

## Edelweiss Haus

### Board minutes - February 23, 2022, 5PM Mountain time

Board member attendees: Hilary Williams, Ellen Carpenter, Greg Guster, Patricia Spross

All Seasons attendees: Jim Simmons, Mike Howe, Mario Salazar

Owner attendees: Chris Timothy- 219, Wayne McKay - 220, Matt Forsyth- Q, Brad Carpenter- O, Carol Silverman- 401

The following topics were discussed:

**Update** - All Seasons commented on issues discussed at last board meeting

- All Seasons has provided the board with clarity on the best practices for board meetings, i.e. that they should be open to all owners with sufficient notice. Executive sessions may be held when the topic is sensitive, e.g. acquisition or sale of real property, matters related to a person's character.
- Hot tub temperature – complaints continue that the hot tub is too cold. There is a thermometer in the hot tub so that users can check the temperature. Jim says the equipment is working, but the cold weather probably impacts the hot tub temperature.
- Old garage code – the vendor has not yet been out to deprogram the old code.

#### **Old business:**

**Property tax assessment appeal** initiated by PC Lodging – Jim could not locate the file that PC Lodging indicated was in the box of materials provided. Jim is in touch with PC Lodging and is awaiting further comments.

#### **Sale of unit 200 –**

- **Closing** - scheduled for 2/28/22; Hilary is working with the title company, and Jim has provided the necessary disclosures. Transaction is moving forward as planned. The sale is to an insider.
- **Bank account** under board control for sale proceeds opened at Zion's Bank. Patricia and Chris are signers. Patricia is the administrator and can give "view" privileges to other board members and Mike Howe's team members upon request. Patricia will provide Hilary with Zion's bank contact and account details to facilitate the movement of funds to the account at closing.
- **Tax treatment of sale of unit 200-** The board was in discussions with HEB Business Solutions, PC Lodging's accounting firm, with regard to the tax impact of a sale to an insider vs. a third party. HEB sent a letter yesterday on how the HOA can take advantage of *IRS Ruling 70-604*. Mike Howe reviewed the letter and said that the board will have to review its options on how to handle the revenue from the sale. The board can vote to roll this revenue forward to 2023, and place it in the reserve. The 2022 budget will not need to be changed to reflect the sale of unit 200 because the revenue will likely be rolled forward to 2023. Further research is necessary on the impact of any tax loss carryforward. Mike will consult with Mumford Group and provide

the board with clear recommendations on our options to minimize the tax impact of the sale.

### **New business:**

**Review of financial statements for month ended 1/31/22** – Mike Howe went through the income statement and balance sheet and discussed the differences to budget, which have been largely minimal thus far.

**HOA bank account** - HOA funds remain at Chase, where they were when PC Lodging was HOA manager. All Seasons has a relationship with Zions, where it would eventually like to move the account, once all the transition issues have been settled. Target date for move is May 2022. Board approval will be necessary to move the accounts to Zions.

**Sale of lobby space** - Hilary commented that the challenges to obtain city hall approval and install water and sewer were unacceptable to parties that initially expressed interest. The board will need to review our options regarding this space.

**Request by owner for a/c unit** – Hilary drafted new language to allow owners to install single hose portable air conditioners for the summer months. All Seasons will incorporate the language into the Rules and Regulations. Language was sent through portal to All Seasons after the meeting. The board will monitor our energy consumption during the summer to determine the impact.

**Loud music at hot tub/pool** - All Seasons will draft a new rule based on Carol Silverman's suggestion that music cannot exceed a certain decibel level.

### **Open discussion**

Drain issue (toilet) in G unit. Jim said that if the Roto Rooter (or equivalent) repair person finds that the issue is localized, e.g. hair in a drain, then it is the owner's issue to address. If the clog is a long distance from the unit, then this becomes an HOA issue. The board was in agreement.

Slow internet and recommendations that trash removal signs be translated into Spanish so they can be understood by the cleaning crews. (Carol Silverman). Improving the internet reliability is one of Jim's spring projects. He agrees to translate the signs into Spanish.

Rodent issues (Matt Forsyth) One of Matt's guests complained that there were signs of mice in the unit. According to Hilary, this has never been a problem. Jim will consult with PC Lodging on how they handled this. At his other properties, he has an exterminator spray the premises to mitigate the problem.

**Next board meeting** - tbd The meeting ended prematurely because the Zoom connection was lost.