

PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.
Regular Board Of Directors Meeting
Thursday, March 09, 2006
MINUTES

President Bohl called the regular monthly meeting of the Pagosa Lakes Property Owners Association Board of Directors to order at 7:00 P.M. in the Pagosa Lakes Community Center, 230 Port Avenue, Pagosa Springs, Colorado.

BOARD MEMBERS PRESENT

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David Bohl –President  
Hugh Bundy – Vice President  
Fred Uehling – Treasurer  
Pat Payne – Secretary  
Jim Carson – Director  
Fred Ebeling – Director  
Gary Gray – Director

**STAFF PRESENT**

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General Manager – Walter Lukasik
Recording Secretary - Gloria Petsch
DCC Manager – Margaret Gallegos
DCC Staff -Richard Beaudry
DPE Manager – Larry Lynch

APPROVAL OF AGENDA & MINUTES

Agenda-

Director Bundy made a motion to accept the agenda as written. Director Gray seconded the motion. Motion carried unanimously.

Minutes of the February 09, 2006 Regular Board Meeting Minutes –

Director Bundy made a motion to accept the agenda as written. Director Uehling seconded the motion. Motion carried unanimously.

GENERAL MANAGER’S REPORT -

- 1) Several pages must be replaced in the **Audited Financial Reports**. Please bring them to the meeting.
- 2) The **Sheriff’s Department Animal Control** statistics for the month of February 2006, show 2 dogs impounded, 0 cats impounded, 0 cruelty cases, 4 dogs returned to owners, 10 verbal warnings issued, 0 dangerous dog calls were made, 0 written warnings given, 15 miscellaneous citizen contacts made, 1 summons issued, 32 calls from dispatch to the animal control officer for service.
- 3) No new information regarding the transfer of **greenbelt properties from Fairfield Resorts to the Pagosa Lakes POA**.
- 4) We installed one cbu in Meadows on Hersch. There is still no word from the Post Office

as to when any more units will be delivered for installation. The Post Office has not yet ordered the next set of 25 units for installation. We have received no information as to where they would like the remaining seven units installed. Director Uehling suggested contacting the local postmaster's superior for help.

- 5) Pagosa Lakes POA has **6 Covenant Compliance legal issues pending** with counsel at the present time. This is down three cases from last month as three violations were corrected.
- 6) The **Association web site** is currently receiving slightly over 1,000 hits per week. The most viewed sections are Declarations, Recreation Center, and the Rules and Regulations.
- 7) We have received notice of a **new subdivision, Coyote Cove**, for single-family detached homes, which is being proposed for the northeast shore of Lake Hatcher. The subdivision will contain 35 lots ranging in size from 1/3 acre to over two acres. The subdivision will have their own Declarations, which will be subject to ours; it's own Architectural Control Committee and its own Covenant Compliance. Plans for new homes will also have to be submitted to our Environmental Control Committee. It is anticipated that a process similar to the one established with the Ranch Community will be established where the new subdivision will meet with our committee to review commonly accepted criteria for Pagosa Lakes. The surveyed property pins for this subdivision are underwater, as the shoreline has eroded in this area over the years. I am discussing the possibility of the developer granting us a shoreline easement for access to the lake for maintenance and fishing access.

The proposed **Pagosa Pointe** development at Piedra and Cloman was declined by the county due to density/incompatibility with the neighborhood issues.

- 8) **The American Cancer Society's Relay for Life**, on June 16, is now asking for volunteers to sign up for walking start times.

PUBLIC COMMENTS

Joyce Beaudry, of 150 Brook Drive, wished to commend the Association for it's excellent and helpful web site.

TREASURER'S REPORT

The February 2006 financial documents have been reviewed. No discrepancies or irregularities were noted. As noted in the General Manager's report, the Association has received \$532,000, or 52.3 % of the total \$1,017,000 2006 billed assessments through February 28, 2006. Collections were 2.8 % ahead compared to the same period in 2005.

COMMITTEE REPORTS

- **Recreation Center Committee** — No report at this time.
- **Lakes, Fisheries & Parks Committee** – Next meeting is scheduled for March 15, 2006.
- **Ad Hoc Lake Study Committee** – DPE Manager Lynch made a proposal to the Board, asking for consideration of the purchase of Lot 5, Block 18, Lake Pagosa Park, in addition to the recently acquired Lot 6X, for drainage and silt mitigation. DPE Manager Lynch made a presentation outlining the proposed project. The Board requested that the General Manager contact the current owner and attempt to negotiate with him to acquire the property for the Association.
- **Ad Hoc Signage Committee** – The committee continues to review various types of signs.
- **Road Advisory Committee** – No report at this time.
- **ECC agendas and minutes** are included in the DCC report for the Board's information. "ECC Member and Meeting Guidelines" are included with Mr. Karger's report, for Board review. These guidelines are written in conjunction with RESOLUTION 2005-15 – Establishing a Meeting Policy for the Pagosa Lakes Property Owners Association, adopted by the Board at the December 2005 meeting. ECC board liaison Ernie Karger's report is included.

OLD BUSINESS

- **Discussion of "Commercial Type Truck" definition.** Another work session will be scheduled in the future with the ECC and staff to work on a benchmark definition of a "commercial type truck".
- **Review of ECC color chart proposal** revised from original presentation of February 9, 2006. ECC member Ernie Karger presented the modified color chart. The Board suggested that the color board be changed to permit all allowable colors to be permitted for all types of materials, rather than certain colors for some materials and not for others. Mr. Karger will take the suggestions back to the ECC.

NEW BUSINESS

1. **Requested Approval of Resolution 2006-04, "Pertaining to Parking Permits For Commercial Type Trucks"**. Director Ebeling made a motion to approve Resolution 2006-04. Director Carson seconded the motion. During discussion of the Resolution, Director Ebeling requested that the word "diligently" be removed from the sentence," If

the property owner fails to **diligently** proceed with construction, the extension shall be revoked upon notice to the owner”. Director Ebeling then amended his original motion to approve and include this change. Motion carried six to one with Director Payne opposed.

2. **Approval of Resolution 2006-05 Concerning Internal Revenue Service Mileage Allowance.** Director Bundy made a motion to approve Resolution 2006-05. Director Ebeling seconded the motion. Motion carried unanimously.
3. **Review of proposed language change to Resolutions and Statements regarding the Board and Committee Code of Conduct and Ethics.** Director Ebeling requested that the language in Resolutions 2005-13 and 2005-23 be changed from “ No Board member will engage in any writing, publishing, or speech making that defames any other member of the Board or Association member”” to “ No Director will defame in any way any other Director or Association member or staff member while acting as Director.” Motion was made by Director Bundy to approve Resolutions 2006-06 and 2006-07. Director Gray seconded the motion. Motion carried unanimously.
4. **Discussion of Committee member roles and responsibilities. Discussion to be led by Director Bohl.** Director Bohl objected to committee members asserting their own personal opinions toward a property owner as to what they felt the community would like or not like. He felt that committee members need to be made aware of the proprieties and legalities of their positions. Director Bundy asked for copies of all Committee Charters for Board review. A work session will be scheduled for this review.
5. **Discussion of Proposed Ballot Issue - Amendment to the Articles of Incorporation. Director Carson will present.** Director Carson wished to review last years Ballot amendment for possible inclusion on this years Ballot, due to the County’s future plan to stop road maintenance on many roads in the area. Director Payne requested a meeting in early May to explain the pros and cons of the change to the property owners. Director Ebeling requested that the proposed last sentence of the Fourth Article be amended to state: “The corporation shall have no power or authority to engage in activities which consist of carrying on propaganda or otherwise attempting to influence legislation or to participate in, or intervene in, any political campaign on behalf of any candidate for public office; provided that the corporation shall have the authority to engage in activities related to the formation of **Local Improvement Districts, Public Improvement Districts, or Special Service Districts**, which may, in the opinion of the Board of Directors, reasonably benefit **the majority of** the members of the corporation. Such activities shall include, but not be limited to, researching the feasibility of a district and facilitating or participating in any procedures necessary to form such a district.” This item will be reviewed in future meetings.
6. **There are no unprotested fines for Board ratification this month.**

CORRESPONDENCE

- None at this time.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:24 P.M.

Respectfully Submitted,

Gloria Petsch, Recording Secretary

Leona F. Payne, Secretary