

RVRMA EXECUTIVE BOARD MEETING
Wednesday, April 26, 2023, at 5:30 p.m.
Ranch House Conference Room and Zoom
Meeting

Executive Board of Directors

Michael Banbury, President (*Via Zoom*)

John Lund, Vice President

Todd Richmond, Treasurer

Ben Johnston, Secretary

Laura Hanssen, Director

RJ Spurrier, Director

Sherry Stripling, Director

Management Attendees

Ashley Lynch, General Manager

James Maguire, Controller

Jessica Hennessy, Director of Design Review & Admin. Services

Ali Royer, Director of Programming & Community Engagement

Travis Green, Facilities & Grounds Superintendent

Homeowner Attendees

Via Zoom:

Abby Radmilovich

Lindsay Stites

Mary Catherine Conger

Todor Radmilovich

Sara Gilbertson

Krystina Greenwood

John Krousouloudis

Sean O'Brien

Diane Cavarra

Steve Damerow

Joel Aronoff

Paul Brown

In Person:

Wolf Gensch

Carl Hostetter

Diane Cavarra

Rosemary Lavender

Mitch Meyers

I. Call to Order- Establish Quorum

- Board Vice President, John Lund, called the meeting to order at 5:33 p.m.

II. Approval of Minutes

Motion: Board Treasurer, Todd Richmond and Director-at-Large, RJ Spurrier, moved and seconded the approval of the meeting minutes of the RVRMA Executive Board meeting held on Wednesday, March 22, 2023. The motion passed unanimously.

III. Public Comment

- Wolf Gensch commented that he is interested to learn more about the fee structure for Long Range Planning. Wolf also asked about Short Term Rental (STR) progress.
- Diane Cavarra commented that she feels it is really important that the HOA does something about the frequency and the number of house guests that are being allowed in short term rentals in RVR. Diane said that she has been tracking a rental near her that has been rented out 50 times since February of 2023. She noticed numbers up to 8, 10 and 12 house guests staying at this property, and it very much concerns her.
- Joel Aronoff commented that he is sorry that there have been problems with STR's. Joel said that the Town of Carbondale has set the number of two people per bedroom plus an additional two. STR's can be great for the community when they follow the set of rules that are laid out by the town. Joel continued to say that it is clear to him through survey results that RVR does not want to completely eliminate STR's. Especially with regard to the numbers that would be required to pass an initiative in the community.
- Abby Radmilovich commented that she implores the Board to make decisions based on code of conduct and merit. Based on facts and leave bias out of it. Abby stated that management body truly represents facts and merit based on the information given.
- Todor Radmilovich commented that he has not received a reply to his email that was submitted on March 10 regarding what he believes are biased questions in the STR Survey. Todor continued to say that he remains disappointed that resources were used to bias the community in the survey question. Despite this, Todor stated, that the survey results revealed 54 percent want to keep the numbers the same. Todor commented that 35 percent of respondents support an unlimited percent increase to STR's and this alone would be enough to defeat a 66.7 percent vote threshold. Todor continued to say that 51 respondents out of a total 352 respondents skipped the STR survey question. Finally, Todor asked that the Board make decisions based on facts, objective merits and in the best interest of the community and resist being influenced by biased voices.
- John Krousouloudis commented that people like himself did not move into RVR to be in a hotel community. John stated that he does not have a major issue with limited use of STR's, but we have to be cautious because some of the comments he heard are pretty much wide open. The other concern is that there is a lot of discussion happening right now at the state level regarding the cost of housing and availability of housing. It is a major issue for the Roaring Fork Valley. If you turn a lot of the capacity, we have into STR's, you take it away from people who would like to live here permanently and who want to support our community and be full time residents. This is a

consideration that we all have to have before making a big step in this space.

- Sean O'Brien commented that he owns a lot in RVR and he and his wife are getting ready to begin construction. Sean stated that he specifically chose RVR because they found a lot with an ADU and read the covenants and made their decision in part to what it said. Sean asked if there has been consideration with ADU's (in preserving them or carving them out) knowing that the owner will always be present when an STR and guests are there. Sean said that he is not sure they will absolutely have an STR but they would like to preserve that option.

IV. Committee Report

- **Long Range Planning**

John Lund, BOD Vice President and Long Range Planning Chair, commented that there was not a written report for the packet this week. John stated that there was no Long Range Planning meeting held during the month of April. Carl Hostetter, Ashley, and James met and worked through funding questions. Ashley added that a new reserve study is in motion.

V. Month End Financial Review – James Maguire

James Maguire shared a financial presentation that featured March's performance, year to date budget versus actual and RVR's investment activity.

The month of March budget versus actual showed that income was under by \$4,256 primarily due to slower than usual tennis memberships. A majority of this has to do with the unseasonably cool weather last month.

Cost of goods sold were on target and expenses were under budget by only \$3,584 or a 1.6% variance. The net bottom line for March is \$177.

James then shared year-to-date, which is also the first quarter of the year. We are still doing quite well. Income is only under budget by \$3,480 which, out of a \$754,000 budget, less than a 1% variance. Net bottom line is an \$8,000 surplus so far.

A chart was shared of the first quarter spending, with cogs and expenses combined. According to the chart, all month's actual costs were contained within budget.

Drilling down into the first quarter income detail which are sorted by the over/under budget amount. Investment income is still soaring over the budgeted amount because of increased investment and interest rates. ADU and Thompson Corner memberships are up. DRC income is still struggling. So far, we've only

brought in \$17,000 for the year. For comparison, last year at this time, we brought in \$44,000 in DRC income.

James then put the focus on year-to-date expenses. Grounds was under budget by \$18,000 mainly due to tree maintenance (\$9,000 under budget), equipment repair (\$3,000 under budget). Pool, tennis and grounds each \$1,000 under. RVR community expenses are under mostly due to timing on events. Personnel costs are minimally under budget amount and DRC fees costs are down in proportion to the lack of income. Reserve Accounts expense is surplus of investment income being moved to the reserve account on the balance sheet. Legal fees and irrigation are slightly over budget. We are \$11,372 below budget for expenses for the year.

Finally, James shared a snapshot of investment activity which was ramped up due to higher interest rates. FDIC insurance up to a \$1 million dollars. It's fully liquid but is earning 2.25%. CD's that we have invested in over the past 2 years: over 4.5% we purchased within the last year and the ones over 5% were in the last 3 months. Combining the savings account with the CD's we would expect to see over a \$100,000 in annual interest. This will be variable though, as CD's mature and future interest rates may decrease.

RJ Commented that he appreciated the sharpshooter nature of James' report. He continued to say that he gives credit to the management team and especially James.

VI. Management Update

- **General Manager Report- Ashley Lynch**

Ashley commented that concrete work to the pool deck is an upcoming project. He noted vacant lot spraying is also approaching and vacant lot owners were notified via Pay HOA.

Ben Johnston commented that he read Ashley's management newsletter and he loved it. He asked how often they are sent out and Ashley answered "Quarterly."

There was discussion surrounding Pay HOA. Board members were curious how it was going, and Ashley shared that the program is awesome. He noted that it is cost effective and it has great export features. All departments are benefiting from the various features. It was commented that there is the ability to extend the software to the community. For example, homeowners can pay their dues through the portal. There is a lot of potential in the software and management is careful to do a calculated roll out.

- **Programming & Community Engagement Report- Ali Royer**
John commented that he loved seeing the photos in Ali’s report of kids at the events. He stated that it is clear to see that homeowners are really enjoying the events.
- **DRC Report- Jessica Hennessy**
- **Finance Report- James Maguire**
- **Outside Service Report- Travis Green**
John Lund thanked Travis for the great information that was included in his board report concerning how homeowners can turn on their sprinkler systems.

VII. Old Business

- **Short Term Rental – Survey Results and Next Steps**
John commented that with Robin Boyar’s assistance, as a professional marketing and survey professional, she is in the midst of condensing responses of the Community Survey. It was commented that Robin could be coming to an upcoming board meeting to present the results of the survey. John shared that attached to the board packet were the results to the only question on the survey concerning STR’s. John shared the survey question:

“As you may know, the Town of Carbondale recently imposed limitations and special license requirements in August 2022 for short term rental “STR” (leases under 30 days) to limit STR growth in the Town of Carbondale. There are currently 14 STR’s in RVR (approximately 3% of all the homes), and they may or may not be grandfathered according to this plan. Based in what you know and in the best of all possible worlds, what best describes your feelings towards STR rentals in RVR? There was discussion surrounding the data collected:

ANSWER CHOICES	RESPONSES
▼ I would like to have no STRs in RVR.	46.18% 139
▼ I would like to limit the STRs in RVR to the currently licensed ones (<15, about 3% of total homes).	19.27% 58
▼ I would like to have a modest amount of STRs in RVR, but no more than 10% of total homes (<50).	15.61% 47
▼ I would like to have a modest amount of STRs in RVR, but no more than 25% of total homes (<100).	2.99% 9
▼ I don't think there should be any limitations on STRs in RVR, other than those from the Town of Carbondale	15.95% 48
TOTAL	301

Ben Johnston, Board Secretary asked, “Regarding the 301 respondents, are

they from individual lots or could more than one person respond from a house?” Ashley answered that theoretically a person could cheat the system. Survey Monkey goes off an IP address, it does not allow more than one response from the same IP address. Ashley commented that 301 respondents out of 334 (total) respondents answered the STR question.

It was noted that an STR rule change would require an amendment to the Master Declaration and to amend the Declaration, two thirds vote of all homeowners is needed. Ashley added that there has not been an amendment since RVR has been under declarant control (two thirds of 554 homeowners = 369).

There was discussion surrounding whether RVRMA can pass policy rules that could be imposed, such as lease registrations and fees. It was commented that RVRMA’s attorney would need to weigh in. Ben Johnston commented that those policies are difficult to enforce.

It was commented that it would be very difficult to achieve the two thirds vote for the amendment to pass and in the process of getting there, a lot of animosity could be created in the community.

RJ commented that he doesn’t believe the board has something to vote on yet and they are not ready to send something to Jeff, the HOA’s attorney. RJ added that the board should be confident that what they send to Jeff could pass a community vote. RJ added that what he does see in the data is that half the respondents do not want STR’s at all and about 16% of the respondents are fine with them. RJ continued to say that we don’t know the perspective of people who live next door to STR’s in a statistical way. RJ recommended a slight survey asking neighbors of STR’s asking, “What does it feel like as a neighbor to an STR?” RJ stated that this could be incredibly enlightening for the community and that a qualitative survey like that could be really helpful.

Todd Richmond commented that he agrees with RJ’s suggested pragmatic approach, and he would love to hear from people who are actually being affected by this. He also commented that it’s a problem we need to address, and he is not comfortable with dismissing the issue yet.

Motion: RJ and Sherry motioned and seconded to brainstorming a qualitative survey to STR neighbors. The motion passed.

VIII. New Business

- **Update to Eligible Users of Ranch House**

Ali commented that there has been a trend in increased gym usage by younger members, who are in middle and high school. The current requirement set forth in RVRMA's Rules and Regulations is 15 years old. There are around a dozen teens who have been asked to leave the gym due to not meeting the age requirements. The great majority of the times staff has gone into the gym to remind them of the rule and ask them to leave, they've been working out in a respectful and safe manner. We've heard from their parents requesting that we reconsider our rules, and a couple of kids have been working with a TAC personal trainer so they can utilize the gym, which is a costly endeavor for the families.

Ali commented that management proposes that if a minor under 15 would like to utilize the gym, they complete a course with a TAC fitness trainer on gym etiquette and safety. We are working with TAC to create the course to ensure it includes items like phone usage, proper attire, language, sharing equipment and space, how to utilize various equipment safely, and locker room etiquette. For the months of May and June, we will provide a TAC instructor one day a week to conduct the class. With group fitness classes declining for the summer, we will stay on budget while providing this opportunity. Parents and minors under 15 who go through the fitness etiquette and safety course will also need to complete an additional waiver and meet with Ali or Ashley.

RJ commented that he loves this approach.

There was discussion surrounding whether the typical \$2 fee should be charged for the initiation class with TAC. Some board members were in support of charging a fee for the class. Ben Johnston commented that there is a distinction between this mandatory class and a fitness class.

Motion: Ben and RJ motioned and seconded to change Ranch House age use rules as stated in Ali's report. The motion passed unanimously.

IX. Adjourn

Motion: Todd and RJ motioned and seconded to adjourn the meeting. The meeting adjourned at 7:24 p.m.