

**Terry Lake Recreation Association  
P.O. Box 215  
Fort Collins, CO 80522**

**Board of Directors Meeting – January 28, 2010**

**APPROVED – Meeting Minutes - APPROVED**

**In Attendance:**

<u>Yes</u>	Mary Nowak, President	Terry Cove
<u>Yes</u>	Jack Lundt, Vice-President	West Side
<u>Yes</u>	Joe Bent, Sec/Treas./Bus Mgr.	Terry Point
<u>Yes</u>	LeeAnn Bayer	East Side
<u>Yes</u>	Dan Meyer	Terry Shores
<u>Yes</u>	John Marwitz	Terry Point
<u>No</u>	Todd Boyt	Terry Shores
<u>No</u>	Tex Anderson, Alternate	Terry Point
<u>Yes</u>	Derek Harvey, Alternate	Terry Shores
<u>No</u>	Randy Wassell, Alternate	East Side
<u>No</u>	Mike Wilkinson, Alternate	Terry Cove

**1. [Mary] Call to Order: 7:00 PM**

**2. [Mary] Quorum Count: Voting board members present:   6**

**3. [Joe] Reading and approval of the minutes from board meetings of Oct. 8<sup>th</sup> and Nov. 4<sup>th</sup>.**

**Motion:** John moved that the minutes for the Oct 8<sup>th</sup> meeting be accepted as presented.

**Second:** Joe seconded.

**Vote:** Unanimously passed.

**Motion:** John moved that the minutes for the Nov. 4<sup>th</sup> meeting be accepted as presented.

**Second:** Joe seconded.

**Vote:** Unanimously passed.

**4. [Joe] Resignation & Election of New Board member**

**Motion:** Joe moved that the board accept Kraig Eckton's resignation and that Todd Boyt be elected to fill his place as a regular board member.

**Second:** John seconded.

**Vote:** Unanimously approved.

**5. [Joe] Financial Report**

Joe distributed the final financial report for the 2009 "short" fiscal year. The 2010 "accounting" year will be the calendar year and will reflect both the income and expenses for a "season" in the same accounting period. He also reported that the tax returns for 2009 had been completed. TLRA owed \$38 in federal taxes and \$12 in state taxes. A copy of the final statement for 2009 is attached.

He also reported that the new TLRA website was up and running. The old website will only contain a redirect to the new website. The old website will be allowed to expire.

**Motion:** Dan moved that the report be accepted as present.

**Second:** John seconded.

**Vote:** Unanimously approved.

**Action Item:** A request was made that the expense checks paid to Joe have some more detail as to the specific expenses paid. Joe will update for next meeting.

**6. [Jack] Poaching – Discussion Item**

Jack presented a very thorough report on the recent poaching activity. See attached. Following a lengthy discussion two action items were agreed on.

**Motion:** N/A

**Second:** N/A

**Vote:** N/A

- Action Item(s):**
1. Jack will draft a letter to be sent to those whose names were referenced by “poachers” to remind them that anyone who is using the lake but is not a member must be accompanied by the member or a member of their household.
  2. A note will be included with the dues mailing noting the recent poaching incidents and that their “volunteer” board would like to remind members that we all need to keep our eyes open for misuse of the lake. The photo shown at the meeting will be included.

**7. [Joe] Membership Definition – Discussion Item**

Joe presented another draft version of a new definition of membership for the By-Laws. After much discussion, the consensus was that the proposed Sections 4 and 5 be dropped and that the first three sections be modified prior to the next meeting.

**Action Item:** Joe will revise the first three sections for the next meeting.

**8. [Joe] Budget and 2010 Projects - Discussion**

Joe noted that we were now on a calendar year basis. He suggested the the holiday period was not a good time to ask members to think about TLRA project requests for the coming year. It might be preferable to give a deadline of late March. The Board would not have any idea of how much money was available to spend until then anyway.

**Motion:** N/A

**Second:** N/A

**Vote:** N/A

**Action Item:** Joe will include a note with dues renewal that project requests should be submitted by the end of March to be considered for funds in 2010.

**9. [Mary] Lease Negotiations – Discussion**

Mary provided a review of the previously documented “talking pints” for the upcoming lease negotiations. The consensus was that they were still valid and that the primary focus should simply be on renegotiating the lease without introducing other issues in the process. One talking point will be added to the list of things TLRA does – running off trespassers.

**Motion:** N/A

**Second:** N/A

**Vote:** N/A

**Action Item:** Mary will contact Tex mid-February about when and with whom to initiate the renegotiations.

**10. [Mary] Sinclair Letter – Information only**

Mary reported that the Sinclairs had received a letter from the Dow law firm indicating that they were no longer interested in discussing the question of lake access directly from the Sinclair property.

**Motion:** N/A

**Second:** N/A

**Vote:** N/A

**Action Item:** N/A

**11. [Dan] Terry Shores HOA Boat Storage – Information Only**

Dan mentioned that there is an issue within the Terry Shores HOA where some owners feel that too much of the HOA budget is being used on the maintenance of Getz Park (Lot 100). Dan and Derek indicated that one possibility might be for owners who are heavy users of the park and/or store boats on the Getz Park boat racks, pay or contribute extra toward the park's maintenance. There followed a general discussion about alternatives for fund the maintenance of their park, with no conclusions. TLRA would not be involved in any of the possible solutions developed within the Terry Shores HOA.

**Motion:** N/A  
**Second:** N/A  
**Vote:** N/A  
**Action Item:** N/A

**12. Set next Board meeting date: Tuesday, February 23, 2010 at 7:00 PM at Fire House**

**Motion:** N/A  
**Second:** N/A  
**Vote:** N/A  
**Action Item:** Joe will reserve

**13. Motion to adjourn at 8:59 PM**

**Motion:** Joe  
**Second:** John  
**Vote:** Unanimous  
**Action Item:**

Here is a summary of my conversations with the Larimer Co. Sheriff , the CO Division of Wildlife, and others today, 1/20:

1. I called the Sheriff at 416-1985 (dispatch) which is their nonemergency crime line and talked to a dispatcher(Amber) in great detail and then talked to Deputy Gentry. They said they would be happy to respond. What they'd suggest we do is to first off get a vehicle license number and description of the vehicle, then determine if the fishermen are trespassing, then call them at 416-1985. In order to write a trespass ticket, a board member would need to be present to sign and validate the incident.(someone with authority of the TLRA). This would be a 2nd degree trespass since they crossed a fence and a class 2 misdemeanor which could be punishable with a fine and probation. The deputy did say that we did not have to confront the trespassers if we did not want to, and to just call if we knew they were not members.
2. I also called the CO Division of Wildlife, 472-4300, and talked to Linda. After a long conversation and a bit of time on my part looking through the TLRA rules and regulations, she said that they could and would enforce game violations since we specifically state in our rules that we adhere to the CDW rules and since we have not filled an exception for a private lake with our own rules, which you can do. Anyway, a CDW officer can be called at 472-4300, to ticket the fishermen for using more than 2 rods like the 2 guys yesterday that were using 14, they could ticket them for keeping more than their limit of 5 walleye, 4 trout, 20 perch, etc., and they could ticket them for fishing without a license. Then we could actually file civil charges for the theft of our fish after a dollar figure was placed on them, ie. a 12" rainbow-\$4, 6" perch \$3,etc.
3. I then followed up with a call to Greg Jessen, our ditch rider, and left him a message about our concern and the calls I had made.
4. I also called Ron Warren, pres of Terry Shores, who approached and talked to the 2 fishermen yesterday, 1/19, then called me and left a message last night. I thanked him and told him of my findings with the sheriff and CDW. The truck was a late model Grey, 4 door,Toyota Tundra with license plate #931-00N. The 2 guys were 25-30 year old caucasians.
5. I also called Bryan Haile, VP of Terry Shores, who called me with concerns yesterday, and told him of my findings.
6. I also called and talked to Dave Cooper who lives in Terry Point Townhomes, who saw the fishermen and expressed concern. He helped me with info about the Sheriff, as he is a friend of Sheriff Alderden and used to work part time at the sheriff's office. He suggested I call the dispatcher and said he thought a board member would have to be present with a deputy to file a ticket, which turned out to be exactly right.
7. One last note, the deputy did say that he could ticket the fishermen for game violations as well as trespass.

In summary:

- A. I think all board members need to have this info and the 2 phone numbers.(perhaps all membersd need the info) I can fill in details at the board meeting if necessary.
- B. I am going to share this info and our desire to prosecute violators with Dwane who owns Betty's Bait Shop. I know him pretty well and he has shared stories with me of some bragging going on about fish caught illegally at Terry Lake and how and when they do it. I think the info will travel quickly that we won't tolerate it anymore and hopefully shut it down so we don't have to charge too many people.
- C. I think we need to refresh our members memories that the only way a nonmember is allowed to fish on Terry Lake is if they are accompanied by a member! The reason I say this is that the guys yesterday said someone by the name of Jennifer Thompson gave them permission, which Ron told them wasn't acceptable, and Dwane at Betty's said that several guys had told him that they either had written permission from a member or a "green pass card" which gave them permission. ( I know I've never heard of a green pass card either). I'm not saying any of our members actually gave anyone permission, but it wouldn't hurt to gently remind them that they can't do that and if anyone says that they're probably fishing illegally.

Let me know if you need anymore info.