

Eaton Pagosa Estates Home Owners' Association
MEETING MINUTES
Board Meeting: 2:00 PM, Thursday, October 6, 2017
President Scahill's Residence
Pagosa Springs CO, 81147

Joyce Scahill - President, Present
Dave Chadsey - Vice President, Present
Glenn Woodruff - Treasure, Present
John Vander Horck - Secretary, Present
Desi Dundics - Member at Large, Present
Susan Hampton - Alternate Member, Not Present

Call to Order:

The meeting was called to order by President Scahill at 2:00 p.m. A quorum was achieved.

Visitors/Observers – The following resident visitor/observers were present: John Thomas, Janna Lilly, Dee Abbott & John Scahill

Previous Board Meeting Minutes:

The Board meeting Minutes of August 10, 2017 were approved without changes.

EPEPOA President's Message:

President Scahill announced the following:

- President Scahill, Secretary Vander Horck and Treasurer Woodruff are scheduled to meet and sign signature cards at the Citizen's Bank, Pagosa Springs, CO, as signatories to the association's various bank and investment accounts.
- The results of the association vote to enact Amendment 5 of our Covenants and Restrictions, pertaining to short-term-rental properties was passed by a wide margin, 31 in favor, 5 against and 2 abstentions. The amendment will be signed by the president and secretary, notarized and recorded with the Archuleta County Clerk. The amendment becomes effective upon recording with the county.

New Business

Establishment of Rules and Regulations for EPEPOA

A discussion ensued regarding the need for general operating rules and regulations for homeowners, renters and users of the community dock. Other than restrictions contained in our Covenants & Restrictions, EPEPOA has no independent rules and regulations.

Based upon advice from the general manager of our parent association, PLPOA, Mr. Allan Roth, and our legal firm, Newbold, Chapman & Geyer, in conjunction with events that

occurred this past year with persons, either presumed or known to be short-term-renters, including leaving trash on our dock, using loud and profane language, playing loud music and leaving exterior lighting on past 10:00 p.m., the board deemed that it may be appropriate to establish & codify some basic homeowner rules and regulations.

A motion was made, seconded and carried to look into establishing some general rules and regulations that will apply to short-term-renters as well as homeowners in general.

Board member Dundics suggested establishing specific rules for short-term-renters until the provisions of Amendment 5 come into play June 30, 2019, eliminating short-term-rentals of less than 30 days. He suggested that renters would be required to sign a contract with the landlord agreeing to abide by the rules or be fined. EPEPOA would get a copy of the agreement.

V.P. Chadsey and Board member Dundics, the two the most affected properties by problems with renters, did note that since our Annual Meeting on July 1, 2017, where these issues were raised, the owners of our two short-term-rental properties have taken proactive measures to mitigate problems with short-term-renters. Visitor Dee Abbott concurred with that assessment. It was decided not to establish specific rules for short term rentals unless a need arose, and agreed that the Board's appreciation for the two STR landlords' efforts be commended.

V.P. Chadsey suggested that separate rules for the dock be established for everyone. The following general rules were recommended pertaining to the dock:

- Respect neighboring properties and owners
- No excessive noise or profanity
- Do not leave trash on the dock
- No drugs or alcohol
- No watercraft to be stored on top of the dock
- All watercraft must obtain a permit and be inspected by PLPOA

The board determined that a sign should be created and posted at the dock.

The following general homeowner rules were discussed by the board:

- Homeowners shall show respect for renters
- Renters shall show respect for homeowners
- Property owners shall be responsible for renters' actions
- Fines may be assessed for rule violations
- Maximum occupancy of a homeowners' rental property shall be 10 persons
- No excessive noise after 10:00 p.m.
- All exterior lights off by 10:00 p.m.
- No more than four vehicles parked in a driveway

9. No overnight street parking
10. Pets must be on leashes
11. Yard maintenance equipment and materials shall be stored inside garages or enclosures

Secretary Vander Horck volunteered to look at the rules and regulations posted on the parent association PLPOA's website for applicability to EPEPOA and distribute same to board members.

V.P Chadsey recommended that new rules should not be instituted piecemeal by first enacting rules for the dock and then later enacting general rules and regulations. It is anticipated that a dock use sign will be installed in the springtime.

Visitor John Thomas reminded the board that it may be inappropriate to establish separate rules for renters, as our Covenants & Restrictions contains language that renters have the same rights as homeowners. President Scahill agreed with Mr. Thomas. V.P. Chadsey recommended that we confer with our attorney to determine whether or not we can legally establish separate rules for short-term-renters.

EPEPOA Website

President Scahill advised that our previous website administrator is no longer available to continue service to EPEPOA. She recommended that the services of Daniel Abbott be utilized to develop but not maintain a new EPEPOA website. The cost would be approximately \$650 @ \$35 an hour. It is anticipated that after development President, Scahill, assisted by Board member Dundics, could maintain and update the website. Website hosting will incur a minimal monthly charge, generally less than \$10.00.

A motion was made, seconded and carried to allow Mr. Daniel Abbott to develop our new website for the agreed upon amount.

Development and Maintenance of our Pathway

The development and maintenance of our community pathways was tabled as being unnecessary at this time.

Creation of a Community Pavilion

The creation of a community pavilion was tabled as being unnecessary at this time.

Old Business

Updating our Covenants & Restrictions and Bylaws.

President Scahill raised the issue of having our attorney review and update our Covenants & Restrictions and Bylaws, now more than twenty years from inception. There are 9 new policies that the Colorado Common Interest Ownership Act (CCIOA) has required responsible associations to adopt. After reviewing the policies the board determined that there were other more pressing financial issues facing the EPEPOA at this time. The issue will be revisited in July 2018, at our next annual meeting

Ownership of our Road

V.P. Chadsey reported that he met with Mr. Bentley Henderson, Archuleta County Administrator, and expressed his displeasure with various county representatives concerning their failure to respond to telephone inquiries concerning the anticipated closure and construction of the N. Pagosa Blvd. bridge. Closures have resulted in heavy traffic detours through our community.

Furthermore, the county could not provide a definite construction schedule for the 2018 permanent bridge repair at this time. Therefore, V.P. Chadsey will contact the county again in May or June to determine a construction schedule.

V.P. Chadsey also broached the subject of EPEPOA road ownership with Mr. Henderson and suggested that our EPEPOA attorney meet with the county attorney to discuss the feasibility of transferring ownership of our roads to the EPEPOA. We as an association are responsible for the complete maintenance of our roadways, as written into the original agreement with the county by the developer for reasons unknown.

Road Crack Repair

When will J Asphalt return to complete crack repair of our roads

This issue went unanswered at this time due to family obligations that prohibited Alternate Board member Susan Hampton from attending the meeting

Road Shoulder Repair

When will the additional work start on our roadway shoulder repair?

This issue also went unanswered at this time due to family obligations that prohibited Alternate Board member Susan Hampton from attending the meeting.

Next EPEPOA Board Meeting:

The date of the next Board Meeting of the Pagosa Estates Property Owner's Association is to be determined. President Scahill will distribute notices to the members.

Adjournment

There being no additional comments from the visitors or further business before the board, the meeting was adjourned at 4:00 p.m.