

Concerned Members report and comments of the scheduled annual meeting of SLPPOA- September 13, 2014

NOTE: this is not the annual meeting minutes that the board is responsible for producing

Authors comments about the meeting:

- there was no quorum – according to Roberts Rules of Order, (a Board change in meeting procedure), all business conducted was null and void
- the meeting did not give ample opportunity for members to ask questions
- unfinished business and new business were not included in the meeting
- there was no agenda available prior to or at the meeting
- no annual budget presented at the meeting as per the bylaws

Call to Order

Meeting was called to order at 2:03 pm by President Joe Brophy. Other Board members in attendance were: Ms. Kilburg, treasurer/secretary, Ms. Fredlund, firewise chair, Mr Nyhan, water compliance chair, Mr. Bennett, vice president.

Mr. Veverka absent.

No quorum was met. Quorum needed - 48. There were 28 attendees who signed in.

Brophy stated the ground rules: members to withhold discussion and comments until the end of all the reports. Members comments would be limited to 10 minutes at the end of the meeting and any actions submitted at this meeting would go on new business at the next board meeting. Any actions for the Board needed to be submitted in writing to the board for a future meeting.

The minutes of the 2013 annual meeting were read. Star asked to submit corrections and her request was “tabled” until the end of the meeting.

Secretary report

Kilburg, stated there was a package which included budget, bylaws, etc. that the board provided for real estate transactions. She stated that a fee would be charged and that we are basing our fees on what Thompson Ridge charges: \$150.

Treasurer stated the account balances:

Operating: \$87,353.80

Reserve: \$61,814

Special Assessment \$2,599.44

Total income from dues -\$113,450.52 ; more income than budgeted because some foreclosures monies were paid. Special assessment income was \$80787.21. \$5,000 was transfer from operating account to SA to cover overrun but (about 2,000 was transferred back)

Several members paid their special assessment in advance for a total of \$6,910.91

Delinquency report:

Of the 4 properties in foreclosure, the Board has collected on 3. The balance still due on 1 – uncollectable: \$4,020.78

8 properties still delinquent. For properties not in foreclosure, once the past due date is over 6 months the account is turned over to the attorney.

Delinquent annual dues -\$5,215.64, Special assessment delinquent \$6,139.11, totaling over \$11, 000. Five delinquents are on payment plans which have been reviewed by the attorney.

Legal

Bennett stated that there have been discussions with the lawyer about the HOA Act, dealings with association liabilities and how they do business. They state they feel confident that they are doing the best for the association.

Six property owners have received demand letters from the attorney. Three paid in full. Two now still owe their release of lien fees and attorney is in discussion with the two owners. If there is no resolve, the board will pursue another course of action.

Water-Harold Corn reported

A Slide show presentation about year 2 Meter can installations was presented by Corn.

59 installs in yr. 1, 50 installs in yr. 2, 30 still left to install in yr. 3 It took only 30 days to complete this year's installs.

The cost per lot has increased from \$1686 to \$1756 /per lot owner due to material cost increases and next year we should expect higher labor costs from the contractor.

\$ 80,787 was the income for the meter cans this year; \$83,678 were the expenses.

Due to some leftover material, we may have an underrun in the last year of installs.

Sys 1-is 100% complete

The meter can install has helped identify the usage and water system problems. And we still have a few high users.

Corn mentioned we need more isolation valves.

Water compliance

Handout by Nyhan detailed current events about water sampling, and the water system etc, and sited negative harassment and abuse from the concerned members group for past problems.

Authors Comment: *the Concerned Members group was not in existence at this time.*

A group of tests will be done to determine leaks in the system and any homeowner can have their home included in the testing while the company is in SLP. Each house test would be \$349 for 2 hrs. which would include testing the property water service pipes. He suggested the install of cans helped discover a lot of leaks this year.

He stated a major leak was found in the meadow between units 1 and 3.

Nyhan blamed prior board members for our violations and for their lack to communicate with state entities. He stated there were 14 reg violations that were never addressed by previous board members. He stated that nothing was done to communicate with the NMED until he

came on board. He states that things were so bad that we're lucky to not have been shut down! He stated that there was no water sampling plan until he joined the Board, but Barbara Van Ruyckvelt reminded him that she was the one who had to push the board to produce a water sampling plan.

Brophy gives credit that the past year's board made the greatest contribution to our water system.

Roads

Brophy stated that 25% of overall budget \$27,000/yr. was devoted to roads.

He stated that the county maintains FR 10 and spent \$1,000,000 to improve it. 17 bellyloads of milling were ordered to resurface the most worn road areas. He stated that 20% of the roads received all the monies. Those were the steepest roads such as Los Griegos. Now that those roads are in better condition, future roads budget may be spent on the remaining 80% of the association roads.

In spring they may pursue culvert cleanups. Meskimmen has a high pressure water truck which may be able to help to blow out culverts. Culverts help to reduce damage to the roads. SLP has a sander, but lost the operator. The sander is staged in La Cueva with La Cueva Automotive. Crane the owner, might be able to furnish a truck to do sanding. Road cinders are no longer free.

His efforts to initiate a trade with the county for a staging area for county equipment and road materials in exchange for the county to maintain Los Griegos loop has not materialized. This would reduce maintenance cost.

Community relations

Nyhan suggested he is trying to repair some of the damage that has given the board a bad reputation.

The Board will pay for an easement survey between 2 lot owners for meter installations.

Firewise

Fredlund highly praised Mike Schacht for his work on the website and all the fire information being provided.

Architectural

Bennett stated there was one submittal for a tuff shed. All forms are available. When building, consider your neighbor's view of your improvements.

Parks

Veverka was not present. Oteros and Kilburg mowed the parks and firestation grounds. There was discussion about improving our parks with covered picnic areas.

Unfinished Business-Not addressed

New Business-Not addressed

Recognition of volunteers

The counting of ballots and election of board members was beginning when a member asked about when member comments would be addressed.

Star submitted her corrections for the 2013 meeting minutes. The board questioned her right

to submit and suggested that Roberts Rules do not require verbatim input. She reminded them that in 2013 the meeting was not run under Roberts Rules. She was told that when the draft minutes were posted, that she should have submitted her corrections. She responded that this was the first communication of such a rule and that members of the 2013 meeting were the parties who should be accepting/approving the minutes, not a board member.

Star stated that if the events were not recorded in the minutes, it didn't happen. It was important to have details as a paper trail.

After 17 minutes of trying to decide whether the corrections met with the Board's version of the minutes, Bennett made a motion to submit the minutes with revisions and suggested that the revisions would be reviewed by the Board and that the corrections be sent out for review/approval by the attendees. Cheryl Sowder motioned to accept, Sally Hunter 2nd.

Author's note – *there can be no motions or votes without a quorum. Any approval of minutes may also be in violation without a quorum.*

Paul Lisko suggested that the minutes be posted within 3 months and that a time limit put on responses from the attending members. The Board agreed to this idea.

A few other questions were responded to.

Barbara VanRuyckevelt asked how much money did we save with the new water operator? The Board paid \$435 to the new water operator for monthly water sampling.

Barbara Van Ruyckevelt asked about the status of the present water operator? She requested that a contract be initiated with Frank Naranjo our current water operator. She asked if a contract was going to be sent to Frank for next year and the answer from Stan and Jack was yes.

Discussion and disagreement incurred over our chlorination system.

Barbara Van Ruyckevelt suggested that new chlorinators were recently purchased and already discarded and replaced with more user friendly ones. She pointed out that the board purchased new chlorination systems that Tony, our past water operator, had recommended a little more than a year ago and now we are having to replace them with another new system.

She also said she had concerns about Tony for some time and requested his contract be review which this board said they would do last year. Instead of waiting for them to do something with Tony's contract she decided to search for a water operator on her own in November, 2013. Barbara found Naranjo (new water operator) by networking but was afraid to introduce him to the board due to their past hostilities toward her and their reluctance to replace Tony.

The Board was questioned about their lack of response to members. A few Board members commented that they do not ignore emails. *However, they do experience internet problems.*

Star asked how the Board would like issues presented at the Board meetings. It was suggested that a member need to contact the board (email would be acceptable) at least a week in advance to be put on the agenda and submit their issues. Bennett stated that all issues would be put on the new business agenda and then at the following meeting the issue would be then on the old business agenda for resolve.

No information on the election, or whether there was a quorum of ballots for the election.

[mm/ss/bv]