

**THE TIMBERS OWNERS ASSOCIATION, INC.  
ANNUAL HOMEOWNERS MEETING  
OCTOBER 7, 2019  
318 ELK AVENUE, SUITE 24**

Those Present:

Unit 014	Ann Mallow
Unit 100	Emily Herbert
Unit 106	Mitchell Robertson
Unit 109	Nate and Regina Meckes

Rob Harper, Toad Property Management, Inc.  
Peggy Langewish, Toad Property Management, Inc.  
Ian Ryder, Toad Property Management, Inc.

Those Participating by Phone:

Unit 104	Christian Hiles
Unit 107	Erin Stock
Unit 108	Keith Stieduhar
Unit 110	Lesley Gagnon
Unit 112	Mike Arth
Unit 203	Evan Sandstrom
Unit 204	Thomas Van De Bogart
Unit 205	Erin Stock
Unit 206	Lynn and Michael Hunt
Unit 209	Julie Sullivan
Unit 303	Kat Hassebroek
Unit 304	Stacey Schultz
Unit 308	Mike Quinn
Unit 309	Chad Markle

Proxy to Kat Hassebroek:

Unit 010	Ahmad Ghazanfari
Unit 012	Ahmad Chazanfari
Unit 200	Kimberly Baldwin
Unit 201 and 305	Susan Bencivenga
Unit 306	Marguerite Roy
Unit 310	Synder LLC
Unit 312	Las Torres LLC

Proxy to Alicia Valario

Unit 102	Carol Blitz Smith
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Proxy to Nate Meckes

Unit 300	Reggie Park
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Rob Harper called the meeting to order at 5:34 pm and confirmed there was a quorum and said notice of the meeting had been mailed on September 3, 2019.

Evan Sandstrom made a motion to approve the minutes of the October 1, 2018 annual meeting. Ann Mallow seconded the motion and it was unanimously approved.

Rob Harper explained it had been a busy year and KW Construction continued to work on the punch list for the restoration of the building and work would hopefully be finished soon. Rob said the Board continued to work with the attorneys, Steve Loden and Brad Wyly, regarding the insurance settlement and said an agreement had just been reached to settle for close to \$250,000 of additional funds from Seneca. The agreement was not finalized yet and owners would be notified as soon as that was completed. Some invoices for KW Construction were still outstanding, approximately \$350,000, and negotiation was underway to bring that number down but it was slow progress and unlikely to be settled under the Association was willing to sign off on completion of all punch list items.

Rob said the invoices from the two attorneys were currently in the region of \$23,000 and the attorneys would submit invoices once the insurance settlement work was completed and at that time a decision would be made on whether to proceed with litigation against various entities. Kat Hassebroek reminded owners to return the Questionnaire provided to all owners by the attorneys, if they had not already done so, as responses in those questionnaires would be essential in the planning process.

Rob said essential maintenance items had been delayed pending completion of the building and those items, such as snow fences, roof repair, parking lot, drain pipes, would be dealt with as soon as possible. Rob explained there were plans to build on the neighboring lot and that would impact snow removal in the future.

Rob explained the Bylaws permitted a maximum of 4 Board members and to increase the number of Board members would require an amendment of the Association's governing documents and it was not an impossible task but it would be lengthy and would incur legal expenses. Kat Hassebroek said current Board members would support the process to increase the size of the Board to five.

Rob introduced Peggy Langewisch, from Toad, who had been assisting with the preparation of the 2020 Budget and reviewing the ongoing year to date financials. Rob said the 2020 Budget proposed a relatively large dues increase, approximately 29%, as a result of increased expenses, especially insurance. Rob explained several companies had refused to provide insurance coverage and Gallagher in Denver had assisted in the process to secure adequate coverage although the premium was significant and the deductible also significant. In addition, the 2020 Budget included legal expenses of \$20,000 as there would be ongoing legal work related to the 2018 significant damage to the building and the draft Budget proposed \$10,000 to go towards future reserves.

Rob explained there was currently \$100,000 in the bank account, prior to the receipt of the Seneca insurance settlement and prior to payment of the attorneys and KW Construction.

Kat Hassebroek explained it had been necessary for the Association to spend funds on replacing and improving various parts of the building to correct construction deficiencies and that money could not be recovered from Seneca Insurance but had helped in the process of obtaining new insurance coverage and would help to prevent future damage to the building. Rob said the Association had also been responsible for a \$50,000 deductible on the restoration of the building following the 2018 damage and Chris Rockers, the Public Adjuster hired by the Association to assist with the insurance company negotiations had cost \$75,000. Rob explained the funds from the special assessment of \$176,000 had been used to address those expenses plus various legal expenses.

Ann Mallow made a motion to approve the 2020 Budget as proposed. Kat Hassebroek seconded the motion and it was unanimously approved. Evan Sandstrom thanked Toad for preparing the Budget and managing the finances of the Association.

Rob explained Kat Hassebroek was willing to continue on the Board for an additional three year term and Reggie Park had volunteered to join the Board. Rob said the Bylaws were very specific regarding the process for a secret ballot and a Written Ballot would be circulated by email to all owners as soon as possible and votes for the Board of Director term would be tallied and announced.

Kat Hassebroek explained the questionnaire information was very important for the legal team to determine if litigation should be commenced and who to include in the litigation and the timing. Kat said there was no guarantee that owners would be reimbursed for all of their expenses relating to the 2018 damage to the building and Evan said some owners would be contacted by their personal insurance companies and any payments received would need to be disclosed to Brad Wyly and Steve Loden as losses could not be reimbursed by both the Association insurance and the individual unit owner insurance carrier. Evan said Brad and Steve would be asked to provide advice for owners on how to deal with contact from individual insurance carriers or the insurance company attorneys and Kat said owners could put the attorneys in contact with Brad and Steve if necessary.

Rob Harper said officers would not be appointed at the upcoming Board meeting until the secret ballot responses had been received and there would not be any Executive Sessions. Kat Hassebroek said she had gathered a lot of knowledge regarding the 2018 damage to the building and would like to stay involved until matters were resolved and at that point she would be happy to step down and have somebody else take over the role.

It was agreed the next meeting would be 5:30 pm on Monday, October 5, 2020.

Ann Mallow made a motion to adjourn at 6:17 pm. Kat Hassebroek seconded the motion and it was unanimously approved.