

PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.
Regular Board Of Directors Meeting
Thursday, July 14, 2005
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  
Bill Nobles – Director  
Fred Ebeling – Director

**STAFF PRESENT**

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General Manager – Walter Lukasik
Recording Secretary - Gloria Petsch

APPROVAL OF AGENDA & MINUTES

Agenda- General Manager Lukasik requested that an item be added to the Agenda under New Business, #5 – Ratification of the legal and personnel items discussed at the previous executive session.

A motion was made by Director Bundy to approve the agenda as amended. Motion was seconded by Director Nobles. Motion carried unanimously.

Minutes of the June 9, 2005 Regular Board Meeting –

A motion was made by Director Bundy to approve the minutes as amended, and seconded by Director Uehling. Motion carried unanimously.

APPOINTMENT TO BOARD OF DIRECTORS

A motion was made by Director Nobles to appoint **Jim Carson to the Board of Directors** to replace Director Smith, who resigned because he was moving out of the area. Motion was seconded by Director Uehling. Motion carried unanimously and Mr. Carson was invited to participate in the current Board meeting.

GENERAL MANAGER’S REPORT -

- The **Sheriff’s Department Animal Control** statistics for the month of June show 9 reports taken, 12 dogs impounded, 0 cats impounded, 0 cruelty cases, 5 dogs returned to owners, 4 verbal warnings issued, 0 written warning given, 35 miscellaneous citizen contacts made, 1 summons issued, 53 calls from dispatch to the animal control officer for service.

Four of the dogs impounded were pit bulls, all from Vista Subdivision.

- The letter presented to the Board at the June meeting concerning the **transfer of greenbelt properties from Fairfield Resorts to the Pagosa Lakes POA** was presented to the local representative of Fairfield. He then forwarded the letter “up the ladder” to the Fairfield hierarchy. It may take some time to receive a response.

As noted in the DPE report to the Board, fire mitigation is taking place in the area behind Dutton Drive. Fairfield was very cooperative in arranging for our access onto the greenbelt for mitigation purposes.

- On Tuesday, June 22nd, Larry Lynch and I accompanied the **Utah LTAP group in inspecting roads in Pagosa Lakes**. We spent approximately two and one-half hours during the inspection process with them. Their process noted the widths of roads, both at the road aprons and at an average width points. They noted road conditions such as shoulders, exposed materials, wash boarding, numbers, sizes and depths of potholes and any drainage difficulties. A meeting will be scheduled between County representatives, Pagosa Lakes representatives and the Utah group which should take place the second week of August. The group will present the results of their investigations and give copies of their reports in the form of computer data to all parties. Our fee includes a copy of their software and they will instruct the parties as to the usage of the program. A report will be given to both the Road Committee and the Board of Directors after the information is received.

During the inspection process, it was noted that the County had just finished putting mag chloride on several of the roads in the area. The leader of the Utah LTAP group made a statement that “the method being used by the County for mag chloride application was completely ineffectual. If the product were always applied in this manner, it was a waste of money”.

He said I could quote him on his opinion of the County mag chloride application. He mentioned another product and method called “fog coating” which he believed would be a better method of preserving road surfaces. The Road Committee is seeking more information on fog coating.

- On Wednesday June 22nd, Larry Lynch and I met with **Postmaster Jim Fait**. At that meeting I requested 411 new 16-unit **cluster box units (CBU’S)** for Pagosa Lakes. That number would allow for replacing all older boxes and assure a mail “box” for all present and future owners within Pagosa Lakes. Mr. Fait thought that approximately 300 CBU’S would allow for a box for each lot in Pagosa Lakes. I informed him that on several occasions I have requested information as to the placement of existing boxes in Pagosa Lakes as well as the number of mailbox units, sizes and types already existing. He stated that there are currently 1,996 units in Pagosa Lakes. He gave us the locations of those units.

Mr. Fait informed us that he would speak to the postal person in charge of the box program, but that person would be unavailable until July 11th. He stated he would get back to me after he had his conversation with the other person. He asked if our Board had signed the box agreement. I told him that the Board had signed the agreement but had given me authorization to withhold it until we knew exactly how many boxes

the postal service would guarantee for delivery. He stated he would get back to me with that number.

- Pagosa Lakes POA currently has **fourteen Covenant Compliance issues pending** with counsel at the present time. Since last month, two cases have been settled while two new cases have been forwarded to counsel.
- **ECC** continues to work on updates and modifications to the **Association Building Package**. Upon completion, a work session will be scheduled with the ECC and the Board of Directors to review the proposed new edition of the Building Package.
- **SB-100** states that an Association may charge actual costs for copies of documents requested by property owners or other parties. Don Arries, our accountant, has compiled actual costs consisting of employee time (12¢), copier lease (5¢ plus .8¢ per print), power (.2¢) and paper (.6¢) for a total of 18.6¢ per page. I believe we can round to 20¢ per page.

PUBLIC COMMENTS

- **Marge Pantzer, of 9 Sumac**, stated that she is still working on getting bids from local road contractors to do some road work in Twincreek Village, and is contacting local residents to share the cost equally among the neighbors.
- **Earl Beasley, of 185 Pines Club Place**, wished to compliment the Board for putting the Ballot Amendment up vote on the ballot. He also brought up the Letter to the Editor in the Pagosa Springs Sun, from a gentleman stating that the County will be sued if an emergency vehicle can not get to a property due to the fact that the County has stopped snowplowing and maintenance on the majority of roads.

TREASURER'S REPORT

The **June 2005 financial documents** have been reviewed. No discrepancies or irregularities were noted. As noted in the General Manager's report, the Association has received \$920,000, or 91.3% of the total \$1,008,000 billed assessments through June 30, 2005. Collections are now almost 5% ahead compared to the same period in 2004.

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.
- **Road Advisory Committee** - Chair Bill Ralston couldn't be present to give his report, so Director Carson, a member of the Road Advisory Committee, did so. He stated that the Road Advisory Committee believes that to convince the Commissioners to change their current view, there needs to be a county-wide Road Advisory Committee. The Committee is currently contacting other

associations and metro districts to gain members and support. Committee Chair Bill Ralston had requested, in writing, that the Board approve the purchase of 2 reference materials, at a cost of \$315, to be added to the Association library. Motion was made by Director Nobles to approve the purchase of these materials. Motion seconded by Director Carson. Motion carried unanimously.

- **ECC agendas and minutes** are included in the DCC report for the Board's information. ECC board liaison Earl Eliason's report is included.

OLD BUSINESS

- **Senate Bill 05-100-** Included in the Board packet are some reports from counsel, regarding recommended policies and required policies. Director Bohl recommended that this be gone into further when the new Board is seated in August.
- **Ad Hoc Subdivision Signs Committee report** – Written report was included in the Board packet.

RECURRING BUSINESS

- **Mail Boxes** – See General Manager's report.

NEW BUSINESS

1. **Ms. Ilene Haykus** had requested inclusion on the Agenda to give information regarding Home Rule. She was not present.
2. **DRAFT of 2005 Annual Owner's Meeting Agenda.** Director Payne made a motion to approve the Annual Meeting Agenda as written. Director Nobles seconded the motion. Director Uehling requested that five minutes be added to the time allotted for the Treasurer's report. Director Bundy made a motion to approve the Agenda as amended. Director Uehling seconded the motion. Motion carried unanimously.
3. **Humane Society Request for Funds.** General Manager Lukasik asked the Board if they would like to offer donation of the Animal Control truck in lieu of the expected \$5,000.00 donation. The Humane Society would like both. Director Payne made a motion to give them the donation and the truck. Motion died for lack of a second. Jennifer Matcham suggested that we get financial statements from the Humane Society and the Sheriff's Department to see exactly how the money is being used. Earl Beasley stated that we are being charged twice for Animal Control, first through property taxes to the County, second through the Association. Director Bohl requested tabling the issue until General Manager Lukasik asks Humane Society Manager Robbie Schwartz if they will take the truck in lieu of the donation. Director Payne requested that General Manager Lukasik find out if the \$60,000.00 figure that the Humane Society is supposedly charging the Sheriff Department is correct.

4. **Affirmation of eleven DCC un-protested fines.** Director Ebeling made a motion to affirm all eleven unprotested DCC fines, subject to the one portion regarding the door replacement violation being removed. Motion seconded by Director Bundy. Motion carried unanimously.

5. **Board Ratification of the legal and personnel items discussed at the previous Executive Session.** A motion was made by Director Nobles to ratify those two items. Motion seconded by Director Uehling. Motion carried unanimously.

CORRESPONDENCE

- **Review of Correspondence from Mr. Ken Knight**, which was initially received the day of the previous Board meeting. The Board requested it be included in this month's Board packet. Director Bohl stated that the purpose of the fishing dock at Village Lake is to keep people from fishing off the side of the roadway, which it does. He further stated that the lake bottom survey should help resolve the boundaries of private versus public land. Director Bohl also requested that General Manager Lukasik follow up on that with DPE Manager Lynch as to the status of this.
- **Additional anonymous note received** in a Ballot return envelope, regarding the Pagosa Lakes area versus downtown.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:12 P.M.

Respectfully Submitted,

Gloria Petsch, Recording Secretary

Pat Payne, Secretary