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# RECORD OF PROCEEDINGS

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Two Rivers Homeowners Association Board of Directors Meeting March 6, 2024

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## MINUTES OF THE BOARD OF DIRECTORS MEETING TWO RIVERS HOMEOWNERS ASSOCIATION, INC. MARCH 6, 2024

A meeting of the Board of Directors of the Two Rivers Homeowners Association, Inc. was duly called and noticed at the Two Rivers Community Center, 80 Lake Shore Dr., Gypsum, CO 81637.

**ATTENDANCE**      **The following directors were present and acting:**

- Tom Behrens
- Nancy Andresen

**Absent and excused:**

- Chris Delsordo

**Also in attendance were:**

- Ken Marchetti, Marchetti & Weaver
- Magdalena Gembal, Recording Secretary for the Meeting
- Craig Plizga, Community Operations Manager
- Sarah Staton, Resident
- Chris and Teri Blackstock, Residents
- Nick and Dayana Herr, Residents
- Karen and Glen Tripp, Residents
- Carolyn Deramo, Resident
- Israel Hernandez, Resident
- Zyanya Rodriguez, Resident

**Call to Order**      The meeting of the Executive Board of the Two Rivers Homeowners Association was called to order on March 6, 2024 at 6:04 p.m., noting a quorum was present.

**Consideration of the Agenda**      There were no changes to the agenda.

**Election of Officers**      The floor was opened to nominations, during which Director Behrens nominated Director Andresen for the role of President, Director Delsordo for Vice President, and himself for Treasurer and Secretary. Upon motion duly made and seconded, it was unanimously

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**RESOLVED** to elect Director Andresen as the President, Director Delsordo as Vice President and Director Berens as Treasurer and Secretary.

## Board Vacancies

Glen Tripp, a resident of 46 Cut Throat Loop, was put forth as a nominee to join the Board. He shared his background serving on previous HOA boards. Additionally, Chris Blackstock, residing at 420 Buffalo Boulevard, was nominated for the Board and also highlighted his experience on previous HOA boards. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to appoint Mr. Tripp as a Board member with a board seat term expiring at the end of 2026, and Mr. Blackstock as a Board member with a Board seat term expiring at the end of 2025.

## Minutes

The Board reviewed the October 26, 2023 minutes included in the packet, and upon motion duly made and seconded, with Director Tripp and Director Blackstock abstaining and all other directors voting aye, it was

**RESOLVED** to approve the October 26, 2023 Minutes of the Board of Directors as presented.

## Operations Manager Report

Craig Plizga presented his Operations Manager Report:

- Prima Painting completed painting the locker room and gym walls.
- Parking violations for yard parking are being issued, with a focus on improving yard aesthetics once parking issues are resolved.
- Gym memberships have surged, resulting in heavy foot traffic, and all room rentals are fully booked until June.
- Rocky Mountain Custom Landscapes will re-establish the irrigation line along Buffalo Blvd, allowing for new trees and irrigation. There are plans to connect Kokanee Lake to the irrigation system, potentially replacing well water with lake water for irrigation, and streetlights might be replaced for better safety.
- Regular community events such as Mira Bus and Eagle Market continue, and additional tables and chairs are being acquired.

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- Plans for Buffalo Park include hedge installations around the lift station and the parking spots.
- Non-resident fishing during winter was unsatisfactory.
- Pool start-up may be delayed due to conflicting events in May.

The Board, Mr. Plizga, and residents discussed strategies to regulate non-resident fishing, such as implementing fees, increasing signage, or introducing lottery passes. However, no definitive conclusions were reached at this stage. Additionally, resident Karen Tripp requested that the pool temperature be raised for 2024. The Board discussed the pros and cons of higher versus lower pool temperature noting that different users have different preferences for pool temperature.

## Accounts Payable

The Board reviewed the November 2023 through February 2024 accounts payable lists and by motion duly made and seconded it was unanimously

**RESOLVED** to ratify the November 2023 through December 2023 accounts payable lists and approve the January 2024 to February 2024 accounts payable lists as presented.

## 2024 Fresh Lawns Landscaping Bid

The Board reviewed the proposal for 2024 landscape maintenance submitted by Fresh Lawns Landscaping, noting an increase in the hourly rate. After a brief discussion with the residents presented regarding irrigation and aeration, by motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2024 Fresh Lawns Landscaping bid as presented.

## Federal Corporate Transparency Act – Beneficial Ownership Interest

Mr. Marchetti briefed the Board on the Federal Corporate Transparency Act, a new federal law, which mandates reporting of beneficial ownership interests and noting that Board members of HOAs are considered by this law to be the “beneficial owners” of the HOA which will require Board members to provide identification information such as driver’s license numbers and copies. There have been legal challenges to this new

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legislation which have not been resolved at this time and the national HOA organization is seeking exclusion for HOAs from the Act. Beneficial ownership reports are not due until the end of 2024 so no immediate action is required. Further details will be provided as the reporting deadline approaches.

## **Other**

Director Behrens proposed the creation of a street representation system, where a designated representative from each street would disseminate community updates and information to their neighbors, aiming to enhance community cohesion. He requested residents' email addresses to organize meetings in the coming weeks for planning purposes. Additionally, this initiative aims to increase participation in annual member meetings to ensure a quorum.

## **Board Member Discussion**

The primary focus of Board member discussion revolved around short-term rentals. Following an email sent by the Community Manager to residents utilizing their homes for short term rentals, a response email was received seeking clarification as the Association's governing documents were somewhat vague on this issue. After hearing both support and opposition from residents and Board members, it was agreed to seek legal advice to obtain clarity on the Declaration and HOA rules and regulations. Mr. Marchetti recommended Altitude Law, a firm based in Denver that specializes in HOA law, and an engagement letter will be requested to proceed with this matter.

## **Financial Statements**

Mr. Marchetti presented the financial statements as of December 31, 2023, highlighting an ending fund balance of \$171,857.

Regarding the financial statements as of February 29, 2024, it was noted that there hasn't been much activity in 2024 yet. However, preliminary work on the 2025 budget has begun, indicating a need for monthly assessments to be raised to prevent a larger deficit for the current and upcoming year.

Residents engaged in discussions regarding the construction of new townhomes adjacent to Two Rivers Village and the establishment of a sub-HOA for the new development.

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## **Accounts**

### **Receivables**

Mrs. Gembal mentioned ongoing efforts to address delinquent accounts, as the Association has implemented a new collection policy in accordance with HB22-1137. Additionally, she sought approval for proposed payment plans from owners, along with requesting forgiveness of late fees, both of which the Board approved. Furthermore, she inquired about the possibility of sending delinquent accounts, which had received demand letters in January, to collections, a request to which Director Behrens agreed.

### **Adjournment**

There being no further matters for discussion, the meeting was adjourned by Director Behrens at 7:55 p.m.

Respectfully submitted,

Magdalena Gembal  
Recording Secretary for the Meeting