

Concerned Members report and comments on the Board meeting of SLPPOA December 8, 2020

NOTE: this is not the official Board meeting minutes that the Board is responsible for producing.

Author's commentary about the meeting:

- Remember the excessive water use policy that some on the board vehemently pushed for as a Bylaws change? Well that same bunch now declares it was a bad idea. Lucky a majority of members saw through the rhetoric and didn't vote for it.
- We are now faced with a short term vacation rental policy, empty on enforcement and long on regulations. A policy to give the neighborhood a warm and cozy feeling of protection from transient violators but that requires the affected neighbors to enforce.

Zoom meeting called to order 6:35 pm.

Board members present: Stuedell , Oepping, C. Hines, Lisko, Cooke, Rigney, Rightley, Toennis

Guests: J. Hines (water operator), Star, Burnsworth

President Lisko announced that the Zoom meeting was not being recorded in the cloud as in the past, but that it was being digitally recorded by secretary C. Hines. *Star requested prior to the meeting that the recording be made available to members after the meeting to save on months of waiting to review "old" meeting news. Based on the records disclosure list in HOA Act provision 47-16-5, members can have access to any electronic recording of board actions.*

The agenda was approved.

The minutes of the following meetings were approved:

Special Board Meeting of November 7, 2020

Regular Board Meeting of November 10, 2020

OFFICERS' REPORTS

President - Lisko

Parts of the VRP (Vacation Rental Policy) have been [revised](#) (entire policy on the SLP website) based on legal counsel advice *and an argument voiced by Star on the legitimacy of discriminating against property owners who rent out their properties on a short term basis. The board attorney affirmed that rentals are legal activities within SLP.*

There will be no fee as was previously mandated. A fee was declared by the attorney to be unreasonable because those owners already pay association assessments. Lisko

stated he was going to tour the community to determine who has a B&B and those owners will be mailed a copy of the policy and the permit.

Star raised the question in a separate email to the board on how the board was going to enforce the policy. Past boards have failed to enforce "noxious and nuisance activities" leaving enforcement actions to the affected neighbors.

The policy enforcement question was answered -- the board is not going to actively police a violation. Neighbors will be responsible to report and take action. *In other words another empty policy with no enforcement by the board.*

There was mention that the Bylaws do not require posting of quarterly financial statements. *The question still remains, what has happened to the EOY (end of year annual statement) required by the Bylaws, that haven't been posted since 2015.*

Geraldine Burnsworth was nominated to take over the position of secretary and will work with C. Hines on the transition of duties.

Lisko requested reimbursement for an invoice of \$16.13 and the annual invoice from Zoom of \$154 . Total: \$170.13.

Vice President - Rigney

Rigney is working on the provisions for the sale of the Unit 6 lots. He requested legal help on developing an agreement about the roads access, a SLP water well adjoining the Unit 6 lots, and an easement that may be needed. There was disagreement on the status of the well that now belongs to SLP, the proposed road assessment fee, and a proposed gate being requested by the prospective buyer.

One board member suggested that the road assessment fee should be adjusted yearly for inflation and other road improvement. As association dues increase the prospective buyer's fee should also increase. *Star brought this argument to the board a few months ago. She voiced concern about the probability that potential development of the lots could create substantial damage to SLP roads leaving the community to pick up the tab. She also voiced concern about the board giving up a SLP well adjacent to Unit 6.*

Discussion regarding the potential buyer's requested gate was deferred to a later part of the meeting.

Secretary - C. Hines

Rightley, Rigney and Burnsworth will be added to the board1@slppoa.org email.

The board member certifications that confirm the board members have read the Bylaws were sent to those recently elected for signatures.

Missing minutes and financial documents have finally been posted on the website. *In early November Star alerted the board that the Sept and Oct. minutes, and financial statements, the 2021 budget and the 2020 audit were missing.*

After a current review, Hines noted that there are some other website updates needed.

Hines indicated that another newsletter will be forthcoming and will include an article on the VRP.

Hines suggested that there should be fillable PDFs of SLP forms making it more convenient for members to submit applications. She mentioned that new member applications have been given out, but that they have not been returned and admitting that there has been no follow up.

There was discussion about merging the membership list in excel with the list that the treasurer uses in QuickBooks. The two list apparently differ.

The annual assessment letter was mailed to the members noting that the dues will not be increased this year. Star requested confirmation on the due date. Oepping answered, as the Bylaws changes did not pass, members have until midnight on Mar 31. to pay up. Star also reminded that no charge should be added to any reminder letter from HOAMCO until April 1.

Treasurer - Oepping

Balances in the accounts

Operating-\$112,481

Reserves \$119,165

There are 11 delinquent accounts totaling \$7,302.

HOAMCO amended their management agreement and increased their fees to \$409/mo.

There have been four changes of ownership (*as reported on the agenda*):

Eric Verret and Deborah Wiseski - 1182 Los Griegos Road

Rusty and Sarah Von Sternberg - 720 Los Griegos Road

Scott and Holly Gould - 956 Los Griegos Road

Stephen and Brittni Llewelyn - 145 Hoven Weep Loop

Oepping stated that the water conservation fee for gallons of water pumped is due in January.

HOT TOPICS

The prospective buyers of the five Unit 6 lots requested a gate at the bottom of High Road. *There were two locations mentioned for the gate, however there were no details on the locations.*

The discussion droned on about the possible loss of access to the SLP road and access to the national forest road used by some SLP members for hiking and biking and the dangerous precedent for other SLP gate installations. There was unanimous agreement that signage instead of a key/lock gate proposition would protect SLP interests.

It was determined that a balance between having to maintain the SLP road to the top that has been rarely used and allowing the prospective buyer to control access remains an issue. It was mentioned that location "B" (author's assumption that it is further up the road than at the bottom of High Rd.) would be a good compromise.

Stuedell's best guess was under \$1,000 for the cost to recondition the SLP road to a location "B" where signage would be posted instead of a gate. He stated he might get

Leeder, the current road grading and improvement company, to do it for free. He thought there would be some berms needed to control runoff and erosion.

There were no further details on the board decision about a "roads only assessments" for the Unit 6 lots. *Unit 6 lots are not considered "members" of the association and have not been obligated to pay dues because the developer never required the current owners to execute the restrictive covenants.*

Lisko asked if Rightley had further information on what claims SLP has on the well located in Unit 6. Rightley commented that a survey should be done to clarify the issue.

Lisko mentioned a good neighbor authority program that would entail a partnership with the FS and address the FS road that branches off the SLP road within Unit 6 that he will investigate. Currently the FS road accessible off the SLP road is permitted for cattlemen and their ATV only. *It has also in the past been a designated fire escape road for SLP residents.*

STANDING COMMITTEE REPORTS

Water - J. Hines

Maintenance

There was no water delivery maintenance events reported.

J. Hines constructed a fence around the water equipment storage shed at SLP firehouse to protect the equipment and possible accidents on the inventory stored outside.

He stated he checked on a report of water turned on at 631 Aspen Grove. And he has sent out leak report letters and stated that at least 50% of those contacted have cooperated. Some of the leaks have been located and fixed, others are still waiting for leak detection and better weather in spring to fix.

Compliance- no events

There is one excessive water use issue that has an intermittent leak flag.

Roads - Stuedell

Stuedell reported on the placement of a culvert on FR10 by SFNF that took place Nov.24th. Lisko reported that he got a potential contact for a contractor who lives in Ponderosa. J. Hines requested that he be contacted when there is work done on the roads so he can assess water line safety.

Stuedell announced that the Highway Supply LLC could provide and install road signage. What kind of signs such as stop and speed limit signs, placement, and installation are yet to be determined.

It is unknown how long Raue, our current contractor for snow plowing and sanding, will be available. Lisko stated he talked with Crane, the past contractor, but Crane declined. Lisko urged that investigation should start now on whether we hire internally and buy our own equipment or find another contractor. It was mentioned that maintenance and insurance may be problematic if we plan on doing our own plowing.

Stuedell has discussed with the NMDOT about repairing the cattle guard at Jct of FR10 & NM 4.

Legal - Rightley

Star previously questioned whether lots still owned by Bootzin could be exempt from paying association dues and only pay for roads (what is being proposed to the Unit 6 prospective buyers) if the buyer's of the existing developer lots drilled their own wells. Developer owned lots that still exist in SLP are not "members" and are not responsible to pay association dues.

Rightley investigated this concern with the office of state engineer and whether property owners could drill their own wells. The short answer was yes if they have the acreage. *The more complicated answer of allowing a roads only fee for the developer lots with private wells was not addressed.*

Firewise - Cooke

Cooke reported on the fuel reduction for community.

Architectural - Toennis

There was one request for a new roof that was approved.

There was a request for a quonset hut at 110 Cerro Pelado Trail that was denied on Dec.1st. Cooke interjected that there was already a quonset hut in Area 1 so a precedent has been set and the committee should revisit the request.

Toennis asked for a volunteer to replace Keith Rigney on Architectural Control Committee. C. Hines will advertise for a volunteer in the newsletter.

Toennis requested legal help on the architectural control process to determine whether inspections are the committee's responsibility. It was suggested that a list of acceptable residential specifications be put together and pictures incorporated as ideas.

Parks - C. Hines--no report

OLD BUSINESS

Stuedell is continuing conversation with Verizon regarding area of service coverage, but no progress yet. LA Net, according to the LA Monitor, has acquired the ski hill access and they are waiting on info from the FS to establish other locations.

NEW BUSINESS

Lisko queried the board on continuing zoom meetings when there is relief from Covid restrictions. The board and Star voiced approval of the idea. He mentioned the only time a meeting may be held in person would be the annual meetings.

ACTION ITEMS

Lisko will follow up with the FS on the Good Neighbor Authority program and getting the FR cleared for an alternate fire escape route.

A comprehensive water policy is being developed. J. Hines reported on his water rate survey that included information from the state. He got sample of water rates and an offer from the state to visit SLP and discuss the rates. There was some discussion about why the excessive water use policy, was in retrospect, not a good idea and that efforts to move ahead with water billing either by initiating a coop or MDWA would be a better

approach. There was mention that if and when water billing is initiated that the annual assessments may be reduced.

Oepping brought up the need to investigate the water billing process and find a vendor that could manage it as HOAMCO will not. Star recommended that he investigate the water billing capability that came with the Badger meter product.

J. Hines has not been able to contact VFD Chief on the placement of a large storage tank from Intel.

Meeting adjourned to executive session 9 pm

ss

CM Report - Not for Copy