



RECORD OF PROCEEDINGS

OBERMEYER PLACE CONDOMINIUM ASSOCIATION

Held: 5:00 pm on Tuesday, August 4, 2009
Held at the Offices of Obermeyer Asset Management, Aspen, Colorado.

Call to Order: Dir. Seyffert called the meeting to order at 5:10 pm and a quorum of Directors was present.

The following Directors were present:

Wally Obermeyer, President
Walther Ramos, Treasurer
Steve Seyffert, Secretary

Gary L. Beach, Manager
Landis Greathouse, Recording Secretary
Jim Korpela, Board Consultant

Approval of June 30, 2009

Minutes: Ms. Greathouse asked for a motion to approve the June 30, 2009 meeting minutes.

Motion: Dir. Seyffert moved and Dir. Ramos seconded the motion to approve the minutes of the meeting. Being no discussion, Ms. Greathouse called for a vote and the motion passed by unanimous voice vote.

Financial Report

Budget: At the request of Dir. Ramos, Mr. Beach presented the financial report and opened by stating that overall things are in good shape. The Association is currently pursuing those who are not paying their assessments. Four liens have been filed and two others were "noticed," which resulted in payment. Aspen Glass is now current on dues, a lien was filed on Niblack and have not received any response. Question arose regarding Niblack's residency of his RO unit and the legality of renting it out on short-term basis. Milne has paid and is now current. New liens have been filed on the Ski Service Center, Ambient Technology and Hollenbeck but have yet to yield payment. Dir. Ramos requested that if Ski Service Center returns, he would like to speak to

the owner regarding willingness to enter into payment plan. If not, he is in favor of moving to foreclosure. Need to find out if OPCA has first and only lien on property. Dir. Obermeyer added that Tim Belinski might recall the deal structure.

Mr. Beach continued to report on budget exceptions stating that HOA is on budget or slightly under. Slightly ahead on contract maintenance due to snow removal; as well on landscaping due to additional plaza work; and finally on elevator maintenance due to new fee for registration required by state and other maintenance issues not covered in budget.

Mr. Korpela reported that the Hippeau's property manager is requesting that the HOA pay to maintain their private elevator which only stops at their 3rd floor residence and their private garage. The HOA disagrees that they should have financial responsibility but have been paying this maintenance because of a misunderstanding of what elevators were being serviced for the Association. Dir. Seyffert asked if the condo map shows elevator as a limited common element. Mr. Korpela replied that the elevator is called out as an LCE associated to their particular unit. Mr. Beach suggested that the Association should bill the owners for maintenance of the elevator and the Board agreed. Dir. Ramos pointed out that the other option would be to discontinue maintenance to the elevator but the Association would be exposing themselves to liability.

Capital expense increases were mostly for gas re-venting and back-up batteries. Batteries were a surprise expense due to an unknown UPS for the single handicap elevator. The Association is looking into the possibility of replacing the UPS with an emergency generator. If not, management will look to see what else could be run off the UPS to make it more cost effective. Suggested other uses are for a back up to the sewage ejectors, elevators, entry doors, etc.

Dir. Ramos inquired about the re-keying project and if it was still in the budget. Mr. Korpela replied that there is \$8,000.00 in budget. Mr. Beach added that many free-market units have already changed locks on their own. Cost to re-key all affordables would be \$3,000.00 - \$4,000.00. Some residents have expressed concern over having master keys floating around among past contractors. A discussion ensued and it was suggested that there could be two master keys created: one master which allows entry into all building access points and would be held by the managers only. The second master would be for those residents who request re-keying for security reasons. Management was directed to send email to residents asking who is interested in rekeying and provide an explanation therefore.

Discussion of

Controls Systems:

Mr. Korpela opened discussion on control system proposals. Management solicited proposals from Design Mechanical, Carrier West and Climate Control. Only Climate Control provided proposal: their estimate of

\$73,100.00, includes on-site programmer, new program modules based on Johnson controls, new wiring, new software, training, etc. Jim met with Climate's tech installer on site to discuss specs & details and they are interested in providing a support package as well. Management believes that overall Climate provided a sound and thorough proposal.

However, Management was concerned about having only one bid, and there was still the concern over being dependent upon and outside firm to be able to "control" the system. Therefore, Beach has also provided a controls proposal covering the installation of an "OPTO 22" system. Some advantages are that it is an open source system, there is no license to buy, and it covers the same scope and offers the same control functionality but is manage-able by non-engineers. The "OPTO" system will control 6 integrated components: hot H2O, snowmelt, domestic hot H2O, Co2 monitoring, chiller and cooler. There is no cost for the basic program but there is a cost of \$990 for the professional level program. This is part of the Beach proposal.

Fire protection was discussed but it is not included in either proposal. Future integration possible with the OPTO system but current fire control system is fine. One advantage to having Beach do the installation is there would be no need for a continuing maintenance contract, the system would not be tied to outside vendor, and OPTO program support & tech support is free. The OPTO system allows logic changes on the fly and is continuously upgraded by the open source control community.

Dir. Ramos asked if we would have the ability to re-write code. Mr. Beach replied that it is like learning a window based operating system. Beach intends to send two staff members to California for training regardless of the Board's decision as Beach intends to convert other systems it uses to the OPTO control system. Dir. Seyffert asked about the timing of installation. Mr. Korpela replied that the first 4 systems would be installed starting on 8/17, then the chiller and cooling systems will be worked on since there would be less demand for those in the fall and winter. Dir. Seyffert asked if project would tap into reserves. Mr. Beach replied yes but there would be recovery from RANA and Developer in settlement. There would also be efficiencies with remote management of new system, increased knowledge of system and no maintenance contract.

Dir. Seyffert stated that he supports proposal. Dir. Ramos added that while he also supports proposal, he would like to do some due diligence by researching other projects that have installed similar systems and have Beach create an analysis of how the 6 components will positively impact the project. Dir. Obermeyer asked what would be the economic argument to install system vs. not install. Mr. Korpela replied that it is a matter of the inefficiency of adjusting the system manually (now) vs. adjusting remotely (future). Dir. Obermeyer requested that Beach provide a memo that includes cost estimate with impacts on owners energy savings. Mr. Beach added that he would like to see the OPTO system regardless of who installs it and would

be completely comfortable in having another firm do the work. Dir. Ramos replied that he would like to see Beach install system but would like some additional information on the system for the Association.

Motion: Dir. Seyffert moved and Dir. Ramos seconded to approved the Beach Resource Management Controls System Proposal with the following conditions:

- The Board will conduct their own due diligence of similar installed systems for comparison.
- Beach will provide cost analysis and “memo” explaining positive impacts on project.
- 25% of total installation cost will be retained by the Board until controls system is confirmed to be operating properly.

With no further discussion, the motion passed by unanimous voice vote.

**Discussion of
Warranty &
Settlement:**

Dir. Ramos reported that the signed response to the Developer’s settlement offer went out but we have not heard back.

Dir. Ramos asked if the controls proposals would have any affect on the boiler return temperature issue. Mr. Korpela replied that once new system is installed, adjustments can be made to lower boiler return water temperature. In the long run this should result in cost savings to the Association and lower delivery temperatures to the buildings.

Future Meeting: A discussion ensued regarding setting the date for the annual members meeting and whether December or January would be better attended by homeowners. A motion was made by Dir. Ramos, and seconded by Dir. Obermeyer, to schedule the annual members meeting via email and the motion passed by unanimous voice vote.

Adjournment Upon a motion made by Dir. Ramos, and seconded by Mr. Beach, the meeting was adjourned at 6:30 pm, by unanimous voice vote.

The foregoing minutes constitute a true and correct copy of the above-referred meeting and the Executive Board of the Obermeyer Place Condominium Association approved said minutes on the date below.

Gary L. Beach, Manager
Obermeyer Place Condominium Association

Date of Approval

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