were noted, as some things were not done because of the pandemic and economic uncertainty; a few operating expenditures were not made like the purchasing of hanging baskets, and several capital projects were deferred. The deferred capital projects will be scheduled for later this (or next) fiscal year.

The hot water heaters that service the indoor hot tub rooms have been replaced because of their age. Several unit owners have hot water heaters that are beyond their useful life, and they are being asked to install new water heaters.

Old Business

Parking Pass System

All units at Out Run have been issued two parking passes to display on the rear view mirror of automobiles parked in the lot. A \$25 replacement fee will be charged for a lost or reissued pass.

Request for Proof of Insurance

Asking for homeowner proof of HO-6 insurance has been an item of discussion at several association meetings. It has been learned that the By-Laws do not give the Board of Directors the authority to request the information. A modification to the By-Laws by an attorney should be done, as the document is original and should be updated. It was suggested the Board compare the Out Run By-Laws to several other homeowner association's By-Laws to determine what should be updated. Tiffany Todd said she would provide the names of a couple of Denver attorneys to get a competitive quote; she suggested looking into a flat fee price.

New Business

Elder Structural Repair

Included in meeting packet was a report from Colorado Structural Engineering Services which detailed an issue found during a remodel project of Elder 3. The entry wall was not adequately supported from beneath, and there was evidence that it was sinking. Support was added in the garage ceiling below the wall to address the issue. A handful of other units were examined, and the problem seemed to be exclusive to Elder 3.

Raised Ceiling Re-Plat

Some discussion has been had on whether the upper unit owners who have raised their kitchen ceiling should have the property re-platted because of increased cubic airspace on which association dues are based. In review of the building plats with Steve Jusoe of All County Survey, it is believed that the upper unit owners own the air space above the drywall (designated as a false ceiling) and below the roof line. Whether the upper unit owners are paying assessments

on that airspace is unknown, but the cubic footage is so insignificant that it would most probably not change the dues structure or benefit anyone to pursue.

Rules & Regulations

The Rule & Regulations of the association will be reviewed and updated when the By-Laws are reviewed. They have not been thoroughly examined in several years, and they leave some open areas of what is allowed and what is not.

Resolution of Excess Income Applied to Following Year's Assessment

The resolution is presented on an annual basis by the association's auditor to meet IRS requirements.

Dusty Demerson made the following:

Motion: To adopt the resolution that any excess membership income over membership expenses as defined in IRS 1.277-1 for year ended September 30, 2020 shall be applied against the subsequent tax year member assessments as provided by IRS Revenue Ruling 70-604.

Seconded: John Maurus

Vote: Unanimous Approval

2020-21 Budget Consideration CO Statute 38-33.3-303 (4) (a) (II) (A)

The 2020-21 Budget will be presented and approved by the Board of Directors. Then a meeting of the membership will be called for the owners to be given the opportunity to veto the budget as required by Colorado law.

Unscheduled Business

The owners expressed interest in attending future Annual Homeowners Meetings virtually. The Mt. Crested Butte Fire Station conference facilities do not provide internet access, so a different location for the Annual Meeting would have to be sought. It was also asked that owners be given notice of regular Board of Directors meetings so those interested could attend.

Discussion ensued on the painting and staining needs of the buildings. The projects are on the 10-year Capital Plan, but some of the work may need to be done in a more aggressive manner. Several owners also expressed interest in improved landscaping and garden maintenance.

It was asked if anyone had issues with short or long-term rentals at the property. There seemed to be none, except that rental units sometimes have dogs. Only owners are allowed pets at Out Run. Mt. Crested Butte has developed a method of lodging complaints on rental activity, as they would like to see how rentals are affecting the community.

Most owners are pleased with the snow removal at the property.

The condition of the hallways was discussed at length. The Capital Plan addresses wall paint and carpet replacement, but some feel the hallways should be upgraded further beyond the basics. Ideas were painting the exterior of all the interior doors, painting the trim and handrails, and upgrading light fixtures. The association has not budgeted or planned for additional upgrades, but they could be considered.

Election of Directors

There were two 3-year Board positions open for election. The terms up were for the seats held by Lynda Mikos and Scott Williams. There was the remaining year of Roy Penney's term (held by Kevin Adams) that needed to be filled.

Nominations were taken for the two 3-year terms:

Dusty Demerson made the following:

Nomination: Ross MacLean to a 3-year term.

Bob Kennedy made the following:

Nomination: Gary Cook to a 3-year term.

Alenka Vobornik made the following:

Nomination: Lynda Mikos to a 3-year term.

Candace Coen made the following:

Nomination: Jonathan Ferrell to a 3-year term.

Dusty Demerson made the following:

Motion: To close nominations.

Seconded: John Maurus

Vote: Unanimous Approval

A ballot vote was taken, and Gary Cook and Ross MacLean were elected to the Board of Directors.

Nominations were taken for the remaining 1-year of Roy Penney's 3-year term currently filled by Kevin Adams:

Lynda Mikos made the following:

Nomination: Kevin Adams to a 1-year term.

Adam Moore made the following:

Nomination: Jonathan Ferrell to a 1-year term.

Carl Weisbrod made the following:

Nomination: Lynda Mikos to a 1-year term.

Dusty Demerson made the following:

Motion: To close nominations.

Seconded: Carl Weisbrod

Vote: Unanimous Approval

A ballot vote was taken, and Kevin Adams was elected to the Board of Directors.

Establish Date of Next Meeting

John Maurus made the following:

Motion: To hold the next Annual Homeowners Meeting **on Friday, July 30, 2021 at 4:00 p.m.**

Seconded: Ross MacLean

Vote: Motion Passed with Only Dusty Demerson Opposing

Adjournment

Ross MacLean made the following:

Motion: To adjourn the meeting.

Seconded: John Maurus

Vote: Unanimous Approval

The meeting was adjourned at 6:10 p.m.