

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE RIVA CHASE  
HOMEOWNERS' ASSOCIATION**

**HELD ON October 27, 2022 at 5:30 p.m.**

**I. CALL TO ORDER**

Attendance:

Yvett Green	Mike Harding
Jesse Cox	Bernie Garvey
Dennis Dutson	Robert Segal
Chuck Silverman	Brian Urtel
Mike Oakley	Steve Iskalis
Beth Jarabek	Cathline Taub
Mahesh Jha	Brenda Shuler
Corey Adkins	Kate Hughes
Nick Hughes	Ann Nutt
Cindy Chudacoff	Winston Nutt
Alexis Krutsch	

**II. TREASURER'S REPORT**

Jesse Cox reported that we have between \$37,000 and \$38,000 on deposit. Money has been spent on community events and in transitioning web administrators. We discussed splitting the treasurer's duties, such as upkeep of financial records (we work with Knoll & Co. which is beneficial by virtue of third party controls being put in place), flow of information re sales of homes in the community, compiling directory for neighborhood, etc., and assigning some of those duties to other board members in order to alleviate some of the administrative burdens placed upon the treasurer.

**III. ACC REPORT**

Mike Harding discussed developments in the neighborhood and renovation requests in general. The painting of two of the signs at the Forest Hills Drive entrance was completed. He mentioned that another project which should be implemented included revamping the neighborhood street

signs for consistency purposes. It was decided that homeowners' specific renovation requests will be posted online rather than discussed at the meeting.

Ann Nutt stated her opinion that procedures for violations of HOA rules were not being actively policed, citing a boat parked in a driveway on Whispering Wood. Mike Harding responded that if violations were reported and the ACC agreed that a homeowner is non-compliant, the alleged violator is contacted by the ACC. He noted that the homeowner where the boat was parked was contacted within approximately 1.5 weeks after the issues was brought to the ACC's attention, and that this issue has now been taken care of.

Mike mentioned that the association's attorney apprised him of certain amendments to a statute in Colorado which may limit the authority of homeowners' associations to police certain rules and alleged violations. Specifically, Colorado Revised Statutes, 38-33.3-209.5, has amended sections (2)(a), (5)(a) introductory portion, and (5)(a)(V) introductory portion, and sections (1.7), (2)(c), (6), (7), (8), (9), and (10) have been added. The introduction to the new statute provides a general description of the amendments and additions to the statute:

“CONCERNING PRACTICES OF UNIT OWNERS' ASSOCIATIONS, AND, IN CONNECTION THEREWITH, AUTHORIZING THE ENFORCEMENT OF CERTAIN MATTERS REGARDING UNIT OWNERS' ASSOCIATIONS IN SMALL CLAIMS COURT AND LIMITING THE CONDUCT OF UNIT OWNERS' ASSOCIATIONS IN COLLECTING UNPAID ASSESSMENTS, FEES, AND FINES.”

It appears that under these amendments, property owners have been given additional due process rights in defending alleged violations of association rules and the collection by the association of unpaid dues by being permitted to litigate such violations and the collection of unpaid assessments, fees and fines in small claims court.

### **III. FHMD REPORT**

Craig Weinberg sent an email to the Board inquiring whether the Board wished to pay a consultant to survey the neighborhood for fire mitigation at a cost of \$20,000. This proposal was voted down unanimously by the Board and all homeowners present at the meeting. Mike Oakley offered that if any individual owners wished to have their property inspected for fire mitigation purposes, they could contact the contractor directly and contract for consulting and mitigation services on an individual basis.

It was also discussed that there were several complaints from homeowners concerning the sloppy nature of the roadwork which was recently performed. Some complained of tar getting stuck to their car tires or their dogs' feet. Mike Oakley suggested that any homeowners who had complaints could attend the next FHMD meeting to voice them, and that A-1 Chipseal, the road repair contractor, told him it would address any claims for damages made by homeowners regarding any damages to car tires, etc.

#### **IV. GENERAL BOARD-RELATED BUSINESS**

The Fall Festival had a good turnout, with 73 or 74 attendees. There were questions as to whether it was appropriate for former homeowners who left the neighborhood or guests of homeowners to attend neighborhood events, such as the Fall Festival. The consensus was that guests would be permitted to attend such events, but there should be an appropriate and reasonable charge for non-residents to attend.

The Board advised homeowners that they should not feed deer or other wild animals.

It was discussed that the neighborhood will have a Winter Party in mid-December, perhaps at the Mt. Vernon Club if available, with the date and time to be investigated and announced in the near future.

Ann Nutt received an email from our mail carrier, who has been delivering mail to the neighborhood since 2004, and requested that it be circulated to homeowners. In the email, John explained that he was ill, specified reasons for his retirement, and named his possible replacement. It was decided the email would be circulated to all homeowners, and it has since been shared with everyone.

Rob Segal mentioned the issue that Uber drivers and vendors delivering items to his home often are directed by their GPS mapping services to either the upper gate designated for homeowners only, or sometimes the closed gates on Shingle Creek Road. Others voiced that they had the same issue. It appears that the mapping services are not being directed to the main gate at Forest Hills Drive. Steve Iskalis kindly offered to investigate whether mapping services such as Google Maps, Waze, Apple Maps, etc. could be contacted to determine if this issue can be corrected. He said he would report back to the Board with his findings.

#### **V. ADJOURNMENT**

There being no other comments, input or new business by those in attendance, the meeting was adjourned at approximately 6:30 p.m.