

PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.
Regular Board Of Directors Meeting
Thursday, July 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, absent and excused  
Fred Ebeling – Director  
Gary Gray – Director

**STAFF PRESENT**

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General Manager – Walter Lukasik
DPE Manager – Larry Lynch
DCC Inspector – Rich Beaudry
Recording Secretary - Gloria Petsch

ALSO PRESENT:

Ad Hoc Sign Committee Chair, Jennifer Matcham
Road Advisory Committee Chair, Bill Ralston

APPROVAL OF AGENDA & MINUTES

Agenda-

Amended to include reports from the Ad Hoc Signage Committee, Road Advisory Committee, and to include Finance Advisory Committee minutes of June 13, 2006, which were handed out at the meeting. Director Bundy made a motion to accept the agenda as amended. Director Gray seconded the motion. Motion carried unanimously.

Minutes of the June 8, 2006 Regular Board Meeting Minutes–

Director Bundy made a motion to accept the minutes of June 8, 2006, as written. Director Ebeling seconded the motion. Motion carried unanimously.

GENERAL MANAGER’S REPORT -

- 1) In addition to the departmental managers’ reports, please note the excessive **weed and algae growth, and controlling measures taken.**
- 2) **Local counsel Lisa Toy** continues to negotiate two delinquent accounts and is preparing four cases for foreclosure.
- 3) The **Sheriff’s Department Animal Control** statistics for the month of June are as follows: 3 dogs impounded; 3 welfare checks; 0 cruelty cases; 3 dogs returned to owners; 5

verbal warnings issued; 1 dangerous dog call; 1 dog bite case; 1 written warning given; 30 citizen contacts made; 72 calls for service.

4) No new information regarding the **transfer of greenbelt properties** from Fairfield Resorts to the Pagosa Lakes POA.

5) Pagosa Lakes POA has **sixteen Covenant Compliance legal issues** pending with counsel at the present time. (This is the same number as last month.)

6) The Governor has signed Senate Bill 06-089, the “clean-up” bill for last year’s Senate Bill 05-100. **The office will start on the documentation for the required changes in policies per the decision of the Board of Directors. Four amended Resolutions, caused by changes imposed by Senate Bill 06-89 are included in the current Board packet.** Suggested policy changes will be presented to the Board tonight for their decision. Director Bohl stated that Rep. Larson has contacted him about the further corrections needed for the Bill and suggested that General Manager Lukasik contact Rep. Larson to request that he be included on that committee.

7) The **Association web site**, www.PLPOA.com, is now averaging 1,100 hits per week. This is up 100 hits per week from previous numbers. Again, thanks to Gloria Petsch for her excellent job in administering the web site.

8) **The benefit held for staff member Lyn Webb** was very successful with many generous people coming to the event and participating. Thanks to the Board of Directors for allowing the use of the facilities for this event.

9) **The Association sponsored Garage Sale** was successful with 35 property owner vendors and many, many buyers. The event continues to grow in numbers each year it is sponsored. We will have to find a larger venue for the event in the coming years.

10) **The Association sponsored Blood Drive** drew (pun intended) 23 donors. We thank the donors for their gift and the Board of Directors for allowing the use of the clubhouse facility for this important cause.

11) There have been **666 property transfer requests** received thru June 2006. The transfer requests continue at a very high rate, and above average from the years prior to 2004. Of the requests received year to date, approximately 400 have closed, with others pending closing.

12) Board President Dave Bohl has offered to present a Native American prayer as the **invocation for the 2006 Annual Meeting.**

13) Consulting Parliamentarian Ron Clodfelter has committed to attend the Association’s **2006 Annual Meeting in the Consulting Parliamentarian** position.

14) **A work session** is scheduled for Wednesday, July 19th at 1:30 P. M. The subject will be **road maintenance discussion** in Pagosa Lakes. Attendees will be Archuleta County Administrator Bob Campbell, Archuleta County Public Works Director Alan Zumwalt,

Archuleta County Special Projects Manager Sheila Berger and members of the Pagosa Lakes Road Advisory Committee.

15) The Association has received a **thank you letter from the hospital district** for its pledge of \$5,000 per year for 10 years. The letter also references the **matching funds equal to the pledge amount**.

PUBLIC COMMENTS

Jane Lark, of 330 Beaver Circle, wanted to know if there is a change of policy when there is a change of Board members? She also asked why the Ad Hoc Lake Committee didn't let anyone know of their meetings? She was informed that policy must be changed by a vote of the Board, and that the Committee meetings are publicized in the quarterly newsletter, as well as the monthly reports to the Board that are presented at the Board meetings.

TREASURER'S REPORT

The June 2006 financial documents have been reviewed. No discrepancies or irregularities were noted. As noted in the General Manager's report, the Association has received \$965,000, or 94.9 % of the total \$1,017,000 2006 billed assessments through June 30, 2006. Collections were 3.6 % ahead compared to the same period in 2005.

Two finance advisory committee (FAC) meetings were held on 6/13/06 and 7/11/06. The FAC recommended on 6/13 that the PLPOA begin an administrative pilot project to reinvest the next CD maturing on 7/24/06 with Community Association Banc (CAB). CAB specializes in providing services to homeowner associations. On 7/11/06, the FAC revised Resolution 2006-15, Association Investment Policy, to reflect FDIC rating criteria changes required by Senate Bill 06-89. The revised Resolution is presented to the Board this evening.

COMMITTEE REPORTS

- **Recreation Center Committee** — No report at this time.
- **Lakes, Fisheries & Parks Committee** – No report at this time.
- **Ad Hoc Lake Study Committee** – No report at this time.
- **Ad Hoc Signage Committee** – Presentation by Committee Chair Jennifer Matcham. Jennifer Matcham requested permission from the Board to make a presentation to the Property Owners at the Annual Meeting. Permission was granted by the Board.
- **Road Advisory Committee** – Presentation by Committee Chair Bill Ralston. The Road Advisory Committee is meeting with County officials Wed., July 19, 2006. The Committee hopes that by working with the County, that they can get some level of maintenance for the secondary roads. Research into

forming Public Improvement Districts (PID) has shown that there must be at least 100 electors in a group to form a PID, and at least one elector for every five acres.

- **Finance Advisory Committee** – Minutes of June 13 meeting handed out at meeting. Interim Chair Fred Uehling spoke about the pilot project with CAB. The next CD to mature, in the amount of \$96,000 on July 24 will be invested with CAB. AG Edwards in Durango will also be used as a pilot project for the next CD to mature.
- **ECC agendas and minutes** are included in the DCC report. ECC board liaison Ernie Karger's report was included in the Board packet.

OLD BUSINESS

- **Commercial Type Trucks- Resolution 2006-18 Pertaining to the Definition and Implementation of Rules for Parking of Commercial Type Trucks** – Director Gray made a motion to approve Resolution 2006-18. Director Uehling seconded the motion. Motion passed unanimously.

NEW BUSINESS

1. **Request from “Kids in Vista” for a skate park.** Due to the liability that the association would be exposed to, this is not a feasible option. General Manager Lukasik will respond to the children who wrote the letter to the Board, thanking them for their initiative, and explaining the reasons why this cannot be done at this time.
2. **Discussion of proposed signage to be placed at lakeshore boundary properties at Lake Forest.** After much discussion of the issues, with many of the affected property owners in attendance, the Board has authorized formation of an Ad Hoc Lake Access Committee, to be formed of half lakefront property owners and half non-lakefront property owners, to submit a proposal to the Board that is acceptable to all property owners. **The motion to form the Ad Hoc Lake Access Committee was made by Director Ebeling, with Director Gray seconding the motion. Motion passed four to one in favor, with Director Bundy voting against the motion.** The audience was instructed to call GM Lukasik with the names and contact information of the Committee members. There will be a Board member liaison to the committee, to be determined at a later date. This committee will come up with the rules to present to the Board for adoption on exactly how this Association owned property would be accessed.
3. **Request from Property Owner George Esterly as to variance process as stated in Declarations and other various policies.** Mr. Esterly expressed concern that the Association was selectively enforcing covenants.

4. **Resolution 2006-14 Policy for Access to Association Records, with amendments caused by statutory changes of Senate Bill 06-89. Replaces Resolution 2005-11.** Director Bundy made a motion to accept Resolution 2006-14. Director Uehling seconded the motion. Motion passed unanimously.
5. **Resolution 2006-15 A Resolution Setting the Investment Policy for the Association, with amendments caused by statutory changes of Senate Bill 06-89, with additional changes as recommended by the Finance Advisory Committee. Replaces Resolution 2006-03.** Director Bundy made a motion to accept Resolution 2006-15. Director Gray seconded the motion. Motion passed unanimously.
6. **Resolution 2006-16 A Resolution Adopting a Conflict of Interest Policy and Code Of Conduct For Board Members, with amendments caused by statutory changes of Senate Bill 06-89.** Director Bundy made a motion to accept Resolution 2006-16. Director Gray seconded the motion. Motion passed unanimously.
7. **Resolution 2006-17 Establishing a Meeting Policy For the Pagosa Lakes Property Owners Association, with amendments caused by statutory changes of Senate Bill 06-89.** Director Gray made a motion to accept Resolution 2006-17. Director Bundy seconded the motion. Motion passed unanimously.
8. **Discussion and requested direction by GM Lukasik to generate policies recommended, but not required, within Senate Bill 06-89.** The Board recommended that the items that are not required be left alone until they **are** required.
9. **There are seven unprotested fines for Board ratification this month.** Director Bundy made a motion to affirm the seven unprotested fines. Director Uehling seconded the motion. Motion carried unanimously.

CORRESPONDENCE

- Notice of Humane Society's 12th Annual Auction for the Animals. The Board asked clarification of any other donations being made to the Humane Society by the Association. GM Lukasik told that Board that the annual donation of \$5,000 given to the Humane Society in the past had been eliminated from the Association's 2006 budget.
- Copy of letter from property owner to County regarding roads.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:35 P.M.

Respectfully Submitted,

Gloria Petsch, Recording Secretary

Leona F. Payne, Secretary