

PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.
Regular Board Of Directors Meeting
Thursday, April 14, 2005
MINUTES

President Bohl called the regular monthly meeting of the Pagosa Lakes Property Owners Association Board of Directors to order at 7:00 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  
Bill Nobles – Director  
Gerald Smith – Director  
Fred Ebeling – Director

**STAFF PRESENT**

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Accounting Manager – Don Arries
Recording Secretary - Gloria Petsch

APPROVAL OF AGENDA & MINUTES

Agenda-President Bohl requested that the following item be added to the agenda: Adding an item iv. to New Business, “Reversal of Whispering Pines Fine”.

- **A motion was made by Director Bundy to approve the agenda as amended. Motion was seconded by Director Nobles. Motion carried unanimously.**
 - ◆ A motion was made by Director Smith to Add “ Adoption of Lease For Colorado State Patrol” to the agenda, as item V. under “New Business”. Motion seconded by Director Bundy. Motion carried unanimously.
- **Minutes of the March 10, 2005 Regular Board Meeting – A motion was made by Director Nobles to approve the minutes as written, and seconded by Director Ebeling. Motion carried unanimously.**

GENERAL MANAGER’S REPORT - The General Manager’s Report was read into the record by Accounting Manager Don Arries.

- The **Sheriff’s Department Animal Control** statistics for the month of March show 7 reports taken, 6 dogs impounded, 0 cats impounded, 0 cruelty cases, 8 dogs returned to owners, 20 verbal warnings issued, 1 written warning given, 31 miscellaneous citizen contacts made, 2 summons issued, 45 calls from dispatch to the animal control officer for service.
- The **Pagosa Springs Postmaster**, Mr. Jim Fait, and Mr. Dick McKee of Archuleta County Public Works and General Manager Lukasik met on April 6th. Mr. Fait

presented data on future mailbox considerations for Pagosa Lakes and other areas within Archuleta County. He will be receiving more data in the coming weeks and we will meet again once all information is received. G. M. Lukasik will hopefully have enough information to make a presentation to the Board at the May 2005 Board meeting.

- G. M. Lukasik has started an **audit of the unfinished roads in Highlands and Trails**. Several meetings have been held with past Road Committee chair Bill Ralston as well as meetings with Sheila Berger and Dick McKee of Archuleta County Public Works. Data has been gathered from historical Road Committee documents to determine which roads and the lengths of those roads which were never built during the Fairfield development phase within the Association. Ms. Berger has conducted GPS measurements for those roads, which are being compared to measurements reported in the past by Alpha Engineering. Currently, the Association is holding approximately \$263,000 in funds, which were awarded through the Fairfield Bankruptcy settlement for completion of those roads. The results of this audit will determine exactly the amount of funds will be allocated to each of the unfinished roads. At the present time it appears that an approximate amount of \$25.92 per linear foot remains in the fund. A full presentation on this matter will be made at the May Board meeting.

- As proposed at the March Board meeting, G.M. Lukasik mailed an original release & waiver to each of the affected property owners in **North Village Lake** subdivision, as well as a summary of the two choices regarding the **buoy line**, to those owners affected by the buoy line area. A 30-day period was allowed for their response, which expires on April 25th. Results of this mailing will be given at the May Board meeting.

- **Senate Bill 05-100 “A Bill For An Act Concerning Increased Protection For Homeowners”** continues through legislative process. It has passed through the Senate and has also passed the first reading in the House. To date 95 amendments have been made to the bill. G. M. Lukasik continues to correspond with Representative Larson regarding this continuously changing bill. As he stated at previous meetings, the Pagosa Lakes Property Owners Association already meets most of the administrative requirements as stated in the proposed bill. Provisions remain which may restrict the ability of the Association to collect certain legal fees; mandate the use of Alternative Dispute Resolution prior to proceeding with litigation; to redefine certain foreclosure rights of the Association and other areas which may affect our governance of the Association. He will keep the Board informed of this ever-changing bill proposal.

- The survey for the **Property Owner Involvement and Input Initiative** was sent in the Spring 2005 Newsletter. As of the date of this writing (4-7-05), only 10 days after mailing of the newsletter, approximately 200 replies have been received. The large number of replies is a very strong indicator of the level of interest most property owners have in their community. A full report outlining the replies will be given at the May Board meeting.

- As of this writing there has not been a reply concerning the **Multiple Use**

Agreement between PAWSD and Pagosa Lakes POA concerning lake usage and maintenance. The PAWSD attorney has not yet finished their review of the document. At the March Board meeting the Board authorized Board President Bohl to sign the Agreement if the PAWSD attorney does not materially change it. The Agreement will be presented to Director Bohl after it is received from PAWSD.

- A DRAFT of the **Pagosa Lakes Reserve Forecast** has been presented to Treasurer Uehling and President Bohl. Treasurer Uehling, President Bohl, Accountant Don Arries and General Manager Lukasik will meet sometime after April 18th to review the formatting and assumptions made in the forecast. The finalized forecast will be presented to the board after the review process is completed. They anticipate that after a final acceptance of the Forecast format and assumptions, a complete inventory of all association property will be taken to update the items within the Forecast in preparation of the year-end Forecast to be done in conjunction with the 2006 budget.

- Two **new applications have been received for the Environmental Control Committee**. Both applicants will start attending ECC meetings to review the process.

PUBLIC COMMENTS

- **Jennifer Matcham** requested an update on any information received since the meeting the Pagosa Lakes Board had with the County Commissioners. She was informed that the contact forms had not yet been received from Dick McKee at Road & Bridge, and that an update from Bill Ralston will be given at the May Board meeting.

TREASURER'S REPORT

The March 2005 financial documents have been reviewed. No discrepancies or irregularities were noted. As noted in the General Manager's report, the Association has received \$592,000, or 58.7% of the total billed assessments through March 31, 2005. Collections are now 4.8 % ahead compared to the same period in 2004.

COMMITTEE REPORTS

- **Recreation Center Committee** — Minutes of the last meeting were included in the Board packets.
- **Lakes, Fisheries & Parks Committee** – No meeting held since last Board report.
- **Ad Hoc Lake Study Committee** –No meeting held since last Board report.
- **ECC agendas and minutes** are included in the DCC report for the Board's information. ECC board liaison Earl Eliason's report is included.

OLD BUSINESS

- **Village Lake Buoy Line**– See comments contained in General Manager’s report.
- **Senate Bill 05-100**- See comments contained in General Manager’s report.

RECURRING BUSINESS

- **Property Owner Involvement and Input Initiative**- See Comments contained in the General Manager’s report. Director Smith asked for updates on the anticipated progress intended for the next 30-60 days, which he says has been lacking.

NEW BUSINESS

- ◆ **Facility Agreement with the American Red Cross.** – In the event of an area wide disaster and if all other facilities are full, this agreement would allow use of our clubhouse by the American Red Cross to care for disaster victims. Director Nobles made a motion to adopt this agreement. Motion seconded by Director Uehling. Motion carried unanimously.
- ◆ **Appointment/Re-appointments to the ECC.** Motion made by Director Smith to appoint Arthur Matcham to the ECC. Director Nobles seconded the motion. Motion carried unanimously. Two members of the ECC, Mr. Ray Finney and Mr. Bill Pongratz, were up for re-appointment of an additional two-year term. Director Nobles made a motion to approve their re-appointment, which was seconded by Director Ebeling. Motion carried unanimously.
- ◆ **Affirmation of 1 DCC unprotested fine.** Director Smith made a motion to affirm the DCC unprotested fine. Director Uehling seconded the motion. Motion carried unanimously.
- ◆ **Reversal of Whispering Pines Fine.** A motion was made by Director Smith to reverse the fine. Motion seconded by Director Ebeling. Motion carried unanimously.
- ◆ **Adoption of Lease for Colorado State Patrol.** Pagosa Lakes POA has been providing office space to the Colorado State Patrol for \$1 per year. State Patrol has requested a larger space, and asked to pay a fair and legitimate rent for the space. A motion was made by Director Smith to adopt the lease at \$130 per month. Motion seconded by Director Uehling. Motion carried unanimously.

Director Smith requested that the Special Meeting Notes be re-titled “Workshop Meeting”.

CORRESPONDENCE

- None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:27 P.M.

Respectfully Submitted,

Gloria Petsch, Recording Secretary

Pat Payne, Secretary