

**RIVERLAND LOT OWNERS ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS
MARCH 9, 2021
VIA ZOOM**

Present via Zoom: Chris Hensley
Steve Curtiss
Kevin Freeman
John Nichols
Chet Boyce, Toad Property Management
Rob Harper, Toad Property Management
Aaron Huckstep (Huck), Legal Counsel
Greg Wiggins

Chet called the meeting to order at 5:33 pm and confirmed a quorum.

Steve made a motion to approve the minutes of the December 9, 2020 meeting. Chris seconded the motion and it was unanimously approved.

Greg Wiggins explained he was forming a Joint Venture with Bob Huckins to subdivide their lots and form a condominium. The County required a letter from the Association consenting to the subdivision. It was agreed dues to the Association would remain the same and the Joint Venture would pay the legal fees for Huck to review the replat and governing documents for the new condominium prior to the County recording those documents. As there was no opposition to Greg's proposal Huck agreed to reach out to the Joint Venture attorneys (Law of the Rockies) and prepare the approval letter from the Association. Greg Wiggins confirmed the septic would be inspected and all County regulations would be followed. Chris made a motion to instruct legal counsel to deliver an approval letter for the County to Greg Wiggins and Bob Huckins giving the Association's approval to the subdivision and replat of those lots. John seconded the motion and it was unanimously approved.

John explained the lighting disagreement between John Murphy and Danny D'Aquila and said security lighting was also causing issues on other lots within Riverland. Chet explained John Murphy had offered to pay for a motion sensor to be installed and that offer had been declined and the disagreement between the two individuals had escalated. Chet said Danny D'Aquila was the property manager and at the present time the owner of the lot had not responded to Toad. Kevin and John stressed the need for security lighting on some of the lots. Aaron Huckstep said the language in the Covenants allowed the Association to strongly encourage a property owner to have lighting which would minimize impact on the neighbors. Lighting regulations in the Covenants could be amended when there were additional items to amend as the amendment process was expensive and it would take time to obtain the required approval. John made a motion to direct legal counsel to draft a letter to John Murphy and Danny D'Aquila explaining the Association's regulations and recommendations and encouraging the individuals to work together prior to the Board taking additional action. John would contact Danny D'Aquila to explain the Board's position and if necessary Chris would reach out to the owner of that lot. Kevin seconded the motion and it was unanimously approved.

Chet said he was collecting water meter data and there were four readings coming in which could not be assigned to any particular building. Chet explained water meter data had been collected for September to February and the information did show large fluctuations. John said Lot 9 was

showing a very high reading and he would follow up and find out if there was a leak. Chet agreed to share the current water usage spreadsheet with the Board and legal counsel. It was generally agreed multiple months of meter readings would allow the Board to determine a base rate and fee structure. Huck said to introduce a new fee structure based on water usage the Board needed to consider either a modification or amendment of the Covenants or the imposing of fees as part of Rules and Regulations. Huck explained amending the 40 year-old Covenants would be a cleaner way to present the information and would also be an opportunity to make additional amendments. The Rules and Regulation approach would be much easier to implement as it would not be necessary to obtain the approval of 67% of all owners. Chris said he had prepared a spreadsheet showing building size in preparation for discussion of Association dues based on square footage. Huck explained a special meeting could be held to present any amendments to the Declaration and that would allow the Board time to review additional summer months of water usage before making a decision on base rates or fee structures. It was confirmed water usage and water quality was monitored by the State.

Kevin said Lacy Construction pushed snow to the end of the cul-de-sac and onto Lot 30 and Kevin questioned why the snow was not pushed into the wetlands as the Lot 30 owner had to do maintenance work every Spring to restore the lot. Rob said he would speak to Lacy Construction to have the snow pushed towards the wetlands and not the Lot 30 driveway and berm.

Chet said there had been a small leak at the pump house and the main meter at the south pump house had failed and a new meter had been ordered and would be installed as soon as possible by Timberline Mechanical.

After discussion Huck agreed to review the Declaration of Protective Covenants and give an update at the next Board meeting on what amendments should be considered and an indication of the cost to prepare the document.

Huck confirmed John Murphy had one more payment due on the settlement agreement and Huck agreed to send Toad a copy of the settlement agreement.

Rob agreed to speak to Lacy Construction about a Riverland Drive street sign which was causing confusion as that part of the road was Buckley Drive.

At 6:32 pm John made a motion to adjourn the meeting. Steve seconded the motion and it was unanimously approved.

Rob Harper, Toad Property Management