

THE TIMBERS OWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
MAY 30, 2018
318 ELK AVENUE, SUITE 24

Those Present:

Ann Mallow
Erin Stock
Evan Sandstrom
Kat Hasebroek
Rob Harper, Toad Property Management, Inc.
Jim Ruthven, Toad Property Management, Inc.
Jacob With, Law of the Rockies (by phone)
Alisa Corey, Mountain West Insurance (by phone)

Rob called the meeting to order at 5:06 pm. and confirmed a quorum.

Alisa said Mountain West had been working with several carriers and giving each carrier information about the large first water damage claim and the second claim due to a sewer line back-up. Alisa explained the two claims were different and unrelated but for insurance purposes were considered as two water damage events within a short period of time. Alisa confirmed she had spoken to the Developer, all contractors and the property manager to obtain all the background information necessary to present to the markets as confirmation that future damage was mitigated.

Alisa said the carrier was requiring a significant deductible on future water claims. Jacob confirmed insurance companies dealing with the first claim were subrogating and several insurance companies, including those for the Developer and the Contractor, were involved. Jacob explained this added to the difficulties for the association to obtain insurance without higher premiums or deductibles. Jacob recommended reviewing the Covenants and making amendments such as requiring a minimum temperature be maintained in all units or common spaces, monitoring and maintaining faucets and common areas and having grills at least 10 feet from the building and no grills on balconies. Jacob explained the Covenant changes would open up additional markets but the claim record would continue to negatively impact policy costs for three to five years.

Jacob said the insurance company had covered the association losses with the exception of the deductibles and some smaller costs and it was unlikely that the association would be able to recover any additional money.

Alisa confirmed that if an insurance company was successful in subrogating a claim and the insurance company for the association was able to reduce the overall claim the association's record would be amended and it would be a benefit to the association when negotiating future coverage.

Kat asked if there was any legal recourse against the Developer or Contractor as the unit owners were currently having to deal with issues which should not be occurring in a two year old building. Jacob said a qualified engineer, or third party qualified professional, could be hired to make sure there was not anything substantially wrong with the building and if a report highlighted an issue the defect could be fixed before the statute of limitations ran out. Jacob said the cost of a lawsuit would have to be balanced against the chance of prevailing and what compensation might be possible.

Jacob and Alisa left the meeting.

Ann asked if there would be an increase in dues and Rob said the insurance had increased by approximately \$26,000 and unless a lower insurance policy could be found there would be a dues increase.

Kat said the survey had produced a lot of comments from owners and it was agreed the Board would discuss at a future meeting as the insurance discussion had taken up so much time. It was agreed to meet Wednesday, June 6 for a work session reviewing the survey comments and results.

After discussion Kat made a motion to accept the SealCo proposal of approximately \$4,200 to fix the cracks and potholes in the parking lot. Evan seconded the motion and it was unanimously approved.

Rob said there were several small maintenance tasks and it was agreed Toad would stain the hot tub deck, clean common area carpet where necessary, touch up doors damaged by bikes or luggage and add more gravel around the building.

Erin asked if a stronger chain could be used on the hot tub and Kat said she would prepare a detailed list of instructions for hot tub use.

Ann said on the east side of the building there was some construction waste and Rob agreed to have it removed. Kat suggested spreading wildflower seed in the Fall.

Erin said owners were storing stuff outside units and on balconies. Rob agreed to follow up and send letters where necessary.

The meeting adjourned at 6:20 pm.

Prepared by Rob Harper,
Toad Property Management, Inc., Manager