

RVRMA EXECUTIVE BOARD MEETING
Wednesday, September 28, 2022, at 5:30 p.m.

Ranch House Conference Room and Zoom Meeting

Executive Board of Directors

Michael Banbury, President
John Lund, Vice President
(*absent*)
Todd Richmond, Treasurer
Ben Johnston, Secretary
(*absent*)
Laura Hanssen, Director
RJ Spurrier, Director (*zoom*)
Sherry Stripling, Director

Management

Ashley Lynch, General Manager
James Maguire, Controller
Jessica Hennessey, Director of Design Review &
Admin. Services
Ali Royer, Director of Programming & Community
Engagement (*absent*)
Travis Green, Facilities & Grounds Superintendent

Homeowner Attendees

At the Ranch House

David Pietsch
Vicki Arnold
Bud Arnold
Sara Gilbertson
Jocelyne Durrance
Anne Blackwell
Wolf Gensch
Carl Hostetter
Rosemary Lavender
Stan Kleban

Via Zoom

John Krousouloudis
Mary Catherine Conger
Rebecca Aronoff
Joel Aronoff
Todor Radmilovich
Paul Brown
Nina Factor
Doug Factor
Diane Cavarra
Richard Sills
John and Kathy Schoenecker
Krystina Greenwood
Gary Wesselink
Jillian Banbury
Claudia Carroll
Peter & Donna Belch
John and Kathy Schoenecker

I. Call to Order- Establish Quorum

- Board President, Michael Banbury, called the meeting to order at 5:30 p.m.

II. Approval of Minutes and the Consent Agenda

- Board Directors, Laura Hanssen and Sherry Stripling, moved and seconded the approval of the consent agenda and meeting minutes of the RVRMA Executive Board Meeting held on Wednesday, Aug. 24, 2022.

III. Public Comment

- Dave Pietsch (*in person*) - Dave commented on Long Range Planning. Dave expressed concerns about assessments going up and asked about the different phases of Long-Range Planning. Michael Banbury reiterated that this section of the meeting is for comment only and not a Q&A exchange. Ashley Lynch, RVR General Manager, offered to address Dave's questions outside of the meeting.
- Sara Gilbertson (*in person*) - Sara commented that she felt there were inconsistencies in the Long-Range Planning meeting minutes versus what was communicated at the board meeting. Sara asked for the agenda for the evening's meeting.
- Jocelyn Durrance (*in person*) - Jocelyn commented on the positive aspect of a tennis facility at RVR. Jocelyn added that removing court number one would deter from the tennis program.
- Anne Blackwell (*in person*) - Anne commented that she appreciates that half of the doggie bags in the community are recyclable. Anne continued to say that she appreciates that RVR is also cutting back on watering. Anne expressed concern about removing court one and putting it in a land fill.
- Richard Sills (*via zoom*) - Richard asked where the forum would be to ask questions regarding Long-Term Planning. Richard also asked when that forum would occur so that the community can become more engaged in the various scenarios that are being considered and the cost associated with those scenarios.
- Todor Radmilovich (*via zoom*) – Todor asked for a list of issues or problems that are attempted to be solve for with the Short-Term Rental situation in RVR. Todor also asked for a projection for a potential decline in property values.
- Joel Aronoff (*via zoom*) - Joel seconded all of Todor's comments and added that Short Term Rentals bring in tax revenue and bring people into Carbondale to spend money in town. Joel stated that there are not enough hotels in Carbondale.

- Rebecca Aronoff (*via zoom*)- Rebecca commented that there are not enough hotels or Bed and breakfast establishments to support tourism in the area. Rebecca added that she and her family would like to retire soon in the very home that they purchased. She also asked about the selection of the committee and was curious as to how a non-biased group was formed. Rebecca stated that she voted to restrict short term rentals.

IV. Committee Report

- **Long Range Planning**

Board President, Michael Banbury, described what happened at the most recent Long Range Planning meeting. Michael stated that the committee did vote to move a plan along for the board to consider at their meeting. Michael added that the plan shared at the meeting was a conceptual drawing from McMahan Group only and the committee chair asked that plan not be put on the agenda for September or October because he wanted to reconfirm with the committee regarding the plan. The Long Range Planning committee will continue its work of trying to get a concept to float to the board, which the board will then pass to the community and the community will then vote on. Michael emphasized that nobody, including committee members, want this to be a contentious process. Michael added that the community should let the process work and to resist temptation to feel like the sky is falling.

Sherry Stripling, Board Director, asked when the Long-Range plan will likely come to the board. Michael noted that he does not have an answer for that at this time.

- **Short Term Rental Committee**

Michael announced that the Short-Term Rental topic would be highlighted under new business on the agenda.

V. Month End Financial Review

RVR Controller, James Maguire, presented a financial insight presentation highlighting the budget versus actual and ended with an update on the budget process.

According to James, income is running about \$40,000 over budget, COGS are \$10,000 over budget and expenses are \$2,600 under budget, leaving us with a net \$31,943 year to date.

Tennis is under by \$10,000 and other income is over budget by over \$43,000 due mostly in part to better-than-expected DRC income.

The major points of interest are personnel costs under budget by \$45,000 which is only a 4.8% variance. Ranch House expenses are over budget mostly due to cleaning services and some unexpected electrical work completed in July. Utilities are over by \$20,000 mostly due to natural gas and admin expenses are over by \$11,000 due to computer expenses. Overall, total expenses are with \$2,600 of the year-to-date budget.

James indicated that Ashley and he completed the 2022 forecast, the first draft of the 2023 budget, and presented it to Todd and Michael for review and feedback. In October, final revisions will take place and the plan is to propose it to the Board by the next meeting. In November, the budget will be presented to the community, in December we will email the ballot for a vote and do the final ratification.

Todd Richmond, complimented Ashley and James for their work on the budget so far. He stated that it was the best effort he has seen bar-none at drafting the budget for the HOA.

VI. Management Update

- General Manager Report- Ashley Lynch
- Programming & Community Engagement Report- Ali Royer
- DRC Report- Jessica Hennessy
- Finance Report- James Maguire
- Outside Service Report- Travis Green

Sherry asked about the RVR Census that she saw in the General Manager Report. Sherry asked how that information would help with updating the online Member Directory. Ashley answered that the census will ask homeowners to verify email addresses and phone numbers of residents should they choose to have this information added to the directory. Michael added that collecting this information will also be helpful to get information out to homeowners for upcoming HOA voting materials etc.

VII. Old Business

- **House Bill 22-1137, Enforcement Policies**

Ashley and Michael briefly went over the new enforcement policies that were drafted and vetted by the association's Attorney. The policies were drafted so our governing documents are in alignment with House Bill 22-1137.

Motion: Todd Richmond and Laura Hanssen moved and seconded to approve the Collection of Unpaid Assessments Policy and Enforcement of Covenant and Rules. Ben Johnston, Board Secretary, and John Lund, Board Vice President were not present for the vote, but submitted their proxy, in writing, to vote "in favor" on the motion. The motion passed.

- **RVR Fence Maintenance & Repair Policy, Nineteenth Amendment**

Michael introduced the Fence Policy and Revised Nineteenth Amendment. Ashley commented that the new amendment and policy mostly addresses vertical plank fences in RVR. The DRC amended the guidelines to allow staining of these fences.

Motion: Todd Richmond and Laura Hanssen moved and seconded to approve the RVR Fence Policy and Nineteenth Amendment. Ben Johnston, Board Secretary, and John Lund, Board Vice President were not present for the vote, but submitted their proxy, in writing, to vote "in favor" on the motion. The motion passed.

- **Eighteenth Amendment & Minimum Planting Report**

Jessica Hennessy, Director of Design Review & Admin Services, commented that at the last board meeting, the DRC proposed a new amendment to the design guidelines that contained alterations to sections 6.20 and 6.21 regarding gravel/stone ground cover and xeriscape. After receiving thoughtful feedback and recommendations from the board, the DRC went back to the drawing board to create a revised Eighteenth Amendment. Jessica added that updated wording to siding requirements were also added to the amendment. This was done with the intention to empower the DRC to approve siding alternatives that offer fire protection, but still maintain the aesthetic of natural wood, which has been established within the existing architecture of RVR. The HOA's attorney also reviewed the amendment and after some minor tweaks, gave his stamp of approval.

RJ commented that he thought Jessica and the DRC did a fabulous job revising the amendment from the last meeting and appreciated that the amendment gave the DRC more authority to use their judgement. RJ stated

that he thinks the DRC is thoughtful and responsible in protecting the community's interest.

Motion: RJ Spurrier and Sherry Stripling moved and seconded to approve the Eighteenth Amendment. Ben Johnston, Board Secretary, and John Lund, Board Vice President were not present for the vote, but submitted their proxy, in writing, to vote "in favor" on the motion. The motion passed.

Michael Banbury added that Jen DiCuollo provided a report regarding minimal planting requirements for the board packet. The report illustrated that the DRC sees no further action needed to reduce the current planting requirements.

RJ pointed out that Jen did propose revisions to appendix F in her report. RJ thought this would be a great next step. Jessica stated that she thought that would be a good idea and the DRC could work on it.

The Short-Term Rental topic was slotted to be discussed before the Eighteenth Amendment on the agenda. However, this was skipped in an oversight at the meeting and was discussed *after* the Eighteenth Amendment Decision.

- **Short Term Rental Committee Proposal**

Michael went the STR proposed documents. Michael reminded everyone that at this point, the board would decide if the STR document was ready to send to the HOA's Attorney so that the attorney can review the legality of it. The Attorney would then return it to the board. At that point, if the board finds the document acceptable a ballot initiative would be submitted to the community because it would propose a change of land use for individual property owners in RVR. Michael added that Two-Thirds (370 homeowners) of the community would need to vote in favor of the document for it to pass.

Ashley went over highlights of the STR report and reminded everyone that all documents can be found in the packet.

Laura asked about voter counts and what percentage historically we have had in participation. James answered that we typically see about 100 to 150 homeowners turn out to vote.

Sherry asked why the Town of Carbondale regulations are not adequate for RVRMA? Ashley replied that it is important to note that the Town ordinance is only a temporary ordinance.

Todd asked what would qualify as a primary residence per the Town's regulations. Ashley answered 180 days.

Laura stated that the Short-Term Rentals listed on the Town's permit list may not be accurate and that number may be undercounted.

Todd commented that Short Term Rentals may become a problem if we don't take care of it. Todd added that he believes it's worth the effort to pursue.

RJ stated that per the last Short Term Rental Survey, 70% of homeowners who answered wanted restrictions. RJ continued to say that he was concerned about the complexity of getting two-thirds vote from the community and that complication in a ballot could create a vote risk. RJ then stated that he would love to see what homeowners would say if asked if they would approve just a 30-day limit for leases.

There was more dialogue around the possibility of putting out another survey that would ask homeowners if they would be receptive to restrict leases to a 30-day maximum and possibly a limit of 6 leases per year. The Board discussed how much they appreciate the packet provided and all the recommendations included.

Motion: Michael and Todd motioned and seconded to ask the committee to release another simple survey to the community rather than sending the proposed Short Term Rental document to the HOA's Attorney. The motion passed unanimously.

VIII. New Business

- STR Committee Member Replacement

Michael announced that the Board of Directors unanimously gave written consent via email to replace Peggy Sontag with Carl Hostetter on the Short-Term Rental Committee due to scheduling conflicts.

Motion: Michael Motioned to ratify the action of replacing Peggy Sontag with Carl Hostetter on the Short-Term Rental Committee. Ben Johnston, Board

Secretary, and John Lund, Board Vice President were not present for the vote, but submitted their proxy, in writing, to vote “in favor” on the motion. The motion passed unanimously.

IX. Adjourn

Motion: Michael and Todd motioned and seconded to adjourn the meeting. The meeting adjourned at 7:05 p.m.

X. Executive Session

- Staff Wage Discussion 2023