

Park River West Board of Directors 2019-2020
Monday, July 20, 2020, 4:00 p.m. MDT
Via Zoom Conference

<u>Name</u>	<u>Attendance</u>	
Stewart Squires	Yes <u> X </u>	No <u> </u>
Fritz Sampson	Yes <u> X </u>	No <u> </u>
Mindy Stephens	Yes <u> X </u>	No <u> </u>
Helen Evans	Yes <u> X </u>	No <u> </u>
Ron Springer	Yes <u> </u>	No <u> X </u>
Greg Barkley	Yes <u> X </u>	No <u> </u>
Ray Buxton	Yes <u> </u>	No <u> X </u>
John Mize	Yes <u> X </u>	No <u> </u>
Elizabeth Repola	Yes <u> </u>	No <u> X </u>

Other Attendees:

1. Call to Order/ Role Call	Called to order at 4:00 p.m. In attendance: Stew Squires (618), Fritz Sampson (633), Helen Evans (619), Mindy Stephens (603), Greg Barkley (605), John Mize (617) Absent: Ron Springer (676), Ray Buxton (682) and Elizabeth Repola (609)
2. Approval of Minutes of June 15th Board Meeting	There were no further additions or corrections for the minutes of June 15, 2020 meeting. Fritz Sampson moved to approve, Helen Evans seconded, all approved
3. Treasurer Report – (Helen Evans)	Helen Evans presented the Treasurer’s report. There is currently \$40,727 in the checking account and \$123,819 in reserves, plus \$10,026 in the Schwab T-Bill account. Overall, we are in good shape. John Mize moved to accept the Treasurer’s Report, Greg Barkley seconded, all approved.
4. Old Business	
a. Building Maintenance	We are current with all projects: painting, seal coating done. We will be looking down the road to see how roofs are wearing. Those from after 2007 are better quality than prior and may wear better.
b. Landscaping	Dennis and Lory McDonald have quite a bit of volunteer work, including

	replacing some trees. Our landscaper, Ben, has purchased the plants and Dennis has provided the labor.
i. Park Landscaping	
1. Shrub/Tree Removal/Planting	
1) Walkaround	<p>John Mize conducted a walk-around of the property with Dennis McDonald. John commented how impressed he is with Dennis and the work he's done and how much he knows about the trees and shrubs.</p> <p>Junipers on Volunteer Day were completely cut back, with keeping some that were "half dead" but might come back.</p> <p>Dennis' game plan is as junipers die out, they will either not be replaced or will be replaced with something more geared to our neighborhood. He's very common-sense about what needs to happen, and this has saved the HOA a lot of money! After some discussion, Mindy Stephens moved that we purchase a \$300 gift certificate to thank the McDonalds for the extensive service to our community; Greg Barkley seconded and all approved. Helen Evans will purchase the gift card, John Mize and Fritz Sampson will present to Dennis and Lory.</p>
ii. Volunteer	
c. ACH Dues Payment through Bank of Colorado (Stew)	Stew Squires reported that the ACH Dues Payment process is all set up and will be put on agenda to present to the Ownership group at the meeting.
d. Annual Meeting 22nd of August	
i. Invite Mailing - Contents	The physical USPS mailing has been designed for four pages with the letter and will be put into regular business envelope. We will follow up with a replication of that via email plus some additional items. Stew Squires is planning 3-4 practice Zoom meetings prior to the annual meeting to familiarize owners with the process and with Zoom if they haven't already used it.
ii. Organization	In Zoom training, we will make use of Zoom "reactions" such as the "wave" and "thumbs up" and "raised hand" in order to communicate with owners and

	<p>they with the Board and to vote on any matter requiring it.</p> <p>Mindy Stephens will send email(s) to request an RSVP for the meeting, practice meeting attendance and a follow up reminder for the meeting itself.</p> <p>If someone shows up to the meeting but had sent in a proxy, then the proxy will be pulled.</p> <p>We will have a system to show how many votes are represented by a single person who holds proxy votes in addition to their own.</p>
<p>e. Short Term Rental Policy</p>	
<p>i. PRW Registration Compliance Data (Stew)</p>	<p>At last board meeting the owner of Unit 670 was given two weeks to solve problems with their local agent and follow-up communication were sent to 613 and 607 regarding getting missing items from them as well.</p> <p>Nothing further has transpired</p> <p>Sky Run’s websites have not changed to comply with PRW requirements, so those units using them are still out of compliance.</p> <p>Fritz Sampson is following up with the PRW lawyer.</p>
<p>ii. Non-compliance Alternatives (Fritz)</p>	<p>Upon a motion made by Fritz Sampson, seconded by Helen Evans and accepted by all, a resolution regarding unit 613 was adopted and is placed following these minutes.</p> <p>Upon a motion made by John Mize, seconded by Mindy Stephens and accepted by all, a resolution regarding unit 607 was adopted and is placed following these minutes.</p> <p>Upon a motion made by John Mize, seconded by Helen Evans and accepted by all, a resolution regarding unit 670 was adopted and is placed following these minutes.</p> <p>These resolutions were read at the meeting by Fritz Sampson. John Mize additional moved to authorize Fritz Sampson to make any technical changes necessary before giving these</p>

	resolutions to Secretary Mindy Stephens for inclusion in these minutes; seconded by Mindy Stephens and approved by all.
5. New Business	
a. Deck awnings for 652, 678, 680	<p>We have received 3 submittals for deck awnings. These are the pre-approved model and proper colors have been submitted. Our architectural rules state that this just needs to be submitted and doesn't need a specific approval if it matches body and trim, that is good enough.</p> <p>Unit 653 wants to convert their stove from electric to gas and needs to vent it and asks what are the rules? The unit owners will be provided with guidance regarding the venting. Subsequently, Helen Evans moved we approve, Greg Barkley seconded, all approved.</p>
6. Set next board meeting – After Annual Meeting 22nd of August	The next Board meeting is set by rule to follow the Annual Meeting.
7. Adjourn	The meeting was adjourned at 5:20 pm

Minutes prepared and signed by:

Mindy Stephens, Director and Secretary of the Meeting

**These following three resolutions were approved at the
Park River West Condo Association Board Meeting of July 20, 2020.**

Resolution to Hold Formal Hearing – Unit 613.

Upon Motion made by Sampson and seconded by Evans, the following resolution was adopted six yea and zero nay:

“WHEREAS, Park River West Condominium Association, Inc. (Association) has previously adopted a *Policy Governing the Rental of Units*, including rules imposed upon rental unit owners (Rules);

AND, WHEREAS the Association through its Board of Directors (Board) has taken informal action to obtain voluntary compliance with the rental Rules from the owner of Unit 613, including notice of a prospective fine of \$25 per day for non-compliance;

AND, WHEREAS the Board has received credible information that the owner of Unit 613 has rented the Unit short-term after May 1, 2020 and refused to comply with Rule 2.A.2 (Failure to Deliver Compliance Form) and Rule 2.A.3 (Failure to Deliver Content Compliant Rental Agreement) in a form that meets the requirements of Policy Section 2. B after informal action and an opportunity to cure;

AND, WHEREAS the Board has previously determined that the collection of remediation expense is appropriate and a fine may be imposed for each day of noncompliance as a separate violation,

NOW THEREFORE BE IT RESOLVED, pursuant to Park River West Condominium Association, Inc. *Policy for Enforcement of Declarations, Covenants and Rules, including Notice and Hearing Procedures and the Schedule of Fines*, a Hearing before the Board shall be held on September 21, 2020 at 4:00 P.M. by electronic means (Zoom) upon written notice to the Unit Owner in the method dictated by Declaration Sec. 25 and containing the detail of the alleged violation(s) of *Policy Governing the Rental of Units, Rules 2.A.2 and 2.A.3*, and the prospective fine, together with any other content required by Declaration Sec. 27.

BE IT FURTHER RESOLVED, that Notice of the Hearing shall be sent by the President on behalf of the Association in the manner set out in Declaration Section 25, but in no event earlier than August 23 or later than August 30, 2020.

BE IT FURTHER RESOLVED, that notwithstanding the provisions of *Policy for Enforcement of Declarations, Covenants and Rules, including Notice and Hearing Procedures and the Schedule of Fines, Section 2.F.* all deliberations of the Board upon the alleged violations shall be in open session.”

Resolution to Hold Formal Hearing – Unit 607.

Upon Motion made by Mize and seconded by Stephens, the following resolution was adopted six yea and zero nay:

“WHEREAS, Park River West Condominium Association, Inc. (Association) has previously adopted a *Policy Governing the Rental of Units*, including rules imposed upon rental unit owners (Rules);

AND, WHEREAS the Association through its Board of Directors (Board) has taken informal action to obtain voluntary compliance with the rental Rules from the owner of Unit 607, including notice of a prospective fine of \$25 per day for non-compliance;

AND, WHEREAS the Board has received credible information that the owner of Unit 607 has rented the Unit short-term after May 1, 2020 and refused to comply with Rule 2.A.3 (Failure to Deliver Content Compliant Rental Agreement) in a form that meets the requirements of Policy Section 2. B after informal action and an opportunity to cure;

AND, WHEREAS the Board has previously determined that the collection of remediation expense is appropriate and a fine may be imposed for each day of noncompliance as a separate violation,

NOW THEREFORE BE IT RESOLVED, pursuant to Park River West Condominium Association, Inc. *Policy for Enforcement of Declarations, Covenants and Rules, including Notice and Hearing Procedures and the Schedule of Fines*, a Hearing before the Board shall be held on September 21, 2020 at 4:00 P.M. by electronic means (Zoom) upon written notice to the Unit Owner in the method dictated by Declaration Sec. 25 and containing the detail of the alleged violation(s) of *Policy Governing the Rental of Units, Rule 2.A.3*, and the prospective fine, together with any other content required by Declaration Sec. 27.

BE IT FURTHER RESOLVED, that Notice of the Hearing shall be sent by the President on behalf of the Association in the manner set out in Declaration Section 25, but in no event earlier than August 23 or later than August 30, 2020.

BE IT FURTHER RESOLVED, that notwithstanding the provisions of *Policy for Enforcement of Declarations, Covenants and Rules, including Notice and Hearing Procedures and the Schedule of Fines, Section 2.F.* all deliberations of the Board upon the alleged violations shall be in open session.”

Resolution to Hold Formal Hearing – Unit 670.

Upon Motion made by Mize and seconded by Evans, the following resolution was adopted six yeas and zero nays:

“WHEREAS, Park River West Condominium Association, Inc. (Association) has previously adopted a *Policy Governing the Rental of Units*, including rules imposed upon rental unit owners (Rules);

AND, WHEREAS the Association through its Board of Directors (Board) has taken informal action to obtain voluntary compliance with the rental Rules from the owner of Unit 670, including notice of a prospective fine of \$25 per day for non-compliance;

AND, WHEREAS the Board has received credible information that the owner of Unit 670 has rented the Unit short-term after May 1, 2020 and refused to comply with Rule 2.A.3 (Failure to Deliver Content Compliant Rental Agreement) in a form that meets the requirements of Policy Section 2. B after informal action and an opportunity to cure;

AND, WHEREAS the Board has previously determined that the collection of remediation expense is appropriate and a fine may be imposed for each day of noncompliance as a separate violation,

NOW THEREFORE BE IT RESOLVED, pursuant to Park River West Condominium Association, Inc. *Policy for Enforcement of Declarations, Covenants and Rules, including Notice and Hearing Procedures and the Schedule of Fines*, a Hearing before the Board shall be held on September 21, 2020 at 4:00 P.M. by electronic means (Zoom) upon written notice to the Unit Owner in the method dictated by Declaration Sec. 25 and containing the detail of the alleged violation(s) of *Policy Governing the Rental of Units, Rule 2.A.3*, and the prospective fine, together with any other content required by Declaration Sec. 27.

BE IT FURTHER RESOLVED, that Notice of the Hearing shall be sent by the President on behalf of the Association in the manner set out in Declaration Section 25, but in no event earlier than August 23 or later than August 30, 2020.

BE IT FURTHER RESOLVED, that notwithstanding the provisions of *Policy for Enforcement of Declarations, Covenants and Rules, including Notice and Hearing Procedures and the Schedule of Fines, Section 2.F.* all deliberations of the Board upon the alleged violations shall be in open session.”

Primdahl application to vent through the roof of Unit 653

Motion by Sampson Second by Barkley, unanimous approval– The Board approves the application of Unit 653, Carol Primdahl, to convert the range from electric to gas, including venting through the roof, at the sole expense of the Unit owner, upon the following conditions: alterations to the siding and roofing shall require a water tight seal and ensure the structural integrity of the unit, and that the Unit owner bear all risk of loss, including all damage to the unit or its contents, by reason of the conversion, alteration, venting and installation.