

1 **PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.**  
2 **Regular Board of Directors Meeting**  
3 **Thursday, August 13, 2009**  
4 **MINUTES**

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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 Scott Maxwell – Vice President  
15 Paul Boyd – Treasurer  
16 Rich Beaudry – Secretary  
17 Richard Fortier – Director  
18 Crista Munro - Director  
19 Ronda Higby – Director, Absent - Excused

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11 **STAFF PRESENT**

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

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21 **Quorum verified by Secretary Beaudry**

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25 **APPROVAL OF AGENDA**

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27 The following changes were made to the Agenda: Under New Business #3 - items a, j, m, n, and  
28 o, have been removed, and item w. is for trash and debris. Motion to approve as amended by  
29 Treasurer Boyd and seconded by Vice President Maxwell. Motion carried unanimously.

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32 **APPROVAL OF MINUTES OF JULY 9, 2009**

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34 A motion was made by Treasurer Boyd and seconded by Director Maxwell to approve the  
35 minutes of July 9, 2009 as written. Motion carried unanimously.

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38 **APPROVAL OF MINUTES OF JULY 25, 2009 SPECIAL BOARD MEETING**

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40 A motion was made by Secretary Beaudry and seconded by Treasurer Boyd to approve the  
41 minutes of July 25, 2009 as written. Motion carried unanimously.

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44 **GENERAL MANAGER’S REPORT**

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46 1) In addition to the Department Managers’ reports, the following comments are noted:  
47 **ACCOUNTING:** None other than as included in departmental report.

1           **DCC:** None other than as included in departmental report. Larry Lynch attended the  
2 PROST task force meeting on Monday evening, and stated that the task force supported  
3 and approved the idea of a grant request for trails. PROST and will be submitting a state  
4 trails grant application for this fall.

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6           **DPE:** None other than as included in departmental report.

7           **DRA:** None other than as included in departmental report.  
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- 9   **2)** The Sheriff's Department **Animal Control statistics** for the month of July 2009 show 12  
10 reports taken, 12 dogs impounded, 2 reported cruelty cases, 7 dogs returned to owners, 4  
11 reported dangerous dog calls, 13 verbal warnings given, 0 written warnings given, 2 summons  
12 issued, 64 citizen contacts made, 56 calls from dispatch for service, and 3 animal welfare  
13 checks made.
- 14
- 15   **3)** Pagosa Lakes POA has **twenty-six (26) Covenant Compliance legal issues** pending with  
16 counsel at the present time.
- 17
- 18   **4)** The following **dates are still open for board liaison to the ECC-** September 17, and  
19 October 15. Please let me know which dates you are available to serve as liaison.
- 20
- 21   **5)** Just as a reminder to all Directors, please remember to **check your boxes** in the  
22 Administration building.  
23

24 President Gary Gray Comments: Regarding any changes to the building permit process, the  
25 Board has requested in the past that they receive rationale on each change presented such as why  
26 the change, how it was brought about or who submitted it, etc., so that the Board would have  
27 some background information prior to making a decision.  
28

## 29 30 **PUBLIC COMMENTS**

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- 32       • George Esterly, Periwinkle Drive. Mr. Esterly wanted to suggest some ideas to help  
33 the Board gain confidence and greater transparency with the property owners. He  
34 also read the minutes of October 11, 2007, regarding the Lake Forest pathway issue  
35 and the amounts stated for that project. Director Maxwell suggested that Mr. Esterly  
36 request to have his issues placed on the Agenda for the next meeting in order to have  
37 more time to address the Board.  
38
  - 39       • Judy Esterly, Periwinkle Drive. Mrs. Esterly stated that no changes could be made to  
40 the Declaration of Restrictions or the Bylaws. She also thought that more directors  
41 should be involved in the discussions at the Board meetings and asked if the Board  
42 held agenda review meetings. She reminded the Board that because something has  
43 been done in the past does not make it legal and that the Board members should read  
44 and understand the Colorado regulations and bylaws.  
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4 **TREASURER'S REPORT**  
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6 As of July 31, 2009, the Association has received \$1,126,000, or 88.2% of the total billed 2009  
7 assessments of \$1,276,000. For the same period in 2008, the collections were approximately  
8 \$1,183,000 or 92.6% of the total of \$1,277,600 billed. Collections are 4.4% behind last year  
9 because two group owners with 269 properties have not paid. If they had paid, collections would  
10 be .2% behind last year.  
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13 **COMMITTEE REPORTS**  
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- 15 • **Recreation Center Committee** — *No report at this time.*
- 16 • **Lakes, Fisheries & Parks Committee** – *No report at this time.*
- 17 • **Road Advisory Committee** - *Minutes of July 30, 2009 meeting were included in*  
18 *the Board packet.*
- 19 • **Finance Advisory Committee** – *Draft minutes of the August 4, 2009 meeting*  
20 *were included in the Board packet.*
- 21 • **ECC agendas and minutes are included in the DCC report.** *ECC board liaison*  
22 *Bill Pongratz' report was included in the Board packet.*  
23  
24

25 **OLD BUSINESS**  
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- 27 • **Resolution 2009-04**, Policy Regarding the Holding of a Candidates Forum.  
28 **Board action requested.** Following discussion, a motion to approve was made  
29 by Treasurer Boyd and seconded by Director Fortier. Motion passed  
30 unanimously.  
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33 **NEW BUSINESS**  
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- 35 1. Mr. Steven Schwartz requested to address the Board to **request that his fees be**  
36 **waived** on a project with an expired permit, and to suggest changes to the  
37 building fees. Mr. Schwartz was not present at the meeting. Discussion was held  
38 regarding the circumstances for the expired permit and the process followed by  
39 the covenant department.  
40
- 41 2. Habitat for Humanity **requested that the fees be waived** or reduced for 326  
42 Cimaron Circle. Following discussion, Steve Ryan from Habitat withdrew the  
43 request. Research to be conducted on the issue of waiving fees for nonprofit  
44 groups in the future. A Motion to defer the waiving of PLPOA policy fees for  
45 nonprofit organizations until the next regular meeting was made by Director  
46 Fortier. Seconded by Treasurer Boyd. Motion passed unanimously.  
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- 1 3. Proposed **changes to the Building Permit Process. Board action requested.**  
2 Following discussion and a request for more information, a motion to table the  
3 proposed changes was made by Director Fortier. Seconded by Treasurer Boyd.  
4 Motion passed unanimously.  
5
- 6 4. Discussion of **recent court decision** and how it may pertain to Resolution 2009-  
7 02, Commercial Type Trucks. Information and questions to be sent to General  
8 Manager Petsch for review by the Board and council prior to the October Board  
9 meeting.  
10
- 11 5. There are **23 violations** for Board ratification this month. Items a, j, m, n, and o,  
12 have been resolved. **Board action requested.**
- 13
- 14 a. Account #4049.0, Commercial activity from a residential unit - Fine \$250.00  
15 Resolved
- 16 b. Account #12033.0, Property not maintained in a manner complimentary to the  
17 surrounding neighborhood - Fine \$100.00
- 18 c. Account #12205.0, Property not maintained in a manner complimentary to the  
19 surrounding neighborhood - Fine \$100.00
- 20 d. Account #12276.0, Parking any stripped down, partially wrecked or inoperable  
21 vehicle - Fine \$250.00
- 22 e. Account #13568.0, Parking any stripped down, partially wrecked or inoperable  
23 vehicle - Fine \$250.00
- 24 f. Account #1573.0, Property not maintained in a manner complimentary to the  
25 surrounding neighborhood - Fine \$100.00
- 26 g. Account #20070.0, Dumping, storing, or accumulating trash - Fine \$200.00
- 27 h. Account #20456.0, Property not maintained in a manner complimentary to the  
28 surrounding neighborhood - Fine \$100.00
- 29 i. Account #2163.0, Dumping, storing, or accumulating trash - Fine \$100.00
- 30 j. Account #2258.1, Dumping, storing, or accumulating trash - Fine \$100.00  
31 Resolved
- 32 k. Account #31139.0, Dumping, storing, or accumulating trash - Fine \$100.00
- 33 l. Account #31277.0, Property not maintained in a manner complimentary to the  
34 surrounding neighborhood - Fine \$100.00
- 35 m. Account #4070.0, Property not maintained in a manner complimentary to the  
36 surrounding neighborhood - Fine \$100.00 Resolved
- 37 n. Account #4200.0, Failure to obtain a PLPOA building permit - Fine \$250.00  
38 Resolved
- 39 o. Account #4224.0, Dumping, sorting, or accumulating trash – Fine \$100.00  
40 Resolved
- 41 p. Account #4242.0, Property not maintained in a manner complimentary to the  
42 surrounding neighborhood - Fine \$200.00
- 43 q. Account #4438.0, Dumping, sorting, or accumulating trash – Fine \$100.00
- 44 r. Account #4438.0, Parking any stripped down, partially wrecked or inoperable  
45 vehicle - Fine \$250.00

- 1 s. Account #4438.0, Property not maintained in a manner complimentary to the  
2 surrounding neighborhood - Fine \$100.00  
3 t. Account #4613.0.0, Dumping, storing, or accumulating trash – Fine \$100.00  
4 u. Account #5260.0, Property not maintained in a manner complimentary to the  
5 surrounding neighborhood - Fine \$100.00  
6 v. Account #5260.0, Property not maintained in a manner complimentary to the  
7 surrounding neighborhood - Fine \$100.00  
8 w. Account #6042.0, Dumping, storing, or accumulating trash - Fine \$100.00  
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10 Motion was made by Treasurer Boyd to affirm the remaining fines as presented.  
11 Motion seconded by Vice President Maxwell. Motion passed unanimously.  
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14 **CORRESPONDENCE**  
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- 16 • Letter from property owner Lynnzie Sutton, and response from DPE Manager  
17 Lynch.  
18 • Response to High Country RC Club.  
19 • Comments received from Recreation Center user.  
20 • Correspondence received from Joanne Irons re: the Hooked on Fishing  
21 program. Mrs. Irons commented on the program and thanked the PLPOA for  
22 sponsoring the program.  
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25 **ADJOURNMENT**  
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27 There being no further business, the meeting was adjourned at 8:40 P.M.  
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29 Respectfully Submitted,  
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35 Richard Beaudry, Secretary

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Barbara Tsonis, Recording Secretary