
RECORD OF PROCEEDINGS

Minutes of the Meeting Of the Board of Directors of Brightwater Club Property Owners Association February 25, 2013

A Meeting of the Executive Board of Directors of the Brightwater Club Property Owners Association, Gypsum, Eagle County, Colorado, was held on February 25, 2013 at 9:00 a.m., at the at the offices of Robertson & Marchetti, 28 Second Street, Suite 213, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Joe Spencer (By Telephone)
- Garrett Smith (By Telephone)
- Louis Amato (By Telephone)
- Renzo Renzi (By Telephone)

The following Director was absent and excused:

- Darrel Schmidt

Also in attendance were:

- Scott Green (By Telephone)
- Mary Armani (By Telephone)
- Don Janklow (By Telephone)
- Mike Budd (By Telephone)
- Jim Shoot for Karl Mosch (By Telephone)
- Carl Luppens (By Telephone)
- Cheri Curtis, Secretary to the Meeting

**Call To
Order**

The Meeting of the Board of Directors of Brightwater Club Property Owners Association was called to order by Director Spencer, noting a quorum was present.

Collections

The Board received two proposals for legal representation; one from Orten Cavanaugh and Holmes, LLC and one from Mountain Law. Both proposals are fairly consistent in costs and services provided. Director Spencer believes the Orten Cavanaugh Holmes proposal is better for the Association. Director Amato prefers hiring local counsel to reduce legal cost if case goes to trial and stated it is better to work with local attorneys when being represented in court.

The Board further reviewed the proposals and discussed the costs. Director Smith questioned whether anyone has had a problem with Jerry Orten's office. Director Amato stated Mr. Orten filed a second lien against CDI, which cost EFO several thousand dollars with no benefit to the Association.

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Director Spencer questioned cost of working with a new firm to educate them on the Association issues. Director Amato stated he had not asked that question of Mountain Law Group and it should be asked to avoid exceeding budgeted costs. Director Smith questioned whether Don Janklow knew the Mountain Law Group and he responded that he was not familiar with that firm.

Carl Luppens stated the Board will see a lot of resistance from property owners to collect on past due assessments. Mr. Luppens believes Mr. Orten has been part of the problem. Director Spencer reminded Mr. Luppens that he was on the Board when the second lien was filed. Upon motion duly made and seconded it was unanimously

RESOLVED to change legal counsel to Mountain Law Group, including authorization to commence foreclosure proceedings on eighteen owners for a total of thirty-eight properties for a flat fee of \$25,000, as long as there are no additional start-up costs.

Security Keypad

Director Spencer informed the Board a second keypad needs to be installed for the security system to be a stand-alone system. The cost is estimated at \$650 plus some possible additional installation costs. The stand-alone system will allow offsite access to the gate to provide access by visitors to Brightwater by either contacting staff or residents. Upon motion duly made and seconded it was unanimously

RESOLVED to spend the funds to install a second keypad.

Adjournment There being no further business to come before the Board, upon motion duly made and seconded it was unanimously

RESOLVED to adjourn the Meeting of the Brightwater Club Property Owners Association Board of Directors this 25th day of February 2013.

Respectfully submitted,



Cheri Curtis
Secretary for the Meeting