

PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.
Regular Board Of Directors Meeting
Thursday, May 12, 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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General Manager – Walter Lukasik
Recording Secretary - Gloria Petsch

APPROVAL OF AGENDA & MINUTES

Agenda- Director Smith requested that Item 4.5 be added to New Business, “Outdoor Residential Address Sales”. General Manager Lukasik requested that Item 4.7 be added to New Business, “Consideration of Road Evaluation Contract with the Utah State University”.

- **A motion was made by Director Smith to approve the agenda as amended. Motion was seconded by Director Bundy. Motion carried unanimously.**

Minutes of the April 14, 2005 Regular Board Meeting – A motion was made by Director Bundy to approve the minutes as written, and seconded by Director Nobles. Motion carried unanimously.

GENERAL MANAGER’S REPORT -

- **Topographical maps of the lake bottoms** are now available at the office, showing the depths of all the lakes.
- The **Sheriff’s Department Animal Control** statistics for the month of April show 16 reports taken, 13 dogs impounded, 0 cats impounded, 0 cruelty cases, 4 dogs returned to owners, 6 verbal warnings issued, 2 written warnings given, 30 miscellaneous citizen contacts made, 2 summons issued, 53 calls from dispatch to the animal control officer for service.
- **Great Outdoors Colorado (GOCO)** will be making their final decision on requested grant awards on May 16th. Pagosa Lakes placed an award request for construction of the **Lake Forest Estates walking path**. This path would follow Lake Forest Avenue from

the Lake Forest dam, north to N. Pagosa Boulevard. The path would then go south from that intersection to the dam at Village Lake. I will email the Board when notices are received.

- At the April Board meeting, several Directors requested information which was referred to in the **DCC portion of the Board Report**. Please note that notes as to ECC suggested Building Package changes and the new Association fence brochure are included in the DCC portion of this month's packet information.
- **Senate Bill 05-100** "A Bill For An Act Concerning Increased Protection For Homeowners" continues through legislative process. It has passed the House and the Senate and is awaiting the Governor's signature.
- 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 for signature after it is received from PAWSD.
- Work continues on the **Pagosa Lakes Reserve Forecast**. Treasurer Uehling will be meeting with Don Aries and General Manager Lukasik to decide on the method of inflation forecasting to be used in the report. The inventory process has already begun. When the final DRAFT of the document is completed, it will be presented to the Board for approval.
- As an update for the Board, Pagosa Lakes POA currently has **six Covenant Compliance issues pending** with our attorney, and one court case is scheduled for May 13, 2005.

PUBLIC COMMENTS

- **Jennifer Matcham, of 304 Capitan Circle**, read a letter into the record, from herself to the Board of Directors, requesting signage be posted stating that a leash law is in effect in Pagosa Lakes and will be enforced. She then reported on several incidents that have happened in the neighborhood. Director Bohl responded that counsel would have to be consulted regarding the liability transference since the county is responsible for enforcement on this issue. Director Ebeling requested that every newsletter contain a reminder for property owners that a leash law is in effect in the county, and that Animal Control be called if a property owner has any problems with loose animals.
- **Mojie Adler, of 3190 Meadows Drive**, complained of the length of time that it took Animal Control to arrive regarding a complaint.
- **Jeff Knaak of 33 Escobar complained** of the lack of civility of a neighbor who was walking his dog, and when he asked him to leash the dog and remove him from his property, he was treated to a rude remark.

TREASURER'S REPORT

The April 2005 financial documents have been reviewed. No discrepancies or irregularities were noted. As noted in the General Manager's report, the Association has received \$775,000, or 76.9% of the total \$1,008,000 billed assessments through April 30, 2005. Collections are now 6.3 % ahead compared to the same period in 2004. All 2005 PLPOA dues payments received after May 2, 2005 will be assessed a \$20 late fee.

Two \$98,000 6-month CD's, each paying 3.10%, were purchased from money market funds in Edward Jones operating account 926-08326. The two CD's were purchased from Fremont Investment and Loan, and Morgan Stanley Bank.

COMMITTEE REPORTS

- **Recreation Center Committee** — No meeting held since last Board report.
- **Lakes, Fisheries & Parks Committee** – Minutes included in Board packet. The SolarBee Aerators are installed and are functioning as expected.
- **Ad Hoc Lake Study Committee** –No meeting held since last Board report.
- **Road Advisory Committee** - Chair Bill Ralston was present to give his report. First, Mr. Ralston informed the meeting that there were “Applications for Archuleta County Right-of-Way Construction Permits”, from the county, available in the Pagosa Lakes Administration office for those owners wishing to perform their own road repairs. He then reported on the meeting that occurred May 11, with the County Commissioners and the Road Committee. This has resulted in the Commissioners coming to Pagosa Lakes POA Clubhouse June 2 & 15, at 7 p.m., for a public meeting to inform the public of the designation of the roads in the county, whether they are primary or secondary, etc. Maps will be shown for the first time at these meetings showing the designations of the roads. He then fielded questions from the audience regarding the whys and wherefores of road legalities and irregularities.
- **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**– Regarding the agreements received: only three responses were received. Two positive, one negative. The buoy line has been replaced per our counsel and insurance agent advice.
- **Senate Bill 05-100**- Awaiting signature from the Governor.

RECURRING BUSINESS

- **Current returns from the POI survey** – Included in the packets are answers received. 744 assorted comments were in the 220 surveys received. Some surveys are still being received.

- **Mail Boxes** – The local postmaster, Jim Fait, is checking on the status of available cluster boxes for Pagosa Lakes.

NEW BUSINESS

- 1. Request from ECC liaison Earl Eliason for a joint ECC and Board work session.** Director Smith made a motion to approve setting up the joint work session. Director Ebeling seconded the motion. The motion carried unanimously. President Bohl instructed General Manager Lukasik to coordinate schedules between the Board and the ECC Committee members to set up the meeting.
- 2. Subdivision Signs in Pagosa Lakes.** General Manager Lukasik gave a presentation regarding the signs at the entrances of various subdivisions. They are in various states of disrepair, and most subdivisions do not have them. Director Bohl instructed General Manager Lukasik to get together a group of volunteers from among the property owners to come up with possible signage configurations and recommendations for the Board.
- 3. Results of audits on unfinished roads.** An audit has been done by PLPOA and the County on the length of unfinished roads in Pagosa Lakes. \$25.91 per linear ft. is available in the fund for reimbursement to property owners who install any of these roads. The total cost per linear ft. to install these roads is between \$60-\$73.
- 4. Discussion of possible Articles of Incorporation amendment to be placed on ballot.** There is a clause in our Articles of Incorporation that we cannot carry on propaganda or intervene in any political campaign. Our attorney was contacted regarding clarification to allow the Association to assist in forming a metro district, or similar general purpose district. Director Smith made a motion to include this on the ballot this year. Seconded by Director Nobles. Motion carried 6 to 1, with Director Ebeling opposed.
- 4.5 Outdoor Residential Address Sales.** Director Smith started out by saying that the latest newsletter pointed out that permits are required for outdoor signs. He then went on to state that the regulations are ill-defined. He feels that there are violations to the rules that are egregious. Director Smith made a motion to allow signage in certain instances, such as garage sales, for a certain length of time. Director Bohl asked for a written presentation versus an off the cuff description. General Manager Lukasik asked for definition of what falls into that category, and requested input from the Board for this definition. Director Bundy asked that General Manager Lukasik email the Board that statement that defines the signage issue, so that they may study it before the joint work session with the ECC. Motion died for lack of a second.
- 4.7 Consolidation Contract for Roads with the Utah State University.** The County Commissioners have contracted with Utah LTAP to do a complete physical inventory and conditions survey of the roads, and General Manager Lukasik proposes that the Association hire them as well, while they are in the area, to study the 38 miles of non-

maintained roads within the Association. The cost for this for the Association will be \$7354.00, which is considerably less than it would be if we didn't hire them in conjunction with their reporting for the County. Director Nobles made a motion to enter into this contract. Director Payne seconded the motion. Motion carried unanimously.

5. **Affirmation of seven DCC un-protested fines** – The item on page 106 had been corrected, so there were six items up before the Board for affirmation. Director Uehling made a motion to approve the fines. Director Nobles seconded the motion. Motion carried unanimously.

CORRESPONDENCE

- None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:58 P.M.

Respectfully Submitted,

Gloria Petsch, Recording Secretary

Pat Payne, Secretary