

1 **PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.**  
2 **Regular Board of Directors Meeting**  
3 **Thursday, June 11, 2009**  
4 **MINUTES**  
5  
6

7 President Gary Gray called the regular monthly meeting of the Pagosa Lakes Property Owners  
8 Association Board of Directors to order at 7:00 P.M. in the Pagosa Lakes Clubhouse, 230 Port  
9 Avenue, Pagosa Springs, Colorado.

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11 **BOARD MEMBERS PRESENT**  
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13 Gary Gray - President  
14 Fred Uehling - Director, Absent, Excused  
15 Paul Boyd – Treasurer, Absent, Unexcused  
16 John Meyer – Secretary  
17 Scott Maxwell - Director  
18 Richard Fortier - Director  
19 Alan Schutz – Director

10  
11 **STAFF PRESENT**  
12 ~~~~~

13 General Manager - Gloria Petsch  
14 DPE Manager - Larry Lynch  
15 DCC Manager – Margaret Gallegos  
16 Recording Secretary – Barbara Tsonis

20  
21 **Quorum verified by Secretary Meyer**  
22  
23

24 **APPROVAL OF AGENDA**  
25

26 The following changes were made to the Agenda: Under Old Business - add item B. Park  
27 Avenue Pedestrian Trial – Preliminary Cost Estimate. Under New Business #3 - items a., i., j.,  
28 and o have been corrected; items f. and n. have a maintenance agreement in effect; item p. has  
29 applied for a variance, and are removed from the agenda. Motion to approve by Secretary Meyer  
30 and seconded by Director Maxwell. Motion carried unanimously.  
31  
32

33 **APPROVAL OF MINUTES OF MAY 14, 2009**  
34

35 A motion was made by Director Schutz and seconded by Secretary Meyer to approve the  
36 minutes of May 14, 2009 as written. Motion carried unanimously.  
37  
38

39 **GENERAL MANAGER’S REPORT**  
40

- 41 1) In addition to the Department Managers’ reports, the following comments are noted:  
42 **ACCOUNTING:** Please note how one group owner has skewed collection percentages.  
43 **DCC:** None other than as included in departmental report.  
44 **DPE:** None other than as included in departmental report.  
45 **DRA:** None other than as included in departmental report.  
46

- 1   **2) The Sheriff's Department Animal Control** statistics for the month of May 2009 show 9  
2 reports taken, 7 dogs impounded, 2 reported cruelty cases, 8 dogs returned to owners, 4  
3 reported dangerous dog calls, 16 verbal warnings given, 0 written warnings given, 1  
4 summons issued, 58 citizen contacts made, 47 calls from dispatch for service, and 3  
5 animal welfare checks made.  
6
- 7   **3) Pagosa Lakes POA has twenty-three (23) Covenant Compliance legal issues** pending  
8 with counsel at the present time.  
9
- 10   **4) DPE Manager Lynch and I met with County Administrator Greg Schulte, Public works**  
11 **Director Ken Fayen, and Special Projects Manager Karen Kohake. We met to discuss the**  
12 **County's proposal that the PLPOA take advantage of substantial cost savings by building**  
13 **a pathway alongside Park Avenue at the same time that the County is re-building**  
14 **Park Avenue.** This subject will be discussed under Old Business item a.  
15
- 16   **5) Increased FDIC Deposit Coverage** has been extended through 2013. Comptroller Arries  
17 is currently researching local CD rates to take advantage of this by transferring some  
18 Money Market funds.  
19
- 20   **6) Update on Account #4450.0, Property not maintained in a manner complimentary**  
21 **to the surrounding neighborhood."** During May's Board meeting it was agreed to give  
22 the homeowner 15 days to remove the fence or the Board would proceed with the fine.  
23 At this time, the fence has been removed but the metal posts are still in the ground. The  
24 owner has been given 14 days to comply with the removal of the posts.  
25
- 26   **7) Monday and Tuesday of this week I attended various seminars in Denver.** The  
27 Southern Colorado Chapter of CAI brought in Mr. Rob Felix to speak on being  
28 reasonable in covenant enforcement, and OCR&H presented a manager's seminar  
29 entitled "Staying out of Trouble-Maintaining Common Interest Communities in Difficult  
30 Times". Jerry Orten also reviewed 2009 legislation related to Colorado Owner  
31 Associations. An amendment to CCIOA now requires Associations to have a policy on  
32 reserve studies/funding, to be adopted on or before July 1, 2010. This new bill also  
33 covers committee chairperson requirements. The Association will be reviewing all  
34 committee charters.  
35

36 Discussion was held regarding other issues covered during the seminars as well as President  
37 Gray's suggestion that the Association conduct some type of orientation for new Board members  
38 following the July election.  
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41 **PUBLIC COMMENTS**

42  
43 None  
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46 **TREASURER'S REPORT**  
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1 The Treasurer was absent from the meeting. General Manager Petsch read the Treasurer's  
2 Report.

3  
4 As of May 31, 2009, the Association has received \$1,095,000, or 85.8% of the total billed 2009  
5 assessments of \$1,276,000. For the same period in 2008, the collections were approximately  
6 \$1,132,000 or 88.6% of the total of \$1,277,600 billed. Collections are 2.8% behind last year  
7 because one group owner with 236 properties has not paid. If he had paid, collections would be  
8 up .9%.

9  
10  
11 **COMMITTEE REPORTS**

- 12
- 13 • **Recreation Center Committee** - No report at this time.
- 14 • **Lakes, Fisheries & Parks Committee** - No report at this time.
- 15 • **Road Advisory Committee** - No report at this time.
- 16 • **Finance Advisory Committee** - No report at this time.
- 17 • **ECC agendas and minutes were included in the DCC report.** ECC board  
18 liaison Bill Pongratz's report was included in the Board packet.
- 19

20  
21 **OLD BUSINESS**

- 22
- 23 A. **Amended newsletter article on the proposed pathway project and update on**  
24 **PROST-recommended \$100,000 request for 1A funds** from the County  
25 Commissioners for the Lake Forest Pathway project. Discussion was held on the  
26 above subjects as well as the County's Park Avenue road construction project and  
27 the possibility of the PLPOA constructing a Park Avenue pathway at the same time.  
28
- 29 B. **Park Avenue Pedestrian Trail – Preliminary Cost Estimate.** Discussion was held  
30 regarding the preliminary cost estimate provided by Davis Engineering Service, Inc.  
31 These figures are being discussed with county staff.  
32

33  
34 **NEW BUSINESS**

- 35
- 36 1. DPE manager Lynch requested the Board grant the **4-H permission to hold**  
37 **their youth Fly Fishing lessons for 4-5 afternoons at Lake Hatcher for 12-14**  
38 **children.** He also requested the Board grant **“Hooked on Fishing Not Drugs”**  
39 **permission for 5 days fishing lessons on Lake Forest for 20-25 children,** with  
40 cook-outs on two of the afternoons. Motion to approve was made by Secretary  
41 Meyer. Seconded by Director Shutz. Motion passed unanimously. Following  
42 further discussion, it was agreed to take the next three months to institute a  
43 policy for the use of the lakes for such groups in the future. The Association will  
44 also advertise these events in advance to the homeowners.  
45

- 1           2.   **As directed by SB05-100 and SB06-089, the Board of Directors must appoint**  
2           **a disinterested party to count and supervise the counting of ballots for**  
3           **elections and ballot issues for the Annual Meeting.** In the past, an Association  
4           employee has been appointed as the supervising party for ballot counting.  
5           Administrative Office Manager Barbara Tsonis is not a property owner in the  
6           Association. Following discussion, a Motion was made by Director Fortier to  
7           appoint Barbara Tsonis, Administrative Office Manager to conduct ballot  
8           counting. Seconded by Secretary Meyer. Director Maxwell opposed. Motion  
9           passed.  
10
- 11          3.   There were **20 violations for Board ratification** this month. Three of these  
12          (items r., s., and t.) went to the Hearing Panel; four were corrected (items a., i., j.,  
13          and o.); two are now under a maintenance agreement (items f. and n.); one  
14          applied for a variance (item p.). **Board action requested.**  
15
- 16           a.   Account #4610.0, Dumping, storing, or accumulating trash - Fine \$200.00  
17           (Corrected)  
18           b.   Account #1627.0, Dumping, storing, or accumulating trash - Fine \$100.00  
19           c.   Account #13398.0, Property not maintained in a manner complimentary to  
20           the surrounding neighborhood - Fine \$200.00  
21           d.   Account #13398.0, Dumping, storing, or accumulating trash - Fine \$200.00  
22           e.   Account #4035.0, Property not maintained in a manner complimentary to  
23           the surrounding neighborhood - Fine \$100.00  
24           f.   Account #12276.0, Property not maintained in a manner complimentary to  
25           the surrounding neighborhood - Fine \$100.00 (Maintenance agreement in  
26           place.)  
27           g.   Account #4205.0, Property not maintained in a manner complimentary to  
28           the surrounding neighborhood - Fine \$200.00  
29           h.   Account #23222.0, Property not maintained in a manner complimentary to  
30           the surrounding neighborhood - Fine \$200.00  
31           i.   Account #23222.0, Dumping, storing, or accumulating trash - Fine \$200.00  
32           (Corrected)  
33           j.   Account #12376.0, Dumping, storing, or accumulating trash - Fine \$100.00  
34           (Corrected)  
35           k.   Account #2265.1, Dumping, storing, or accumulating trash - Fine \$100.00  
36           l.   Account #2265.1, Property not maintained in a manner complimentary to  
37           the surrounding neighborhood - Fine \$100.00  
38           m.   Account #1198.0, Dumping, storing, or accumulating trash - Fine \$100.00  
39           n.   Account #4200.0, Property not maintained in a manner complimentary to  
40           the surrounding neighborhood - Fine \$100.00 (Maintenance Agreement)  
41           o.   Account #4200.0, Dumping, storing, or accumulating trash - Fine \$100.00  
42           (Corrected)  
43           p.   Account #4200.0, Failure to obtain a PLPOA building permit - Fine \$250.00  
44           (Variance)  
45           q.   Account #4434.0, Property not maintained in a manner complimentary to  
46           the surrounding neighborhood - Fine \$100.00  
47           r.   Account #13588.0, Dumping, storing, or accumulating trash - Fine \$100.00

- s. 2197.0, Failure to obtain a PLPOA building permit - Fine \$250.00
- t. 13591.0, Parking overnight, or longer, on any lot, of any commercial type truck - Fine \$100.00

Motion was made by Director Fortier to affirm the remaining fines as presented.  
Motion seconded by Secretary Meyer. Motion passed unanimously.

Motion was made by Director Fortier to ratify the Hearing Panel decision for item r.  
Motion seconded by Secretary Meyer. Motion passed unanimously.

Motion was made by Director Shutz to ratify the Hearing Panel decision for item s.  
Motion seconded by Director Fortier. Motion passed unanimously.

Motion was made by Secretary Meyer to ratify the Hearing Panel decision for item t.  
Motion seconded by Director Schutz. Motion passed unanimously.

**CORRESPONDENCE**

- Communication from Shelly Karlovetz and our response.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:25 P.M.

Respectfully Submitted,

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John Meyer, Secretary

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Barbara Tsonis, Recording Secretary