

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

**Board of Directors Meeting – May 28, 2009**

**APPROVED – 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>	Kraig Ecton	Terry Shores
<u>Yes</u>	LeeAnn Bayer	East Side
<u>Yes</u>	Dan Meyer	Terry Shores
<u>Yes</u>	John Marwitz	Terry Point
<u>Yes</u>	Tex Anderson, Alternate	Terry Point
<u>No</u>	Todd Boyt, Alternate	Terry Shores
<u>No</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: 7:30 PM**

**2. [Mary] Quorum Count: Voting board members present:   7**

**3. [Joe] Reading and approval of the minutes from April 7, 2009, Board of Directors meeting.**

**Motion:** John moved that the minutes be accepted as presented.  
**Second:** Joe  
**Vote:** Unanimous to accept.  
**Action Item:** N/A

**4. [Joe] Financial Report**

The following items were reported:

1. Federal and state taxes have been completed. Federal amount due: \$33.00 Colorado amount due \$12.00. Tax preparation fee: \$315.00
2. The forms necessary to do a short year (04/01/09 thru 12/31/09) have been completed and are ready to be submitted at the beginning of January. This will enable us to do taxes on a calendar year basis in the future and to realize the dues income for a given season in the same tax year in which expenses are incurred.
3. Active membership is down by 6 from last year. Now have 168 active members versus 174 last year. Currently have 21 inactive versus 34 last year.
4. The format of the income and expense report will be changed to a more traditional balance sheet and income statement format. There will be one for the current season where the bulk of the dues revenue was received in the last tax year and the expenses in the current short tax year. The other will be strictly for the now current short year. This will be email to the board when completed.
5. The checkbook balance is currently \$17,377.88 and the CD balance is \$35,000.46.
6. The boat decals were done by Todd Boyt this for \$257 versus the \$480 paid to a commercial firm last year.
7. The letter for the Sinclair property was ready to go the ditch company. Tex and Joe will set up a time take it over to Eaton.

**Motion:** No motion – informational report.  
**Second:** N/A  
**Vote:** N/A  
**Action Item:** N/A

5. **[Joe] Terry Point Pet Pick-Up Station**

Joe reported that the pet pick-up station has been installed. All pet pick-up stations have been filled with bags and new locks. Dan reported that he needs more bags for the one at Terry Shores.

**Motion:** Informational

**Second:**

**Vote:**

**Action Item:** Joe will order more bags.

6. **[Jack] Report on Meeting with Greg Jessen**

1. Greg was given decals/stickers for two boats.
2. He was pleased with the Zebra mussel flier that was mailed out. He said the ditch company has been concerned for 10 years.
3. Greg was OK with the new pet pick-up post at Terry Point.
4. Greg visited the east side and said he was fine with the continuing efforts of erosion control.
5. Jack told Greg of our efforts to spray for weeds. He mentioned that the county may reimburse some of the funds for spraying. He is also concerned about tamarisk on the island. We need to look into spraying in the spring or fall with a backpack sprayer.
6. The osprey poles are Greg's pet project as he had REI install them. He said they are fine, we just need to keep geese off of them. This year there are geese nesting on the platform and the osprey built a nest on the perch pole, which may not make it in a bad wind. Last year the osprey built a nest in a cottonwood because geese were on the platform and the osprey nest got blown out of the tree.
7. Jack gave Greg a copy of the Sinclair letter and said Tex was taking a copy to the ditch company and their lawyer. He was noncommittal on the letter.
8. Terry Point picnic shelter:
  - a. Jack gave Greg a copy of the site location and he was fine with it, especially since the posts could be unbolted and the structure removed if need be.
  - b. His response about the building permit was that the ditch company property is not on the county tax roles, and he did not think a building permit was necessary and that none had ever been taken out for any docks, retainment walls, or other structures.
9. The lake is within 1-2 feet of being full and Greg is going to reduce the flow coming in for a week or two, then shut it off.

After some discuss of the point about building permits, it was decided not to pursue it with the county.

**Motion:** N/A

**Second:** N/A

**Vote:** N/A

**Action Item:** 1. Ask Game & Fish how to keep the geese off of the platform.

7. **[Joe] Terry Shores request for reimbursement for beach sand.**

Joe report that he received a unexpected request from the Terry Shores HOA treasurer for reimbursement for sand and gravel for their beach. Dan indicated that there was some misunderstanding as to what and how much will be reimbursed.

It was mentioned that TLRA has match 50% of the cost of sand for the past few years.

Joe suggested that when we start a more formal budget process in the fall, this is the type of item that should be included.

**Motion:** Jack motioned that TLRA reimburse for half the cost of sand only in the amount of \$237.50.

**Second:** John

**Vote:** Unanimous in favor.

**Action Item:** Joe will prepare a check for signature and send it to Terry Shores HOA.

**8. [Joe] Options for Paying the \$2100 Initiation Fee & Policy for Bring a Membership Current.**

**Initiation Fee Options:**

Joe noted that amount of the initiation fee may be something of a hurdle for a family that just moved in and that what we are really interested in is the ongoing revenue stream from active memberships. He suggested that we consider offering several different payment plans so that people could spread the payment of the initiation fee over one, two or three years. It was also recommended that active membership be maintained over the period of the payment plan and that if someone adopted, say a 3-year plan, sold the property and moved after two years, the new owner may want make the third and final payment and be a member. In that situation the membership process would start from the beginning for the new buyer. A multi-year plan must be completed by the owner who started the payment plan.

**Bringing a Lapsed Membership Current:**

Joe raised a question about bringing a lapsed membership current. Could a membership that had not been paid, for say three years, be brought current by paying the back dues and related late fees.

He quoted a dues reminder noticed dated May 1, 2004, by Alan Cram: "Reinstatement of a lapsed membership requires payment of inactive dues, plus a late fee for all years missed, or payment of the new member fee (4 x annual dues), whichever is less. The membership is considered lapsed if dues are not paid by June 1, 2004."

Joe wanted to know if this, in fact, was the policy. Tex mentioned that was not the policy of the board. He stated that requests to bring lapsed memberships current would be reviewed by the board on an individual basis. Once a membership had lapsed, it had lapsed. There was no policy to automatically let a property owner bring the membership current by paying back inactive dues. No action was taken to change this policy.

**Motion:** Joe moved that the board approve three options for paying the initiation fee: (1) a one-time payment of \$2,100 plus active dues, (2) pay over two years, \$1,200 in year 1 and \$1000 in year 2 plus active membership dues in both years, and (3) pay over three years, \$850 in year 1, \$750 in year 2 and \$700 in year 3 plus active membership dues in all three years. In the case of multi-year plans, if payment of the entire initiation fee is not completed, then the property owner will forfeit any prior payments toward the initiation fee and the membership will lapse. In addition, in the case of multi-year plans, if the owner who took out initiated the membership moves prior to completing the payment of the initiation fee, the new owner cannot simply complete the payment(s) and then transfer the membership.

**Second:** Mary

**Vote:** Unanimous in favor.

**Action Item:** Joe will notify those who he thinks might be interested in these options.

**8. [John] Clean-Up on West Shore of Terry Point**

John reported that he had coordinated and arranged for the tree pruning and removal along the west shore of Terry Point on the lake side of the property line. He solicited funds from the property owners he stood to benefit with the understanding that he would request funds from TLRA but that there were no guarantees. \$1,175 in total was spent. John request one-third matching from TLRA.

**Motion:** John moved that TLRA contribute \$391.28.

**Second:** Kraig

**Vote:** Unanimous in favor.

**Action Item:** Joe will arrange for a check for John.

**10. [John] Terry Point Beach Enhancement**

In view of the information and discussion about the necessity for building permits as result of Jack's meeting with Greg Jessen, it was decided that the TLRA requirements (architect/engineer signed plands) for the sun shade to be built on Terry Point had been met and that work could proceed.

John requested a check for \$1,458.48 for the project.

- Motion:** Joe moved that the board allow work to proceed as planned based on the approved architectural drawings.
- Second:** Jack
- Vote:** Unanimous in favor.
- Action Item:** Build sun shade. Joe to prepare check for \$1,458.48.

**11. [John] Status of Rene Eles**

John presented information about the history of Rene Eles and TLRA as well as Rene's current situation. John noted that Rene was attempting to take possession of a strip of land between Inge's property and the lake boundary by "adverse" possession. John suggested a special status for Rene with respect to lake membership. It mentioned that the rules for TLRA membership and lake usage were quite specific and that idea would not work. Rene is currently residing at 3417 Canadian Parkway and that he could use the lake as a guest of the property owner.

- Motion:** None made.
- Second:** N/A
- Vote:** N/A
- Action Item:** John will follow-up with Rene.

**12. [Dan & Joe] Terry Shore Erosion Control**

It was reported that a check \$1,000 was issued to Dan for Terry Shores erosion control. Approval was obtained outside of a regular meeting by email in order to get the funds to Dan in a timely manner. Dan had not been able to attend the prior meeting at which this item was to be discussed.

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

**13. [Mary & Joe] Conducting Board Business Outside of a formal Meeting by Email/Phone**

There was discussion about the need to occasionally make decisions or take actions that required board approval outside of a regular sit-down meeting. Tex mentioned that the such actions had been taken in the past. Kraig mentioned that it did not seem to be explicitly permitted by the by-laws.

- Motion:** John made a motion to authorize Joe and Kraig to draft language to amend the by-laws to explicitly allow business to be conducted outside of a regular meeting.
- Second:** Joe
- Vote:** Unanimous in favor.
- Action Item:** Joe & Kraig to research and draft language to amend the by-laws.

**14. [LeeAnn] Signage for Zebra Mussel**

LeeAnn reported that she was still trying to locate some free signs and get appropriate wording should we have to put up our own signs.

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

**15. [LeeAnn] Weed Control**

LeeAnn reported that she and Jeff will take care of weed control.

- Motion:** Joe moved that the funds (up to \$300) previously approved to used for weed spraying by AAA Weed Control be allocated to cover any costs incurred by LeeAnn and Jeff.
- Second:** Mary
- Vote:** Unanimous in favor.
- Action Item:** Joe will call Lee Frudden to cancel his coming out to spray. LeeAnn and Jeff will take care of any necessary spraying.

**16. [Kraig] Annual Registration with Colorado Secretary of State**

Kraig asked about the annual registration with the Secretary of State and removing Alan's name as the registered agent. Joe indicated that it had been taken care of.

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

**17. [John] Steel Property Markers**

John reported on the location of a number of steel property markers that mark the boundaries of the lake. He noted that in some instances property fences were on the lake side of the property markers. In other cases property landscaping had been done down to the waters edge on the lake side of the property markers. Also, in some spots erosion on the east side of Terry Point had gotten to the point where it had gone beyond the property line and into the owned by residents.

Tex noted that the issue of erosion control needs to be addressed and a determination needs to be made as to who is responsible for containing it: (1) the ditch company, (2) individual property owners, or (3) TLRA.

It was also noted that we need to get a handle on the magnitude of any project(s) for containing erosion and the costs that might be associated with different approaches. This information will be very important going into lease negotiations.

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

**17. [Mary] Screen in front of lake outlet to prevent fish from escaping.**

Mary mentioned that she had received a request from Tony Seahorn about putting a "screen" in front of the outlet to prevent the loss of fish. Jack mentioned that this concept had been brought up before and the ditch company was adamantly opposed since such a screen might collect debris and block the flow of water out of the lake.

- Motion:** N/A
- Second:** N/A
- Vote:** N/A
- Action Item:** No action to be taken.

**18. [Mary] Terry Cove Floating Dock**

Mary reported that the swim dock near Mike Wilkinson had broken up and inquired about matching funds to build a replacement. Tex indicated that in the past TLRA had not provided matching funds for floating docks or platforms.

- Motion:** N/A
- Second:** N/A
- Vote:** N/A
- Action Item:** No action to be taken.

- 19. Set next Board meeting date: Wednesday, July 29th, at 6:00 PM at Getts Park**  
Lake inspection via pontoon boat plus meeting.

**Motion:**  
**Second:**  
**Vote:**  
**Action Item:**

- 20. Motion to adjourn at 9:25 PM**

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