

**RVRMA EXECUTIVE BOARD**  
**Record of Proceedings**  
**Regular Monthly Meeting**  
**Wednesday, April 24, 2019, 5:30 p.m.**  
**The Ranch House Meeting Room**

A regular meeting of the Executive Board Members of the River Valley Ranch Master Association, in the county of Garfield, State of Colorado was held on Wednesday, April 24, 2019 at 444 River Valley Ranch Drive, Carbondale, Colorado, CO 81623 with the following people present:

**Executive Board of Directors**

Yvonne Perry, President  
Gary Lesser, Vice President  
Leslie Marcus, Secretary  
Gary Harada, Director-at-Large  
Ben Johnston, Director-at-Large  
Cathy Cooney, Director-at-Large

**Management Representatives**

Kendra Ford, Community Services Manager

**Homeowner Attendees**

Elizabeth Lozner  
Richard Stumpf  
RJ Spurrier  
Matt Freeman

**Call to Order**

RVR Executive Board President Yvonne Perry called the meeting to order at 5:40 p.m. A quorum was established.

**Approval of Agenda**

Secretary Leslie Marcus and Director Gary Harada moved and seconded to approve the agenda. The motion passed unanimously.

**Consent Agenda**

Secretary Leslie Marcus and Director Gary Harada moved and seconded the adoption of the Board Meeting minutes of March 20, 2019. The motion passed unanimously.

**Public Comment**

Matt Freeman from 118 Heritage Drive addressed the Board representing he and his wife Pat and other neighbors on Heritage. Matt explained they are listing their house for sale, and another neighbor is also listing their house, as of next week. He had questions regarding guidelines around the number of vehicles allowed in a driveway and what he described as unsightly, cluttered yards. He stated that in the process of trying to sell their homes there is a neighboring house which gets the potential buyer's attention and not in a positive way. He appealed to the Board for help in correcting the situation.

Director Ben Johnston explained to Mr. Freeman there formerly was a provision in the covenants which limited parking in the driveway to two cars, but that provision was amended. As a result, the number of cars allowed was eliminated, and there is no cap on the number of vehicles that may be parked in the driveway. Additional cars can also park on the street unless it's a designated "No Parking" area.

Ben Johnston noted there is a covenant which may address some of the concern regarding the neighboring property. Section 3.14 of the RVRMA Amended and Restated Declarations: “All unsightly structures, facilities, equipment, objects and condition... shall be kept in an enclosed structure or in a screened area...”.

The Board agreed to have a discussion with the neighbor to see how they might resolve some of these issues.

## **Announcements**

- May 1: Water Aerobics Season
- May 4: Kentucky Derby party at Homestead partnered with RVR
- May 15: Deer Fencing Deadline (extended from stated deadline of April 30<sup>th</sup>)
- May 19: Poker Night
- May 22: RVRMA Executive Board Meeting
- May 25: Memorial Day Weekend Hot Dog cookout and pool party
- June 5: School is out
- June 7: Pool and Snack Shack open for summer
- June 7: First Friday Art Opening (Toms Door) 4:30 - 5:30 pm
- June 8: RVR Community Yard Sale

## **Ranch House Report: Kendra**

### **General Update**

We have RVR logo stainless steel water bottles available for purchase for \$5.00. We hope this will help support our members in the transition to no plastic cups in the gyms and contribute to general sustainability practices for our community. In the next week or so there will be a rack available to store the bottles, so you can leave them at the Ranch House for convenience. Our front desk staff is kindly labeling them with names for easy identification.

The Annual Easter Egg event had a fabulous turnout with more than enough eggs to go around! There was a visit from the Easter Bunny, photo ops, crafts, activities and gift bags to take home. We love the opportunity to connect with the younger RVR community and so appreciate those who came over to take part in it all! We are also appreciative of our staff who made it happen: Jules King orchestrated the event and all of the lovely details; Becky, Lukas, Ruby and Ethan executed all of it beautifully! Their efforts are truly appreciated.

The next RVR-associated event is the Kentucky Derby party in partnership with Homestead Bar and Grill. There are drink tickets for RVR Homeowners for a free mint julip at this event. There is one drink ticket per person, and they can be picked up at the front desk.

Gary Lesser expressed concern around the idea of partnering with Homestead for events and wants to have conversation about future partnering to make sure it's in the best interest of the RVR community, and doesn't confuse RVR homeowners by blurring the lines between two unrelated entities (RVR and RVR Golf / The Homestead Restaurant)

The Ranch House staff is in full summer season preparation mode. The summer staff hiring is almost complete, uniforms are being ordered and training will begin in May. The annual Memorial Day weekend hot dog cookout will be on the Saturday of the holiday weekend (May 25) and the pool will be open for the holiday weekend. The pool will remain open on weekends only, until Friday June 7<sup>th</sup> when the pool and snack shack will then be open every day for the summer!

Square Pay will be a new point-of-sale payment system implemented for food and beverage purchases at the Ranch House this summer. With the Square Pay system credit or debit cards can be stored on file, much like they are with our current system, but staff may need to be provided with the card at first use. We will be working on a great deal of messaging about this in advance in hopes to make as many members aware of this transition before the summer season kicks in.

There was a great deal of discussion around the concerns and challenges of bringing in a new payment system. Todd Richmond requested that the level of customer service and convenience for the homeowners is not comprised in switching to the new system. He asked management to be thoughtful about the new system and requirements and the impact to members.

Kendra and Sterling explained the many back-end steps of the current charging process. It was also noted the current charging system is cumbersome for members, as they have to fill out multiple slips of paper throughout a day for charges from different family members for different items. There are also declined credit cards daily and with the current system this is not discovered until the evening when all the day's charges have been tallied and charged. Staff then must call the members to alert them to this and often it takes numerous attempts to get a proper card on file. With the new system a card will be charged at the moment of purchase.

RJ Spurrier explained the reasoning for the new payment system from the perspective of the IT (Information Technology) committee. The current system is a 20-year-old software program that is extremely inefficient to work in and allows for credit cards to be on file. However, Square is an extremely efficient payment system that also allows for credit cards to be kept on file and facilitate the same type of transactions. The difference is the Square system is so efficient it will allow for the transaction to be run at the time of purchase and any declined cards to be dealt with in real time, instead of delaying until the end of the day or next day.

### **Fitness**

The water aerobics season will be starting up on May 1 and be held three days a week through October. All the new class offerings from TAC are extremely popular and many are filled up on a regular basis. The classes are first come, first served, and the front desk cannot accept advance sign ups or reservations. We are planning to continue these into the summer months.

There was a great response to the afterschool group swim lessons taught by Judy Haynes and Dave Clark. The lessons are happening on Mondays and Wednesdays. Becky Denning the staff member who coordinated the teachers, schedules, pricing structure and plan. We know our community wants activities for their young children and Becky is focused on making this happen.

### **Communications**

The RVR Community is now on Instagram. Please follow us at "RVRCarbondale". We will have events, current news items, announcements and community pictures posted on there regularly and anticipate this will be another excellent source of communication. Once the new website is up and running it will also feature our Instagram feed. There will be significant messaging about this over the course of the next few months so let your neighbors know to follow us and stay in the know.

We encourage everyone to read the weekly newsletter. It is an excellent source of information for everything our community should know about. We so often get questions from owners/members about what is going on, what is coming up and relevant dates and most often these questions are around items whose details have been discussed in previous newsletters.

The new website is still under construction. The home page and main format are complete so now Footsteps Marketing is working on migrating the volumes of information from our current site to the new one. Jessica Hennessey and Kendra are meeting with Footsteps weekly to support them in this process.

### **Design Review Committee**

There has been a tremendous amount of recent construction activity around RVR. There will be a great deal more happening this summer, once the permits have been issued for all the final submittals the DRC has approved over the past few months. We continue to see the momentum moving forward in the DRC with new construction as well as significant landscape renovations and other upgrades to existing homes.

**Lot:** Z-23  
**Review Type:** Final  
**Architect:** Zone 4

**Lot:** Z-25  
**Review Type:** Second Preliminary  
**Architect:** Forum Phi

**Lot:** Z-4  
**Review Type:** Second Preliminary  
**Architect:** Forum Phi

**Lot:** GG-1  
**Review Type:** Final  
**Architect:** Mark Ward

**Lot:** H-10  
**Review Type:** Final  
**Architect:** Tim White

**Lot:** Z-25  
**Review Type:** Landscape Revisions  
**Architect:** Connect One

**Lot:** AA19+A20  
**Review Type:** Lot Combination  
**Architect:** Donna Riley

**Lot:** B-02  
**Review Type:** Preliminary  
**Architect:** bg Design

## **Operations Report- Sterling Page**

### **Governance**

- Covenants, By-Laws, Resolutions and Policies.
  - Community regulations and appropriate fines are being discussed.

- Our IT task force has developed “families of software solutions” around the pain points in our present operating systems. Three software groups of focus have been identified:
  - One is aimed at HOA, maintenance with an accounting member portal access.
  - A second focuses on Member access, POS (point-of-sale), accounting, and a portal for scheduling activities.
  - The third looks at expansion of our present software to consolidate effort and redundancy as well as additional programs to streamline workflow. This is the current focus while the IT Task Force takes a long-range view at other programs.
- The Landscape Committee, chaired by Director Gary Harada, has had several meetings in various capacities. Patty Crockett has secured approval from the sources of pics needed to update our tree and shrub species portfolio. This will include information linked to CSU and other plant libraries. Jen Dicuollo, a landscape architect on our Design Review Committee, is reviewing the densities of plantings required by lot size to determine an adequate population per square foot. Yvonne and Gary met with Aspen Tree Service to discuss the beetle kill trees on the west side of Crystal Bridge. Aspen Tree submitted a bid for a management plan moving forward. It was rejected and will be monitored and managed by maintenance staff. An introduction and information meeting was held between Town of Carbondale Arborist Mike Callas, Yvonne, Gary, and RVR General Manager Sterling Page to discuss the process for moving or removing and replacing trees on town right of ways.
- Direction is needed on the topic of “high cube vans.” Are they RV’s? Do they have to fit in a garage in order to be parked in the driveway? Can they stay in a driveway?

### **Facilities**

- Ranch House
  - We changed suppliers of delivered fuel and saved \$0.47 per gallon or about \$100 per delivery.
- Pools & Tennis
  - Tennis courts are opening daily. We currently have courts 2 & 3 open for reservations. Court 1 by Friday and courts 4 and 5 next week, weather permitting. We are planning to cover 2-3 courts with plastic this fall to mitigate the delays caused by spring precipitation and low temperatures.
  - Kendra is arranging summer staff for the season ahead. Our lifeguard leader from last season will not be working this season but will be here to help with seasonal start-up arrangements from mid-May through Mid-June.

### **Grounds**

- Common Areas
  - A recurring question regarding the HOA paying for the maintenance, repair or replacement of fencing between homes and Master Common Area needs an official policy backed by Covenants and definitions.
- Parks
  - We have replaced the public drinking fountain mechanisms to increase their durability.
  - The construction of the Thompson Park neighborhood has begun. The property line will have no fence to separate it from the Triangle Park parking lot. This is a concern as parking in the new sub-division will be limited, making Triangle Park susceptible to additional parking. It may also create more garbage as renters choose the smaller trash size and put extra garbage in the park.

## Irrigation

- Start Up
  - Start-up of the irrigation system is in process. Triangle Park, The Ranch House, Old Town are pressured up. Main line breaks community wide have delayed this effort a few days. It is anticipated that water will be on community wide Friday, April 26. Rich Myers has been instrumental in leading and training our crew.
  - We received notice that Bailey and Fales <explain who this is> have petitioned the Water Court to abandon the historic 2.7 CFS delivery in the Lowline Ditch. This has been referred to the Town of Carbondale and our counsel for review. The burden of this effort resides with the TOC as the water provided in question is the Town's.

## Operations

- Old Town                      No news
- The Settlement              The painting of nine homes has begun
- Boundary                      No news
- The 24                          No news
- Crystal Bluffs                No news

## **Finance Report**

The RVRMA is currently about \$50,000 under budget. This relates to an increase in DRC income, decrease in wages for this season and the attorney fees for the Golf Course have not accrued to the amount anticipated at this date.

The trash fee increased by one dollar.

Accountant James Maguire reported that, per agreement of Board, the Braeburn balance was taken off the books.

James also reported that a Lot that had defaulted dues and DRC fees owed, was paid by the new owner.

## **Old Business**

- Lot Combination AA 19 + A20

After the March Board meeting, the Spurriers and their architect Donna Riley went back to the DRC for further review and discussion regarding their proposed lot combination, proposed setbacks and reducing the size of the building envelope. The Spurriers have also spent time in conversation with the Stumpfs, the owners of adjacent lot AA 18, to work with them on the concerns around their homesite and how each of these plans will align.

Yvonne thanked and acknowledge the Spurriers and the Stumpfs for working together to solve the development issues.

**Motion:** Board President, Yvonne Perry moved and Director Ben Johnston second a motion to approve a combination of Lots AA19 and AA20 as recommended by the Design Review Committee with the following conditions:

1. The combined lot to pay two monthly assessments and residential water charges;
2. The combined lot will have one vote;

3. The final merger plat be recorded with the plat notes and condition as presented to the BOD on April 24, 2019, and
4. RVRMA has the right to review the final merged plat prior to its recordation for conformity with these conditions.

- Violation and fine schedule discussion

Jeff Conklin, the RVRMA attorney, is working with the Board on defining the new violation and fine procedures. He has proposed a process where there is a committee of three to five members to address the violations, instead of the entire Board.

Ben Johnston clarified that CCIOA (Colorado Common Interest Ownership Act) requires that an investigation and a fine happen, and if the owner requests a hearing there must be an impartial decision maker who conducts the hearing and decides if there is a violation. The body that decides that someone will receive a fine cannot be the same body that is the decision maker afterwards. There must be two separate groups involved in the process.

The notice of hearing will go with the notice of violation, and if the owner cited with the violation does not respond in fourteen (14) days the assumption will be, they do not want a hearing.

There was discussion among Board members about what time and energy should be directed toward seeking out violations and issuing fines and what the ultimate intent is for this enforcement policy.

Sterling stated he has started to go around and take pictures of the violations and is sending out reminders to owners along with the picture in an email. This process makes it clear on the exact concern being addressed and provides the record of the correspondence.

Ben Johnston clarified that with regard to parking restrictions, the Board can adopt rules and regulations that limit the number of cars that can be in a driveway. The covenants do not need to be amended to put restrictions on this.

- Conversion Vans

The issue with the Sprinter/Conversion Vans versus RVs is there is a conflict with members of the community who are cited by management for camper violations when there are neighbors whose Sprinter vans are allowed.

The technical reading of the covenants is Sprinter Vans are a recreational vehicle. There was a great deal of conversation around whether having Sprinter Vans in driveways should be considered a violation. It was noted Conversion Vans are identified as recreational vehicles which are disallowed in the covenants. There were some suggestions that the Board adopt a rule of what they consider to be “recreational vehicles” and add the parameters of weight and size and other features to identify these.

- Golf Update: Gary Lesser

Gary Lesser update the Board that Jen DiCuollo at DHM said they are working on the cost estimates for the three open space scenarios and DHM hopes to have a draft for the Board in-May. We put DHM in touch with Billy Casper Golf to help with some of the financials.

- Landscape Committee Update: Gary Harada

Gary Harada reported there is an infestation discovered of a new beetle (Isp Beetle) on the trees of the back-west side of the development. Aspen Tree Service proposed doing a study for a cost of \$,1500. The decision was made to turn the proposal down and look at using the money to fix the problem instead of studying it. The beetle has a negligible effect on healthy pinons but will kill weaker trees. One of the issues with the area where the beetles have been found, is it borders a large piece of adjacent land that is privately owned, so there would not be a consistent treatment of the trees.

Another common area landscape issue that has been considered are the two cottonwoods by the drainage ponds. The plan is to remove them because they are likely to fall, are somewhat of a hazard, and they can come down without the need to be replaced. Gary suggested the neighbors around Cedar Creek area are notified about 30 days in advance before the trees are taken down.

Sterling noted there still needs to be a landscape management plan for the cattails around the pond.

- New Employee Handbook has been approved

Cathy Cooney, Sterling Page and Kendra Ford have worked on finalizing a revised employee handbook.

## **New Business**

- River Restoration Project

Jay Harrington, Town Manager for the Town of Carbondale, hosted a presentation to RVR Owners about a proposal to enhance Riverfront Park, which is owned by the town but maintained by RVR. Joining Jay in the presentation were representatives from Aspen Valley Land Trust, Roaring Fork Conservancy, and American Rivers. The proposal would improve the area of Riverfront Park, and with the goal of making it more attractive, a better fishing area and modifying the stream flow. They will also try to automate the Weaver Ditch and see how that works and watch and learn from it with a plan for making the other ditches more efficient. There will be about a year and half disruptions activity and clean up. There will be some negotiations with what RVR's responsibility will be to keep it up.

The general Board opinion was that RVR will not agree to any responsibility for cost or upkeep of the improvements.

- Fence Repair and Responsibility

We need to create a policy around whether fences that border common areas should be repaired and replaced by the HOA.

It was agreed there needs to be a consistency in how the fences are treated and repaired. It became evident there are significant questions that need answers before a policy can be drafted.

There was a general opinion that if the fence was originally installed by the developer than the RVRMA should take care of the repair and replacement. However, it was determined more information needs to be gathered to determine who owns the fences.

The primary fenced areas this would affect would be Old Town and Settlement. It was noted the fences in Old Town as they exist today are inconsistent. Some fences have every other board removed, while others are complete.

It was decided that Sterling, Todd and Ben will walk the areas where the subject fences are located and get a sense of the issues that need to be addressed in developing a policy.

**Motion:** Board President Yvonne Perry moved, and Director Ben Johnston seconded, a Motion to officially welcome and confirm RJ Spurrier as the newest member of the RVRMA Executive Board. RJ Spurrier will fill the remainder of Leslie Marcus's term, which will expire in 2021.

### Adjourn

The meeting was adjourned 6:54 p.m.

### Executive Session