

**Park River West Condominium Association
Board of Directors Meeting
Monday October 16, 2023 – Via Zoom Conference**

A meeting of the Board of Directors of the PARK RIVER WEST CONDOMINIUM ASSOCIATION, INC. (the “Association”) was held on Monday, October 16, 2023, via ZOOM online/video beginning at 3:01pm MDT. President Stew Squires (618) presided. Association Secretary Carol Primdahl (653) prepared these minutes.

1. **Call to Order / Roll Call.** The Meeting was called to order at 3:05pm MDT by President Stew Squires (618). The following Directors of the corporation were present via ZOOM: Stew Squires (618), President, Fritz Sampson (633), Vice-President, Carol Primdahl (653), Secretary, John Mize (615), Doug Feck (635), Rick Stephens (603) and Chris Hines (602). Helen Evans (619), Treasurer, and Greg Shipman (625) were not available to attend. Sheryl Bellinger (641) and Dan Berlau (655) attended the Compliance Hearings.
2. **Conflicts of Interest Disclosures.** Following the PRW Conflict of Interest Policy, Stew Squires (618) inquired if any of the directors have a conflict of interest needing disclosure before the meeting. None were reported.
3. **Approval of Minutes.** The minutes of the Board of Directors meeting held on September 25, 2023, previously emailed to the directors, and posted on the website, were presented for approval.

Action Taken: It was moved, seconded, and unanimously adopted to approve the minutes of the Board of Directors meeting held on September 25, 2023.

4. **Treasurer’s Report.** Helen Evans (619) was not available to attend the meeting however she sent the following Treasurer’s Report (including the Balance Sheet, and Profit/Loss statements, and the budget form) to the Board via email prior to the meeting asking for any comments or questions. None were received.

As of as of October 6, 2023.

Bank of Colorado checking - \$37,848

Bank of Colorado reserves - \$8,957

Schwab Corporate Account - \$274,800

On September 26, 2023, a \$61,000 T-bill matured and we purchased a \$62,000 one for \$61,242.95. This matures on December 19, 2023 with a yield of \$757.05 (5.498% per annum).

Per our Q4 budget requirements, on October 4, 2023, Helen Evans moved \$10,862 from Bank of Colorado checking to the Schwab Corporate money market account. The budget requires us to transfer \$13,750 per quarter to reserves. As we had capital expenses in Q3 of \$2,888 (gutter replacement and tree plantings) which were paid out of the checking account, the net amount that was needed to go to reserves was \$10,862.

Our bookkeeping costs are doubled for October-December as we now pay both Nancy and Chris Hill \$300/month.

We had one deck repair expense - \$710 for Unit 624, which comes out of the reserve account.

Stew added that there are 5 Units on the Accounts Receivable list. He has sent reminder messages to those Owners to get their HOA dues sent in.

Action Taken: It was moved, seconded, and unanimously adopted to approve the Treasurer’s report as presented.

5. Old Business

- a. **Updated Annual Work Plan and Checklist.** – Carol communicated the following activities that are due soon. Updates to the checklist for our new insurance policy from State Farm will be made prior to the next meeting.
 - i. Quarterly sewer bill is due October 1st – President or Treasurer
 - ii. Annual State HOA registration by November 1st - Fritz Sampson will handle this.
 - iii. Fall Communication to Owners by November 1st - President
- b. **New Bookkeeper** – Chris Hill (our existing Tax accountant) has assumed our bookkeeping responsibilities. Nancy and Chris are working together starting October 1st until the end of the year for complete the transition. Chris has taken over responsible for collecting the mail.
- c. **Landscaping report – Doug and Fritz** - The following matters were discussed:
 - i. Stew commented on the email that Dennis sent communicating that going forward he will not be able to provide the landscaping volunteer support that he has done for numerous years. The Board needs to determine how these tasks will be handled going forward.
 - ii. Needle resolution. Doug will get quotes from Landscaping companies for both mowing and needle removal. He'll share the quotes with the board once received. Fritz communicated that they are considering a roller bin, electric chipper and containment area. He has been working to get a quote from High Plains Excavation. There was discussion on the pros and cons of purchasing a chipper
 - iii. Rick stated that Dennis is the expert on our drip system and alternative support would be needed going forward. Stew commented that our system and valves are in good shape and batteries would need to be changed out on a periodic basis.
 - iv. Doug and Fritz will work up a proposal for all the landscaping tasks including mowing, needle removal, Dennis's activities, drip system, walking path, tree removal, moving random rocks, etc...
- d. **Add Operations Account at Schwab** - Stew Squires reported he has not made progress on this task but plans to complete it before the end of the year.
- e. **Unused Satellite Dishes, Exterior cameras, lighting** – Fritz states no update on this activity.
- f. **Unit 612 – Water encroachment and extension of walking path from access apron to Hwy 34.** Fritz stated that no progress has been made on this activity. Still waiting to hear back from Fairbanks
- g. **Pad and Waste Container Status (3 yard bin)** – Fritz will get quotes for the Board's consideration.
- h. **Path work SE of Unit 638** – Still waiting to hear back from High Plains Excavation.

6. New Business

- a. **Deck Repair Proposal – Unit 639, Springer** – The repair plan, permit and insurance certificates were submitted and all look good per Fritz. This repair will be at the Owner's expense. The Board agreed that Fritz can send them our approval to proceed.

- b. **Deck Repair – Unit 622** – Owner took it upon his self to do repairs to his deck prior to Boards approval. The repairs were done per the HOA’s construction guidelines and owner submitted a request for reimbursement for materials only.

Action Taken: It was moved, seconded, and unanimously adopted to approve the reimbursement of \$389.52 for materials.

7. Compliance Hearings

- i. **Unit 641 - Owner, Sheryl Bellinger attended. Parking Violation.** Per the Notice of Hearing sent to the owner on 9/30/2023 and as communicated during this hearing by Director Sampson, on September 2, 2023, around 7:30 am Director Fritz Sampson saw a car belonging to the short-term renter parked in the fire lane and blocking the entrance to Unit 641. Three vehicles total were involved. The STR manager was notified by phone. The Unit owner acknowledged the violation by email to the Association. Two prior offenses on June 6, 2022, and August 12, 2022 occurred. Owner notified. Talked with STR renters. **Violations Alleged:** Violations by tenants and short-term renters are imputed to the Owner. The actions of the owner, renter or her agent on September 2, 2023 violated the Declaration and the Rules in the following particulars: 1. Violation of Parking/Fire Lane. Declaration 17N and Rule D.1.

- Owner did not contest the violation but asked for and received suggestions on how to prevent parking violations.

- ii. **Unit 655 – Owner, Dan Berlau attended. Load noise from Spa after quick time, Parking and Occupancy violations.** Per the Notice of Hearing sent to the owner on 9/30/2023 and as communicated during this hearing by Director Feck, Director Shipman went to Unit 655 in response to noise from the hot tub on both the nights of Friday, September 1st and Saturday September 2nd 2023. Both instances were well past the 10:00 PM “Quiet Time” rules. At midnight on Saturday September 2 Shipman had to go over to that unit while the occupants were in the hot tub to let them know they were both loud and past the curfew. Shipman also called the management company for Unit 655 again the following morning, September 3, to make them aware.

On September 22 and 23, 2023, Directors Shipman and Feck were disturbed by loud noise from patio spa on Unit 655 well past the 10pm Quiet Time rule. There were 9 adults in the spa which exceeds the maximum occupancy of 6 adults for a Unit. The management company was notified at 11:07pm and Shipman finally had to go over at 11:45pm to inform the 9 people in the hot tub it was past curfew. In addition, the Unit Owner was called at 11:47pm and left her a message. On September 24, 2023 Director Sampson saw three vehicles parked on the bib at Unit 655 at 8 am. Sampson sent the rental agent/manager a text message notice. Owners were notified by email about the violation, and that parking in all Units is limited to 2 vehicles on the drive bib 9 **(Rule A. 1 and STR rule 6) and 2 in the garage.** Upon examination of the rental agreement, it was disclosed that Unit 655 prohibited renter use of the garage, rather than expressly permitting it as required in the rental rules. Director Shipman reported that he received a very apologetic call from the owner acknowledging the violation, and he did express that they will be making some rule changes that will make it much clearer to their renters.

B. Explanation of Third or Later Offense: No prior offenses exist for the current owners. Violations of Rule E.3 (noise and hot tub) on September 1, 2023 shall be treated as a first and second violation. Violations on September 2, 2023 and thereafter will be treated as a third violation.

C. Violations Alleged: Violations by tenants and short-term renters are imputed to the Owner. The actions of the owner, renter or her agent on and after September 1, 2023 violated the Declaration and the Rules in the following particulars:

1. Violation of Parking Declaration Section 3, and Rule C.II.6
2. Occupancy more than 6 adults - Declaration Section 17A

3. Noise, Nuisance, Occupation of Hot Tub – Rule E.3.

4. Event Rental – Rule E.4.

- Owner was sorry for the actions of their guests. He was surprised by the number of violations communicated in the Hearing notice and would like to be notified sooner if problems occur. Regarding mitigation, they have amended their rental rules to prohibit spa usage after 10pm, will give guests access to garage and have installed noise sensors for quick action to noise alarms. He requested leniency on the fines.

iii. **Unit 600 – RV Camper violation - Owner did not attend.** Per the Notice of Hearing sent to owner on 9/30/2023, commencing September 11, 2023, a pickup camper belonging to the occupier of Unit 600 was parked in the drive bib, topper extended and charging. The owner was notified that recreational vehicles were not permitted, that pickup campers are recreational vehicles, and that the vehicle would need to be moved and not parked at the Unit. Thereafter the vehicle was observed to be parked at Unit 600 daily from September 11, 2023, to September 30, 2023 inclusive. The vehicle owner acknowledged notice of the violation and that he would not remove the vehicle. The violation has persisted and been repetitive for 20 days as of September 30, 2023.

B. Explanation of Third or Later Offense: Three prior offenses exist. One for failure to comply with rental regulations and two for garbage violations (Declaration 17D) on or about July 31st and August 6th, 2023.

C. Violations Alleged: Violations by tenants and short-term renters are imputed to the Owner. The actions of the owner, renter or her agent commencing on September 11, 2023 violated the Declaration and the Rules in the following particulars: 1. Prohibited Recreational Vehicle - Declaration 17G.

iv. **Unit 638 – Parking and Event violations** – The owner, Dave Fuller, wanted to attend the hearing but is out of the country and could not attend.

Action Taken: It was moved, seconded, and unanimously adopted to recess the hearing on Unit 638 until the next Board meeting in November to give the Owner the opportunity to attend.

8. Board Deliberations on Violations

a. Unit 641 – No further discussion was needed.

Action Taken: It was moved, seconded, and unanimously adopted to approve a fine of \$50. Stew will send a letter informing the owner of the fine.

b. Unit 655 – Board members discussed the violations and the appropriate fines. After deliberations, a proposal was accepted to issue a fine of \$675.00 versus maximum fine of \$1200.00.

Action Taken: It was moved, seconded, and unanimously adopted to approve a fine of \$675.00. Stew will send a letter informing the owner of the fine.


c. Unit 600 - Board members discussed the violations and the appropriate fines. After deliberations, a proposal was accepted to issue a fine of \$1500.00 versus a maximum fine of \$2975.00.

Action Taken: It was moved, seconded, and unanimously adopted to approve a fine of \$1500.00. Stew will send a letter informing the owner of the fine.

9. **Next Board Meeting.** The next board meeting will be on Monday, November 13th, 2023 at 3pm MST via a Zoom conference call.

10. **Adjournment.** There being no further business, it was moved, seconded, and unanimously approved to adjourn the meeting at 4:35p.m. MDT.

Minutes prepared and signed: October 25, 2023

By: 
Carol Primdahl, Secretary