

**PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.**  
**Regular Board Of Directors Meeting**  
**Thursday, September 08, 2005**  
**MINUTES**

President Bohl called the regular monthly meeting of the Pagosa Lakes Property Owners Association Board of Directors to order at 7:09 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, absent and excused  
Fred Uehling – Treasurer  
Pat Payne – Secretary  
Jim Carson – Director  
Fred Ebeling – Director  
Gary Gray – Director

**STAFF PRESENT**

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General Manager – Walter Lukasik  
Recording Secretary - Gloria Petsch

**APPROVAL OF AGENDA & MINUTES**

**Agenda-**

**A motion was made by Director Carson to approve the agenda. Director Gray seconded motion. Motion carried unanimously.**

**Minutes of the August 11, 2005 Regular Board Meeting Minutes –**

**Director Ebeling requested that the minutes be amended to reflect that under New Business, item #2, it be clarified to specify that it was a log home that was being referred to.**

**A motion was made by Director Ebeling to approve the minutes as amended, and seconded by Director Carson. Motion carried unanimously.**

**GENERAL MANAGER’S REPORT -**

- **The DCC** has been keeping stats on visitors to the office, and one day in August 51 property owners dropped into the office See first page of DCC report showing the **extremely heavy number of cases**, applications and number of walk-ins and calls handled by the department.
- **Stevens Lake is being drained into Lake Pagosa.** Larry Lynch, Manager of DPE inspected Lake Pagosa and noted that the water quality in the lake had deteriorated. Larry then noted that Stevens Lake was being drained into Lake Pagosa and the quality of Stevens Lake was very poor. He and I called PAWSD to report the

condition and PAWSD shut off the water flow between the lakes until Stevens Lake could be treated. Once Stevens was treated PAWSD restarted the flow into Lake Pagosa, which is looking better now.

- **DRA Manager Ming Steen** is currently in Malaysia on vacation.
- The **Sheriff's Department Animal Control** statistics for the month of August show 9 reports taken, 5 dogs impounded, 0 cats impounded, 0 cruelty cases, 7 dogs returned to owners, 7 verbal warnings issued, 2 written warnings given, 25 miscellaneous citizen contacts made, 3 summons issued, 41 calls from dispatch to the animal control officer for service. This was with one officer out on vacation from Aug. 14 through August 25.
- We have received a response to the letter concerning the **transfer of greenbelt properties from Fairfield Resorts to the Pagosa Lakes POA** that was presented to the local representative of Fairfield. The Fairfield representative was informed of particular language that needed to be included in the deed. That language will be requested from counsel and sent to him for inclusion in the deed.
- Bill Ralston, Gloria Petsch and I met with County officials and the **Utah LTAP group** to review the results of their inspection of roads in Pagosa Lakes and Archuleta County. We did receive a copy of the software the group used to compile and edit their reports, as well as instructions to the usage of the software. A group consisting of four Pagosa Lakes board members, several Road Advisory Committee members and staff toured roads with members of the Utah group to review the procedures used in the analysis process. As the costs used in the Utah LTAP report were costs based on an average of costs in Utah, the Archuleta County Road and Bridge Department is in process of adjusting the cost factors used in the report to actual costs used in the Archuleta County area. It then appears that any future use of the program information will have to wait until the Archuleta County commissioners come to a firm decision as to which roads are to be listed as "maintained" and which roads are to be listed as "non-maintained". Then, after adjustments are made to the placement of those roads in each particular system, the program can be updated to render a complete analysis of roads in the various systems. An invoice for services has been received from Utah LTAP. The invoice is \$938.09 less than the original bid.
- I spoke with **Postmaster Jim Fait** on Wednesday, August 31<sup>st</sup>. Mr. Fait stated that he could have as many as 30 **cluster boxes** delivered by the beginning of October. I told Mr. Fait that the Association would not accept delivery of any cluster boxes unless and until we had a commitment, in writing, that the Postal Service would obligate to delivering 300 new cluster box units. Mr. Fait said that he would get such a written commitment to us. The Board has requested that a work session be scheduled to begin the decision making process of where and how to situate the new boxes when they arrive.
- Pagosa Lakes POA has **14 Covenant Compliance and other legal issues pending** with counsel at the present time. Since last month, four cases have been settled/closed while no new cases have been forwarded to counsel.
- **ECC** continues to work on updates and modifications to the **Association Building Package**. As noted in a previous email to the Board, the ECC is now working on the Package by individual sections. There are 17 sections to the total package. A work session between the ECC and the Board will be scheduled in the near future to begin

- the review of the first several sections.
- As a reminder, I will out of the office from September 13<sup>th</sup> to September 26<sup>th</sup> for a combination of vacation and attendance at the **Community Associations Institutes Large Scale Managers Conference**.
  - There is a **County Road Meeting scheduled every Thursday at 2:30 pm** from now until Oct. 06. Commissioners Lynch and Zaday wished us to assure the public that snow removal will be performed at the same level as last year.
  - Complaints are being received in the office regarding **construction taking place on Sundays**. Those complaining owners state that the noise is a disturbance. This is an issue that is becoming more of a problem as we densify. We may need to look at curtailing or eliminating construction on Sundays.
  - Regarding the implementation of SB 100's requirements, a **1-day session with attorney Lauren Holmes** is suggested. Her schedule is free the last two weekends in October. The cost will be approximately \$2,500.00 for a 1-day work session, plus lodging for two nights.

### **PUBLIC COMMENTS**

- **Earle Beasley**, of 201 Pines Club Place, requested more information on the reply received by the Citizens for Better Roads from the County Commissioners. General Manager Lukasik will supply a copy of the letter to Mr. Beasley. The letter is also posted on Pagosa.com.

### **TREASURER'S REPORT**

**The August 2005 financial documents** have been reviewed. No discrepancies or irregularities were noted. As noted in the General Manager's report, the Association has received \$959,000, or 95.1 % of the total \$1,008,000 billed assessments through August 31, 2005. Collections are 5 % ahead compared to the same period in 2004. Current investment policy for the PLPOA is under review to determine if it is adequate to satisfy the requirements of SB-100. If revision is required, it will be presented to the Board at the next meeting.

### **PRESENTATION BY CITY PLANNER OF PAGOSA SPRINGS**

General Manager Lukasik requested that the **presentation by Ms. Tamra Allen, City Planner of the Town of Pagosa Springs** be moved up on the agenda so that she may speak at this time. The Board approved the change. Ms. Allen spoke about the Town's plans for potential annexation, and the problems that that may entail. This is looking at area growth for the next 20 years. She asked the Board for input on what they may see as potential problems or issues. Social services, water, sanitation, fire, police, all departments must maintain levels of service that is appropriate. They are currently working on a vision & goals exercise, to visualize different land use scenarios for the future. She did say that any areas annexed would have to be of some civic purpose or benefit to the town. These areas must also have a plan in place to bring roads up to town standards.

### **COMMITTEE REPORTS**

- **Recreation Center Committee** — No report at this time.
- **Lakes, Fisheries & Parks Committee** – No report at this time.
- **Ad Hoc Lake Study Committee** – No report at this time.
- **Ad Hoc Signage Committee** – The consensus of the sign committee is to drop the idea of separate marker signs for each subdivision. To create a feeling of cohesion and unity, the sign committee is recommending that four to six major signs would be placed at main entrances to the Pagosa Lakes area. Existing signs would be removed. Pricing has not yet been received at this time. The Board will be kept informed as information is received.
- **Road Advisory Committee** – The County has classified the non-maintained roads in Pagosa Lakes into two categories. When the plats were recorded, there were two different sets of language. Some of the roads are “conditionally accepted” meaning that if they were built to county specifications, they would be accepted into the County maintenance system. Others state they “WILL be maintained by the County upon being built to specifications”. RAC Chair Bill Ralston recommended the Pagosa Lakes Board of Directors sign a letter to the County Commissioners stating that Pagosa Lakes roads are public roads with County conditions. The County agreed to accept these roads by specific action of the Board of County Commissioners of April 5<sup>th</sup>, 1976, and March 30<sup>th</sup>, 1976. As part of the bankruptcy settlement Archuleta County contracted with Weeminuche to construct or re-construct certain roads in Pagosa Lakes (list of said roads to be included as Attachment A). Road specifications included in the contract in 1998 were the then current specifications for Archuleta County. Subject contract was issued by, monitored by, and approved by Archuleta County. Payment for the contract was disbursed by Archuleta County as the contract-specified owner of the roads. Pagosa Lakes personnel were told at that time that the roads could not be accepted into the County-maintained road system due to the moratorium in place on accepting additional roads into the system for maintenance. However, it has been discovered that there was no moratorium. Therefore, the letters will state that the Pagosa Lakes Property Owners Association formally requests acceptance by Archuleta County for roads specified in Exhibit A. A motion was made by Director Ebeling, and seconded by Director Uehling, to authorize the Board president to sign these letters on behalf of the Pagosa Lakes Property Owners Association. Motion carried unanimously.
- **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**

- **Senate Bill 05-100-** G. M. Lukasik provided a listing of all required and recommended policies to the Board. The listing included planned completion dates and the names of the parties working on each policy. Director Bohl requested that the policies be reviewed

by counsel prior to being reviewed by the Board. To start the process, three resolutions came before the Board for ratification; establishment of a collection policy by the Association, fire mitigation for dwellings, and fire mitigation for vacant land. Director Carson requested that the word “may” in section three be removed from the collection policy resolution. Director Carson made a motion to ratify the resolution, and Director Uehling seconded the motion. Motion carried unanimously. Regarding the fire mitigation resolutions, Director Uehling made a motion to ratify the two resolutions, and Director Gray seconded the motion. Motion carried unanimously.

### **RECURRING BUSINESS**

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

### **NEW BUSINESS**

1. **Presentation by Ms. Tamra Allen, City Planner of the Town of Pagosa Springs**, was moved up on the agenda. See above.
2. **Personnel Guidelines addendum regarding compensatory time.** Federal law has strict prohibitions against compensatory time for hourly personnel, and on exempt employees the Association Personnel Manual is moot, so the clarification of no compensatory time in place of overtime is requested. Director Payne made a motion to approve the change in the Personnel Manual, and Director Carson seconded the motion. Motion carried unanimously.
3. **Affirmation of four DCC unprotested fines.** Director Ebeling made a motion to approve the fines, and Director Payne seconded the motion. Motion carried unanimously.
4. **Copies of recently completed Association inventory and DRAFT of the 2006 Reserve Forecast were included in the packet for review. No action is necessary.**

### **CORRESPONDENCE**

- A thank you letter was received from the Humane Society.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:28 P.M.

Respectfully Submitted,

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Gloria Petsch, Recording Secretary

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Pat Payne, Secretary