

Eaton Pagosa Estates Home Owners' Association
MEETING MINUTES
Annual Meeting: 9:00 AM, Saturday, July 7, 2018
230 Port Avenue, Pagosa Springs, CO 81147
Pagosa Springs CO, 81147

Joyce Scahill - President, Present
Dave Chadsey - Vice President, Present
Open Position - Secretary, Not Present
Glenn Woodruff - Treasure, Not Present
Desi Dundics - Member at Large, Present

CALL TO ORDER

The meeting was called to order and members welcomed by POA President Joyce Scahill at 9:05 a.m.

A quorum (20% of persons entitled to vote) was present.

Notice of meeting was given to all owners by President Scahill.

APPROVAL OF MINUTES

President Scahill read a correction to last year's minutes submitted by Dave Bates. The correction was incorporated and approved without further discussion. The amended minutes will be posted on the EPEPOA website.

REPORTS

President's Report, Yearly Summation

EPEPOA Declaration of Protective Covenants Amendment 5 was voted on and passed last year which will disallow rentals of less than 30 consecutive days as of June 30, 2019.

The insurance policy was changed to include coverage protecting directors and officers. Even with the additional coverage we were able to obtain a lower rate than last year.

The Colorado Common Interest Ownership Act (CCIOA) encourages open board meetings, so our policy regarding general board meetings was changed to be open to any member. Specific policy changes include, 1) any attending member will always have the right to speak before there is a vote on any issue, 2) any attending member will be allowed to speak and address any issue of their choosing during the agenda item for "Comments, Announcements, Property Owner Concerns", and 3) during board meetings member comments will be limited to three minutes. Both general membership and board meeting minutes will always be uploaded to the EPEPOA website.

The board reviewed and approved new rules and regulations for EPEPOA which are designed to augment PLPOA's rules and regulations. These are common sense rules that apply to both members and their guests, and renters. These rules are posted on the website.

As a proactive measure to reduce the deterioration and erosion of the road edges and to delay expenditure for major road repairs, a contract for \$36,000 was awarded to Alpine Excavation for repairing and reshaping our road shoulders. Specific details include the following: 1) This decision was unanimously agreed upon by board members and attending members at a special meeting of the board on May 17, 2018 as a result of evaluating three competitive bids, 2) the funds are currently available from the road reserve fund and expectation is that we should be able to replace those funds from annual dues within two years, 3) payment terms are 50% up front upon start of construction and 50% upon satisfactory completion, 4) the work will take approximately 10 days, weather permitting, and is scheduled to occur August 14th through the 24th, 5) anyone with reflectors on the road shoulder area is asked to remove them so that they don't get damaged.

EPEPOA's CD's matured on 8/2017 and 11/2017. The federal government was talking about raising interest rates, so a decision was made to transfer the funds to our savings account at a rate of 0.55% and wait for CD interest rates to increase.

A new sign was installed at the POA dock addressing rules for use of the dock.

Treasurer's Report

In the absence of the treasurer, President Scahill presented and explained the financial reports including the Eaton Pagosa Estates POA balance sheet, through June 31, 2018, the profit and loss document dated July 1, 2017 through June 30, 2018 and the proposed budget for 2018-2019.

Balance sheet \$ 191,187.75 (As of 7/1/2018)

Profit & loss (7/2017 through 6/2018)

Total income \$ 28,054.11

Total expenses \$ 12,632.92

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Net income \$ 15,421.19

Regarding the proposed budget, property owner dues remain unchanged at \$700 annually (\$235 per lot for general operating funds plus \$465 per lot for the road reserve fund). A motion was made and seconded to approve the proposed 2018-2019 budget. The proposed budget was approved.

Proposed Budget for 2018-2019

Total est. income \$ 30,745.32 (Includes late dues and penalties)

Total est. expenses \$ 13,050.00

Transfer to road fund \$ 17,695.32

Current balance in road fund \$ 176,639.00

Amount allocated for road shoulder upgrades \$ 36,000.00

Balance after road shoulder upgrades \$ 140,639.00

Architectural Review Committee (ARC) Report

ARC Members: Barbara Alger / Rich Hampton / John Scahill

ARC Member John Scahill reported on the progress and status of home construction and plan submittals during the last year.

Lot 12 – Completed: Irvin's construction finished in December

Lot 29 – Approved: Thomas/Lilly construction commenced

Lot 9 – The ARC performed an unofficial review of potential building plans as a courtesy to the Mudrochs (owners of lot 9). As a result, the ARC informed Mr. Mudroch that if the proposed plans were to be officially submitted, the plans would in all likelihood be denied.

There is an issue with the health of a number of community spruce and ponderosa trees. Unhealthy ponderosa trees were identified in the area approaching the POA dock and on lots 32 and 38. Arborist inspection revealed evidence of ponderosa bud worms which will require one of two methods of spraying, chemical or biological, to control and eliminate. Spraying would be most effective if it were done in the fall for the spruce trees and early spring for the ponderosa trees. A suggestion was made that property owners can get a free arborist inspection and to consider spraying all necessary trees at the same time to potentially get a discounted rate. Interested property owners should contact either John or Joyce Scahill at jjscahill@gmail.com or 970-731-6116.

North Pagosa Road and Bridge Work Report

Vice President Dave Chadsey reported that work on the bridge between our two entrances on North Pagosa Road is scheduled to be performed this year after the Piedra Road work is completed. Estimated schedule will be in September 2018 and work is planned to take one month. To preclude large volumes of traffic from driving through our community during

the bridge repairs, Glen Eaton Dr. will be closed off at N. Pagosa Blvd (north of the bridge). The county has promised to do a better job of installing barricades than previously when this type of re-routing was performed.

Waste Water Treatment Plant Report

Vice President Dave Chadsey reported on EPE's efforts to address the problem of unpleasant odors that have been invading our community from the PAWS facility. He has been interfacing with PAWS management and Colorado state regulators to determine how to best address the problem. He and President Scahill met with PAWS's general manager in June and reached an agreement on how to proceed. The next step is for an inspector to come from Denver to quantitatively measure the PAWS odor. This is currently scheduled for mid-August but may change based on favorable weather conditions for the inspection.

IMMEDIATE ACTION ITEMS

Resignation of Secretary, John Vander Horck

After five years of outstanding dedication and service, John Vander Horck has resigned his position on the board. Many thanks to John for his valuable contributions and attention to detail. Well done.

Election of New Board Member, Secretary

Janna Lilly was nominated for the position of secretary on the executive board, and Janna provided her consent. There being no other nominations, a motion was made and seconded. An approval vote was unanimous. Janna Lilly is the new secretary.

OLD BUSINESS

Johnny's Asphalt Contract

It was reported that an element of Johnny's contract remains unfulfilled, to return in the spring or fall of 2017 to fill cracks. The contract has been paid in full in good faith that he will satisfy the contract; however, attempts to contact Johnny have been less than satisfactory. The estimated value of this portion of the contract is \$4,000. A recent informal contact with Johnny gives the impression that he is aware of his responsibility and will complete it in the fall. The board will send him a second communication and continue to monitor the situation.

Updating of Covenants and Bylaws

President Scahill reported that the Colorado Common Interest Ownership Act (CCIOA), a bill passed by Colorado Legislature in 2005, stipulates that there are nine policies we are required to be incorporated into our covenants and bylaws. At the same time that these nine policies are addressed, it would be a good time to perform a thorough review of all of

our covenants and bylaws. Since there is no funding for this action included in the proposed budget, this action is deferred and is to be included as part of next year's action items.

Common Area Path Improvement

The common area paths receive little attention and are usually only addressed by conscientious property owner who are willing to spray for weeds and lay down extra pine needles or mulch. It was suggested for consideration that perhaps if there is extra gravel after the upcoming road shoulder work, then such extra gravel can be used to improve the paths. The board will address this matter in more detail, but it is not anticipated that there will be extra materials for path improvement this year.

NEW BUSINESS

Road Cracks and Sealing

Maintenance of our road is an ongoing issue we must continue to address. In the fall the board will begin to research and obtain bids for sealing the surface of our roads. The work is estimated to be performed in 2019.

Lakeside Drive Bridge Guardrail Repair

This is a small job that requires a small amount of cement. The board is open to suggestions for a local landscaper or contractor. Greg Coffee is known in the community to do this kind of work.

COMMITTEES (Request of Volunteers)

Dock Snow Removal:

December: Don MacNamee

January: Curtis Door/Gary Stansbury

February: John Scahill

March: John Thomas

Front Entrance Landscaping: Susan Hampton / John Vander Horck / Desi Dundics

COMMENTS, ANNOUNCEMENTS, HOMEOWNER CONCERNS

Property Owner Jim Mudroch (Lot 9)

Mr. Mudroch was allowed three minutes to express his concerns. Mr. Mudroch read a prepared statement expressing his frustration and dissatisfaction with the denial of plans by

the ARC. He further expressed that the lack of information in the responses of the ARC was preventing him from being able to both build on his lot and also to sell the lot. Mr. Mudroch started to address specific items in the covenant document but was unable to continue because of the time limitation and legal involvement. Mr. Mudroch did leave copies of home plans on the sign-in table for any property owners that were interested.

ARC Response

Mr. John Scahill, ARC member, was allowed three minutes to respond to Mr. Mudroch's concerns. Mr. Scahill stated that the ARC is responsible to represent and make decisions in the best interest of all property owners, and that their evaluation looks at objective criteria described in the construction guidelines and that there is subjective criteria evaluation in terms of harmony of exterior design in relation to surrounding structures. Mr. Scahill started to respond to the manner in which the ARC responded to Mr. Mudroch, that their decision was in accordance with the covenants but was unable to continue because of time limitations and legal involvement.

NEXT EPEOA ANNUAL BOARD MEETING

The next date for the annual meeting of the Eaton Pagosa Estates Property Owner's Association in 2019 is to be determined. The president will distribute notices to the members.

ADJOURNMENT

There being no further business before the association, the meeting was adjourned at 10:45 am by President Scahill.