

**PITCHFORK TOWNHOMES ASSOCIATION, INC.**  
**SPECIAL MEETING OF OWNERS**  
**AUGUST 29, 2023 – VIA ZOOM**

Alex Summerfelt of Toad Property Management called the meeting to order at 6:35 p.m. and said there was a quorum. Notice of the meeting was sent on August 22, 2023.

**Roll Call/Establish Quorum**

**Members Present via Zoom:**

Hannah Crofut	101 Big Sky
Alex Hegerty	101 Pitchfork
Zach Guy	103 Pitchfork
Graham Holland	105 Pitchfork
Petr Holubar & Emilee Gaebler	106 Pitchfork
Don Wiseman	107 Big Sky
Tyler King	111 Big Sky
Sam Eberle	201 Pitchfork
Jess Legere	502 Horseshoe
Lauren Warrem	504 Horseshoe
Kyle & Lauren Koelliker	505 Horseshoe
Daniel Kenneally	507 Horseshoe
Shaun Harrington	508 Horseshoe
Lishka Blodgett	
Mary Nolan	
Dawn	
Troy Russ	

**Also, in Attendance:**

Alex Summerfelt	Toad Property Management
Nick Sledge	Toad Property Management
Bart Laemmel	B2 Science

Don Wiseman said there had been ongoing interior water damage for several years with the water coming from the roofs. Don explained snow was removed from the roofs and after 18 or 20 years the roofs needed to be repaired/replaced. At the 2022 annual meeting it had been agreed the Board would work with a Committee to determine the extent of the damage and how to rectify the issues. Don said replacement of the metal on the roofs had been researched and Bart Laemmel of B2 Science had been hired to inspect and assess all the units.

Bart Laemmel said he was familiar with Pitchfork homes and the construction. Bart explained over the years it had become clear that some homes lacked the correct air barriers or insulation was improperly installed or not installed at all. Bart said some attics were very warm during the Winter months and that led to ice dams and eventual failure of the roof and leaks. Bart explained poor air barriers had been identified in multiple

homes during the recent inspections. Don Wiseman said one new owner had identified mold in the attic due to the bathroom vent going into the attic without being directed outside and Bart had found the same issue in multiple units.

Don Wiseman explained the two duplexes at the corner of Horseshoe/Pitchfork had regular attics and the mitigation was straightforward. The other six buildings had a variety of construction styles for the roofs and access to the roof space was difficult. Bart Laemmel explained different solutions would be necessary for the different roof construction styles.

Don Wiseman said the Committee had gathered bids from roofing contractors to remove the old roofing material and take back to the plywood so ice and water shield could be added to the roofs prior to new metal being installed. Don explained it would be necessary to address the air barriers/moisture prior to the new roof being installed. Due to the construction the two duplexes at the corner of Horseshoe/Pitchfork could have a new roof installed and then address the air barrier but the remaining six buildings, due to the style of construction, would require the roofing company to work in conjunction with the company engaged to address the moisture/air barriers. Don explained several roofing contractors had bid for the roofing part of the work and the Committee had selected one contractor from those bids to do the work on all eight buildings. Don said two contractors had been approached for the air barrier/moisture work and one of those contractors had just said they would not be available to do the work. Bart Laemmel said there might be a contractor to perform both parts of the work but getting that scheduled was difficult.

Don Wiseman said the current bids were a total of more than \$750,000 which was approximately \$34,000 per unit. Don said the Committee had been trying to reduce that number but at the present time had been unsuccessful and financing options had been discussed.

Don explained the Board did not think many owners would be prepared for a \$35,000 special assessment so the Committee had approached Community Banks of Colorado to finance the work. Don said a 7 year loan for the work would result in each unit paying at least \$350 per month to repay the loan.

Emilee Gaebler said at the time of purchase she had been told by her inspector that venting through the roof was not feasible and venting would need to go out of an end unit. Bart Laemmel explained it was not possible to put a vent through a fire wall between units and it would be necessary for a vent to either come out of the eaves or on the ridge. Bart said the roof could be replaced and the remaining work left but that would not reduce ice dams and the damage caused by ice dams. The plan to address the roof and address heat and moisture together would be a benefit in the long term. Bart said some units had "holes" from the basement up to the roof and it was planned to address those areas.

Don Wiseman said the contractor for the roofing was a Front Range company and that was the most beneficial pricing. Bart Laemmel said the air barrier work was more difficult to find a contractor who could do the work and some work was more specialized. Don Wiseman said work would continue to find additional bids for that work.

Tyler King thanked the Board, the Committee and Bart Laemmel for the work they had done so far on the project. Tyler said it was hoped costs would reduce and financing would come down over the next year and Bart Laemmel stressed the need to take the time to engage the right contractor.

Don Wiseman said there were cost savings to having all eight buildings addressed at the same time. Don said the two duplexes (4 units) could have the work performed immediately for approximately \$78,500 using Salazar Roofing and Valley Remediation & Construction and that would cost all unit owners \$3,141 for the work.

Kyle Koelliker said there were three buildings which had a higher priority and it would be possible as part of the construction loan from the Bank to spread the project over a few years and the Association would just be repaying the amount borrowed at that time. If an owner became delinquent on payments it would be necessary to have a special assessment from all owners to make the payment to the Bank. Kyle confirmed 8.5% had been quoted for the loan. Don said a commitment had not yet been received from the Town of Mt. Crested Butte regarding financial assistance for the deed restricted units. Concern was expressed about owners defaulting on the bank payments and it was suggested that owners would be required to pay the entire balance of their portion of the loan upon the sale of the unit. Concern was expressed about the high interest rate and the need to research other financial institutions. Don Wiseman said several approaches had been made and Community Banks was the only entity willing to make a loan to the Association.

Don Wiseman confirmed insulation had been previously installed by Accurate Insulation but that work did not address all of the issues and trapped warm air in the attics. Don said working with Bart Laemmel had helped to identify a plan to address all of the issues. Bart Laemmel said some areas of the roofs could not be reached from the interior of the units and Bart had been examining the architectural plans for the buildings as well as inspecting the work performed.

Bart Laemmel explained some units would be more expensive to address the required work and Emilee Gaebler asked if costs could be shared building by building instead of having one large Association loan. Don Wiseman explained there were large extremes between the costs per building and the Association was responsible to maintain the buildings. Alex Summerfelt explained the bathroom venting was a limited common element until the vent reached the outside of the unit and legal counsel had been asked for an opinion on the fair and equitable way to divide the costs. Alex said a limited common element could be considered an individual owner expense but the Association was responsible for the outside of all units and the costs had been grouped together rather than dividing unit by unit.

Lauren Koelliker asked if insurance would cover the replacement of the roofs. Don Wiseman explained the governing documents had been amended to be studs in/studs out which allowed the Association to obtain insurance from a different carrier. Don explained the prior policy had been \$48,000 and the new carrier, effective from May 24th, was \$24,000 for the year. Don said Toad was preparing a list of all water damage expenses and the Board would be reaching out to the prior insurance company to file a claim for those expenses. Don confirmed there was a \$10,000 deductible on the insurance policy. Alex Summerfelt asked owners who had experienced interior water damage during the Winter to contact Nick Sledge at Toad so attempts could be made to recover the repair cost from the prior insurance carrier. Don said the Association had been involved in significant claims in the past, which pushed the premiums up, and Alex said the benefits of each claim needed to be balanced against potential premium increases. Lauren Koelliker stressed the need to pursue a claim with the insurance company prior to borrowing a significant amount from the Bank or having large special assessments for owners. Lauren expressed concern that a claim had not been filed sooner as damage from roof leaks had caused interior damage for two years.

Don Wiseman said there was still a lot of work to be done and the purpose of the meeting was to alert owners to the need for the work and the Board and the Committee would continue to work on obtaining more quotes and determining the best way to fund the work. Alex Summerfelt confirmed there would be additional meetings to discuss financing.

Troy Russ confirmed individual owners would have the opportunity to arrange their own financing and make a lump sum payment against the Association's bank loan. Troy said that would give owners the opportunity to secure borrowing at a lower interest rate but still allow the Community Banks of Colorado loan to be in place for owners who did not have other options available to them. Troy said he had asked the Town of Mt. Crested Butte to offer interest free loans to the deed restricted units.

Troy Russ asked why there had been significant savings on the insurance premiums but monthly dues had not been reduced. Don Wiseman said snow removal was over Budget for the Winter and Don said he was working with Alex to review the snow removal expenses and owners had paid a special assessment for snow removal expenses. Alex Summerfelt said a new Budget would be drafted and a meeting held towards the end of the year to ratify the Budget.

Lauren Warrem asked for a capital reserve account to be set up to assist with future expenses.

Don Wiseman said the architectural plans had been reviewed and the buildings inspected. Some aspects of the construction had been addressed correctly but some items had not been finished correctly or in accordance with the plans. Those items had not been addressed by the Town of Mt. Crested Butte at the time of construction and Don said he was not aware of an opportunity to go after Coburn Development for construction

defects. Alex said he could review the construction plans and compare with Code to identify any potential code violations. Concern was expressed about the management company and Dawn suggested a review of other management companies.

Jess said she felt any charges should be based on the number of bedrooms in a unit and the amount should not be divided equally between each unit. Alex said the assessment allocation was outlined in the governing documents and Alex agreed to continue to review the Covenants.

Troy Russ stressed the need to deal with the current maintenance issues and then pursue other options regarding potential liability for those costs.

Don Wiseman said it was a large project and asked owners to continue to be engaged in the matter as the problems would not go away without work being performed. Don encouraged interested owners to assist the Board and the Committee.

Don asked owners to reach out if they had additional questions. Alex Summerfelt explained the Board had authority to levy a special assessment and owners would have an opportunity to comment on the special assessment.

At 8:22 p.m. Emilee Gaebler made a motion to adjourn the meeting. Graham Holland seconded the motion and it was unanimously approved.

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Prepared by: Rob Harper  
Toad Property Management, Manager