

**THE RESERVE ON THE EAGLE RIVER HOMEOWNER ASSOCIATION  
BOARD OF DIRECTORS MEETING  
May 19, 2014**

The Board of Directors meeting was held on Monday, May 19, 2014 at The Reserve Club House. In attendance were:

Present

Jess Frieze-President  
Tim Sullivan-Treasurer  
Matt Lydens  
Lauren Immel  
Janet El-Bitar-Vice President  
Scott Ashburn  
Linda Guerrette-Property Manager  
David Firmin, The Reserve General Counsel

Absent

Owners Present (per sign-in sheet):

G201,O201,N104,C104,Q101,G203,H201,P102,O104,D201,I201,F201,N103,I203,F202,J201,F102,C101  
,P204,L201,G202,A201,A102,G201,I104,J102,E102,P303,N103,N304,F204,B104,C201,B303,O303,M2  
01,D204,F102,Q201,B103,K203,P104,Q204,E202,C103

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**Motion to open meeting**

Jess made a motion to open the meeting. Lauren seconded the motion. Motion carried unanimously. The meeting was called to order at 6:39 p.m.

In the absence of a secretary, Lauren agreed to take minutes. She took attendance and noted that a quorum was present.

Jess addressed the audience and gave an overview of meeting decorum rules as per association declarations. A handout of same was distributed.

**Approval of Meeting Minutes – March 2014**

Discussion held. Matt asked that the reason Marilee was appointed be stated in the minutes. Jess provided a prepared handout for board appointment procedures from the by-laws. April minutes should be amended to reflect that selecting Marilee because she was tied as the next highest vote recipient; the final decision regarding the appointment of Marilee over Deb Forsline was a Board decision.

Janet moved that minutes be approved as amended, Lauren seconded. Motion to approve minutes as amended was carried unanimously.

**Owners Open Forum – For Non-Agenda Items**

- Deb Forsline, G201. Question: are decisions transparent? Jess responded that there were two executive sessions held after regular board meetings in March and April, and that they were held in accordance with declarations and by-laws. David Firmin replied that the executive sessions were recommended by him to the association to discuss confidential matters.
- Harvey Foos, N104, wanted to know how the new management company was selected. Jess explained the bidding process including four companies, specification, reference checks, contract review, and pricing.

- Krista Schoenberg, Q101, asked that the board touch on the topic of the Association's financial health. Tim responded that auditors like to see \$4000-5000 per unit in reserves, but that The Reserve was not at the desired levels after the roofing project.
- Felix Haepfle, O104, had a question about board executive sessions, citing editorial from the Colorado Legislative Action Committee. David Firmin replied that he agreed and disagreed with portions of the article, and had recommended that the topic of a management change be conducted in executive session.
- Linda Guerrette had a question about process and referenced an article written by David Firmin, and available on the Hindman-Sanchez website.
- Susan Ferrari, F202, wanted to know from each director when each knew about the executive sessions. Each director replied accordingly.
- Marie Dowling, D201, wanted to know the truth behind board operations. Notwithstanding confidential matters, the board indicated that they were working together to improve the property.
- Susan Ferrari, F202 addressed David Firmin about a voting block within the board. He encouraged meeting attendance. He suggested that a perceived voting block was not nefarious in and of itself, and encouraged owners to run for a board seat.
- Scott Kirkwood, A102, asked about check-writing. Tim responded that the manager approves expenses, the bookkeeper writes the checks, and the Treasurer signs them.
- Linda Guerrette indicated that she disapproved of the process the board used for decision-making.

### **Manager's Report**

A copy of the manager's report was distributed to the BOD prior to the meeting.

### **Financial Report**

#### **Review of YTD Financials**

Documents were distributed in advance. Lauren made a motion to approve the 2014 YTD financials. Marilee seconded the motion. Though the vote passed 5-2 with Matt and Scott dissenting, the board agreed to present financial statements at the June meeting, pending documentation from the bookkeeper.

### **New Business**

- **Secretary.** Janet moved that Marilee be named secretary. Lauren seconded. Discussion held. The appointment passed 5-2, with Matt and Scott dissenting.
- **Committee Reports.** No committee reports were provided due to time constraints.
- **Presentation from McNeill Property Management.** Dan McNeill gave an overview of his company and operations, and took questions from owners. Janet made a motion to approve MPM contract for property management services, as drafted and reviewed by Association counsel. Lauren seconded. Discussion held. Motion passed 5-2 with Scott and Matt dissenting.

### **Old Business**

None discussed.

### **Motion to Adjoin Meeting**

Tim made a motion to adjoin the meeting. Marilee seconded the motion. Motion carried unanimously. Meeting adjoined at 10:00 p.m.