

Pagosa Lakes Property Owners Association, Inc.
2014 Annual Meeting Minutes
Saturday, July 26, 2014
Pagosa Lakes Clubhouse
230A Port Avenue

Association Board President George Hatfield called the 2014 Annual Meeting to order at 10:00 a.m. In addition to President Hatfield, present were Vice President Jim Van Liere, Treasurer Rod Proffitt and Secretary Kimberley Bradshaw. Also present were: GM Chip Munday, DAS staff, DPE Manager Larry Lynch, DPE staff, DCS staff, Comptroller Don Arries, Accounting Technician Eva Iwicki, DRA Manager Penny Kipley, DRA staff Robert Bedtke and property owners.

MEETING OPENING

Board President Hatfield called the meeting to order and closed the balloting. President Hatfield recognized all veterans in attendance by having them lead the audience in the Pledge of Allegiance. President Hatfield welcomed the property owners in attendance.

QUORUM VERIFICATION

President Hatfield asked for verification of quorum from Board Secretary Kimberley Bradshaw. Secretary Bradshaw stated that the Bylaws of the Association require at least one hundred (100) voting members with at least twenty-five (25) members physically present for a quorum. Secretary Bradshaw established that there was a quorum, with 2,682 members voting, and 84 voting members physically present. The number required for a simple majority vote would be 50% plus one or forty-three (43) and the number required for two-thirds plus one would be fifty-seven (57).

APPROVAL OF THE AGENDA

A MOTION TO APPROVE THE 2014 ANNUAL MEETING AGENDA WAS MADE AND SECONDED. MOTION CARRIED.

APPROVAL OF 2013 ANNUAL MEETING MINUTES

A MOTION TO APPROVE THE MINUTES FOR THE 2013 ANNUAL MEETING WAS MADE AND SECONDED. MOTION CARRIED.

President Hatfield introduced General Manager Chip Munday.

OWNER EDUCATION

GM Munday informed the membership that the purposes to this meeting:

1. To meet and greet our neighbors.
2. To educate as to the operation of the Association and the rights and responsibilities of the members.
3. To elect two (2) regular members to the Board of Directors for a three (3) year term.
4. To vote on amending the Bylaws to clarify the definition of qualifications of directors of the Board, and to allow communication of directors in a meeting consistent with Colorado law.
5. To vote on the approval of carrying forward any budget surplus as a credit to the next fiscal budget.

Treasurer Rod Proffitt gave a touching eulogy for Board member Tim Jennings that passed away earlier this year.

GOVERNMENT

General Manager Chip Munday introduced staff, committee members present and the Board of Directors. GM Munday then introduced the two (2) candidates for the PLPOA Board of Directors: Joe Margraf and Jim Van Liere and thanked them for running. The new Board will then appoint two members to serve until the next election on July 25, 2015. He then went through the current and proposed language in the Bylaws regarding qualifications to serve of the Board of Directors and the intent to clarify the language to specify that qualified individuals shall be property owners in good standing. The other proposed amendment which will allow for communication among directors in a meeting to include choices that are consistent with Colorado law.

BUSINESS

TREASURER'S REPORT

The Association's financial report (Operating Funds, Settlement Fund, Parks and Trails Fund, Recreational Amenities fund, and Reserve Fund) was presented by Association Treasurer Rod Proffitt. Copies of these reports are available for property owners at the Administrative Office.

Terry Pickett made a motion that any year ending fund balance in the Operating Fund in 2014 be credited to the year 2015 budget for the purpose of determining year 2015 assessments.

MOTION WAS SECONDED AND CARRIED.

General Manager Munday than gave an overview of the capital improvements underway and the use of the related capital improvement funds and the reserve funds for repair and replacement of existing capital assets. He also gave a review of pending legal actions affecting the PLPOA.

COMMUNITY

GM Munday reported on the change of focus of the Department of Community Standards to ways to enhance community through additional services aimed at resolving issues without fines and improve property values and community character.

COMMITTEE REPORTS

Recreation Amenities Committee – DRA Manager Penny Kipley reported on the changes of the makeup of the committee. Ongoing work of the committee has been entirely focused on the remodel project of the Recreation Center.

Lakes & Fisheries Committee and Parks, Trails and Outdoor Recreation Committee – DPE Manager Larry Lynch stated that the Lakes & Fisheries Committee was formed in 1992 when the lakes were deeded to the Association from Fairfield. The committee is dedicated to making recommendation to the Board to improve the lakes and fisheries within the PLPOA. Spring and early summer fishing was outstanding. The number of fishing permits has risen across the board. Money from lake use permit sales goes to stocking fish and improvements and maintenance on the lakes. The committee has been involved with staff to install underwater structure to enhance habitat of bass, yellow perch and crappie in the lakes as a continuation of a project that was started in 2013. The committee will be meeting many more times this year to make recommendations to the Board for 2015 and beyond.

The Parks, Trails and Outdoor Recreation Committee has been working over the last two years in the development and implementation of the 7-year Parks and Trails Plan. Manager Lynch updated everyone on the immediate plans for 2015 and plans for new trails and parks.

Road Advisory Committee – GM Munday reported that while the committee is currently not functioning, the outlook with the change of leadership at Archuleta County will allow new opportunities and a newly constituted committee will allow us to begin anew on efforts to resolve this ongoing and very important issue in our community and asked for volunteers to serve.

Finance Advisory Committee – Treasurer Rod Proffitt read a report prepared by Committee Chair Johnny Pickett. The committee advises the Board on all matters related to the PLPOA finances, budget planning and the reserve study. Additionally, the committee members reviewed and recommended changes to the pay band structure for staff. A question was posed by a property owner on the qualifications of the auditing firm and had issues with some of the verbiage of the report. Committee member Fred Uehling addressed the concerns and thanked the owner for his insight.

Environmental Control Committee – Committee member Mike Carson stated that the ECC currently has 5 members, but may consist of 8 volunteer members, and that the Association is looking for additional volunteers. Mr. Carson reported on the activity of the Committee, including nearly 600 applications for improvements. Of those, only 15 were disapproved. He

attributed that low number of disapprovals to the efforts of the Committee to work with applicants. The raw data demonstrate a significant valuation of investment in our community.

GM Munday also updated the owners on the plans to develop a Veterans Memorial Park. This will involve collaboration with Archuleta County and the Veterans Memorial Park of Archuleta County – a separate 501(c)19 entity. That entity will be responsible for the development and maintenance of the park.

The PLPOA website continues to grow in terms of numbers of visitors and in the array of information and serves available.

ELECTION RESULTS

Director positions – GM Munday announced that the Election results had been received and displayed them to the property owners from the vote-now.com website.

Regular Vacancy – Three-year Term
Joe Margraf – 822.12 Votes

Regular Vacancy – Three-year Term
Jim Van Liere – 756.32 Votes

Amendment to the Bylaws
Yes – 850.00 votes – 91.46%
No - 79.38 votes – 8.54%

ACKNOWLEDGEMENT OF ELECTION RESULTS

PLPOA Board of Directors President Hatfield acknowledged the election results and then Secretary Bradshaw certified the election results.

PUBLIC COMMENTS

GM Munday reported on the comments made during the online election process.

Public comments were limited to three minutes with property owners stating their names, subdivision and concern.

2014

Terry Pickett – Lake Forest Estates. Mr. Pickett asked about who is responsible for the condition of the stretch of Lake Forest Circle near the Lake Forest dam. DPE Larry Lynch said that ultimately it is the county’s responsibility, but PAWSD has done a number of infrastructure improvements that may have contributed to the condition.

Dave Chapel – Ranch Community. Mr. Chapel asked about the relationship between the Ranch Community association and the PLPOA. GM Munday spelled out the areas that are done jointly and the delineation of responsibilities and characterized the relationship as highly cooperative.

Blake Holleman – Martinez Mtn. Mr. Holleman asked about who is responsible for informing commercial property owners or tenants regarding the rules and regulations. GM Munday responded that the responsibility ultimately falls on the property owner, however our enforcement process allows for ample opportunities to educate whomever is occupying the property before any punitive action takes place.

Allen French – subdivision unknown. An owner asked if the PLPOA/ECC had any regulations or standards for xeriscape and what is unattractive growth. GM Munday stated that the PLPOA and the ECC highly encourages xeriscape and pointed out that much of the new landscaping of the administration building is xeriscape. Our documents and our website goes into great detail identifying and encouraging its use.

Unknown owner. A question on what happens to properties that are destroyed by fire. The GM replied that the declaration requires properties to be cleaned up within 60 days. If they cannot, then the PLPOA would take action under our enforcement policy. If owners are not able to rebuild or repair, than other options may be necessary to investigate, such as foreclosure or even taking ownership through a warranty deed to return the property to a state of desirability and attractiveness.

Mrs. Lucero – Lakewood Estates. Mrs. Lucero asked who would be responsible to enforce situations like the fire destruction of properties – PLPOA or Archuleta County. The GM said that it is the PLPOA responsibility – not the counties. She also asked if there was some way to get more funds from government entities like the Town of Pagosa Springs to help with our road maintenance. The GM stated that this is difficult due to the intergovernmental relationships and other governing documents, but with new leadership there may be an opportunity to improve our collaborative efforts. The PLPOA cannot act unilaterally.

President Hatfield thanked all property owners for attending.

MOVED AND SECONDED TO ADJOURN THE 2014 PLPOA ANNUAL MEETING.

MOTION CARRIED

The 2014 Annual Meeting adjourned at 11:37 AM.

Respectfully submitted,

Kimberley Bradshaw, Secretary