

RVRMA EXECUTIVE BOARD
Record of Proceedings
Regular Monthly Meeting
Wednesday, August 22, 2018, 5:30pm
The Ranch House Conference 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, August 22, 2018 at 444 River Valley Ranch Drive, Carbondale, Colorado, CO 81623 with the following people present:

Executive Board of Directors

Yvonne Perry, President
Ron Rouse, Vice President
Leslie Marcus, Secretary
Todd Richmond, Treasurer
Gary Schalla, Director-at-Large

Management Representatives

Sterling Page, General Manager
Kendra Ford, Community Services Manager
Brenda Boas, Accounting

Homeowner Attendees

Attached List

Call to Order

RVR Executive Board President Yvonne Perry, called the meeting to order at 5:30 pm. A quorum was established.

Approval of Agenda

Board Vice President Ron Rouse, and Director Gary Schalla, moved and seconded to approve the consent agenda. The motion passed unanimously.

Consent Agenda

Board Vice President Ron Rouse, and Director Gary Schalla, moved and seconded to approve the Board Meeting minutes of July 25, 2018. The motion passed unanimously.

Public Comment

- There was no public comment at this time.

Announcements

- **Art Installation**-Hone Williams
- **Art Opening**- Sept 8th
- **Pool Closes**- Sunday September 17th
- **Board Meeting**- Wednesday September 26th
- **Heart Talk: Conversations with a Cardiologist** – TBD

Committee Reports

- Design Review Committee Meeting
 - **DRC Meeting** – September 6th
 - **DRC Meeting** – September 20th

Staff and Operational Report

General Update

The summer pool season is winding down with back to school happening for many families a little earlier this year on August 20th. The pool will be staffed with lifeguards and full snack shack operations for the next two weekends of August 25th and Sept 1st. We have seen an increase in sales of both food and drinks this summer and have received a great deal of positive feedback on the new offerings and set up. The Happy Hour Conversations with Sterling and Kendra the evening of August 14th had a good turnout of new faces. It was such a pleasure to meet owners we have not had an opportunity to before this and have some time to learn about each other. We are going to continue these evenings every other month with our next one on October 16th. We will be moving towards fall Ranch House hours, after Labor Day weekend the facilities will be closing at 8pm every evening.

Member Services

- **Art** –We will be holding an art opening for Hone Williams on September 8th.
- **Programming** - Jules King is working on setting up a Heart Talk, “Conversations with a Cardiologist”, for the month of September. As soon this is finalized we will get a message out the details.
- **Snack Shack** – Food will be available on weekends only, now through Labor Day.
- **Pool**- The pool will be staffed with lifeguards and full snack shack operations for the next two weekends of August 25th and Sept 1st. After Labor Day weekend the pool will be open (no lifeguard on duty) thru Sunday September 16th. We will continue to send notices out via our weekly newsletter with all the necessary dates and updates as they get closer.
- **Communications**- The staff is working on some strategies to give owners opportunities to sign up for newsletters and targeted email messages, which they may not currently receive. We want to encourage all owners to be on our newsletter list as it is our primary way of communicating important notifications and information that impacts everyone community- wide. One of the methods will be to send out e physical instructional email sign up reminder, in with the budget packet in October.

Human Resources

Brenda Boas, who manages our finances and accounting, will be leaving us on September 7th to take the opportunity to complete her CPA studies. We are in the process of finding someone to fill this role. We will not find an “exact” replacement for Brenda as she has worked for the RVRMA since she was in high school and has tremendous knowledge of all the intricate details of the daily operations of the Ranch House as well as longstanding relationships with homeowners and staff.

Design Review Committee Report for August 2018

The DRC had three final reviews with approvals at our August 2nd meeting and has recently had three pre-construction meetings for homes which were approved earlier this summer and are starting the building process. Two of the homes starting construction are custom and one is a spec house.

Lot: Z-26

Owner: Limacher

Review Type: Final Review and Approval

Lot: X-07

Owner: Carrese

Review Type: Final Review and Approval

Lot: Y-02

Owner: Durrance

Review Type: Final Review and Approval

Operational Update

Finance

We were audited by the Colorado Division of Unemployment Insurance. Our contract terms for 1099 contract type services need revisions to make a clear distinction between sub-contractors and employees. With verbiage revisions, approved by counsel, we can move forward into 2019 without any fines or penalties.

Budget Costs and expenses overall are trending in a positive direction with a \$96,043.79 net income Year-to-Date.

Governance

Four written notices were sent to owners. regarding parking of trailers and regarding the placement of signs in yards. All have been resolved at this point. Multiple reminders were written on the back of my business card and left at the front door.

Covenants, By-Laws, Resolutions and Rules;

A simplified version of the parking covenant was sent out to the Board of Directors for beginning a discussion of a manageable and enforceable resolution.

Human Resources

Our summer staff is almost all finished for the season and back in school. We are looking at the viability of keeping grounds and maintenance workers through the winter season. This cost could be offset by reducing contracted services. Brenda Boas has submitted her letter of resignation. She will be leaving RVR September 7th to pursue completion of her CPA license. We wish her well.

We have begun the search for a qualified person or contractor for the accounting purposes of the community. Pending the upshot of decisions surrounding the golf course, we will need to analyze the need for a position to manage the supply of water to us from the golf course.

Facilities

Seven cameras have been repaired or replaced to allow us views of the weight room, pool area, mail room to front door, snack shack, lobby, juice bar and mechanical room. An annual inspection of our 4 boilers found 2 age related deficiencies requiring repair.

Rec pool closes September 17th. Tennis will end programming October 13, but continued play will be dependent on weather conditions.

Grounds

At the request of Old Town residents, the TOC has painted a new crosswalk and signage at the intersection of Lamprecht Dr. and River Valley Ranch Drive. The drainage and spillway above Bowles Gulch down to the golf fairway has been cleaned and cleared of brush and cottonwood tree saplings. We are studying the tree inventory that was completed this spring and working on plans for the entire community forest. Currently this includes pruning along Crystal Bridge. A revolving 4-year plan, including any changes, will be presented to the DRC for approval.

We have removed and given notice to owners who have put up hammocks, slack-lines and play equipment in the trees of the Common Areas in Old Town.

Irrigation

After some confusion implementing TOC rules and RVR rules, we have been able to balance our irrigation system at a 50% reduced rate with some areas down by 70%. Our summer crew improved the diversion system in the Crystal River to supply the Bowles-Holland ditch with all the water that our senior rights allow.

One mainline failure was repaired in Thompson Corner. 3 meters of line were replaced. The irrigation control system for the Bull Pasture is being replaced.

Operations

Scheduled painting of homes in the Old Town Neighborhood has started and proceeding as planned.

The re-staining of homes in the Settlement neighborhood is complete. The question of replacing cedar board and batten paneling with a more durable product is being reviewed.

Old Business

- **Compliance Issues and Resolutions**
- **Water Restriction Update**

Old Business items were addressed in General Manager Sterling Page's report.

New Business

- **Report from Golf Sub Committee re: Activities**

Board President, Yvonne Perry, introduced Gary Lesser, Chair of the Golf Course Committee.

Gary stated that the golf committee has met four times since it was formed and appointed by the RVRMA Board. Gary acknowledge the work of those involved on the committee: Bob Emerson, Jeff Davlyn, Michelle Hagemann, Brian Leasure, Paul Perry, Leslie Marcus and Ron Rouse. He noted the focus through everything they do is to make sure that their recommendations to the Board are insuring the sustainability of the community and preserving the property values . The charter is to recommend short term tactics and long-term options.

Gary reviewed the accomplishments and actions of the committee to date:

The Committee drafted a letter to Town of Carbondale, seeking broadest interpretation of the Town's Unified Development Code. The letter was in response to a letter from RVR Golf, seeking clarification of whether they could apply to remove the driving range parcel from the RVR PUD. Our letter, which opposed RVR Golf's position, was drafted by the committee, recommended to the Board, and approved by the Board.

- The Committee recommended to the Board a communication plan regarding the golf course issue, including specific tactics like Frequently Asked Questions, Community Survey, and RVR website presence
- The Committee established connection with Billy Casper Golf, to provide near-term consulting on various options and scenarios –at no cost to date. The Committee is currently working on proposal to define scope of work for Casper Golf.
- The Committee recommends to the Board they hire Billy Casper Golf to help analyze financial impact of various purchase / lease / subsidy scenarios and the corresponding impact on fair market value of RVR property values. We are not experts in golf course operation. A consultant, such as Billy Casper Golf, who has been down this road in many other communities like ours, ,can assess scenarios and possible outcomes, and give us advice on the best path forward for operating a golf course.
- The Committee is studying possible effects of golf course closure – and other options, including open space – on RVR property values and on long-term sustainability of the community.

- The committee met last night and made the following recommendation: the Board communicates to RVR Golf that we reject their series of “alternate proposals” for assistance from homeowners in the form of HOA golf course purchase, HOA subsidy of golf course operation, or HOA support of driving range rezoned to high-density housing. Rationale: we’d need to do significant due diligence before seriously considering any of them; there hasn’t been adequate time for thoughtful analysis of alternatives

Leslie Marcus noted we will be posting results of the survey later this week, on the RVR website, where everyone can see the response from the community. We received 275 responses. We were able to reach out to 86% of the community and the response rate was about 60% of those who received the survey. Leslie noted that with a survey like this, a good response rate is typically about 20%.

Leslie highlighted some of the specifics they gathered from the response:

77% of respondents strongly oppose the driving range rezoning

There was about a 50/50 response for those who supported the HOA purchasing the golf course to those who opposed it.

Mark Siomiak questioned if the golf course committee has taken into consideration the replacement of the infrastructure of the golf course irrigation and the cost involved with this.

Gary Lesser responded, not yet, but that would be covered in evaluations.

Ron Rouse explained that when Dale Rand went up against the Town of Carbondale’s rezoning requirements, which stated that before submitting the rezoning application he would need some level of support from the other PUD property owners, he first submitted a formal request for determination of exactly what was required. While the Town was undertaking its review of this request at staff level, RVR submitted a letter advocating for the maximum interpretation. In turn the Town of Carbondale did include the maximum interpretation which is, before Dale Rand can submit a rezoned application he would need consent of 50% of the property owners in the RVR PUD. Subsequently the golf course filed an appeal letter to the Town to appeal that staff determination. Rand’s appeal has not been acted on yet nor scheduled. At some point the Town will schedule a briefing hearing and the recommendation from the RVR Golf Committee is that RVR participate in the briefing hearing both formally on behalf of the Board and RVR Community and in subsequent hearings and meetings. RVR Owners will be alerted and encouraged to attend these hearings. Right now, the application and appeals are in administrative limbo.

Yvonne Perry noted that the actual documents submitted by the Rand, RVR and the Town of Carbondale will soon be made available on the RVR website.

John Giardo questioned if the Committee and Board are going to engage another consultant that is not a golf course consultant to see what some of the other options are for the space.

Gary Lesser addressed this, noting that another item on the on the To Do list for the committee, is to explore the open space option. RVR would need to really understand what that would look like and what the cost

would be. Having the space become something other than a golf course is a multi-layered and complicated issue.

Yvonne explained that Billy Casper Golf has experience with golf course communities, which have turned into other spaces, so they have a lot of insight into how this works and plays out for communities.

Tim Cottrell asked for clarification on the dates which have been mentioned in previous meetings.

Ron Rouse stated that Dale Rand continues to threaten that if RVR does not meet his wishes, he will close the course at the end of the season (October).

Gary Lesser reinforced that, fundamentally, one of the biggest questions out there with all different scenarios is the effect on RVR property values.

Yvonne Perry recognized the hard work and hours put in by the Golf Committee and the Board in trying to move this forward.

Amanda Benis asked if the homeowners should be communicating with the Town of Carbondale about encouraging them to honor the 50% buy in requirement for the rezoning.

In response to this question, Ron Rouse strongly encourages the RVR community to share their voice with the Town about the rezoning of the driving range "early and often". He stated the Board will alert owners about when Town meetings are scheduled, which they should attend, and reiterated that early and often is a great approach to letting opinions be known to the Town on this rezoning.

- **Formalize Golf Course Communication Program**

Leslie Marcus presented the communications program as recommended by the Golf Course Committee to include; special email updates or newsletter announcements, a dedicated section of the RVRMA website as a resource center for updates, survey results, frequently asked questions, and communications with the Town and the RVR Golf Course.

The following **Motion A** was moved and seconded by Director Gary Schalla and Board Vice President Ron Rouse. The Motion passed unanimously.

Motion A: Resolved for the Board to approve the means of communication to the community about RVR Golf. The communications will include a link on the RVRMA website with continually updated Frequently Asked Questions, survey results and previous and ongoing communications with the Town of Carbondale.

- **Discussion and Action Regarding RVRMA Response to RVR Golf Appeal to the TOC Zoning Requirement**

The following **Motion B** was moved and seconded by Board President Yvonne Perry and Board Secretary Leslie Marcus. The Motion passed unanimously.

Motion B: Resolved, that the RVRMA Executive Board responds to the Town of Carbondale and to the appeal made by the RVR Golf for reconsideration of the zoning of the driving range.

Stan Kleban requested when the Board learns that there is an agenda item on the Town Council, which affects River Valley Ranch and the golf course, that owners receive notice of these meetings.

Yvonne Perry and Leslie Marcus assured that when such agenda items come up with the Town, that the RVR Owners will be notified.

Gary Schalla took the opportunity to also recognize and thank the Golf Course Committee with the significant issues they have taken on and the tremendous time constraints on top of their day- to- day lives. He encouraged everyone to take away from this meeting to the areas they live in, the great work the committee has done and the proposals they have given the Board.

- **Discussion and possible action by RVRMA in Response to RVR Golf's Proposal for Purchase and /or Subsidy**

The following **Motion C** was moved and seconded by Director, Gary Schalla, and Board President, Yvonne Perry. The Motion passed unanimously.

Motion C: Resolved that the RVRMA Executive Board, with advice of counsel, will draft a letter to RVR Golf with a response, which states RVRMA is not interested any of the four alternative proposals as presented in the June 19th submittal by the RVR Golf owner.

- **Hiring a Golf Course Consultant**

The following **Motion D** was moved and seconded by Board Vice President, Ron Rouse, and Board Secretary, Leslie Marcus. The Motion passed four to one. Todd Richmond abstained.

Motion D: Resolved to direct and authorize Board President in consultation with legal counsel and with input from Golf Advisory Committee, to finalize a golf course operations feasibility and analysis consultant agreement with Billy Casper Golf, said consulting agreement not to exceed \$15,000.

Ron Rouse thanked everyone for their input and conversations. We know that in most similar situations the resolution is measured in years not weeks.

- **Discontinue Retainer of Hindman Sanchez Legal Counsel**

The following **Motion E** was moved and seconded by Directory Gary Schalla and Board Vice President Ron Rouse.

Motion E: Resolved to discontinue RVMA's retainer of Hindman Sanchez legal counsel on HOA matters. The Motion passed unanimously.

- **Action to appoint new Board Members**

The following **Motion F** was moved and seconded by Board President, Yvonne Perry, and Board Treasurer, Todd Richmond. The Motion passed unanimously.

Motion F: Resolved, to officially welcome and confirm Gary Lesser and Ben Johnston as the newest members of the RVRMA Executive Board. Gary Lesser will fill the remainder of Lani Kitching’s term, which will expire in 2019. Ben Johnston will fill the remainder of Scott Darling’s term, which will expire in July of 2020

Adjourn

It was moved and seconded to adjourn the meeting. The meeting was adjourned at 6: 23 pm.

Executive Session

The Board entered Executive Session with legal counsel. The Board returned from Executive Session at 8:56 p.m.

The following **Motion G** was moved and seconded by Board President, Yvonne Perry, and Vice President, Ron Rouse. The Motion passed unanimously.

Motion G: Resolved, to hold a special meeting of the Board on Thursday August 30 at 5:00 P.M. (and each Thursday thereafter at the same time until the Board acts to discontinue such meetings) via teleconference for the purpose of getting an update from the Golf Subcommittee and related discussion.