

Avon Town Square, Lot 2, Condominium Association

Board Meeting Minutes

Held via teleconference on March 11, 2021

Board Attendance: Hannes Spaeh, Bob Ford, Chris Juergens, Kent Beidel, Katie Kuchler
Others: Bob Louthan, Maggie Lifland, Mark Donaldson,
Michael Walter – Manager, Dave Zippie – CPA

Quorum: With 100% of the Board present – a quorum was established.

Call to Order: Hannes Spaeh – President, called the meeting to order at 3:02 PM

Approval of Minutes: Chris Juergens made the motion to waive reading of the Minutes and approve the Board Meeting Minutes of February 23, 2021 as presented. Kent Beidel, second the motion and with a vote taken the Minutes of the Board meeting held February 23, 2021 were approved with no dissenting vote cast.

Capital Reserve Replacement Funding: Chris Juergens reviewed with the Board the Reserve Replacement Study conducted back in December of 2016. Chris pointed out that the study determined that the level of funding required to meet the anticipated future capital improvement expenses was \$108,000.00 annually. Chris stated that the current funding level of \$45,000.00 was inadequate to meet future expenses and at a level which is less than half the amount the reserve study determined was necessary. Chris stated that the reserve replacement funding needs to be doubled.

After a debate on the timing of the funding increase and exact amount, Katie Kuchler made the motion to increase the reserve budgets by fifty (50%) percent. With the 2020 reserve budget for the Community Center being \$15,000 – the 2021 budget was increased to \$22,500.00 and the White River Centers 2020 reserve budget of \$30,000.00 was increased to \$45,000.00 for the 2021 budget. Hannes Spaeh seconded the motion to increase reserves by fifty (50%) and with a vote taken, the 2021 budget for reserves was increased by fifty (50%) percent over the 2020 budget to reflect \$67,500.00 on the 2021 budget. Chris Juergens and Bob Ford abstained.

Nominees for Election to Board: Michael Walter reported that as per the board's directive, a notice was sent to all owners requesting nominees of owners to have their name placed on the Ballot for the upcoming annual meeting and election. Walter reported that as of the deadline date for the submittal of owner names to be included on the Ballot being March 11, 2021, he had only received a written response from three individuals - Hannes Spaeh, Kent Beidel, and Bob Ford. Walter stated that keeping with the historical number of five (5) Board Members, the association needed two more nominees to be placed on the ballot. At this time, Katie Kuchler and Chris Juergens volunteered to serve another term and have their names added on the Ballot and Proxy to be mailed to all owners with the notification of the 2021 annual meeting scheduled, Thursday, April 1, 2021.

Update on Legal Review of Conversion of units from Commercial to Residential:

Michael Walter reported that the association attorney (David Firkins of Altitude Community Law) replied to the letter from the Board requesting clarification on the conversion of commercial units to residential units on March 2, 2021. In summary, David Firkins reported that the conversion of units from commercial to residential use was "a use by right" as provided for in the First Amendment to the declarations and required no Board approval. David stated that the Town of Avon zoning regulations prohibit exclusive use of residential units on the first floor and thusly, the association was bound by this zoning restriction. David went on to state that the Board should consider the impact from residential use and should discuss the pros and cons with the general membership for review. A copy of David Firmin's letter is attached hereto.

Bob Louthan stated that he owned property in mix use building and he expressed several issues related to this type of use. The Board requested and bob agreed to assist in compiling a list of issues and concerns related to residential use for further review with the Board.

Other Business: Mark Donaldson requested a response from the Board on his earlier request for Board approval of minor changes to the common elements to accommodate his conversion of unit #200 to residential use, i.e., moving the entry door, relocating a fire extinguisher, and the installation of exhaust ducts out to the roof soffit as outlined in his letter to the Board dated March 3, 2021.

In response to Mark Donaldson's request, the Board expressed that they were willing to move forward and accommodate Mark's request as per his letter (copy attached) with the caveat that they would withhold approval for the relocation of the front door pending approval of the front door materials, color, and hardware to be consistent and in harmony with the existing doors.

Kent Beidel made the motion to approve Mark Donaldson's request for alterations in the common elements as outlined in his letter to the Board dated March 2, 2021 with the caveat that the front door materials, paint colors, and hardware need further Board approval. Hannes Spaeh, second the motion to approve Mark's request with the caveat of further Board approval of the front door materials, color, and hardware. With a vote taken, Mark Donaldson's request for Board approval of the alterations in the common elements was approved subject to further review by the Board as it related to the front door. A copy of Mark's letter and specific requests outlining the items approved are attached hereto.

Adjournment: With no further business presented, the Board Meeting was adjourned.
