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## RECORD OF PROCEEDINGS

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### Minutes of the Regular Meeting Of the Board of Directors Two Rivers Metropolitan District March 14, 2023

A Regular Meeting of the Board of Directors of the Two Rivers Metropolitan District, Eagle County, Colorado, was held on March 14, 2023 at 2:00 p.m. via an online Zoom meeting, in accordance with the applicable statutes of the State of Colorado.

**Attendance** The following Directors were present and acting:

- Mike Pearson
- KJ McEvoy
- Mark Zbrzeznj
- Esgar Acosta

Also in attendance:

- Ken Marchetti, Marchetti & Weaver, LLC
- Craig Plizga, Community Operations Manager
- Kendra Nicholson, Marchetti & Weaver, LLC, Recording Secretary for the meeting

**Call To  
Order**

The Regular Meeting of the Board of Directors of Two Rivers Metropolitan District was called to order by Director Pearson on March 14, 2023 at 2:00 p.m. noting a quorum was present.

**Conflicts  
of Interest**

Chairman Pearson is the managing Partner and partial owner of 2 Rivers Development, LLC (“**2 Rivers Development**”), which owns a portion of land which is less than 20% of the territory of the District. Additionally, he is the sole owner of Mountain Commercial Advisors, LLC also known as NAI Mountain Commercial (“**Mountain Commercial**” and together with 2 Rivers Development, the “**Companies**”), which employ Directors McEvoy and Zbrzeznj.

Additionally, Director Pearson is the sole owner of Fortius Capital, LLC (“**Fortius Capital**”), and the sole owner and manager of North Lot and 116, LLC (“**North Lot**” and together with 2 Rivers Development and Fortius Capital, the “**Companies**”).

**Changes to the  
Agenda**

None

**Public Input**

None

**Legal**

There was no legal input.

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#### **Assistant Mgr.**

**Position** Mr. Marchetti mentioned that there was a discussion about hiring a part-time assistant for Mr. Plizga. Director Pearson asked what the position would involve. Ms. Nicholson responded that it would be compliance enforcement and to have someone trained that could cover for Mr. Plizga when he's out of the office. Director Pearson said to let him know if he needs to get involved. Mr. Marchetti and Mr. Plizga will conduct the interviews.

#### **District Operations**

##### **Manager**

##### **Report**

Operations Manager, Craig Plizga, presented his Operations report to the Board. He reported on the following:

- Painting
- Restocking of the lates and discussion about getting rid of the small mouth Bass, perch and large mouth are what would be stocked. Berm for the Kokanee Lake so it doesn't flood into the Colorado.
- Western State Fire Protection estimate to do the needed upgrades to the fire suppression system
- Room rentals have been consistent
- Discussed the food and Mira trucks and the current schedule

#### **Fresh Lawns**

**2023 Bid** Mr. Plizga reviewed the 2023 Fresh Lawns Proposal. There was a Board discussion about the proposal.

By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2023 Fresh Lawns proposal as presented

#### **Village Center**

##### **Update**

Director Pearson stated there is a new development plan Eagle County has reviewed. Breaking ground may happen as early as next spring, maybe some work started by this fall.

#### **Vacation of ROW**

##### **Easement**

Director Pearson reviewed the purpose of these resolutions.

By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the ROW Vacation Easement Resolutions

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#### **Water/Sewer Report**

Mr. Zancanella reviewed the upgrades and work being done. He said the Headworks job is in process as well. There was discussion about the timing of the project. Mr. Zancanella stated that the parts are out 52 weeks from the approved shop drawings, which just got approved. Mr. Marchetti asked about the Belt Press and Mr. Zancanella stated there is financial grant assistance available and June 15<sup>th</sup> is the deadline for request for funding. The next step is a prequalification meeting with John Oliver and the State, which will require the engineering studies needed for this meeting.

#### **Minutes**

The Board reviewed the January 17, 2022 Regular Meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the January 17, 2022 Regular Meeting minutes as presented.

#### **Financial Statements**

Mr. Marchetti presented the February 2023 preliminary financial statements. Director Pearson asked Mr. Marchetti if he sees any red flags in the February financials and he stated he does not see any.

**RESOLVED** to accept the February 2023 preliminary financial statements as presented

#### **Accounts Payable**

The Board reviewed the January – March 2023 accounts payable lists and by motion duly made and seconded it was unanimously

**RESOLVED** to ratify the January – March 2023 accounts payable lists as presented.

#### **Accounts Receivable Report**

Director Acosta asked about a specific property, 44 Catfish, and asked if we have it recorded on the title. Ms. Nicholson stated that since he was on a payment plan in 2022 it has not been, but if it doesn't get paid up the property will be on the shut off list this month.

#### **Sales Tax Report**

Mr. Marchetti stated that the sales taxes for January came in a bit higher than what was budgeted.

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**Executive**

**Session** §24-6-402(4)(f), C.R.S. Personnel matters, annual reviews and compensation discussions about Craig Plizga and Melinda Lucero

**Adjournment**

There being no further business to come before the Board at this time, by motion duly made and seconded it was unanimously

**RESOLVED** to adjourn the Regular Meeting of the Two Rivers Metropolitan District Board of Directors this 14<sup>th</sup> day of March, 2023.

Respectfully submitted,

Kendra Nicholson  
Recording Secretary for the Meeting