

PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.
Regular Board Of Directors Meeting
Thursday, October 13, 2005
MINUTES

President Bohl called the regular monthly meeting of the Pagosa Lakes Property Owners Association Board of Directors to order at 7:02 P.M. in the Pagosa Lakes Community Center, 230 Port Avenue, Pagosa Springs, Colorado.

BOARD MEMBERS PRESENT

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David Bohl –President  
Hugh Bundy – Vice President  
Fred Uehling – Treasurer  
Pat Payne – Secretary  
Jim Carson – Director, absent and excused  
Fred Ebeling – Director  
Gary Gray – Director

**STAFF PRESENT**

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General Manager – Walter Lukasik
Recording Secretary - Gloria Petsch
DPE Manager – Larry Lynch

APPROVAL OF AGENDA & MINUTES

Agenda-

General Manager Lukasik requested that item 1 under New Business be deleted, and replaced with County Sign Code Discussion. A motion was made by Director Bundy to approve the agenda as amended. Director Ebeling seconded motion. Motion carried unanimously.

Minutes of the September 8, 2005 Regular Board Meeting Minutes –

A motion was made by Director Payne to approve the minutes, and was seconded by Director Uehling. Motion carried unanimously.

GENERAL MANAGER’S REPORT -

- The **Sheriff’s Department Animal Control** statistics for the month of September have not been received as of yet. They will be emailed to the Board when they are made available to us.
- We have not yet received a response to the letter **concerning the transfer of greenbelt properties from Fairfield Properties to the Pagosa Lakes POA** presented to the local representative of Fairfield. We expect to hear something tomorrow.
- We have received information that the local post office has received delivery of approximately 24 cluster boxes. As of this time we have not received a commitment, in writing, that the Postal Service would obligate to delivering 300 new cluster box

units. Our position remains that the Association would not accept delivery of any cluster boxes unless and until we had a written commitment regarding the total number of boxes.

- Director Bohl stated that without the agreement, the Post Office is still responsible for snow removal and maintenance of the boxes. He then asked for a motion to accept and install the boxes as they arrive at the Post Office, to supply the property owners that do not as yet have boxes available to them. General Manager Lukasik asked for clarification; that there be a letter from the postmaster stating that it is understood that the Association will not accept maintenance, only installation of the boxes, until we receive the letter from the postmaster committing to delivery of the 300 cluster boxes. **A motion was made by Director Bundy, and seconded by Director Ebeling.** Motion carried unanimously.
- Pagosa Lakes POA has **15 Covenant Compliance and other legal issues pending** with counsel at the present time.
- The Board and Committee training session will be held on Friday, October 21st starting at 9 am in the Conference room at the Fire station on N. Pagosa Blvd. **Lunch and refreshments** will be provided. Attorney Lauren Holmes will be leading sessions on
 - Overview of Senate Bill 100 – liabilities and importance
 - Best practices for Boards and Committees
 - Ethics and conflicts of interest
 - Preparedness for Board Meetings
 - Board/Committee relationships
 - Procedures for Open and Executive Session meetings
 - Difficulties in dealing with our governing documents
 - Mediation and dispute resolution – How Board and Committee members’ can process through difficult situations with property owners. Both Ms. Holmes and John Walden will present this session. John is a Pagosa Springs resident and a private consultant in Mediation, Facilitation, and Conflict Resolution techniques.
- **ECC** and Board work sessions regarding the revised **Association Building Package** have been set for 9 am on both Monday, October 24th and Wednesday, October 26th.
- The **Association Budget** is being presented with this Board packet. The budget review has been set for Monday, October 24th at 12:30 pm. Our bylaws state the budget is to be presented to the Board at the October Board Meeting, with adoption of the final budget at the December Board Meeting.
- Interim County Administrator Bob Jasper will be meeting with the Board and Road Advisory Committee on Wednesday, October 26th, at 12:30 pm. to discuss road issues pertaining to Pagosa Lakes.
- Our health plan provider, Rocky Mountain Health Plans, has informed us that modifications and cost and deductible adjustments are planned for our employee health plan for 2006. We have not yet been informed of the adjusted premium amount.
- We have received correspondence from GOCO that grant funding for 2006 is reduced by 50%.

- Articles for the Winter 2005 edition of the Pagosa Lakes Newsletter are requested by the end of the month.
- Requesting clarification from the Board on whether they thought that a password should be required for access to our website. The Board didn't feel that passwords were necessary.

PUBLIC COMMENTS

- None.

TREASURER'S REPORT

The **September 2005 financial documents** have been reviewed. No discrepancies or irregularities were noted. As noted in the General Manager's report, the Association has received \$965,000, or 95.7 % of the total \$1,008,000 billed assessments through September 30, 2005. Collections are 4.6 % ahead compared to the same period in 2004.

The **PLPOA Investment Policy** has been revised and is currently under review by counsel to determine if it is adequate to satisfy the requirements of Senate Bill 100. After legal review, the policy will be submitted to the PLPOA Board for review.

COMMITTEE REPORTS

- **Recreation Center Committee** — No report at this time.
- **Lakes, Fisheries & Parks Committee** – Minutes were provided in the Board packet. Director Bohl requested that DPE Manager Larry Lynch tell the committee that playgrounds are not an acceptable option for the Association, as we are not a municipality and therefore the liability cost is too great. GM Lukasik suggested that the committee meet with the Board of Directors to discuss the possibilities. GM Lukasik brought up the issue of family fishing permits. He suggested limiting the number of family members to 5, with any additional family member paying a higher rate, due to enforcement and accountability issues with verifying who is and is not a family member. This is due to misuse primarily by timeshare members who will insist that a large number of people are one family, and want the lower rate for the entire family. **Director Ebeling made a motion to limit the number of people allowed on a Family fishing permit to 5, with a \$10 charge per additional person. Director Uehling seconded the motion. Motion passed unanimously.** Director Bohl requested that Mr. Lynch convey to the committee that adding a barbless hook requirement will greatly minimize trauma to the fish, if Lake Hatcher does in fact become a catch & release lake. GM Lukasik was asked to notify the Board of the next Lakes, Fisheries & Parks Committee meeting so that the Board may attend.
- **Ad Hoc Lake Study Committee** – No report at this time.

- **Ad Hoc Signage Committee** – No information has been received from the sign company regarding pricing for signs proposed last month.
- **Road Advisory Committee** – Chairman Bill Ralston had nothing to report, as the County Commissioners have not yet responded to the letter sent to them.
- **ECC agendas and minutes** are included in the DCC report for the Board's information. ECC board liaison Arthur Matcham's report is included.

OLD BUSINESS

- At the September 2005 Board meeting, the Board instructed the GM to submit all drafts of proposed resolutions to counsel prior to submission to the Board. There are currently six Resolution drafts under scrutiny by counsel.

RECURRING BUSINESS

- **Mail Boxes** – See General Manager's report.

NEW BUSINESS

1. **Regarding the County Sign Code and Senate Bill 100, Senate Bill 100 states, “an Association may regulate the size and number of political signs that may be placed on a unit owner's property if the association's regulation is no more restrictive than any applicable city, town, or county ordinance that regulates the size and number of political signs on residential property. A motion was made and seconded to hereby adopt the Archuleta County Political Sign Code as the controlling rule within the Pagosa Lakes Property Owners Association. Motion carried unanimously.**
2. **Request from PAWSD for an easement onto Association owned property.** In 2001, PAWSD requested an easement from the Association, and then never recorded the document. PAWSD is again requesting said easement with modifications from the original document. Director Payne made a motion to grant said easement to PAWSD. Director Ebeling seconded the motion. Motion carried unanimously.
3. **Notice of mileage allowance rate increase by IRS and request to modify Association mileage allowance to match that of IRS.** Director Gray made the motion to modify the mileage rate increase. Director Uehling seconded the motion. Motion carried unanimously.
4. **Discussion of lot situation on Lake Pagosa Park.** General Manager Lukasik proposed offering Mr. Marler, the owner of lots 6 & 7, Block 18, Lake Pagosa Park, the Association owned lot on Gala Place in exchange. Mr. Marler would have extreme difficulty building on those two lots due to drainage issues, and the Association could use those two lots to construct drainage improvements to mitigate the flow of silt into Lake Pagosa. The Association acquired the lot at 31 Gala Place under an unclear title transfer in the early 1980's. There is currently \$18,937.77 owing in back taxes and PAWSD availability fees on the Gala Place lot. Director Bundy made a motion to pay the back taxes and fees, and exchange the Gala Place lot for Mr. Marler's two lots. Director Payne

seconded the motion. Motion carried six for, one against, with Director Ebeling voting against.

5. **Affirmation of three DCC unprotested fines.** Director Bundy made a motion to approve the fines, and Director Payne seconded the motion. Motion carried unanimously.
6. **Copies of DRAFT of the 2006 Budget were included in the packet for review. No action is necessary.**

CORRESPONDENCE

- A thank you letter was received from Seeds of Learning.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:19 P.M.

Respectfully Submitted,

Gloria Petsch, Recording Secretary

Pat Payne, Secretary