

**MINUTES OF THE BOARD OF DIRECTORS MEETING OF
PARK RIVER WEST CONDOMINIUM ASSOCIATION, INC.**

Monday, March 22, 2021

(Meeting held via conferencing app Zoom)

A meeting of the Board of Directors of PARK RIVER WEST CONDOMINIUM ASSOCIATION, INC. (the "Association") was held on Monday, March 22, 2021, via ZOOM online/video meeting at 4:00 p.m. MST. President Stew Squires (618) presided. Association Secretary Mindy Stephens (603) acted as Secretary of the Meeting and prepared these Minutes.

1. Call to Order/ Role Call

The meeting was called to order at 4:01 p.m. The following directors were present via video on Zoom: President Stew Squires (618), Vice President Fritz Sampson (633), Secretary Mindy Stephens (603), Treasurer Helen Evans (619), John Mize (615), and Greg Barkley (605). Sandra Ireland (670) joined the meeting at 4:21 p.m. An owner of Unit 616 and the owner of Unit 614 also attended the meeting.

2. Approval of Minutes of February 16, 2021 Board Meeting

The minutes for the February 16th meeting were reviewed and upon a motion made by John Mize (615) and seconded by Fritz Sampson (633), they were approved unanimously. The Secretary will post the Minutes on the Website.

3. Treasurer's Report

Helen Evans (619) presented the Treasurer's report indicating that all is okay with the PRW budget going forward, after a fairly slow month that included the usual bills and a couple of snowplow invoices. Fritz Sampson (633) moved to accept the Treasurer's financial report, Greg Barkley (605) seconded and all approved.

4. Old Business

a. Parking Violation Hearing for Unit 616

The owner of Unit 614 had filed a written complaint regarding the renter of Unit 616 parking in the driveway of 614 and preventing the owner of 614 being able to exit their garage. There have been previous violations by various renters of Unit 616. The owner of 616 stated how they have been very strict about posting all the regulations and providing this to their tenants in advance. It was discussed that, nonetheless, these offenses have still occurred and warrant a fine up to \$150. It was recommended that the fine be \$100. It was further discussed that the property owner can impose a fine to their renters when they are not in compliance with the regulations and can pass along the fine imposed on them by the Board. The HOA Board is limited to \$150. The owner of Unit 616 stated that they have 5 days before they must returning a renter's security deposit and stated that they wished to have had quicker notice of the fine. The Board recommended that the Unit owner should withhold the amount of a fine until it is determined whether the Board would impose a fine, when there is a question of a reported violation by the renter.

As Sandra Ireland (670) had just entered the meeting at this point, she recused herself from the following: Fritz Sampson (633) moved that a fine of \$100 be imposed on the owner of Unit 616, Stew Squires (618) seconded the motion and all the remaining Board members approved 6-0.

b. Asphalt

Fritz Sampson (633) reported that he has been walking the driveways with our asphalt contractor and determined that there are drainage problems in the area of the Units 600-626 (even numbers). Our contractor can raise or lower the asphalt to change the drainage to correct. It will cost about \$2650 to fix these areas. We will target mid-April for this work, weather depending. Then at the same time crack seal will be scheduled in all areas. Finally, the work by Units 607-609 will be scheduled to correct the

drainage problem there that requires excavations, laying in a proper draining system, and asphalt replacement. The crack seal is about \$3888 and the repaving where we put in the drain is about \$1100. The cost of excavation will depending on the square footage required. Per Fritz Sampson, we are going to use about \$13,000 of the \$15,000 budget for these projects.

(The owners of Units 616 and 614 departed at this point at 4:34 p.m.)

c. **Landscaping**

All things on a track for the season.

5. **New Business**

a. **Establish Date/Initial Discussion for Annual Meeting**

as last year's Annual Meeting was so successful when it was conducted on Zoom, with record attendance, we will continue this year to use this platform. The date was decided to be August 14, 2021, 10:00-12:00. If anyone is around in Estes Park during the meeting weekend, we can plan a potluck at this river as we've done before..

b. **Window Covering Violation in Unit**

It was reported that the incorrect type of window covering has been installed in Unit 611. It was suggested to make a phone call to ask about the window coverings and mention that this is not in compliance with the Declarations. Stew Squires (218) will make a phone call to the Unit owners and report back at the next meeting.

6. **Set next board meeting**

The upcoming Association Board meetings are set for:

- a. Monday, April 19th. John Mize (615) will take minutes as the Secretary will be unavailable on that date.
- b. Monday, May 17th
- c. Monday, June 14th
- d. Monday, July 5th (possibly a short meeting to review what will be sent out to membership for the Annual Meeting)

7. **Adjournment**

There being no further business, Mindy Stephens (603) moved we adjourn; Greg Barkley (605) seconded, and it was approved by all. The meeting was adjourned at 5:06 p.m.

Minutes Prepared and Signed on:

3/22 2021



Mindy Stephens, Director and Secretary of the Meeting

Exhibit 1 – Form of Notice



Park River West Condo Association, 684 Park River Place, Estes Park, CO 80517

NOTICE OF HEARING AND INTENT TO IMPOSE FINES

ATTENTION: UNIT OWNER [HERE INSERT NAME AND ADDRESS OF UNIT OWNER]

NOTICE IS GIVEN THAT A HEARING SHALL BE HELD ON March 22, 2021 AT 4:00 PM MOUNTAIN TIME AT UNIT 618, PARK RIVER PL., ESTES PARK, CO 80517 AND BY REMOTE ELECTRONIC PARTICIPATION (ZOOM MEETING) TO DETERMINE IF YOU HAVE VIOLATED THE DECLARATION, BYLAWS, RULES OR REGULATIONS OF PARK RIVER WEST CONDOMINIUM ASSOCIATION, INC.; AND, IF A VIOLATION HAS OCCURRED TO IMPOSE A FINE AND REMEDIATION EXPENSE.

IF YOU ELECT TO ATTEND BY ELECTRONIC REMOTE PARTICIPATION YOU MUST NOTIFY THE ASSOCIATION PRESIDENT BY NOON MARCH 21, 2021 TO RECEIVE A CODE AND LOG IN INFORMATION.

A. Details of Circumstances Involved: On January 6, 2021 Association President Stewart Squires and Association Vice President Fritz Sampson received a complaint by phone from the owner of Unit 614 that the short-term renter of Unit 616 parked on the parking bib of Unit 614 and blocked access to the garage of that Unit and blocked the owner of 614 from leaving on January 6, 2021. In fact, the short-term renter did park in the bib of Unit 614 without the permission of the owner and blocked ingress and egress of the bib and garage.

B. Explanation of Third Offense: On July 21, 2019 you were contacted by Stewart Squires, President of the Association concerning a violation of Declaration Section 3 - Parking on another Unit's driveway (drive bib) and Section 17N and Section 17T (hazardous activity - parking in fire lane) where your cleaning staff had parked on the common drive designated as a fire lane, and on the drive bib of Unit 612. You were advised that Unit owner parking was only allowed in your drive bib and in the Unit's garage.

The Board received a complaint on August 10, 2019 that on or about August 2, 3 and 4, 2019 the Unit was occupied by a bridal party celebrating (by self-disclosure) and was observed by a number of Unit Owners to be parking on an adjoining Unit owner driveway bib (an area designated Limited Common Area of the adjoining Unit owner) and in the common drive (fire lane) abutting Unit 616. These actions are repeat violations of Declaration Sections 3, 17N, 17T, and Association Rules barring parking in fire lanes.

On August 10, 2019 the same Unit owner complained of a Quiet Time Violation. On or about August 2, 3, and 4, 2019 during the same bridal party celebration the Association 10 PM quiet time rule was violated and verified by more than one neighbor.

On or about June 8, 2020 you were contacted by Fritz Sampson, Association VP, concerning an occupancy violation by the short-term renters.

C. Violation Alleged: Violations by tenants and short-term renters are imputed to the Owner. The actions of the renter on January 6, 2021 violated the Declaration and the Rules in the following particulars:

1. Parking on a Neighbor’s Bib without permission. The short-term renter parked on the bib of Unit 614 without permission in violation of Declaration Section 3 and Rule A.1.

D. Intent to Fine: The intent of the Board upon evidence of the violation(s), and absent evidence to the contrary or in mitigation, is to impose a fine not to exceed \$100 for each violation, plus the costs of remediation (damages), costs, and attorney fees incurred by the Association as permitted in Declaration Section 13.

E. Right To Be Heard: You have a right to be heard. Declaration Section 27 provides that you give 10 days written notice to the Board and explain the grounds upon which your contest of violation will be made. Without regard to Section 27 you are entitled under the terms of Park River West Condominium Association, Inc., *Policy for Enforcement of Declarations, Covenants and Rules, including Notice and Hearing Procedures and the Schedule of Fines, Adopted 21 January 2018, as amended 16 November 2020 Section 2.E. Conduct of Hearing*, to present your case in opposition or mitigation at the Hearing. Please familiarize yourself with the Declaration and that Policy.

Dated: February_____, 2021

PARK RIVER WEST CONDOMINIUM ASSOCIATION, INC.

BY: _____

PRESIDENT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the above and foregoing NOTICE OF HEARING AND INTENT TO IMPOSE FINES was sent by regular United States mail, postage prepaid, to:

[HERE INSERT UNIT OWNER AND MAILING ADDRESS]
OWNER UNIT _____

on this _____ day of February, 2021.
