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## RECORD OF PROCEEDINGS

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**Minutes of the Meeting  
Of the Board of Directors of  
Brightwater Club Property Owners Association  
September 16, 2016**

A Meeting of the Executive Board of Directors of the Brightwater Club Property Owners Association, Gypsum, Eagle County, Colorado, was held on September 16, 2016 at 10:00 a.m., at the offices of Marchetti & Weaver, 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 in attendance:

- Don Janklow
- Inga Causey
- Michael Schneider
- Brian Kueker (By Telephone)
- Renzo Renzi (By Telephone)

Also in attendance were:

- Kim Berggren (By Telephone)
- Kevin Summers (By Telephone)
- Garrett Smith (By Telephone)
- Carl & Diane Luppens
- Dan Wolf, Mountain Law Group
- Eric Weaver, Marchetti & Weaver, LLC
- Anne Clarke, 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 Mr. Weaver, noting a quorum was present.

**Changes to  
Agenda**

No changes were presented.

**Meeting  
Minutes**

The minutes from the May 20, 2016 Executive Board meeting were reviewed by the Board. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the minutes from the May 20, 2016 Executive Board meeting as presented.

**GHC  
Updates**

Director Renzi gave an update on the marketing campaign, noting that GCH has hired a broker who specializes in golf course developments. Several groups were hosted over the summer and a few more are still expected.

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**Owner Input** Ms. Berggren reported that the aerator in Lake #5 is not working. The algae bloom needs to be addressed. Director Renzi will discuss the maintenance with Pepe.

#### **Castoff Cabin**

Mr. Weaver asked for input on the Cabin usage this summer. The Directors and Members agreed that it was frequently used and a sense of community was created. Recent pest control measures were required. Ms. Berggren asked about the decks, which were never stained. Director Renzi will follow-up on GCH's work on the decks, building wood-pecker holes, and concrete repair.

Director Janklow joined the meeting at 10:20 a.m.

Ms. Clarke will begin to winterize the Cabin on 11/1/16. Utilities will be turned off for the winter, and the bathroom doors will remain locked 24 hours per day.

#### **Landscaping Service Agreement**

Shades of Green requested a three-year contract extension, offering to hold rates at the 2015 level. An email from Scott Green and a draft Exhibit A were filed in the board packet for review. Mr. Green suggested continuing the three annual applications of road easement weeding as well as adding four annual applications of roadside vegetation spot sprays. A change in the invoicing to six equal bills from April to September was requested. The new annual agreement totals \$42,930. Director Causey suggested adding an additional clause to the agreement allowing termination for cause. Mr. Luppens asked about over-seeding with native grass seed. Mr. Weaver will report back on that option at the next board meeting. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the three-year contract with Shades of Green at the current prices with the contractual language edits discussed.

#### **Other Operations**

Director Renzi reported that the golf course front nine is being watered, mowed, and will be fertilized in the spring of 2017.

Street light bulb replacement will be scheduled by the end of the month.

Fire hydrant paint has faded. The solar-powered indicator lights are also failing. Ms. Clarke will research these maintenance issues and report back.

Mr. Smith joined the meeting at 10:40 a.m.

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**Financials** Mr. Weaver reviewed the financial statements presented as well as the collections report. Cash balances have improved over last year. He proposed maintaining the 2017 dues assessment at \$325 per quarter as well as offering the pre-pay discount. He reviewed the expenses line by line, noting the gate house issues. The Directors discussed the Reserve Replacement expenses. The asphalt crack-filling overage was due to a favorable billing error in the prior year. The vendor only noticed the error this summer. The same amount of work was done, but the 2016 budget was under-estimated due to the error. The vendor provided a 25% discount on the 2016 bill.

Mr. Weaver asked for feedback on the 2017 budget proposal and none was given. The budget will be presented for approval at the next regular meeting.

### Rampart Lots

The Association took title to five Rampart lots in August. The lots are currently valued between \$42,000 and \$48,000 each. Taxes owed are \$45,000 each. Mr. Weaver reviewed the Rampart lot history. The Directors discussed the pros and cons to holding or selling the lots. Selling the lots would bring in a dues paying member, worth \$975/year. The Association would also be burdened with the time expense of Mr. Wolf, Mr. Weaver, and Ms. Clarke for marketing and processing each sale. The board agreed to hold onto the lots until market prices rise.

### Collections Update

Mr. Wolf gave a collections and foreclosures update. Six lots are proceeding with either a Sheriff's Sale or a lien foreclosure. Thirteen additional lots, identified as "Other Delinquent Accounts" were mailed a Notice of Delinquency on July 1, 2016. It was suggested that Mr. Wolf send a letter to each owner, offering one last chance to bring the account current before the Association proceeds with foreclosure. By motion duly made and seconded it was unanimously

**RESOLVED** to authorize Mountain Law to send the letter described, and then proceed with foreclosure on lots F2I005, F4G011, F5L050, F3K005, F3K006, F3K007, F3K008, F3K009, F3K010, F3K018, F3K019, F3K021, and F3K022 and further **RESOLVED** to authorize Mountain Law to send a Notice of Delinquency letter to F2F98 and F3J005.

### Accounts Payable

The Board reviewed the accounts payable list. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the accounts payable list as presented.

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### Brightwater Club Property Owners Association September 16, 2016 Meeting Minutes

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#### **Member Meeting**

The annual Member Meeting date is tentatively scheduled January 7, 2017. This will be formally approved and announced in November.

#### **Adjournment**

By motion duly made and seconded it was unanimously

**RESOLVED** to adjourn the Meeting of the Brightwater Club Property Owners Association Board of Directors this 16th day of September, 2016.

Respectfully submitted,

Anne Clarke  
Secretary for the Meeting