

**RVRMA EXECUTIVE BOARD MEETING**  
**Wednesday, June 28, 2023 at 5:30 p.m.**  
**Ranch House Conference Room and Zoom**  
**Meeting Minutes**

**Executive Board of Directors**

Michael Banbury, President  
John Lund, Vice President (*via Zoom*)  
Todd Richmond, Treasurer (*absent*)  
Ben Johnston, Secretary  
Laura Hanssen, Director (*absent*)  
RJ Spurrier, Director (*via Zoom*)  
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:**

Dick Sundeen  
Marti Stude  
Sara Gilbertson  
Nina Price  
Sandy Marlin  
Jocelyn Durrance  
Mary Catherine Conger  
Steve Laverty  
Marsha Cook  
Todor Radmilovich  
Abby Radmilovich  
Jim Ramsey  
Patti Crocket  
Nina Factor  
John Krousouloudis  
Krys Greenwood  
Paul Brown  
Steve Damerow  
Jack Olson

**Homeowner Attendees**

**In Person:**

Carl Hostetter  
Wolf Gensch  
Susan Christman  
Peggy Sontag  
Diane Cavarra  
Sarah Murr  
Joel Aronoff  
Camile Schuman  
Sam Hartnett  
Bill Mason  
Deborah Cotton  
Stan Kleban

**I. Call to Order- Establish Quorum**

- Board President Mike Banbury called the meeting to order at 5:33 p.m.

**II. Approval of Minutes and the Consent Agenda**

- **Motion:** Board Director, Sherry Stripling and Board Vice President, John Lund moved and seconded the approval of the meeting minutes of the RVRMA Executive Board meeting held on Wednesday, May 24, 2023. The motion passed unanimously.

### III. Public Comment

- Dick Sundeen commented that he is in favor of limiting rentals in RVR to three months or one year.
- John Krousouloudis commented that he is opposed to the current Airbnb set up in RVR. John said that quality of life is impacted by short term rentals. He continued to say that he purchased in RVR with the knowledge that he did not buy next to a hotel. John continued to say that affordable housing is a concern in the valley. When you take houses off the market and turn them into hotels, that affects the community. As an example, John mentioned that his wife is aware of a physician in the valley that moved due to lack of housing.
- Abby Radmilovich commented that she believes that the severe restrictions put in place by the Town of Carbondale need to be understood and better factored for decisions by the board. Abby used the example that licenses issued from the Town are only for primary residence and owners must live there for 180 days. There are also limitations based on bedrooms and safety requirements. Abby ended by saying that regarding the community survey results, she believes that a few of the statements are biasedly grouped. Changing property rights given the 2/3rds vote required of 554 homeowners and the Town of Carbondale restrictions is an important thing to remember.
- Sandy Marlin commented that she strongly believes that we should have no STRs in RVR. Stating that RVR is a quite family neighborhood that is not conducive to short term rentals of more than 30 days. She continued to say that no one wants to live next to a home with revolving strangers. Sandy added that a hotel-like atmosphere may have impacts on property values if RVR is seen as a transient neighborhood. Sandy urged the board to put the issue in front of the community for a vote.
- Todor Radmalivich commented that he learned that an email was sent to RVR properties from an anonymous address regarding short term rentals. Todor commented that he believes some community rules may have been violated. Todor went on to comment on information that was in the email. Todor mentioned deep divisions in the community and added that he believes this email could be classified as an unauthorized solicitation of disinformation campaign. Todor offered to help the board on this matter.
- Nina Price commented that she is not at all interested in STR's in the community and she believes that one month should be a sufficient requirement. Nina urged the board to limit STR's to one month. Nina noted

that if RVR's rental restrictions are stronger than the Town of Carbondale's, so be it.

- Susan Christman commented that she is a 9-year resident of RVR. Susan lives on Heritage Drive and both homes on each side of her are short term rentals. Susan said that the people who rent are not informed of the rules and regulations and there is a lot that goes on by someone who comes in for one week.
- Bill Mason commented that he lives on Heritage and believes that RVR is a terrific place to live and that it is a terrific community. Bill stated that RVR is a community and emphasized that it is not a resort community. Bill ended by saying that he strongly believes rental terms should be limited to one month.
- Wolf Gensch commented that the STR petition list of homeowners has now reached 206 people. Wolf emphasized that all of these folks are not in favor of STR's in RVR and he urges the board to take action on this issue. Wolf also added that he wanted to thank Travis Green and his crew for the incredible job done on hanging flower baskets and replanting the flower beds.
- Peggy Sontag commented that she is lucky to not have STR's next to her and doesn't want that to happen to her. Peggy went on to say many lots in RVR are small. Parties next door too close are a concern. Peggy asked that the board put short term rentals to a vote for the community.
- Sarah Murr commented that she would like to encourage the board to let the homeowners decide. The board should approve that the HOA attorney drafts an amendment to go out to the community for a vote.
- Deborah Cotton commented that she believes that RVR is in a short term rental crisis. Deborah pointed out that many homes in the settlement are situated so that the back of the house has the primary bedroom on the lower floor and if there is a party hosted in the backyard of your neighbors, it's a lot of noise. She added that there are always people in and out with a lot of cars.
- Diane Cavarra commented that her home is situated between two short term rentals. Multiple people are renting these homes and being marketed as such. She noted that it is literally like living next to a hotel with no security. Long-term rental rates are higher than they have ever been. Diane ended by saying that the constant turnover of unvetted people is frightening.
- Camille Schuman commented that her son in law and Daughter bought the house near her and they do some short term renting. Camille went on to say there are only 14 STR properties in RVR and added that her son and daughter have improved the home in many ways. Camille added that her daughter and son have acted on complaints immediately.
- Stan Kleban commented that he is against Short Term Rentals in RVR and he believes there would be a heavy burden on the management team to monitor short term rentals in the Community similar to a hotel.

***Board Vice President, John Lund, asked if the STR issue could be given priority on the agenda (after public comment). Board President, Mike Banbury, agreed. The short term rental item was advanced on the agenda.***

**Short Term Rentals:**

Board Member, Sherry Stripling commented that being informed about this topic is important. The Town of Carbondale has put in a license fee and tax so that they have funds to enforce rules that were made. That said, sherry commented that it is time that we make a decision and move this forward.

Ben Johnston commented that RVR's bylaws require that if a petition is received by more than 20% of the community the Board is required to put it to a vote. Ben went on to say, that this issue has gone on too long and we need to put this to bed.

John Lund commented that the board has exchanged enough information about the topic and the petition is a very strong statement. John went on to say that the accusations that are being made stating that it was somehow inappropriate, there is no basis to believe that is true. The only way that it would be inappropriate is if somebody in management had given out a list of contacts. That is not likely the case and can be verified. John said that everyone in RVR purchased property subject to these declarations including the fact that they can be voted on and changed. John ended by saying that RVRMA would need to follow the process correctly.

Board member, RJ Spurrier, commented that he appreciates the community involvement at the meeting. RJ also noted that it is refreshing to have more people weighing in on the topic. RJ commented that earlier in the meeting a community member made a comment about the grass roots effort to get people to participate in signing the petition was somehow a violation of privacy rights. That was not intuitive to RJ and he's not aware of any issue that the board to take action on. RJ also stated that it's good to have a case made for both sides.

**MOTION:** Ben Johnston stated that pursuant to the petition received by the board, the board will refer the amendment that has been requested to the HOA's Attorney, Jeff Conklin, to draft that amendment. As soon as that amendment has been drafted, it will be put to a vote by the RVR Homeowners. RJ Spurrier seconded. The motion passed unanimously.

John Lund stated that thinking in terms of a timeline, we should think a little bit about the sequencing to a vote by the next board meeting. It was commented that August could be a good target, but Jeff would play a part

on how quickly he can turn that around.

#### **IV. Committee Report**

- **Long Range Planning**

John Lund, Chair of the Long-Range Planning Committee, shared that detailed minutes of the last LRP meeting were featured in the June Board packet. He added that the next step is to gather community input. Presentations will be scheduled for August and September.

#### **V. Month End Financial Review – James Maguire**

RVR Controller, James Maguire, shared a financial presentation at the meeting with a look at May's performance, year to date budget vs actual, and the reserve account.

The high-level view of the operating budget versus actual for the month of May showed that income came in slightly under budget by \$7,375. The cost of goods sold was also under \$6,000 and expenses were under budget by \$8,727. The net surplus for the month of May was \$7,359.

For year to date, income is slightly under budget by \$17,167 which is only a 1.5% variance. The cost of goods sold are under budget by \$3,725 or 4.6% and expenses are under budget by \$49,854 or 5.1%. The year-to-date net operating surplus is \$36,412. increased expenses are expected in June. One large expenditure will be for tree maintenance which will be about \$15,000.

Next, James drilled down into more detail on income for year-to-date, the main contributor to our being \$17,000 under budget is DRC Fee Income which is now at \$14,866 below budget or a variance of 30%. Tennis is still under budget as well by 9% or \$9,000. However, we do expect this to increase in June as lessons have picked up and prepaid tennis camp income will be recognized. The net bottom line that we are still within 2% of our budget.

As for year-to-date operating expenses, not much has changed since last month. Grounds are still the most under budget by \$24,852 or 18%. This will level out somewhat in June with a large tree maintenance expenditure. Wages are spot on with only a 2% variance and are running under budget by \$10,549. Irrigation, RVR Community expenses, DRC expense, and utilities are also running under budget. Finance, Ranch House, and Admin expenses are slightly over budget. The overage in Admin expenses is mostly due to legal fees. Bottom line is that expenses are under budget by almost \$50k or 5%.

James ended with a snapshot of the reserve account. As of May 1, the reserve balance was \$2.145 million. May assessments were \$38,780 and interest income were \$7,441 for a total increase of \$46,221. May spending included repairing the concrete pool deck for \$6,949, final payment for the reserve study for \$2,850 and replacing a pool pump impeller for \$3,855, for a total cost of \$13,654 in May. The ending reserve balance on May 31 was \$2,177,789.

## **VI. Management Update**

- **General Manager Report- Ashley Lynch**

Ashley commented that the Emerald Ash Borer is in Carbondale and RVRMA has roughly 275 Ash trees in the common areas. It was discussed that there is a high concentration of these trees on RVR Drive and the island strip in front of the Ranch House. Travis Green, RVR Facilities and Grounds Superintendent for RVRMA added that it may be a good idea to prioritize the trees that we want or don't want and that a proactive approach will be important. Travis also commented that the Town of Carbondale is evaluating next steps as well and that there is an element of wait and see. Ashley thanked Patti Crooked for bringing up the news of the Emerald Ash Borer to the DRC last year. The DRC was able to amend recommended tree plantings in the guidelines and removed this particular tree from the approved list.

Ashley also commented that the Candidate Meet and Greet event was held at the Ranch House earlier in the week. Ashley thanked all the candidates for their participation.

An update was given on the Crystal River Restoration project. It was noted that in-stream river work will not begin until after July 15. The upland park work, including the access ramp and the outdoor classroom space, will not start until after July 30 pending a pre-assessment with the Audubon Society and US Fish and Wildlife.

- **Programming & Community Engagement Report- Ali Royer**

Ali commented that the Independence Day event is upcoming and reminded owners to RSVP.

- DRC Report- Jessica Hennessy
- Finance Report- James Maguire
- Outside Service Report- Travis Green

## **VII. Old Business**

- **Community Survey Update**

It was discussed that Robin Boyar a volunteer market research professional. Did a Q&A open to the community on Monday. Those who were in attendance noted that it was a very impressive presentation and how appreciative the board was to her insights. Mike Banbury thanked Robin for all her hard work on the topic and added that perhaps a similar survey can be done on an annual basis.

- **Short Term Rentals**

*Earlier in the meeting, Board Vice President, John Lund, asked if the STR issue could be given priority on the agenda (after public comment). Board President, Mike Banbury, agreed.*

## VIII. New Business

- **Annual Meeting Plan**

Mike commented that the Annual Meeting will take place at the Old Thompson Barn on Wednesday, July 26. It was discussed that the board could play a bigger role in the meeting. Presentations could be made and about 20 minutes of Q&A.

Sherry added that RVR Club ambassadors could have informational booths set up at the Annual Meeting and Ashley can add some information on clubs to his presentation.

- **Election Update**

It was commented that the election timeline was added to packet. Friday, July 14 is the deadline to vote and results will be published on Monday, July 17. Ashley will call and congratulate the winners.

## IX. Adjourn

**Motion:** Mike Banbury and Ben Johnston motioned and seconded to adjourn the meeting. The meeting adjourned at 7:12 p.m.

## X. Executive Session

- Discuss legal advice related to golf course.