

9-8-15

FAX to Mark Dougal, CPMG, Inc.

Number of pages in this transmission, including this page: 5.

From: Steve Susman

Re: Pelican Pointe, Board Minutes of 8-24-15.

Mark, attached is the draft of these Minutes. Our other directors received these on 9-2-15. Please include them in your Board Packet for the 9/28 Meeting. Thanks.

A handwritten signature in cursive script, appearing to read "Steve", located at the bottom left of the page.

Pelican Pointe Homeowners Association

MINUTES

Regular Monthly Meeting of the Board of Directors

August 24, 2015

This meeting took place at the Lighthouse clubhouse at 6:00 p.m. Present were all five directors of this Association ("HOA") – Corry, Helfant, Valks, Shipley, and Susman. Present also was Mark Dougal, representing CPMG, Inc.; and 13-15 guests (all homeowners). President Corry presided.

Minutes of July 27, 2015. These Minutes were approved as submitted, by unanimous vote. Helfant remarked that our handyman, Aaron Cain (mentioned in those Minutes), was not restricted from contracting with individual homeowners of our HOA for their private tasks, but that none of such work should infringe upon his "hours" for which he is obligated to be working for, and is charging, the HOA.

Financial statements of July 31, 2015. The Board unanimously voted to accept these financial statements (included in our Board packet), subject to audit – with one exception: In the P & L Statement of July 31, Line-item 05290, there is an expense described as "Miscellaneous -- \$509.11." Since our Board has never approved such a line-item category, and since that \$509.11 was not otherwise explained, Dougal said he would inquire of Jenna Williamson, and would report her explanation to the Board

Homeowners forum.

-- Frank Parker asked whether there is any new information about snakes, as seen in our complex recently. Dougal said that Critter Gitterz has been engaged to find and trap snakes.

-- Michael Wagner praised High Country Painting, Inc., and its owner Jay Duran, for their thorough, neat, and professional work on and around his unit recently.

-- Karen Kilde complained about the quality of the snow-ice removal efforts of Metco, Inc., the contractor engaged by our HOA in the recent winter.

-- Gislinde Engelmann complained that Vacant Interiors, Inc., with which our HOA contracted to restore water-damage inside her unit, didn't confer with her before commencing their work; and complained that the HOA should have involved her in the contracting process. Also, she complained that recent exterior repairs to her unit didn't include the replacement of all her 3" raingutters with modern 5" ones, which were installed only where such repairs were situated.

-- Jaye Kephart reported that LandTech does not pick up debris from our eastern detention pond before mowing there. Corry responded that debris removal is not LandTech's responsibility, but

is more likely a handyman's job. Kephart also complained that Windsor Gardens fails to pick up debris on their side of our eastern perimeter fence; the debris blows through the fence onto our property. Dougal said he'd notify Windsor Gardens about this.

-- Debbie Segal (T-102) complained that LandTech recently removed from in front of her unit some mature, apparently healthy bushes; that they had been growing significantly for many years; and that they provided her unit with a measure of privacy. She said the bushes were in relatively good health; weren't "crowding" other landscaping; and that there appeared to be no rational reason for their removal. Also, she had written a more detailed critique of this unexplained removal to the Board. Corry responded that a similar bush-removal took place at KK-104. She said that these removals will be the subject of serious discussions with LandTech very soon; and that we need a clarification of their protocol for bush-removal.

Welcoming Committee. Chairperson Sheila Powell reported that her Committee recently welcomed a new tenant in X-101, and that the Committee welcomed other new tenants and homeowners recently, too.

Social Committee. Powell reported that this Committee has eight active members, and reminding those assembled that the next social event will take place on September 20, our annual barbecue at the Lighthouse clubhouse, 5:00 – 7:00 p.m. Reservations are required. The Lunch Bunch met on August 11 at BuBu restaurant in Lowry; five persons attended.

Landscape Committee. Board Liaison Shipley reported that the Committee had recommended approval of the application from CC-101 for the installation of certain private plantings, better to connect the front sidewalk and Guest Parking areas to her front entrance and patio. Upon a vote being taken, this recommendation was unanimously approved by the Board.

Parking in Guest Parking areas. Corry pointed out (a) that the "tags" furnished by CPMG, Inc., are faulty, mainly because they don't state the reason for the tagging; and (b) that presently we have no volunteer, coordinated program to perform the tagging of errant vehicles and to follow-up a day later; that CPMG cannot be expected to send someone to our complex for the sole purpose of attempting to find a reportedly-violating vehicle and to tag it. Dougal reported that some of CPMG's clients use Max Towing, which sends its drivers to tag violating vehicles "when the driver is between specific jobs." The Board didn't respond affirmatively to this suggestion. Guest Frank Parker denounced any program that sends volunteers through our complex to tag vehicles, stating that such an uncoordinated vigilante program would be unworkable, at best, and would unduly irritate residents, too.

Insurance claim for roof damage. Susman reported at length about his recent discussions with Shawn Standifer of Eco Roof and Solar, Inc.: Shawn and an independent engineer appointed by our insurer met recently; together mounted and examined about a dozen or more roofs at Pelican Pointe; and that further coordination, examinations, and measurements would take place between Shawn and one Corey, the adjuster appointed by our insurer. Shawn roughly estimated that such

further behind-the-scenes work would consume another month or so. He would keep Susman informed of progress, since Susman is serving as liaison between our HOA, on the one hand, and our insurer, insurance agent, roofer, the engineer, and the adjuster – on the other hand.

Concrete replacement project. Corry reported that directors had done two consecutive walk-throughs recently, assessing and noting specific sites in our complex (driveway, sidewalks, curbs and gutters) where concrete should be replaced. Valks took about 35 photos of these sites, collated them, and prepared a CD of these sites. Further, he would send to Mark by e-mail the same labeled photos, so that Mark, in turn, could seek two credible proposals from concrete companies. One bidder was suggested: Pro Form Concrete (one Tony Montoya), which had done neat concrete work in repairing a sinkhole near Z-101 recently as a subcontractor of Walton (WDR). It was suggested that Walton wouldn't be a logical bidder, since it would have to subcontract the entire project, presumably.

Comcast easement renewal. Susman reported that, in 1997, before construction began here, our HOA had contracted with Mile Hi Cable Partners, LP, the predecessor of Comcast. That contract, among other provisions, granted (Comcast) the right to install its cables beneath all our townhomes and beneath our common areas. That agreement expires soon; Comcast is seeking a ten-year extension, so that they could replace those cables with fiber optic cables, and maintain them thereafter. Susman had reviewed the tendered renewal documents and had suggested some revisions. Comcast sent them to its legal department. A one-time compensation of \$20,800 would be payable by Comcast to our HOA for this renewal. Susman pointed out that no homeowner or resident would be bound to subscribe to any Comcast services, now or hereafter, but would have no good reason to deny Comcast's ability to enter each owner's crawl space to install and maintain the new cables.

2015 audit and income tax returns. In 2016, our auditor, Weidner & Co., CPAs, would offer to perform our 2015 audit and to prepare our 2015 income tax returns. The Board unanimously approved that probable arrangement, although it hasn't yet received from Weidner, or from CPMG, the formal audit and tax returns retention letter. It is anticipated that Weidner's fees for these services will be about the same as they have been, about \$1950 in the aggregate.

Snow-ice program for winter 2015-2016. Dougal had obtained from LandTech a proposal for this program. Susman said that this proposal, like all proposals from similar companies, will not quote a fixed figure for the winter – because it is impossible for the contractor to know how much snow will fall; how frequently; or how severe. Quotes are presented as hourly figures for manpower and for each type of machine utilized. In this recent winter, our HOA paid Metco almost \$70,000 for snow/ice/ice-melt services.

Sonny Fischer submitted a proposal, which was distributed at our July Board meeting. It provides for a fixed fee of \$4500 per month (+ snow-melt charges), regardless of the number of

snowfalls; their frequency, duration, or severity. After discussion, the Board unanimously approved modifications to Fischer’s proposal:

- The contract’s term would begin Oct. 15, with \$2250 payable on that date for October.
- His fee would be \$4500/month, payable in arrears, on the final day of November 2015, through April 2016. On May 15, 2016, the contract would terminate; payment for that half of May would be \$2250, payable May 15.
- Terminable on 30 days’ notice, by either party, with or without cause.

Susman will draft a contract, embodying these counter-proposals, which he believed would be acceptable to Fischer.

Tree services – Swingle. The Board unanimously ratified a couple relatively-small contracts which it had previously “approved” with Swingle – tree-work at G-103 and at R-101, involving cutting down two trees; trimming others; grinding the two resulting stumps and surface roots.

Pending repair jobs with WDR (Walton) and Eco Roof and Solar, Inc. Walton and Eco had bid to repair certain exterior features of H-104 (from water damage). Walton’s proposal was over \$2500; Eco’s, \$2100. At its last Meeting, the Board approved the Eco bid. However, the work is being delayed until Eco’s supervisor, who will be in charge of this project, returns from vacation (about mid-September, if not sooner). The Board unanimously approved Walton’s proposals for exterior repairs at MM-104 (Engelmann). Walton had submitted a bid for exterior repairs at HH-104 (Gargan); the Board and Mark are awaiting a bid from Eco, after Eco obtains sub-bids from subcontractors (because the job involves mainly the re-grading of ground surface and the re-positioning of a drain pipe and perhaps a downspout).

Prepared and submitted by Steve Susman.

Approved by the Board on September 28, 2015:

Title