**Beaver Creek Lodge**

**Condominium Association, Inc.**

Annual Meeting 2012

**Date:**  March 20, 2012

**Location:** Beaver Creek Lodge, Juniper Room

**Time:** 10:00 AM (MST)

**Minutes**

1. **Introduction, Roll Call and Proxy Review**

The annual meeting of the Beaver Creek Lodge Condominium Association, Inc. (BCLCA) was called to order on March 20, 2012. Richard Kessler, President of the Association, presided over the meeting. Jim Wear, of the law firm Sherman and Howard LLC, served as Beaver Creek Lodge Condominium Association counsel. Athena Porter kept the meeting minutes.

The following were present:

Beaver Creek Lodge, LP. (represented by Richard Kessler) Owner, Various Hotel Units

Mark Kessler, VP/Secretary/ Hotel Unit Director

Fravy Collazo, CFO

Kevin Shields, GM

Manny Flores, Chief Engineer

Tim Baker, Commercial Unit Director Owner, Unit 118

Andrew Keiser Owner, Unit 136

Bob Lundell Owner, Unit 138

Paul Jardis Owner, Unit 213-A & 218

Michael Pompian Owner, Unit 108

Dan Kessler Owner, Unit 109

Louise Beaudin Owner, Unit 110

James Power Owner, Unit 208

Dave Rivard Owner, Unit 211

Steven Broadbent Owner, Unit 301

Manny Rose Owner, Unit 411

Richard Kessler held Proxy votes from the following owners:

Desert Partners, LLC Owner, Unit 101

BCL Owner, Unit 102

Susan Elliot, LLC Owner, Unit 103

BCL Owner, Unit 104

Joseph John Gelb Owner, Unit 105 & 417

Riva Ridge Enterprises Owner, Unit 106

Coven/Gach Owner, Unit 107

Pompian/Dowson Owner, Unit 108

Dan Kessler Owner, Unit 109

Louise Beaudin Owner, Unit 110

Entrust New Direction Owner, Unit 111 & 306

James Satloff Owner, Unit 112

BCL Owner, Unit 113 & 114

John T. Grebe Owner, Unit 202

Richard Filarski Owner, Unit 203

BCL Owner, Unit 204

BCL Owner, Unit 205

James Power Owner, Unit 208

BCL Owner, Unit 209

Koch Owner, Unit 210

Dave Rivard Owner, Unit 211

Michael Barry Owner, Unit 212

Village Gourmet Market, LLC Owner, Unit 216

Daniel Wei Xu Owner, Unit 302

BCL Owner, Unit 303

Kemper Smith Owner, Unit 304

Sutter-Rehn, LLC Owner, Unit 305

JBC Investments, LLC Owner, Unit 307

Lake House Escape, LLC Owner, Unit 308

BCL Owner, Unit 309

BCL Owner, Unit 310

BCL Owner, Unit 312

BCL Owner, Unit 313

Michael Wojnicki Owner, Unit 314

BCL Owner, Unit 315

BCL Owner, Unit 316

Steve Lucido Owner, Unit 317, 318, 319

Creekside by the Mountain Owner, Unit 320

BCL Owner, Unit 321

BCL Owner, Unit 322

Athanassios Papadopoulos Owner, Unit 402

BCL Owner, Unit 403

BCL Owner, Unit 405

Nagesh Kadaba Owner, Unit 407

BCL Owner, Unit 409

Tom Sankey Owner, Unit 410

Terry Krieger Owner, Unit 412

Dan Hoffman Owner, Unit 413

Chris Main Owner, Unit 416

BCL Owner, Unit 419

BCL Owner, Unit 501

BCL Owner, Unit 502

Karl Finzel Owner, Unit 503 & 504

BCL Owner, Unit 505

BCL Owner, Unit 507

BCL Owner, Unit 508

Grady Burrow Owner, Unit 509

Richard Marks Owner, Unit 510

Jenny Albers Owner, Unit 511

Carolyn Brooks Owner, Unit 605

1. **Proof of Meeting Notice and Confirmation of Quorum**

Richard Kessler, on behalf of the Beaver Creek Lodge Condominium Association, welcomed the members of the Association. Jim Wear, BCLCA counsel of the law firm Sherman Howard LLC, stated that proper notice of the meeting had been given in accordance with the bylaws of the BCLCA. He confirmed 75% of the condo owners were present either in person or by proxy thus, constituting a quorum. Mark Kessler mentioned the Board is looking into offering a call in option for the future based on proper communication to owners with a listen-in only feature.

1. **Approval of 2011 Annual Meeting Minutes**

Jim Wear moved to adopt the reviewed minutes from the Annual Meeting of the BCLCA held on April 20, 2011. Paul Jardis seconded the motion. The motion carried.

**4.0** “**State of the Association” Presentation**

Mark Kessler gave an overview of the previous year’s accomplishments at the Beaver Creek Lodge including property improvements. He also discussed future plans and operations for the upcoming year.

Fravy Collazo offered details of operating charges under budget $47,000.00 due primarily to utilities being under budget by $24,000.00. This savings is attributed to Management going Green and changing out all of the property’s light bulbs as well as, turning off pilots during off-peak times.

Professional fees were $17,000.00 under budget due to recovery of $14,000.00 in legal fees from a foreclosure from 2010.

Contract cleaning was under budget $5000.00. Snow removal under budget $8000.00 due to heat strips being installed on the roof.

HVAC was over budget this year by $3000.00. Roof at $1000.00 over budget with phase 4 scheduled for 2012. Phase 5 scheduled for 2013.

Replacement of pool and spa tiles under budget and refinished wood around the building. Glass was added around the stair wells.

Budgeted sprinkler heads and exit signs are on hold.

Bottom line was estimated at $578,000.00 but spent $361,000.00. The difference will be carried forward and spent in 2012 as Capital and Reserve projects.

Introduction of new Grand Performers; Kevin Shields is new General Manager.

Awards received, AAA 4 diamond, Vail Valley Partnership Service Award (Lodging Winner for Outstanding Customer Service 2011, Travel & Leisure World’s Best, Beaver Creek Lodge ranked no. 3 for Family Hotels 2011, Conde Nast Traveler 2011 Best Places to Ski and Stay-

Beaver Creek #1, Beaver Creek Lodge #46.

Mark Kessler noted Association efforts to improve communication with all owners such as a monthly newsletter and website expected to go live August 2012.

**5.0 Election of Directors**

Jim Wear explained the election process to the members, 1 vote per owner, and then asked for nominations officers for Hotel Unit Director.

Mark Kessler currently holds board seat. Richard Kessler nominated Mark Kessler for a term ending at the annual meeting in 2015. Steven Broadbent seconded. There being no further nominations, a motion was made to approve by acclimation. The motion was seconded and carried.

Paul Jardis nominated Tim Baker for Commercial Unit Director seat for a term ending at the annual meeting in 2015. Andrew Keiser seconded. There being no further nominations, a motion was made to approve by acclimation. The motion was seconded and carried.

Conference call-in option brought up for discussion by owners. Richard Kessler advised will be discussed at the next Board of Directors meeting. They meet quarterly. Colorado Law (Sunshine Law) states anyone (owner) can attend whether or not they are a BOD member. Individuals who are not members are not allowed to speak but may listen. Owners request BOD meeting notification by email.

Jim Wear concurs; email, website, or displayed in hotel are acceptable ways for notification.

Kevin Shields spoke of upcoming newsletter and its contents including meeting notifications, area specials, repairs, etc. which will be distributed by email.

**6.0 Operating Fund Budget**

Richard Kessler reviewed the 2012 Operating Fund Budget.

Fravy Collazo stated that Q1 assessments that went out were a little higher. Q2 will have a credit for owners.

Final budget at 3.42%.

Total in 2011, $785,000.00.

Budget vs. Actuals, $771,000.00 + 14,000.00 credit=$785,000.00 total expense.

Budget of $200,000.00 for phase 4 of roof project, air conditioning in future cut, pool and spa refinishing, plumbing repairs under main floor boiler equals to $261,000.00 budget disbursement, budget deficit will be offset by the 2011 surplus. $216,000.00 left in replacement reserve will be spent on repairs.

It is noted that the Board of Directors will revisit numbers on budget.

Richard Kessler asked to approve the 2012 budget. Paul Jardis moved to ratify budget and reserve funds budget. Steven Broadbent seconded. All agreed and the motion carried.

Motion was entertained to apply all excess operating account income to subsequent year assessments. All agreed and the motion carried.

Motion was entertained that all reserve assessment for capital replacements shall be segregated in a separate bank account. All agreed and the motion carried.

**7.0 Old/ New Business**

Paul Jardis inquired about final reserve study deeming it unnecessary and not worth the investment. Richard Kessler advised they will be a matter of discussion at the next BOD meeting.

Paul Jardis inquired if any large repairs are projected in the near future. Manny Flores stated plumbing is the only thing foreseen and not a very large project.

Paul Jardis requested not to have special assessments in the future. Richard Kessler answered stating the by-laws would have to be re-written.

Michael Pompian inquired as to whom decides when special assessments are necessary. Richard Kessler advised that it is presented to the BOD for discussion and consideration.

Michael Pompian asked to improve wi-fi. Mark Kessler stated it would cost $21,000.00 to add more hot spots etc. All owners supported expenditure of Association funds, thinking it is a good and necessary expense and a constant upgrade process.

Richard Kessler added that over last 3 years, that Enterprise Hotels of Colorado funded updates to the Bandwidth. He noted the BOD will discuss and conduct studies to make improvements.

Steven Broadbent stated his room condition not up to par. Manny Rose concurred. Owners request detailed checklists as a means to helping the hotel to be successful. Kevin Shields advised that EHOC has implemented a new checklist for walking through rooms before arrival.

Mark Kessler confirmed no further old/new business.

**8.0 Adjournment**

Richard Kessler thanked all owners for their participation in the Annual Meeting of the Association and then entertained a motion to adjourn the meeting. All agreed and the motion carried.