

**WILLOW CREEK TOWNHOMES ASSOCIATION
BOARD OF DIRECTORS SPECIAL MEETING
THURSDAY, APRIL 6, 2017 – 8:00 A.M.
318 ELK AVENUE, SUITE 24, CRESTED BUTTE**

By Phone: Greg Carver, Unit 3
 Jennifer Bossard, Unit 1
 Shirley Crow and Jill Norris, Unit 5
 Allan Kroll, Units 2 and 4

Present: Rob Harper - Toad Property Management, Inc.

Rob called the meeting to order at 8:01 am and confirmed a quorum was present.

Rob said the meeting was to continue discussion from the March meeting regarding the insurance claim for December 2, 2016 damage at Unit 2. Greg said he had received a report from Farmers Insurance which stated Farmers would pay the claim although the pipe was broken due to freezing as the heat was turned off in Unit 2.

Allan had sent a letter shortly before the meeting summarizing the damage was a result of debris in the pipes. Allan explained he did not have a written report from Murphy Mechanical and had been at Unit 2 when Murphy Mechanical returned for a second time specifically to investigate why no water was flowing from the tub and only minimal water from the shower. Allan said Murphy Mechanical had repaired the pipe damage and replaced a valve on the first visit (December 16) and on the second visit (December 22) Murphy Mechanical had said an incorrect valve had been installed on the first visit and after installing the correct valve Murphy Mechanical flushed the pipes and discovered debris in the lines.

Jill said she would like to see a written report from Murphy Mechanical as Allan's summary appeared to contradict the report from Farmers Insurance which clearly stated the damage was due to a freeze. Greg and Jill said clarification from the plumber or the insurance adjuster was required to answer questions regarding debris being responsible for separating the pipe from the joint or a frozen pipe being the cause of the damage.

Rob said, at the request of Farmers Insurance, Timberline Mechanical had been to the unit on December 13, 2016 and confirmed on their invoice that the power switch for the furnace was in the off-position.

Allan said he would contact the Farmer's adjuster and ask if the debris in the lines was sufficient for the pipe to separate from the joint. Allan said he also wanted to check if Murphy Mechanical had been paid by Farmers for the two visits to Unit 2.

After discussion it was agreed written information from Farmers and/or Murphy Mechanical was required to clarify if the leak was caused by a frozen pipe due to no heat in Unit 2 or if the leak was caused by debris in the line. A follow-up meeting was scheduled for April 25, 2017 at 9 am.

Jill said at the previous meeting Allan had referenced Section 38-33.3-315(4) of CCIOA and after the meeting she had personally reviewed the provision and also reviewed Section 38-33.3-313 subparagraphs 5 and 6 which related to disbursement of insurance proceeds as well as insurance

deductibles. Allan questioned that Section as he considered the reference to relate to common areas and not the internal damage of an individual unit. Jill stated she would not give legal advice to the association and the association could obtain legal advice from the association's attorney if desired.

Rob said Allan had agreed to the initial Farmer's Insurance settlement check being deposited into a separate bank account and that new account would be set up in the next couple of days.

Rob said in the Fall he had obtained and distributed to the board estimates for the exterior painting of all 5 units and it was agreed Rob would distribute those estimates again for discussion at the next meeting.

Jill made a motion to adjourn the meeting, Jennifer seconded and the meeting adjourned at 8:36 am.

Prepared by Rob Harper
Toad Property Management, Inc., Manager
of Willow Creek Townhomes Association