

# Copper Junction

## Board Meeting Minutes

### I. MEETING DETAILS

President: Ira Secretary: **Jenny Lynn Giberson**

Date: **June 17, 2021** Time: **7:00 pm**

Location: **Zoom**

### II. ROLL CALL.

The Secretary took a roll call at 7:10 pm. The following persons were in **attendance**:

- Ira
- Rufus Nagel
- Paula Barker
- Ron Levin
- Ryan
- Jack
- Rusty
- Jenny Lynn Giberson

### III. CALL TO ORDER.

**Meeting Agenda Distribution** – Speaker: Jenny Lynn Giberson – At 11:24 AM

A meeting agenda was emailed to all attendees and HOA members by Michael Kurth. After giving 3 minutes to review, a vote of the meeting agenda was produced.

### IV. TREASURE REPORT.

Treasure Report - Speaker: Ryan

- 2020 Final P&L and Balance Sheets Net positive 45,000
- May 30th closing Account Balances/ Working Capital, Reserve, Operating
- Cash Flow Projections for 2021 and over/under statement
- Discussion of depletion of reserves replacement

Ira requested that funds be moved equaling \$50,000. It was unclear why this needed to happen. The Executive Board Members (Jenny Lynn, Ryan and Ron) requested an explanation email from Michael Kurth (bookkeeper).

### V. OLD BUSINESS.

- **Roof Project close out (roofing issues over C-1 patio entrance) Speaker: Ira**  
Billy is working on a punch list for the roof project. There is a holdback of payment for \$12,500 until the punch list is completed.
- **LCE responsibilities (enclosed balconies, original C-1 patio) Replace windows on balconies.**

Ira requested that the Executive Board of the HOA put together a window package for replacing old windows in units that have not been replaced yet. Making note that some windows have been replaced at the cost of the owners.

Ron asked why the costs of previous window replacement in residential units was covered by the HOA. Ira stated that the HOA stopped covering window replacement 2 years ago.

Ron requested that previous costs and times windows have been replaced by HOA monies be researched.

Ryan brought up the concern of how to get owners to replace old inefficient windows. It was agreed that the inefficient windows are causing an increase in heating bills.

Ira stated that HOA members are only requesting a date that they will need to complete the window, they were not requesting that the windows be paid for by the HOA.

The Board decided on a date of June 2022 for completion of window replacement.

**ACTION:** Board will put together the window package for window replacement.

- **The floor of C1 needs to be replaced. - Speaker: Ira**

The other part of the maintenance obligation for both the HOA and the owner of C one is the obligation and responsibility to maintain that floor, which is not just us. There are all kinds of old things and broken whatever. And that's a sharing thing.

Ira motioned that the Board get together with C1 after the HOA map is completed and discuss the replacement/repair of the floor by this fall (2021).

**ACTION:** Wait until the maps are completed to have a discussion with C1 to be clear of the size of the request.

- **HOA maps - Speaker: Ira**

We need a map. We don't have a map. We funded a map recently for approximately \$6,500. The reason we were able to keep it low is twofold. One is the expertise of Paula and the other is some of the work that was done before in 2016. We need to record the map. And before we recorded, we have to go see Legal. We've talked to them before and we'll talk to them again. As far as the status is, we're winding it up and it should be finished within 30 days.

**ACTION:** The maps should be completed by August 1, 2021. When a new map is completed it needs to be recorded.

- **Committee Updates - Speaker: Ira**

and I think that a lot of these committees, the map committee and a variety of other things are really overdue. The general thing of the finance committee, which all owners were. The form of the goals alone is informed by the fact that it'll end when the documents get cleaned up. It's all in an effort or whole business that's been hanging around. For instance, the maps date back to 1973, and there was an error. And so with people either selling or wanting to sell. And in fact, that the committee report that's related to releases has been going on and on for years now without closure.

Jenny Lynn: requests that we hear committee updates from committee members.

Ira requests to read the opinion he obtained from the HOA lawyer before the Leasing Committee gives their updates on the residential leased space for units 402, 403, 404 and 309

Ron: asks Ira who asked him to go to the HOA lawyer for a legal opinion and when did he run it by the rest of the Board members for a vote before contacting the HOA lawyer?

Ira: asks why would anyone object to doing it right with the leases? He goes on to say things have been gone on forever, and we're ready to make decisions.

Jenny Lynn asks the direct question: Did you get a vote from the leasing committee or the board to go forth with getting the HOA lawyer's opinion?

Ira states he did not get a vote or talk to the Board about contacting the HOA's lawyer. He continues on to say that he did it because a HOA member with a lease put his condo up for sale with the assumption that the lease could be transferred.

Ron states that if lease holders such as Ira and others want to get a legal opinion they could hire their own lawyers, but it is not ok to use HOA funds and HOA lawyers for the interest of individual HOA members.

Jenny Lynn suggests that we go ahead and hear Ira's legal opinion but consider it only Ira's legal opinion not the Board's legal opinion.

Ron objects to hearing the legal opinion because the lawyer only heard Ira's version of the situation and it is not true understanding from the Board's perspective.

Rufus states that there is a conflict of interest with Ira being on the Leasing Committee while he is a person with a lease and now he has acted in an inappropriate manner to obtain a legal opinion without discussing with other members of the leasing committee or other Board members.

Rufus makes a motion to remove Ira from the Leasing Committee

Ron seconds that motion

Paula requests that a discussion be had before we finish voting on Ira being removed from the Leasing Committee

Paula states: So in regards to Mr. Posnanski, who would like to sell his unit, he assumes that his leases transferable and prior communications between committee members indicated that some one of you, I'm not sure which had consulted an attorney who has the opinion that the leases are one or the other of illegal or Invalid one of those terms. I'm not sure which. I don't have the information in front of me. If you're a seller and you want to be sure that your buyer can be satisfied, you're entitled to an opinion that should come from the person who represents the best interest of the Association, not just the leasing committee, but the entire Association.

Rufus disagrees with Paula's opinion and would like to move forward with the motion. He adds that Ira has also acted inappropriately by continuing to include Ryan in discussion of the Leasing Committee even though he is not on the Leasing Committee.

Jenny Lynn agrees that she has also been added in Leasing Committee discussions even though she requested to be removed.

Rufus makes a second motion that the Board does not have the authority to transfer or engage in a lease on behalf of the HOA. The specific reason is to stop the ability to keep these leases going before the Leasing Committee comes to its conclusion.

Paula suggests that this could be done in the future but at this time the HOA lawyer's opinion is that these leases can be transferred.

Rufus suggests we go back to the original motion to remove Ira from the Leasing Committee

The vote is counted and Ira is removed from the Leasing Committee

The Leasing Committee now consists of Ron, Rufus and Paula

The second motion is voted on after lots of discussion on the ability for the Board to refuse to continue leases.

Jenny Lynn and Ron vote for the motion. Ryan and Ira vote against the motion. Ira states that as the president he breaks the tie. Ira dismisses the motion to have the Board not accept or renew leases until after the Leasing Committee presents its conclusion.

**ACTION:** Leasing Committee consisting of Ron, Rufus and Paula will come back and present their conclusions to the Board.

Ira will submit a bill to the Board from the attorney for approval.

## **VI. New Business**

- **New Boiler? - Speaker Ira**

Ira recommends that we do not replace the boiler at this time. He says that would should wait till reserves are higher.

Jenny Lynn asked if we had a current estimate for the boiler replacement?

There is no current boiler estimate

It was suggested that we get estimates before any decision is made.

ACTION: Ask Billy to get 3 boiler estimates.

- **New percentage HOA dues- Speaker Ira**

The Board agreed to discuss HOA dues again when the new maps come out.

- **New Summer To Do list -**

Billy has a summer to do list. A request was made to add gutter work and heat tape to the list.

ACTION - Get additional gutter and heat tape estimate

- **PayHOA demonstration by Secretary**

Jenny Lynn suggested that we use a system called PayHOA to handle all of documents, announcements, bills, HOA member list, and much more.

Everyone agreed that it would be great to look into.

ACTION Jenny Lynn will send an email with a Pay HOA demonstration.

## **Owner Forum**

Jack and Rusty both asked how the members' contact information is stored. They both stated they have not been receiving regular emails.

ACTION: PayHOA should help solve this problem

**Close of meeting: 8:30pm**