

# Board of Directors Regular Meeting August 12, 2025 6pm Pagosa Lakes Administration Building AGENDA

- 1. 6:00 pm Call to Order
- 2. Verification of Quorum by Board Secretary
  - a. Approval of Agenda
- 3. Approval of the minutes

July 10, 2025 Regular Meeting of the Board

- 4. Disclosures of Conflicts
- 5. Owner/Member comments (individual comments are limited to three (3) minutes)
- 6. Staff Reports:
  - a. General Manager's Report
  - b. Treasurers Report
  - c. Department of Property & Environment Report
  - d. Department of Recreation Amenities Report
  - e. Department of Community Standards Report
  - f. Lifestyle Report
- 7. There are 2 lot consolidation up for review
- 8. Committee Reports:
  - a. ECC Liaison Report July 2025 Meeting Minutes
  - b. Finance Committee Appoint New Chair
  - c. Lakes & Fisheries Committee
- 9. Unfinished Business
  - a. LaPlata Electric Easement Request
  - b. Collection Policy Update
- 10. New Business
  - a. 728 Monument Easement
  - b. Resolution Confirming Depository Relationships
  - c. Reserve Study Update
  - d. Capital Improvement Plan Update Process
- 11. Owner/Member comments (individual comments are limited to three (3) minutes)
- 12. Adjournment



# Board of Directors Regular Meeting July 10, 2025 6pm Pagosa Lakes Administration Building MINUTES

Board Attendees: Lars Schneider-President

Sasha King-VP & Acting Secretary,

Ericka Bailey-Treasurer

Directors: Ben Garcia, Eric Johnson &

Jonathan Turk

Wade Lundy By Proxy

Staff: Allen Roth- GM

Larry Lynch-DPE Mgr, Ryan Graham RA

Chris Simpson DCS Mgr Jen Pitcher – Lifestyles

Heather Lundy-CT

Recording Secretary- Jen Pitcher

Owners/Guests: Tricia Frank, Richard Berry, Dave Frank, Richard and Carol Larson, Claudia Matzdorf, Linda Lee

Via Zoom: Blaine Wiles, Joseph Rivas, Leslie, Misty

#### 1. Call to Order

Meeting called to order at 6:07 PM by President Schneider.

#### 2. Verification of Quorum

Verified by VP & Acting Secretary King.

#### 3. Approval of Agenda

Motion to approve by Bailey, seconded by Garcia. Motion passed. Unanimous.

**4. Approval of Minutes** – June 12, 2025 Regular Meeting

Motion to approve by King, seconded by Bailey. Motion passed. Unanimous.

#### 5. Disclosures of Conflicts

None.

#### 6. Owner/Member Comments

a) Richard Berry noted that PAWSD meetings conflict with PLPOA meetings ten months of the year and asked the board to consider this when scheduling.

#### 7. Staff Reports

- a. **GM Report**: Submitted by GM Roth. Highlights included County responsibility for PLPOA roads.
- b. **Treasurer's Report:** Presented by Bailey. Noted a minimal increase in delinquencies. Commended Heather Lundy for taking on Comptroller duties.
- c. **DPE Report:** Submitted by Lynch. Noted low lake water levels, 18 new mail cluster boxes, and two new solar lights.
- d. Recreation Amenities Report: Submitted by Graham, no additions.
- e. Community Standards Report: Submitted by Simpson, no additions.
- f. **Lifestyle Report:** Pitcher reminded everyone of the July 26 Annual Meeting and Owner Appreciation BBQ.

Motion to accept staff reports by King, seconded by Garcia. Motion passed. Unanimous.



#### 8. Lot Consolidation Approvals

Two lot consolidations previously approved by the County.

Motion to accept lot consolidations-by Baily, seconded by Johnson. Unanimous.

#### 9. Committee Reports

ECC Liaison Report: June 2025 minutes noted SFRs down for the year; 15 homes pending with CDC. Legal training for ECC scheduled for July 25.

Motion to accept committee reports by King, seconded by Bailey. Unanimous.

#### 10. Unfinished Business

**A.** Parks and Trails Master Plan Presentation by Kirt Raymond and Larry Lynch.

#### Key topics discussed:

- Sasha King asked about return on investment; trails have no revenue, only maintenance costs.
- Ericka Bailey noted some owners dislike trails near their properties.
- Volunteer-built trails were mentioned as a consideration.
- Richard Larson requested paved trails to connect Hatcher to town due to gravel trail limitations.
- Richard Berry asked about the definition of trails, motorized vehicle access, and plowing.
- Linda Lee asked about easements and setbacks.
- Larry Lynch clarified these are determined by survey.

Plan approved. Motion by Johnson, seconded by Turk. Unanimous.

B. La Plata Electric Easement Request: Still under review.

#### 11. New Business

- a) Collection Policy Legislation: Still under review, not ready for decision.
- b) County Maintenance of PLPOA Roads: Clarified roads are public per plat maps. County received settlement funds for road compliance. PLPOA roads are NOT owned by the Association.

**Carol Larson** noted the County is in the discovery phase and is proactive.

Linda Lee praised County employee Mike Torrez for his efforts.

c) Approval of 2025 Annual Meeting Agenda:

**Tricia Frank** suggested roundtable discussions. "Why not change it up?"

**GM Roth** emphasized required education component, association is being transparent reporting everything that is happening in the association. encouraged committee involvement.

Motion to approve by King, seconded by Johnson. Unanimous.

#### 12. Adjournment

Motion to adjourn at 8:03 PM by King, seconded by Garcia. Unanimous.



Respectfully submitted by:	
Sasha King VP & Acting Secretary	Jenifer Pitcher, Recording Secretary

#### INTEROFFICE MEMORANDUM

TO: JONATHAN TURK

FROM: HEATHER LUNDY

**SUBJECT:** ACCOUNTING NOTES FOR JULY 2025.

**DATE:** July 31, 2025

As of July 31, 2025, the Association has received \$1,974,490 or 96.81% of the total billed 2025 regular assessments of \$2,039,480. For the same period in 2024, the collections were approximately \$1921,075 or 96.9% of the total of \$1,982,825 billed.

#### Certificates of Deposit as of July 31, 2025:

MATURITY	RATE	VALUE	FUND
10/17/2025	4.20%	\$50,000	Reserve
10/22/2025	4%	\$175,000	Reserve
10/24/2025	4%	\$150,000	Capital
12/19/2025	4%	\$75,000	Operating
1/15/2026	4.20%	\$35,000	Trails Reserve
1/22/2026	3.85%	\$125,000	Operating
1/23/2026	3.9%	\$175,000	Reserve
3/20/2026	3.95%	\$150,000	Capital
3/26/2026	4.10%	\$35,000	Trails Reserve
9/11/2026	3.75%	\$157,275	Reserve
12/18/2026	4.30%	\$35,000	Trails Reserve

#### **DEPARTMENT OF PROPERTY AND ENVIRONMENT**

#### **AUGUST 2025 BOARD REPORT**

#### By Larry D Lynch

- 1. Lakes and Fisheries The lakes are in fair condition heading into the latter part of the summer. Recent warm weather and dry conditions have put a little strain on water quality as water temps are into the 70's and lake levels are dropping. We are experiencing an algae bloom in Lake Pagosa as of the end of July. It came in quickly and we have been treating the lake with copper algaecides as indicated. Also sent of a sample to the lab for toxicity testing. Over the last several years we have seen algae blooms in Lake Pagosa that can get heavy at times and all previous year testing revealed no levels of harmful toxins. We will continue to monitor and treat it as necessary. The fishing has continued to be a little slow, the trout are hanging out in deeper water generally, but mornings and evenings are still providing some good action, and the bass and crappie fishing has remained good the last few weeks. Hopefully we see some increased chances of rain and cooler temperatures going into August.
- 2. DPE Projects The DPE has been busy the past several weeks on a number of projects including continued heavy chipping operations at the brush collection area; new mailbox installs at several locations including 14 new CBU's at the Edgewater Dr location and 5 new ones at Cloud Cap Ave; we will be installing a new concrete pad at Edgewater this month to accommodate 2 parcel lockers; landscape and grounds work at all of our facilities; mowing operations along the trail shoulders; conducting dam maintenance on all four dams; Annual Meeting prep, setup and cleanup; community garden planting beds construction and irrigation upgrades; and lake and park maintenance projects. Upcoming work will include installing over 500 feet of split rail fence at Tract A boat ramp at Village Lake per the easement agreement; installing security camera at this location as well; we will be doing maintenance and repairs to the northerly portions of the National Forest boundary fence line in preparation for cattle later this month (the cows have been in the southern part of the community boundary and forest previously); replacing a bad float on one of the floating docks; and continued grounds, landscape and janitorial duties.
- 3. Lake Pagosa Drawdown PAWSD is planning to implement a sewer line lift station repair on the northeast side of Lake Pagosa in September and are needing to drop the lake approximately 3-feet to accommodate the project. The lake will be drawn down slowly beginning in mid-August so that by early September the 3-foot drawdown will be achieved. We have put the word out to area residents of this planned project and

- draw down. Currently Hatcher Lake is approximately 3-foot down due to high community water demand.
- 4. **Greenbelt Thinning Operations** The contractors are moving well through the greenbelt thinning operations this summer, having completed the 2 big tracts in Chris Mt II and Trails/Vista area earlier in July. They have now moved into a medium sized meandering greenbelt in Lake Forest Estates between Dutton Dr and Antelope Ave where heavy oak brush mastication and hand removal is occurring along with removing some Ponderosa Pines to create spacing between crowns. A second contractor is working on a medium-sized greenbelt in Lake Pagosa Park near Monument Ave and are making good progress there. The properties look great and I think folks are going to be very pleased with the projects. Just a reminder that we did qualify for a grant through Wildfire Adapted Partnership which will cover 50% of the project costs.
- 5. **Noxious Weed Control** I have been continuing noxious weed control in the community working around the lakes, common areas and trails as well as controlling noxious weeds on private lots as requested by owners. I am generally pleased with control efforts this year. It's always tough this time of year when things are in full growth mode, but I think by this fall I should have a handle on things.
- 6. **Annual Dam Inspections** Matt Gavin, the Dam Safety Engineer with Colorado Division of Water Resources will be here in early August to do annual dam inspections on Hatcher, Pagosa and Village Lake dams. We should be in good shape, have been working on dam maintenance projects this summer and I don't anticipate any issues.
- 7. **New Hire** We are advertising and planning to hire a new Maintenance Tech this month to replace Don Walsh who has been with us for about 5 years. Don is retiring and looking to do some travel and other adventures. Don did great work for us, a licensed electrician and fixer of just about anything, Don was great to work with and did a lot of great work for the Association over the years and wish him the best of luck going forward.



# Pagosa Lakes Property Owners Association Regular Board of Directors Meeting Recreation Center Report

Attendance report for July	2025
Timeshare Sign Ins	5,056
Member Sign Ins	7,486
Total User Attendance	12,542
Programs and Activities Attendance	
All programs in Aerobics Room	124
Water Aerobics	203
Racquetball	116
Basketball	95
Lap Lane	1,451

# **Manager's Summary:**

I would like to share that the rec center saw a significant increase in attendance this June compared to last year!

July 2024: 10,573 total check-ins

- 3,767 Wyndham guests
- 6,806 PLPOA members

July 2025: 12,542 total check-ins

- 5,056 Wyndham guests
- 7,486 PLPOA members

This is an **increase of 1,969 check-ins** over last July.

- I have received updated quotes for the multi-purpose turf field project.
  The pricing has not changed significantly compared to a few years ago,
  which is good news for our planning. Additionally, we are expecting a
  new bid from Ross Chase with Hellas Construction to ensure we have
  the best options moving forward.
- Wyndham is fully booked through the summer, and we've noticed a significant increase in usage of the gym area. In response to the higher demand, I've obtained quotes for new weight room equipment and have been working closely with Commercial Fitness Solutions on a redesign of the gym layout. The goal is to optimize the space to accommodate additional equipment and better serve our guests' needs.
- I've been exploring the idea of adding new fitness bars in the pool for water aerobics classes. However, with the recent high volume of guests in the pool area, we've noticed that people often misuse the existing bars sitting or jumping off them, or using them as steps to exit the pool. Given that we do not have lifeguards stationed in the pool area, I believe this type of misuse would likely continue with any new bars we install. Additionally, our lap lanes have also been heavily impacted, with people trying to sit or stand on them as well.

- We'll continue to look at other ways to support our water aerobics program while keeping the pool safe and functional for all users.
- I've begun the process of pricing out new lockers for our locker rooms.
   The current lockers are showing significant wear and tear, with many becoming increasingly difficult—if not impossible—to repair. In addition, nearly all of our rentable lockers have already been assigned for the year, highlighting both their high demand and the limited availability. This further supports the need for an upgrade to ensure we can continue to meet the needs of our members and maintain a functional and presentable facility.

# Maintenance/Supervision:

- New signs have been added to the playground, fitness, and pool areas as part of our updated insurance requirements. These signs help ensure everyone stays informed about safety guidelines and facility rules.
- Regular weekly mowing and weeding are continuing as usual to keep our grounds looking great. Due to the lack of rain and the lawns drying out, we've added a few extra watering days to help maintain healthy grass and landscaping.
- We've recently experienced a drop in chlorine levels and water clarity in the lap pool due to increased usage. To maintain safe and clear water, we've added an extra day of backwashing each week and are now shocking the lap pool once a week to keep up with demand.
- Don and DJ added another electrical box to the cardio area. We are no longer experiencing electrical issues in that area.

## **Programs:**

- We're excited to share that our June swim lessons have reached maximum capacity, with over 60 kids participating in the program!
   Due to the overwhelming demand, we've added additional classes on Mondays and Wednesdays to accommodate more young swimmers.
- July swim lessons are almost full and we also had to add a Monday/Wednesday session as well due to the demand.
- The Junior Triathlon Training will begin July 21<sup>st</sup>. Youth ages 10–14 are invited to join our Junior Triathlon Training program starting July 21st. Participants will learn the fundamentals of training for a triathlon, including swimming, biking, running, and how to handle transitions. Coaches Mat Wolford and Ryan Graham will guide the group through fun, skill-building sessions to help young athletes gain confidence and experience in all aspects of the sport.
- Our Ready, Set, Tri! program is designed especially for kids ages 6–9
  who want to learn the basics of triathlon training in a fun and playful
  way. This program covers swimming, biking, running, and transitions
   with plenty of games and activities built in to keep young athletes
  engaged and excited as they develop new skills.
- Join our new fitness challenge (Cold Sweat. The Great Melt-Off Fitness Challenge) and add a little summer fun to your workouts! Here's how it works:
- Somplete a 30-minute workout and earn a popsicle cutout with your name on it.
  - For every additional 30-minute workout, you can choose to:
  - Add **2 butterflies** to your own popsicle or —
  - Add **1 sun** to someone else's popsicle!
- Let's see who can create the coolest, most colorful popsicle this summer. Stay active, have fun, and cheer each other on!
- Collect the most butterflies to win but collecting suns will melt your popsicle.

#### July 2025 Department of Community Standards Report

Dear Board of Directors,

#### DCS Updates:

The Department of Community Standards (DCS) team would like to warmly welcome the new board members and express our sincere gratitude to everyone serving on the Board of Directors. Meeting Mr. Eric Johnson in person was an absolute pleasure. We had a meet-and-greet session in my office and explored the Pagosa Lakes properties, including the Habitat for Humanity projects in Durango Court. Overall, it was a wonderful experience. Thank you, Eric, for taking the time!

Applications, Permits, and Construction:

We have never been busier! The number of major and minor project application submissions, including the July and anticipated August projects, continues to rise monthly. The volume of ongoing projects and inspections is relatively high. While it can feel overwhelming, team camaraderie is strong, and we support each other. I am incredibly proud of our team's efforts. Here are a few statistics:

- January 2025: Total Applications Submissions YTD: 12
- February 2025: Total Applications Submissions YTD: 49
- March 2025: Total Applications Submissions YTD: 94
- April 2025: Total Applications Submissions YTD: 169
- May 2025: Total Applications Submissions YTD: 273
- June 2025: Total Applications Submissions YTD: 393
- July 2025: Total Applications Submissions YTD: 506
- \*According to the August 7, 2025, ECC agenda, the first half of August includes 47 "New Business" items and 27 "Staff Approvals."

#### Inspector Totals for July and YTD:

For every project, whether minor or significant, our inspectors review the approved applications and details, performing a thorough plan review to understand the project's scope of work fully. We discuss the site's building constraints and feasibility and review the site plans carefully. Following this, we schedule a pre-construction meeting with the homeowner and/or their representative. During this meeting, we cover all aspects, including rules and regulations, and engage in a Q&A session to help establish relationships within the community.

In addition to the pre-construction meeting, there is an initial inspection (usually an as-built inspection) followed by 2-4 more inspections, and ultimately, a final inspection. When factoring in the ongoing dialogue with homeowners and contractors and addressing neighboring concerns, each project can involve 6-8 inspections. Considering the monthly totals, the overall number of inspections is substantial—amounting to hundreds, if not thousands, each year. Currently, we have two full-time inspectors and one part-time inspector. One of our goals is to bring on a compliance conservation inspector, sharing responsibilities between our department and the Department of Property and Environmental.

#### Community Compliance:

Approximately 97% of concerns, complaints, or violations are resolved through investigations, inspections, engagement, education, and outreach; only 3% escalate to enforcement procedures. In July, the DCS received 128 concerns and issued 21 Courtesy Notices, 11 Notices of Violations, and 2 Stop Work Orders, all resolved without legal counsel. The year-to-date total for concerns is 645. Our objective is not to issue violations but to ensure compliance through community relationships and mutual understanding of the PLPOA Mission Statement.

#### Events:

On July 25th, the PLPOA Attorney conducted training for the Environmental Control Committee, which was also attended by the Department of Community Standards staff. This provided an excellent opportunity for constructive dialogue.

On July 26th, the DCS staff attended the annual homeowner meeting and facilitated the BBQ station. Holly did an outstanding job with the BBQ; her team, including Luke, Steve, and Danny, worked the line efficiently. It was clear that everyone enjoyed themselves, making this the most attended event ever! Special thanks to all departments that contributed to its success!

#### Community Partnerships:

One of our inspectors, Luke, coordinated with Make-A-Wish Colorado for a resident named Heidi, who has been diagnosed with stage 4 cancer. While we had hoped she could attend the Annual Homeowners' meeting and BBQ, unfortunately, she could not participate due to

ongoing treatment. One of her wishes was to learn how to fish, and we could provide her with fishing gear. Luke also taught her how to fish, which was a joyful experience for Heidi, her grandpa, and Luke. This matter is very close to our hearts.

I have shortened this report, as my previous Department of Community Standards reports have been lengthy, given the number of documents you review. I am always available to elaborate on topics and am committed to transparency and an open dialogue.

As is, submitted.

Respectfully,
Chris Simpson
Department of Community Standards Manager
Pagosa Lakes Property Owners Association

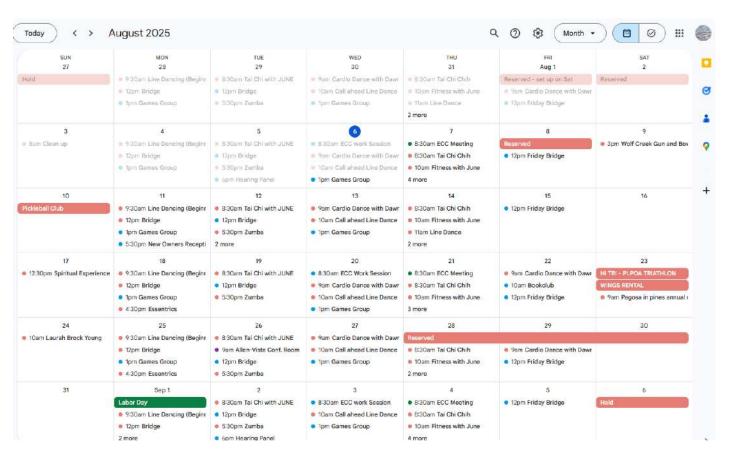
# Pagosa Lakes Property Owners Association Aug 12, 2025 Jenifer Pitcher

#### Lifestyle:

- HOAi: opening up a new section reservations, calendaring etc.
- Tech Server ordered and being programmed
- Launching PR plan in the next couple month, including website facelift
- Upcoming PLPOA events and happenings:
  - o Aug 23<sup>rd</sup> end of summer bash and hi tri triathlon
- Election / Annual Meeting / BBQ Recap:

The event was a success! A total of **2,448 votes** were cast. **64 owners attended in person**, with an additional **28 participants via Zoom**. Over **200 hamburgers** and **150 hot dogs** were served, and attendees enjoyed the live music and festive atmosphere.

• Rental and Clubhouse group scheduling - busy summer/fall, not a free Friday or Saturday until Late October.



# ANNUAL LIST OF QUARTERLY COMMITTEE MEETINGS

Times and details to be announced in the weekly eblast and on our website: https://www.plpoa.com/learning-about-plpoa/plpoa-committees/

# january

4th Tuesday - Youth
Activities

4th Tuesday - Recreation

# february

4th Tuesday - Lakes & Fisheries Committee

#### march

3rd Tuesday - Finance

4th Tuesday - Parks & Trails

4th Tuesday - Gardening

# april

4th Tuesday - Youth
Activities

4th Tuesday - Recreation

## may

4th Tuesday - Lakes & Fisheries Committee

## june

3rd Tuesday - Finance

4th Tuesday - Parks & Trails

4th Tuesday - Gardening

# july

4th Tuesday - Youth
Activities

4th Tuesday - Recreation

# august

4th Tuesday - Lakes & Fisheries Committee

# september

3rd Tuesday - Finance

4th Tuesday - Parks & Trails

4th Tuesday - Gardening

#### october

4th Tuesday - Youth
Activities

4th Tuesday - Recreation

#### november

4th Tuesday - Lakes & Fisheries Committee

#### december

3rd Tuesday - Finance

4th Tuesday - Parks & Trails

4th Tuesday - Gardening

#### Parks & Trails Committee

Larry Lynch – Staff Liaison larryl@plpoa.com



Kurt Raymond – Chair Dennis Medina Russ Durrer Lisa Foss Steve Chaney Ken Wilbert

#### Garden Committee

Jenifer Pitcher- Staff Liaison jenp@plpoa.com



Toni Gallegos - Chair
Becky Crowe, Secretary
June Marquez
Laura Hamilton
Marcus Rivas
Mike Crowe

## Lakes and Fisheries Committee

Larry Lynch – Staff Liaison larryl@plpoa.com



Roger Flynn- Chair Dalas Weisz Larry Gwaltney John Unger Don Collins Joe Margraff

# Finance Advisory Committee

Heather Lundy – Staff Liaison comptroler@plpoa.com



Adam Blocki - Chair Connie Schanzenbaker Michael Bailey Joe Margraff Kendall Smith Ericka Bailey – Board Liaison

# **Recreation Committee**

Ryan Graham – Staff Liaison ryan@plpoa.com



Denny Mingo – Chair Adam Blocki Sherry Murphy Brendan Murphy Cheryl Mingo Lars Schneider

# Youth Activities & Sports Committee

Jenifer Pitcher -Staff Liaison jenp@plpoa.com



Terrance Limebrook – Chair Chelsea Hamilton Stewart Bellina Ericka Vincent Board Liaison – Vacant



# **Archuleta County Development Services / Planning Departments** 1122 Hwy 84 / P. O. Box 1507 Pagosa Springs, Colorado 81147

970-264-1390

LOT CONSOLIDATION

DN & 2025 Lot 4592 XX Twincreck Cir. Would latrons or Balance

Dear Utility Company/HOA/POA:

Lot 460 480 twin creck Cir 851612 Northing owed & NOVI Water

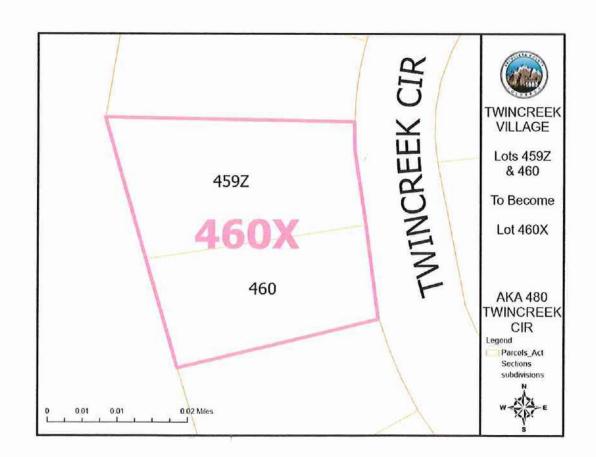
The owner of Lots 459Z and 460, TWINCREEK VILLAGE, is proposing by resolution to consolidate Two (2) lots to become lot 460X, 480 TWINCREEK CIR. All covenants and restrictions will remain the same. Anyone who wishes to comment should contact the Archuleta County Planning Department, P.O. Box 1507, Pagosa Springs, Colorado 81147, or (970) 264-1390 prior to , 2025.

(A minimum of 30 days from the date of mailing)

Sincerely,

Robert Hartsoug

Suzanne Hartsough





Archuleta County

Development Services / Planning Departments JUL 2 2 2025 1122 Hwy 84 / P. O. Box 1507

Dear Utility Company/HOA/POA:

1122 Hwy 84 / P. O. Box 1507

Pagosa Springs, Colorado 81147

970-264-1390

LOT CONSOLIDATION

No Wella Hons

8 4 29 8 6

Lot 458 x Z 504 Twinkcreek

Lot 458 x Z 504 Twinkcreek

No Holdfor

No Wella Hons

No Holdfor

Holdfor

Holdfor

TECEIVE

The owner of Lots 457Z and 458XZ, TWINCREEK VILLAGE, is proposing by resolution 23 to consolidate Two (2) lots to become lot 457ZX, 514 TWINCREEK CIR. All covenants 1/2 and restrictions will remain the same. Anyone who wishes to comment should contact the Archuleta County Planning Department, P.O. Box 1507, Pagosa Springs, Colorado 81147, or (970) 264-1390 prior to 8-15-25, 2025.

(A minimum of 30 days from the date of mailing)

Sincerely,

Fitch Living Trust [Mr. Ed Fitch]



# **ECC Liaison Report**

DESCRIPTIONS		uly	YTD	Previous YTD		
		7/17	2025	2024	2023	2022
Construction of new Single Family Residential and Modular Home	3	4	34	69	45	69
Mobile /Manufactured New or used placement	0	0	0	4	0	5
Major Projects	1	4	34	55	49	53
Minor Projects	12	19	168	307	256	320
Owner initiated Variance Request	0	0	2	9	9	8
Solar	5	2	19	24	27	17
Boat Dock and Shoreline Permit	2	1	4	8	0	7
Sign/ Banner permanent and temporary	0	0	2	7	2	2
Seasonal and Temporary structures	0	0	6	12	11	27
Written Request: Tree Removal/Fire Mitigation)	10	12	64	129	102	126
Written Request: Extensions/Revisions	13	8	107	283	280	255
Written Request: Miscellaneous	8	9	62	114	85	92
Construction of new Commercial Structure	0	0	1	0	2	2
Construction of Multi-family structures	0	0	1	0	2	0
Total Application submissions	54	59	506	1029	883	981
Total Approved Applications	54	59	503	1001	871	955
Total Preliminary Reviews	0	1	6	15	unk	unk
As Form Inspection Additions	3	3	22	70	54	54
Notes		1	<u> </u>	<u>I</u>	L	L

#### MINUTES OF THE LAKES AND FISHERIES COMMITTEE MEETING

#### **THURSDAY JULY 24, 2025**

The meeting was called to order at 3 pm by chair Roger Flynn. Present at the meeting were committee members Mr. Flynn, John Unger, Dalas Weisz, Don Collins, Joe Margraff and Larry Gwaltney. Staff present was Larry Lynch and Allen Roth, GM.

The committee reviewed the minutes of the previous meeting.

Lynch gave the committee a spring and early summer lake stocking summary; 14,000 lbs. rainbow trout; 4000 each largemouth bass and crappie; 2500 lbs. Brook trout and 1000 Tiger trout (Hatcher Lake). Also, that it is planned to stock an additional 5000 lbs. of Rainbow trout this fall.

The lake levels and water situation were discussed; Hatcher Lake being down approx. 3 ft due to drought conditions and community water demand; and the planned drawdown of Lake Pagosa of 2 to 3 feet heading into September for the planned PAWSD sewer infrastructure repair on the northeast side of the lake. The committee suggested that boat ramp improvements (gravel and grade work) could be made as the lake levels fall at certain lakes due to ease of access during low water. Lynch agreed that would be very do-able and Allen suggested this would generally be smaller expenses and things like gravel for the work could come out of the operating budget.

The committee discussed long-range capital improvements around the lakes. Lynch summarized that recent committee recommended and board approved improvements included the 2019 picnic pavilion at Hatcher Lake, the 2023 installs of the permanent restroom buildings at Lake Pagosa and Hatcher Lake; the new floating dock install at Hatcher Lake in 2024.

The committee's consensus was that new permanent restrooms at Village Lake boat ramp and at the Lake Forest boat ramp should be considered in long-term planning due to the high use of these areas and to replace old portable toilets.

The committee reviewed fishing and boating regulations and agreed to continue discussions at the next meeting of any possible recommended changes in the 2026 season which would most likely be minor changes.

The meeting was adjourned at 4:20 p.m.

GRANTOR:	
Pagosa Lakes Property Owners Association	
Ву	
As:	
STATE OF ) ss	
COUNTY OF	
The foregoing instrument was acknowledged before me thisas,as,	day of,2025, byof Pagosa Lakes Property Owners Association.
WITNESS my hand and official seal this day.	
Notary Public	My commission expires:
GRANTEE:	
La Plata Electric Association, Inc.	
Ву	
As:	
STATE OF	
COUNTY OF	
The foregoing instrument was acknowledged before me thisas,	
WITNESS my hand and official seal this day.	
Notary Public	My commission expires:

#### PAGOSA LAKES PROPERTY OWNERS' ASSOCIATION

#### **COLLECTION POLICY AND PROCEDURE**

Effective Date: August 10, 2022 October 1, 2025

This policy is adopted to comply with the terms of the Colorado Common Interest Ownership Act ("CCIOA") which contains provisions that may conflict with the terms of the Association's governing documents. CCIOA and this policy will control over any conflicting provisions in the governing documents.

- 1. Due <u>Dates</u>, <u>Late Charges</u>, <u>Interest</u>, <u>Suspension of Rights</u>, and <u>Acceleration of Assessm13nts</u>.
- A. <u>Due Dates</u>. The annual assessment payment is due and payable May 1'lof each year. Payments will be deemed received on the date the payment is received in the Association's office or the Association's payment processor's office; provided, however, if the Owner's name and the property address for which payment is made is not identified on or with the payment, payment will not be deemed received until such time as the owner and properly to which payment should be credited is determined. Any payment not paid in full when due is past due and delinquent.
- B. , <u>Late Fee or Charge</u>. A late fee in the amount of \$50.00 will be imposed for any assessment not paid by the due date. Fines or other charges are due 30 days after being assessed and are delinquent if not paid by the due date without further notice to the Owner. Delinquent fines are subject to a \$50.00 late fee. The late fee is a personal obligation of the Owner and a lien on the property.
- C. <u>Interest</u>. Interest at the rate of 8% per annum will accrue on any delinquent assessment, fine, or other charge from the due date without further notice to the Owner. Interest is a personal obligation of the Owner and a lien on the properly.
- D. <u>Lien</u>. Under Colorado law and the terms of the Declaration, there is a lien for any unpaid assessment. The Association reserves the right to record a notice of lien in the county records at any time after an assessment becomes delinquent.
- E. <u>Administrative Expenses</u>. Collection costs, imposed by the Association or its managing agent, for delinquent accounts will be the obligation of the Owner and may be posted to the Owner's account. Examples include but are not limited to, certified mailings, costs to physically post a notice or translate a notice to a language other than English.
- F. <u>Suspension of Rights</u>. An Owner's voting rights are automatically suspended without notice if an assessment or other charge is delinquent as set forth in this policy. An Owner's rights to use recreational facilities may also be suspended without notice if an assessment or other charge is delinquent as set forth in this policy.
- 2. <u>Attorney's Fees and Collection Costs</u>. The Association is entitled to recover its reasonable attorney's fees and collection costs incurred in collecting assessments or other charges due the Association from a delinquent Owner pursuant to the terms of the Declaration and Colorado law.
- 3. <u>Application of Payments</u>. If an Owner who has both unpaid assessments and unpaid fines, fees, or other charges makes a payment to the Association, the Association will apply the payment first to assessments and any remaining amount of the payment to the fines, fees, or other charges owed.
- 4. <u>Monthly Statements Required</u>. On a monthly basis, the Association will send to each Owner who has any outstanding balance an itemized list of all assessments, fines, fees, and charges that the Owner owes lo the Association (i.e., an account ledger). The monthly statement will be sent by first-class mail to

the Owner's registered address, and if the Association has a relevant e-mail address, by e-mail. If the account has been referred to a collection agency or to any attorney, the statement will also specify that the balance may not include all attorney's fees and costs that have been incurred as of the statement date but not yet invoiced to the Association and posted to the account.

- 5. <u>Notice of Delinquency</u>. The Association may send a <u>Late Notice Letter(courtesy notices)</u> to Owners. However, before the Association turns over a delinquent account of an Owner to a collection agency or refers ii to an attorney for legal action, the Association must send the Owner a notice of delinquency specifying:
  - A. The total amount due, with an accounting of how the total was determined;
- B. Whether the opportunity to enter into a payment plan exists as provided in this collection policy, and instructions for contacting the Association to enter into a payment plan, if available;
- C. The name and contact information for the individual the Owner may contact to request a copy of the Owner's ledger to verify the amount of the debt;
  - D. action is required to cure the delinquency, and that failure to do so within 30 days may result in the Owner's delinquent account being turned over to a collection agency; a lawsuit being filed against the Owner; the filing and foreclosure of a lien against the Owner's property; the sale of the Owner's Unit at auction to pay delinquent assessments, which could result in the Owner losing some or all of the Owner's equity in the Unit; or other remedies available under Colorado law;
- E. Whether the delinquency concerns unpaid assessments; unpaid fines, fees, or charges; or both unpaid assessments and unpaid fines, fees, or charges; and if the notice of delinquency concerns unpaid assessments, the notice of delinquency must notify the Owner that the unpaid assessments may lead to foreclosure;
- F. The steps the Association must take before the Association may take legal action against the Owner, including a description of the Association's cure process; and
- G. A description of what legal action the Association may take against the Owner, including a description of the types of matters that the Association or Owner may lake to small claims court, including injunctive matters for which the Association seeks an order requiring the Owner to comply with the declaration, bylaws, covenants, or other governing documents of the Association.
- H. "Notification of the availability of and instructions how to access free online information through the Colorado HOA Information and Resource Center relating to an Association's collection of assessments, including the Association's ability to foreclose the Association's lien for unpaid assessments and force the sale of the Owner's home, and the availability of online information from the United States Department of Housing and Urban Development concerning credit counseling before foreclosure that may be accessed through the Colorado Department of Local Affairs' website;"
  - I. notice of their rights to access credit counseling at the owner's expense and the availability of credit counseling through Colorado's HOA Resource Center.
  - 6. Owner Contact and Delivery of Notice. Before the Association turns over a delinquent account of an Owner to a collection agency or refers it to an attorney for legal action, the Association will:
    - A. Send a Late Notice Letter with an account statement
- B. After 30 days, send a copy of the delinquency notice described in Paragraph 5 by certified mail, return receipt requested and <del>physically post a copy of this delinquency notice al the Owner's property; and</del>
  - C. Contact the Owner by one two-of the following means:

- i. First-class mail; Telephone call to a telephone number that the Association has on file provided by the owner. A voice message shall be left, when possible if no contact is made.
- ii. Text message to a cellular number that the Association has on file that the Owner has provided to the Association; or
- iii. E-mail to an e-mail address that the Association has on file that the Owner provided to the Association.
- iv. By regular mail, if the owner has not provided a telephone number, cell number, or email address as an additional means by which to receive notices."
- D. Notices from the Association will be sent in English; provided, the Owner may send written notice to the Association with an alternate language preference. The Association will attempt to provide an accurate translation of the original English version, but due to nuances in translating to a foreign language, slight differences may exist.

- E. An Owner may send written notice to the Association identifying another person to serve as a designated contact for the Owner for notices and correspondence. The Association will send the same written communications to the designated contact that ii sends to the Owner. If the Owner wishes to change or cease the designated contact, the Owner must send the Association written notice.
- 7. Record of Notification. The Association will maintain a record of the contact(s) it has made with an Owner regarding a delinquency, including the type of communication used to contact the Owner and the date and time the contact was made. As this record relates to a particular property, ii will not be deemed to be a record available to all Owners under Colorado law.

#### 8. Payment Plans.

- A. Before the Association turns over a delinquent account of an Owner to a collection agency or refers it to an attorney for legal action, it will make a good faith effort to coordinate with the Owner to set up a payment plan. An Owner may enter into a payment plan to pay off a deficiency in equal installments over a minimum period of 18 months or such other longer period as authorized by the Board.
- B. If the Owner fails to comply with the terms of the payment plan (fails to remit payment of three or more agreed-upon installments during the payment plan term), the Association may pursue legal action subject to the notice requirements above.
  - C. The Association is not obligated to negotiate a payment plan with:
    - i. an Owner who has previously entered into a payment plan pursuant to this policy, or
- ii. an Owner who does not occupy the property and acquired the property because of a default of a security interest encumbering the property or a foreclosure of the Association's lien.
- D. Before the Association initiates a foreclosure proceeding based on the Owner's unpaid assessments, it will provide the Owner with a written offer to enter into a repayment plan of at least 18 months. Under the repayment plan, the Owner may choose the amount to be paid each month, so long as each payment must be in an amount of at least \$25.00The Owner may elect to pay the remaining balance under the repayment plan at any time during the duration of the repayment plan.
- E. All payment plans involving accounts referred to an attorney for collection will be set up and monitored through the attorney in consultation with the President of the Board or other person designated by the Board.
- Board Action to Refer Delinquent Account. Before a delinquent account is referred to a collection agency or attorney, a majority of the Board must vote to refer the matter by recorded vote conducted in executive session.
- 10. Referral of Delinquent Accounts to Attorneys. After an account has been referred to the Association's attorney the account remains with the attorney until it is settled, has a zero balance, or is otherwise resolved. Once accounts are turned over to the Association's attorney, Owners will make payments to the Association at the attorney's address. The Association's attorney is authorized to take whatever action is necessary, in consultation with the Board President or other person designated by the Board, believed to be in the Association's best interest.

After a delinquent account has been referred to the Association's attorney, all communication with the delinquent Owner will be handled through the Association's attorney. Neither the manager, if any, nor any member of the Board may discuss the collection of the account directly with an Owner after it has been turned over to the Association's attorney unless the attorney is present or has consented to the contact. Action by the Association's attorney may include the following:

- A. <u>Notice of Lien</u>. If not already recorded, a notice of lien may be recorded against the delinquent Owner's property to provide record notice of the Association's claim against the property.
- B. <u>Filing Lawsuit</u>. The Association may file a lawsuit against the delinquent Owner seeking a money judgment. If a personal judgment is entered against the delinquent Owner, the Association may pursue remedies such as garnishing the Owner's wages or bank account to collect judgment amounts.
- C. <u>Judicial Foreclosure</u>. The Association may foreclose on its lien in lieu of or in addition to suing an Owner for a money judgment. The purpose of foreclosing is to obtain payment of all assessments owing in situations where either a money judgment lawsuit has been or is likely to be unsuccessful or in other circumstances that may favor such action. If the Association forecloses on its lien, the Owner will lose the Owner's property, having the same effect as if a first mortgagee institutes a foreclosure action against the property (though the procedure is different).

"The Association will not commence a judicial foreclosure action unless it has complied with the requirements of C.R.S. §§ 38-33.3-316 and 38-33.3-316.3 and the balance of the assessments and charges secured by its lien (which may include late fees, fines, and other charges as well as other assessments) equals or exceeds 6 months of common expense assessments based on the Association's periodic budget."

Prior to filing a foreclosure action, the Board will resolve by a recorded vote in executive session to authorize the filing of the foreclosure action against the particular property against which the foreclosure action will be filed.

- D. <u>Receivership.</u> A receiver is a disinterested person, appointed by the court, who manages rental of the Owner's property and collects the rents according to the court's order. The purpose of a receivership for the Association is to obtain payment of current assessments, reduce past-due assessments, and prevent waste deterioration of the property.
- E. <u>Bankruptcy Filings</u>. Filing necessary claims, documents, and motions in Bankruptcy Court to protect the Association's claim.
  - 11. Certificate of Status of Assessment Estoppel Letter. The Association will furnish to an Owner, or such Owner's designee, upon written request delivered personally or by certified mail, first-class postage prepaid, return receipt requested, to the Association's registered agent, a written statement setting forth the amount of unpaid assessments currently levied against the Owner's property. The statement will be delivered within 14 calendar days after receipt of the request personally or by certified mail, first-class postage prepaid, return receipt requested. If the Owner's account has been turned over to the Association's attorney, the statement will include any attorney's fees incurred in providing the statement.

#### 12. Return Check Charges.

- A. If any check or other instrument payable to or for the benefit of the Association is not honored by the bank or is returned by the bank for any reason, including, but not limited to insufficient funds, the Owner is liable to the Association for one of the following amounts, at the option of the Association:
- i. An amount equal to the face amount of the check, draft, or money order and a return check charge of: (a) \$20.00; or (b) 20% of the face amount of the check, draft, or money order, but not less than \$20.00, if it has been assigned to a collection agency for collection; or (c) an amount equal to the actual charges incurred by the Association levied by the party returning the check, whichever is greater; or
- ii. If notice has been sent as provided in C.R.S. § 13-21-109 and the total amount due as set forth in the notice is not paid within 15 days after such notice is given, the person issuing the check, draft, or money order will be liable to the Association for three times the face amount of the check, but not less than \$100.00.

- B. If two or more of an Owner's checks are returned within any fiscal year, the Association may require that future payments, for a period of one year, be made by certified check or money order.
- 13. <u>Bankruptcies and Public Trustee Foreclosures</u>. Upon receipt of any bankruptcy notice or a foreclosure notice by any holder of an encumbrance against any property within the Association, the Association may advise the Association's attorney of the same and turn the account over to the Association's attorney.
- 14. <u>Waivers</u>. The Association may modify these procedures as the Association determines appropriate under the particular circumstances. Any accommodation may be documented in the Association's files. Failure to require strict compliance with this policy is not deemed a waiver of the Association's right to require strict compliance and will not be deemed a defense to payment of assessment fees or other charges, late charges, return check charges, attorney's fees, and/or costs as described and imposed by this policy.

#### **RECORD OF REVISIONS**

2001-05 - Establish Policy

2003-04 - Update Policy

2005-03 – Update Policy

2013-07 - Update Policy

2016-05 - Update Collections Policy

2018-04 - Update Collections Policy

2021-07 - Update Collections Policy

2022 - 05 - Update Collections Policy

2022 - 10 - Update according to new CCIOA Requirements

2025 - 01 - Update according to new CCIOA Requirements

# NOTICE OF DELINQUENCY

[Date]
[Owner name] [Mailing Address]
Re: Association Name Notice of Delinquency Property Address:("Property")
Dear:
The Association's records indicate that your account is delinquent. As of the date of this Notice, the total amount due is \$, which is comprised of unpaid assessments, fines, late fees, interest, or other charges. [The Notice must specify what charges make up the balance. If fines are not included, then the reference to fines should be deleted.] Included with this Notice is a copy of your current account ledger. [If you do not include a current ledger, you must provide a name and contact information for the owner to receive a current ledger.]
Be advised that payment is required to cure the delinquency and that failure to do so <b>within thirty (30) days</b> may result in your account being turned over to an attorney or a collection agency, a lawsuit being filed against you, the filing and foreclosure of a lien against the Property, or other remedies available under Colorado law.
You may be entitled to request a payment plan for up to eighteen (18) months. To request a payment plan, you must contact the Association at[phone number and/or email address] within thirty (30) days of the date of this Notice. A payment plan would include payment of any additional assessments or charges as they become due.
Before the Association may take legal action against you, a majority of the members of the Board of Directors must vote to approve referral of your account to an attorney or a collection agency. To the extent there are any pending or outstanding violations of the governing documents other than non-payment of assessments as set forth in this Notice, you may be entitled to certain cure rights as more particularly described in the Association's covenant and rule enforcement policy and C.R.S. § 38-33.3-209.5(1.?)(b).
Unpaid assessments may lead to foreclosure of the Property. The Board of Directors must authorize any foreclosure action by a formal, recorded vote. Before commencing foreclosure, you will be provided a written offer to enter into a repayment plan for up to eighteen (18) months. Under this plan, you may choose the amount to be paid each month (no less than \$25 per month) in addition to regular assessments. You may elect to pay the remaining balance at any time during the duration of the repayment plan.
If your account is referred to the Association's attorney, the Association may elect to file a personal lawsuit for failure to pay or foreclose its lien against the Property for unpaid assessments. The Association or you may utilize the small claims court where the amount in controversy does not exceed \$7,500, including disputes arising from assessments, fines, or fees owed to the Association, matters pursuant to C.R.S. § 13-6-403, or as otherwise permitted by Colorado law. Additionally, the small claims court may issue an order for injunctive relief (to cease or perform an action) to enforce a restrictive covenant.

Name of Association

Sincerely,

# RESOLUTION 2025-01 OF THE BOARD OF DIRECTORS OF

#### PAGOSA LAKES PROPERTY OWNERS' ASSOCIATION

Replacing Resolution 2024-06 (Confirming Depository Relationships)

RESOLVED, That the Pagosa Lakes Property Owners Association, Inc., Pagosa Springs, Colorado, a Colorado non-profit corporation, does hereby designate TBK Bank, Edward Jones, and First Citizens Bank (hereinafter "Financial Institutions"), as depositories for the funds of this corporation in its various enumerated accounts. The Financial Institutions be and are hereby authorized to accept for credit to this corporation and/or for collection any and all bills and notes payable to the corporation or in which it may have an interest when endorsed in the name of this corporation in writing, by rubber stamp or otherwise, with or without a designation of the party making such endorsement. All transactions in connection therewith shall be governed by the conditions, rules, regulations, customs and practices now or hereafter adopted or practiced by the Financial Institutions or Clearing House Association, including but not limited to those that, as hereinafter specified, the following are officers of this corporation who have been duly and regularly elected and/or appointed on the accounts, certificates of deposit, or safe deposit boxes, so indicated:

Eric Johnson, Pro	ecident		
Life Johnson, Fre	Sident		
Ben Garcia, Vice	President		
,			
Jonathan Turk, T	reasurer		
Sasha King, Secr	retary		
sushia ring, see	our y		

AND THAT any two of the above-named persons are hereby authorized to withdraw said funds from said PLPOA depository on the check of the corporation or by endorsement on Certificates of Deposit , signed as aforesaid and that the said persons are authorized to withdraw funds and/or contents of safe deposit boxes and they are hereby authorized to endorse and receive payment of bills and notes payable to the corporation, and the said Financial Institutions are hereby authorized to pay any such instrument s so signed by endorsed and presented to it for payment; and

**BE IT FURTHER RESOLVED,** that the said authority hereby conferred shall be in full force until written notice of the revocation or replacement thereof by the Board of Directors of this corporation shall have been received by said depository and that the Secretary be and is hereby authorized and directed to deliver to the Financial Institutions a celtified copy of this resolution and to certify to the Financial Institution s the true

and correct signatures of the above-named officers.

**LIMITATIONS ON SIGNATURES:** Any two (2) signatures are required.

**SECRETARY'S CERTIFICATE:** I, Sasha King do hereby certify that I am the duly appointed, qualified and acting Secretary of the Pagosa Lakes Property Owners Association of Pagosa Springs, Archuleta County, Colorado, a non-profit corporation organized and existing under and by virtue of the law of the State of Colorado, and I further certify that the foregoing is a full, true and correct copy of a Resolution adopted at a regular meeting of the Board of Directors of the corporation held on the 8th of August 2024, at which a quorum of the said Board were present and acting. I further certify that said Resolution is in full force and effect and has not been vacated or set aside and that the signatures of the respective officers of said corporation appearing on this document are the true signat11res of the respective officers whose signatures they purport to be:

TAX IDENTIFICATION NUMBER: 84-07115
ATTEST:
Sasha King, Secretary
Eric Johnson, President

#### **Capital Improvement Plan Process**

Since the gymnasium project did not pass, the additional expense of the SVL easement agreement, and possible bylaw change regarding capital improvements, the capital plan needs to be updated.

Since 2017, the process for the PLPOA Board of Directors to establish or update the Capital Improvement Plan has been to seek recommendations from the standing committees and refer to the strategic plan. Each standing committee consisting of volunteer PLPOA owners would submit to the Board their list of desired capital projects in prioritized order. The PLPOA staff would also submit a list that would not be included in one of the standing committees. The Board would review the lists from each committee and refer to the strategic plan. The Board would then determine which projects would be included in the capital improvement plan. Every committee would be represented with a project on the plan. The Finance Committee would review the project list and estimated costs and develop the plan extending out the necessary years to complete.

Lars called a meeting with Ryan, Jen and Allen to discuss what the process should be to update the capital improvement plan. After much discussion, the following process was drafted for board review:

- 1. The Board would request that each standing committee and PLPOA staff submit their top 3 projects in prioritized order.
- 2. Each Committee would determine how they would develop their project list. This may be developed going from a Master Plan the committee has already developed, creating a survey specific to their area of concentration or gathering input at one of their meetings. The Board requests each committee align their priorities with the strategic plan.
- 3. Each project would have a detailed description of the project, what needs it meets, the benefit to the community, and a cost estimate.
- 4. The Board would review the lists from each committee and refer to the strategic plan to develop a list of projects for consideration in the capital improvement plan.
- 5. After each Committee proposes their priorities, the board engages the finance committee to provide us with a plan for payment of the projects and if we have funds available to cover over the term of the projects.
- 6. The Board's list of projects would then be presented to the PLPOA owners to vote on for priority order.
- 7. Based on the voting, the Board would develop a prioritized list and submit it to the Finance Committee for final update.