

**Pagosa Lakes Property Owners Association, Inc.**  
**2016 Annual Meeting Minutes**  
**Saturday, July 30, 2016**  
**Pagosa Lakes Clubhouse**  
**230A Port Avenue**

Association Board President Kimberley Bradshaw called the 2016 Annual Meeting to order at 10:05 a.m. In addition to President Bradshaw, present were Vice President Jim Van Liere, Treasurer Rod Proffitt, Secretary Mike Glick and Directors Joe Margraf and Richard Bolland. Also present were: Lauren Holmes with Orten, Cavanagh & Holmes, LLC (legal counsel); GM Allen Roth, Comptroller Don Arries, DAS staff, DPE Manager Larry Lynch, DPE staff, DCS Manager Karen Katsos, DCS staff, DRA Manager Penny Kipley, DRA staff and property owners.

**MEETING OPENING**

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

**QUORUM VERIFICATION**

President Bradshaw asked for verification of quorum from Board Secretary Mike Glick. Secretary Glick 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 Glick established that there was a quorum, with 2,524 members voting, and 75 voting members physically present. The number required for a simple majority vote would be 50% plus one.

**APPROVAL OF THE AGENDA**

**A MOTION TO APPROVE THE 2016 ANNUAL MEETING AGENDA WAS MADE AND SECONDED. MOTION CARRIED.**

**APPROVAL OF 2015 ANNUAL MEETING MINUTES**

**A MOTION TO APPROVE THE MINUTES FOR THE 2015 ANNUAL MEETING WAS MADE AND SECONDED. MOTION CARRIED.**

President Bradshaw introduced legal counsel, Lauren Holmes of Orten, Cavanagh & Holmes, LLC.

### **OWNER EDUCATION**

Ms. Holmes explained the HOA structure and the daily operations of PLPOA:

1. HOA Structure: Articles of Incorporation; Declarations of Restrictions; Bylaws and Neighborhood Rules & Regulations.
2. To educate as to the operation of the Association and the rights and responsibilities of the members.

### **GOVERNMENT**

- A. General Manager Allen Roth introduced himself and gave a short bio of his past experiences and his hopes for PLPOA. GM Roth introduced the Board of Directors, committee members and staff. GM Roth then proceeded to explain the hierarchy of Pagosa Lakes Property Owners Association.
- B. There were five (5) openings for the Board of Directors, with two (2) applications being submitted. According to the Bylaws, the board must now appoint three (3) members to the Board of Directors for a term of one (1) year; August 1, 2016 to July 31, 2017. There have been three (3) members express interest in being appointed to the Board of Directors: John Janowski, current board member; Sandie Hansen and Bruce J. Jones, Jr.
- C. The three (3) retiring board members are: Richard Bolland, Rod Proffitt and Kimberley Bradshaw; each received a commemorative plaque for their service.

### **BUSINESS**

#### **ASSOCIATION FINANCIAL REPORT**

- A. 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 2016 be credited to the year 2017 budget for the purpose of determining year 2017 assessments.

**MOTION WAS SECONDED AND CARRIED.**

#### **CAPITAL IMPROVEMENT PROJECT OVERVIEW**

- B. GM Roth gave an overview of the capital improvements underway and the use of the related capital improvement funds and the reserve funds (Parks & Trails Fund, Recreational Amenities Fund & Reserves Fund) for repair and replacement of existing

capital assets. GM Roth also discussed the progress of the Parks & Trails seven (7) year plan.

### **REVIEW OF LEGAL ACTIONS**

- C. Ms. Holmes explained as of June 27, 2016; there are a total of 17 cases being reviewed; 5 are covenant violations, 11 are collections and 1 is a legal case that was settled earlier this year.

### **COMMUNITY**

GM Roth 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** – Recreation committee chair, Jessica Peart reported on the changes of the makeup of the committee. Ongoing work of the committee has been entirely focused on the completion of Phase I of the Recreation Center capital improvement. The recreation center will be closed the week of October 17<sup>th</sup> – the 24<sup>th</sup> for yearly maintenance on the equipment.

**Lakes & Fisheries Committee and Parks, Trails and Outdoor Recreation Committee** – Committee chair, Roger Flynn, stated the committee is dedicated to making recommendations to the Board to improve the lakes and fisheries within the PLPOA. Spring and early summer fishing was outstanding. The number of fishing and boating permits has risen across the board; those funds are used for re-stocking all the lakes. The committee will be meeting a few more times this year to make recommendations to the Board for 2017 and beyond.

The Parks, Trails and Outdoor Recreation Committee chair is Kurt Raymond (substituting for him today, DPE Manager Larry Lynch) This committee was formed about 4 – 5 years ago in hopes to initiate the development and implementation of the 7-year Parks and Trails Plan. Manager Lynch updated everyone on the immediate plans for 2016 and future plans for new trails and parks.

**Road Advisory Committee** – GM Roth reported that while the committee is currently not functioning, they are looking at re-convening in the near future.

**Finance Advisory Committee** – Committee Chair Johnny Pickett stated the committee has two additional committee members not listed on the screen; Denise Sanderbahl and Scott Johnson. The committee advises the Board on all matters related to the PLPOA finances, budget planning and the reserve study.

**Environmental Control Committee** – Committee member Candice Kelly stated that the ECC currently has 6 members, but have openings for two (2) more volunteers. The main function of the ECC is to review (approve/disapprove) plans and specifications for structures to the existing property.

GM Roth also updated the owners on the 67 new homes the ECC has seen this past year. With such a significant growth; this will currently put a stress on our existing facilities and staff.

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** – Vice-President Van Liere announced that the Election results had been received and displayed them to the property owners from the vote-now.com website.

Regular Vacancy – Two-year Term  
Mike Glick – 761.62 Votes

Regular Vacancy – Three-year Term  
Steve Schwartz – 892.64 Votes

Vice-President Van Liere welcomed both Steve & Mike to the PLPOA Board of Directors.

### **ACKNOWLEDGEMENT OF ELECTION RESULTS**

PLPOA Board of Directors President Bradshaw acknowledged the election results and then congratulated both candidates.

### **PUBLIC COMMENTS**

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

#### **2016**

**Margret Thomas – Lakewood Village.** Mrs. Thomas asked to have the requirements to set on the Board of Directors revised to allow part-time property owners. This would open up more of a selection for directors. GM Roth explained that would be a change to the Bylaws, which would take a majority of the membership voting on it.

**Joyce Beaudry - Vista.** Mrs. Beaudry asked about one person being cited for a violation and the next door neighbor has the same violation going on and they are not being sited. The question is: Is it legal to cite her for a violation and not her neighbor for the same violation? Lauren Holmes addressed this question: sometimes it is perception; sometimes the neighbor's violation was not

noticed and it needed to be brought to the attention of the PLPOA. Covenants are to be enforced across the board not selectively.

**Johnnie Pickett – subdivision unknown.** What happened to the cell tower? Her main concern was the notification of the property owners regarding this coming into the PLPOA area. She is asking for more transparency. GM Roth addressed the importance of transparency and how the website will be able to help assist in this matter. Board President Bradshaw did address the fact that Archuleta County sent out letters to the effected property owners but that the circumference was only 500 yards from the proposed site.

**Ray Woods – subdivision unknown.** Mr. Woods wanted to say in the 25- 30 years he has been coming to Pagosa Springs, things are getting better. Mr. Woods is concerned about the PLPOA spending funds on the noxious weeds in the green belts. Lauren Holmes addressed this question. The greenbelt is owned by Wyndham and it should be addressed by Wyndham.

**Deni – Lake Forest Estates.** Deni was also concerned about the cell tower; she would like an investigation into how the cell tower came about to begin with. Deni also supports the changes to the Rules & Regulations & the Bylaws to allow part time property owners the chance to serve on the committees and/or the Board of Directors. The next question was: “How did the ECC get involved in the cell tower process when it is their responsibility to regulate the approval of homes, paint colors, shed, etc”?

**Kim Coleman – Lake Forest Estates.** Ms. Coleman was also confused as to how the PLPOA got involved with a cell tower. There was so much confusion as to who actually owned the property, whether it is green belt or open space. GM Roth stated that the greenbelts are protected for the use and enjoyment of all PLPOA members.

**Rich Beaudry – Vista.** Mr. Beaudry’s concern was the electronic voting ballot. He received his post card, from Vote-now, but must have misplaced it. So he came to the office and asked if PLPOA had a record of his number; PLPOA did have his number. That brought up the concern of safety with the electronic voting process; the fact that there are no signatures on the voting cards for verification. In 2011, the actual voting process cost the association \$4500. ; 2013 \$7100. And 2015 it cost \$14, 881; more than double from 2013.

**Carol – Meadows.** Carol’s concern is fire mitigation; last year she did over \$3000 of landscaping and fire mitigation. She has a neighbor that has done absolutely nothing; the yard is over grown, trash is everywhere and nothing is being done by the PLPOA. GM Roth asked Carol to please stay after the meeting to discuss this further.

President Bradshaw thanked all property owners for attending.

**MOVED AND SECONDED TO ADJOURN THE 2016 PLPOA ANNUAL MEETING.**

**MOTION CARRIED**

The 2016 Annual Meeting adjourned at 12:37 PM.

Respectfully submitted,

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Mike Glick, Secretary