
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Two Rivers Metropolitan District May 9, 2023

A Regular Meeting of the Board of Directors of the Two Rivers Metropolitan District, Eagle County, Colorado, was held on May 9, 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

Also in attendance:

- Ken Marchetti, Marchetti & Weaver, LLC
- Craig Plizga, Community Operations Manager
- Kendra Nicholson, Marchetti & Weaver, LLC, Recording Secretary for the meeting
- Tom Behrens, Resident
- Vance Holzmann, Zancanella & Associates
- Tony Zancanella, Zancanella & Associates

Call To Order

The Regular Meeting of the Board of Directors of Two Rivers Metropolitan District was called to order by Director Pearson on May 9, 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 Request from a school to use the Com Ctr
ROW Easement Vacation

Public Input None

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Legal There was no legal input.

Confirmation of

Oaths Mr. Marchetti asked if the Oaths have been taken care of and Ms. Nicholson stated that the one Oath has been administered and filed.

District Operations

Manager

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

- Good Shepard Flooring installed new floor in the locker room.
- Installed 2 chlorinators for the pool, there was one before.
- Judith from Mountain Youth will be adding a program with student employees to help around the community.
- Art class through MIRA, asking for funding. The Board agreed to fund the \$400 for the summer and see how it goes.
- Judith is looking to do activities for her church in the afternoons over the summer
- Dance classes are going on Wednesdays, MIRA bus every 2nd Thursday, EVOM will offer gardening on Tuesdays in June.
- Hiring a code enforcement position, waiting on the paperwork from the new hire. Tom Behrens stated that his wife may be interested in doing the code enforcement. The Board sounded like they may be interested in her doing it. Mr. Behrens said that the block leaders was another thought.
- Water turn-on for irrigation is going well, spring lawn care has started.
- Buffalo cul-de-sac, Craig asked if the Board wanted to finish off the landscaping. There was a discussion about what that would entail. Mr. Zancanella said he'd meet with Craig separately and figure out how to get the water from the wastewater plant. Mr. Zancanella said he thinks there's a pump that could be used from the
- Arete Christian School wants to rent the entire upstairs and partial use of downstairs of the community center. There was a discussion about the logistics of a school in the Community Center. Liability was the main concern of the Board, and it was decided to pass on the proposal.
- Basketball hoops, Mr. Behrens said they do need some work done. Craig stated he would look for the parts that need to be replaced.

Village Center

Update A design for 46 townhome units has been put together and the preliminary application meeting with the County has happened. The utility easement is next. They are hoping to break ground by next summer.

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Vacation of ROW

Easement Director Pearson stated that the right of way vacation easement needs to be adjusted because part of it was missing. Director Pearson reviewed the purpose of these resolutions, there was a change to the boundary of the ROW, so the new documents need to be approved.

By motion duly made and seconded, it was unanimously

RESOLVED to approve the ROW Easement Vacation Resolutions.

Director Vacancies

Mr. Marchetti stated that the District now has 2 vacant Director positions. Mr. Behrens is on the HOA Board and has an interest in serving on the Metro District Board. Mr. Behrens went through a quick bio of himself and stated he would like to serve the community. Mr. Marchetti went through process for Board appointments.

By motion duly made and seconded, it was unanimously

RESOLVED to appoint Tom Behrens to the Metro District Board.

Water/Sewer Report

Mr. Zancanella stated the District has been in the process of adding a bar screen to the wastewater plant. New regulations will be put in place in 2028, so the District is in the process of preparing for those upgrades. Zancanella is looking into grants to help with the expense of upgrades needed. There was a discussion about the wells and the pumps. Mr. Zancanella said that with the reduction of number of townhomes going in, he doesn't think there's a need for another well at this point.

Minutes The Board reviewed the March 14, 2023 Regular Meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the March 14, 2023 Regular Meeting minutes as presented.

Financial Statements

Mr. Marchetti presented the April 2023 preliminary financial statements. Reserves are being retained in the Water and Sewer Enterprise Fund for the infrastructure upgrades that are anticipated. Debt payments to the developer are made as funds become available. Mr. Marchetti brought up the new property tax valuations that are expected to go up about 50% in 2024.

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RESOLVED to accept the April 2023 preliminary financial statements as presented

Accounts Payable

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

RESOLVED to ratify the April 2023 accounts payable lists as presented.

Investment Accounts

Mr. Marchetti stated that interest income rates are in the 4%-5% range and it would be nice to lock these rates in for a longer term if rates drop. He said he's planning to reach out to Mr. Zancanella to see what funding needs to be available in the short term for projects before suggesting an amount to invest in long term investments, such as CDs.

Accounts Receivable Report

Ms. Nicholson stated that all of the significant past due accounts are all on payment plans. The Board reviewed and had no comments or questions.

Sales Tax Report

Mr. Marchetti stated that the sales taxes year to date are coming in about on budget.

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 9th day of May, 2023.

Respectfully submitted,

Kendra Nicholson
Recording Secretary for the Meeting