



# SPECIAL MEETING MINUTES

Wednesday, June 15, 2022, at 5:30 PM MST

## Basecamp HOA Board of Directors

- **Fred Newcomer** – President
- **Tyler Mikolajczak** – Treasurer
- **Linsey Hempel** – Secretary

## Alpine Edge Representatives

- Steven Frumess – General Manager
- Brett Gunhus – HOA Manager
- Kimberlyn Bryant – HOA Administrator

### GoToMeeting Access Instructions

Please join the meeting from your smart device:  
<https://meet.goto.com/AlpineEdgeHOAManagement/basecamp-special-meeting>

You can also dial in using your phone.  
United States: [+1 \(872\) 240-3212](tel:+18722403212)

**Access Code:** 494-722-477

## I. **Welcome**

### a. Establish Quorum

The meeting was attended by the Board of directors listed above as well as the Alpine Edge management team. A quorum was met with the homeowners in attendance and the proxies received before the meeting.

There is no vote to occur at the meeting. Brett presented the purpose of the meeting and informed owners that a Q&A session would be held at the end.

### b. Introduction of Board and Management Team

Brett introduced the Alpine Edge management team and the sitting Board of Directors. Brett introduced Lee Gelman, legal representative for the Basecamp Association.

## II. **GoToMeeting Protocol**

### a. Confirm Notice of Meeting Delivery

Brett went over the GoToMeeting protocol with the homeowners and confirmed the Notice of Meeting was delivered to homeowners before the meeting via email and USPS per CCIOA.

## III. **Construction Defects**

### a. Construction Defects

Lee addressed the homeowners and presented the construction defects within the Basecamp Association and what the Board envisions. The Basecamp settlement agreement with the developer was made, and homeowners were informed of the settlement amount, which will be paid once the final language has been completed [The Board may be contacted for this

information]. He explained defects found within the development and the reasons behind the settlement. There was a slim possibility of winning a lawsuit.

b. Developer/Building Issues

The three major defects included the sound attenuation between units and along the stairwells, the concrete flatwork causing flooding, and the roof and porch leaking. Unit 215 still has damaged floors and is at the top of the list to get repaired.

c. How to Move Forward

#### **IV. Q&A Session**

There was a question as to whether this had been decided without the homeowners' input. Linsey stated it was still up for discussion. Lee said it did not require a vote and was the authority of the Board. A lawsuit would require a special assessment from homeowners, which would be a very high expense.

A homeowner asked if a third legal opinion should be obtained. Linsey explained how the Board decided on legal representation.

There was a question as to how the property was evaluated. It was a combination of historical costs, bids from contractors, and the presentation brought forward by Laura. The money will be used to hire a GC or construction manager. The association will control the remediation and all the repairs moving forward, and the Board will act on behalf of the Association.

If the Association goes down the litigation route, it would be a three-year process delaying any repairs. Many owners are ready to have the repairs done on their units and do not want to wait three years.

An owner asked about the new remediation process. Fred explained the construction standards and that the original builder met the code minimum.

Steven, the mitigator for this case, joined the meeting and was introduced to the homeowners. Steven explained his background and then presented his opinion of the case. He explained the lengthy litigation process and the high contingency fee to which the Association would likely be subject. He also explained that if they went through with litigations and won, sounds and noise would not be considered damages covered by insurance, and any remediation would be at the cost of the homeowner. He believes the Association ended up with the best-case scenario with the amount of money received in the settlement.

There was a question about when the documents would be available for homeowner review. He said the basic terms document would be available through the property manager. Many consultants were brought in to advise on sound remediation. Homeowners are welcome to utilize them. The settlement document will be in the file that exists for the HOA and will be available to the homeowners but should remain confidential within this community indefinitely.

There was a question about how the homeowner should handle the conversation if they wanted to sell their unit. Steven recommended talking to a real estate agent and a lawyer to ensure the seller's

property disclosure is accurately completed, stating that the HOA has been the subject of a claim, a settlement was reached, and the money will be used towards building repairs. The amount of the settlement shall remain confidential.

Fred answered a question regarding the developer doing additional work in the county. There was a lengthy discussion about non-disclosure agreements during the negotiations. Steven touched on this by informing homeowners that the deal does not include language requiring homeowners to refrain from bad-talking the developer in a public setting. Lee cautioned that common law for libel and slander still exists, and homeowners must be aware of the risks of bad-talking someone.

There were no other questions.

#### **V. Adjournment**

There was a motion to adjourn made by Fred, which Eric seconded. All were in favor. The meeting adjourned at 7:03 pm.