

PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.
Regular Board Of Directors Meeting
Thursday, April 13, 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
Also Present:
ECC Member Ernie Karger
RAC Chairman Bill Ralston

APPROVAL OF AGENDA & MINUTES

Agenda-

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

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

Director Bundy made a motion to accept the minutes of March 9, 2006 as written. Director Gray seconded the motion. Motion carried unanimously.

GENERAL MANAGER’S REPORT -

- 1) Please review p.9, Don Arries’ update on past-due accounts. Also note (p. 10) that the Department of Covenant Compliance has been extremely busy this year. There is a large amount of planned construction activity for this year. Also included, on p. 28-29, are DPE Mgr. Larry Lynch’s lake stocking plans for this year.

- 2) The **Sheriff’s Department Animal Control** statistics for the month of March 2006, show 13 dogs impounded, 0 cats impounded, 1 cruelty case, 5 dogs returned to owners, 14 verbal warnings issued, 4 dangerous dog calls/quarantines, 0 written warnings given, 30 miscellaneous citizen contacts made, 0 summons issued, 52 calls from dispatch to the animal control officer for service.
All four of the dangerous dog calls were from either Trails or Vista subdivisions. All four dogs were removed and quarantined.

- 3) No new information regarding the transfer of **greenbelt properties from Fairfield Resorts to the Pagosa Lakes POA.**
- 4) We have received word from the **postmaster** regarding potential locations to place the remaining seven cbu's. There is still no word on when we will receive the next shipment of cbu's for installation.
- 5) Pagosa Lakes POA has **10 Covenant Compliance legal issues pending** with counsel at the present time. Two cases were corrected and six more were sent to counsel.
- 6) The **Association web site** is currently receiving slightly over 1,100 hits per week. The most viewed sections are Declarations, Recreation Center, and the Rules and Regulations.
- 7) **Senate Bill 06-089**, the clean-up of SB 05-100 Association Bill, went before the House Local Government Committee on Tuesday, March 11. The two amendments suggested by General Manager Lukasik were included. Director Bohl requested that we look into the feasibility of electronic balloting. He suggested that the County Clerk might allow us to use their counting equipment for a fee.
- 8) **38 Customer Information Surveys** were returned during March. Of those, 31 were very favorable. Of the remaining seven, comments of interest were included (copies attached).
- 9) **Board Members**, please remember to please check your boxes for items to pick up.
- 10) We have dropped our **retainer with Hindman/Sanchez**. We have approximately 5 cases pending with their firm. Due to the increase in manpower at Orten, Cavanaugh, Richmond, and Holmes, we will be using their firm for the majority of our issues.
- 11) Due to the wording in our Bylaws regarding "**Time Share Unit interval**", we are researching further the feasibility of acquiring from Fairfield the names of Time Share Owners who still have one-week intervals, and the names of point owners, along with the numbers of points owned. We need to discover if there is a way to verify the validity of votes cast by Time Share Owners. Eric Hagman, of Fairfield Pagosa, assured Mr. Lukasik that the number of timeshare owners would not change appreciably. There was discussion of how to get a more accurate vote, but no decisions were reached at this time.
- 12) The Board needs to consider the whether the inclusion or exclusion of **one-car garages in new Time Share and Condominium** projects will better serve the community, as we are seeing more and different types of construction. In the past, there were very few of these projects proposed. The Board unanimously agreed that garages increase property values, and are also esthetically pleasing and should be mandated with the construction permitting process.

PUBLIC COMMENTS

Joyce Beaudry, of 150 Brook Drive, asked if Fairfield is still selling points in Pagosa. She was informed that Pagosa is maxed out, but Fairfield is continuing to sell points in other areas.

TREASURER'S REPORT

The March 2006 financial documents have been reviewed. No discrepancies or irregularities were noted. As noted in the General Manager's report, the Association has received \$613,000, or 60.3 % of the total \$1,017,000 2006 billed assessments through March 31, 2006. Collections were 1.6 % ahead compared to the same period in 2005.

The first meeting of the new PLPOA Finance Advisory Committee (FAC) was held on Tuesday, April 4, 2006. Several issues, including bank ratings and investment options, were discussed (see minutes on page 41). Further discussion of these issues will take place at the next meeting on Tuesday, May 2, 2006 at 1:00 p.m.

COMMITTEE REPORTS

- **Recreation Center Committee** — No report at this time.
- **Lakes, Fisheries & Parks Committee** – Minutes included in Board packet.
- **Ad Hoc Lake Study Committee** – Minutes included in Board packet.
- **Ad Hoc Signage Committee** – The committee continues to review various types of signs.
- **Road Advisory Committee** – Chair Bill Ralston is recommending that property owners and residents of the entire county write letters to the Archuleta County Commissioners protesting the lack of maintenance on most roads, and that a response be requested. He submitted a list of items that could be referred to in these letters, including fire, ambulance, police, and safety issues. This list is available on our website, and in the Administration offices.
- **Finance Advisory Committee** – Minutes included in Board Packet.
- **ECC agendas and minutes** are included in the DCC report. ECC board liaison Ernie Karger's report is included. Mr. Karger presented the expanded color chart for Board review. The Board commended him on the excellent job he did on this project. Director Gray made a motion to include the approved color codes in the Building Permit Process. Director Ebeling seconded the motion. Motion carried unanimously.

OLD BUSINESS

- **Discussion of “Commercial Type Truck” definition.** Another work session needs to be scheduled in the future with the ECC and staff to work on a benchmark definition of a “commercial type truck”. General Manager Lukasik requested availability dates from the Board so that this meeting may be scheduled.

NEW BUSINESS

- 1. Regarding Amending Interpretation of Emergency Service Vehicles to Include On-call Vehicles for Utility Companies.** Discussion of the issue resulted in a decision being postponed until the issue could be brought up at the “Commercial Type Truck” meeting.
- 2. The Revised Colorado Nonprofit Corporation Act allows Directors to vote by Directed proxy, not general proxy, at Board Meetings.** Director Bohl requested a Resolution clarifying such be submitted at the next Board Meeting.
- 3. Discussion of County Road Permit Process and Funds Disbursement for unfinished roads.** The Board requested research into a suspected Resolution regarding this issue. The Board requested that General Manager Lukasik re-write the “Process for Property Owners to Complete an Unfinished Road” using the County’s new guidelines.
- 4. Shall the Association Seek Bids for the 2006 Audit and Tax Return.** The Finance Advisory Committee recommends that the Association go out for bid for the 2006 Audit and tax return. The decision was reached to do so.
- 5. Continued Discussion of Articles of Incorporation Proposed 2006 Ballot issue.** Director Ebeling requested that the words “or other” be deleted from the following: “provided that the corporation shall have the authority to engage in activities related to the formation of a local improvement or public improvement or special service ~~or other~~ district which may, in the opinion of the Board of Directors, reasonably benefit the majority of members of the corporation.” Director Ebeling felt that the pro and con statements need to be more explanatory. Director Uehling made a motion to put the issue on the Ballot, with Director Ebeling’s requested change. Director Payne seconded the motion. Motion carried unanimously.
- 6. Discussion of Fence Line Maintenance Along the National Forest Boundary.** After much research into the issue, General Manager Lukasik came to the conclusion that only 28 properties would be eligible for receiving bills on any repairs made to these fences. As only 14% of the total bill could be allocated to these owners, the cost savings would be lost due to administrative costs. The Board agreed.

7. **There are nine unprotested fines for Board ratification this month.** Director Gray made a motion to affirm the nine unprotested fines. Director Bundy seconded the motion. Motion carried unanimously.

CORRESPONDENCE

- Letter regarding Greenbelt and sign issues for the Boards information.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:55 P.M.

Respectfully Submitted,

Gloria Petsch, Recording Secretary

Leona F. Payne, Secretary