

Concerned Members report and comments on the Board meeting of SLPPOA January 12, 2021

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

Author's commentary about the meeting

- *The zoom meetings are better attended via phone than online. Hughes Net does not guarantee uninterrupted online transmission and there were others having problems with their internet connections periodically cutting out.*
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Zoom meeting called to order 6:37 pm.

Board members present: Stuedell , Oepping, Lisko, Rigney, Rightley, Burnworth, Toennis

Board members absent: C. Hines /late: Cooke

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

Agenda and December 8, 2020 board minutes approved.

Officers' Reports

President – Lisko

Concerning § 5(C)(12) of the HOA Act, is a Zoom cloud recording considered an electronic record of board meeting actions thus a document that can be requested by law to be made available to members for review?

Lisko reported on legal counsel's opinion on whether or not recording of meeting is a record of action based on the HOA Act. According to the attorney's opinion, he states that the recording is not the official record but an aid for the creation of the minutes unless meeting minutes may not exist. *We question the accuracy of that analysis, but until it is challenged in court there will be no definitive answer. However any member can record the zoom meeting privately.*

Lisko reports that the SLP board would continue to record the meetings to the cloud as part of the Zoom capabilities.

Policy on vacation rental property

The policy was updated and the related permit was posted to the website and sent out to 3 property owners in SLP. Another owner, according the SLP attorney, who rents out a single room, would not fall within the scope of the policy.

Road material dumped at the fire station

JC Anderson delivered road material dumped at fire station on Dec. 9. The delivery location was objected to by a LCVFD volunteer. Raue our snow removal contractor approved the dumping of the road material at the fire station due to the difficulty to transport the larger truckloads for the building of a new house up on Los Griegos. He was reminded that nobody can approve dumping of materials unless it is approved by the board.

Sale of Unit 6 lots.

The current owner of the Unit 6 lots has recently paid his 2021 dues after 30+ years of ownership and is now considered a member of SLP.

The potential closing was indicated as January 14, however Rigney stated the date had been moved to the end of February because there is a lien on the property that needs to be resolved. Confusion about the ramifications of this new ownership was questioned. The documents have been sent to the attorney. *Would SLP now be on the hook for roads and water access?*

There was no indication on a settlement between SLP and the potential new owners regarding Tract A where a well head is located adjacent to Unit 6 or the SLP platted road access into the 5 lots.

Secretary - Burnworth

She was advised to make sure that any outstanding certifications on review of the governing documents are sent to board members for signatures.

Treasurer - Oepping

The GoDaddy domain for SLPPOA website has been paid for another year.

The HOAMCO yearend Financial Statement needed for tax purposes was approved.

Account Balances:

Operating-- \$165,628

Reserve --\$119,847

There are still 12 delinquents for a total of \$7,200. *It wasn't clarified but we expect this was last year's balance, as this year's delinquents won't be counted until April 1.*

\$660 was transferred to the reserve account.

There was one change of ownership on 631 Aspen Grove.

The bi-annual assessment water conservation fee based on number of gallons pumped was \$164.

It was noted that for the last six months of 2020, on sys 1, 1.47 million gallons less were pumped from the Hovenweep well and 1.4 million gallons less were pumped from the Aspen Grove well. On sys 2, 1.36 million gallons less were pumped from the meadow well.

HOT TOPICS

There is still the issue of an excessive water user. The property owner pumped 22,383 gallons for December and 18,041 gallons for November. Despite efforts by the water operator to get approval from the resident to check for leaks the resident remains belligerent to allow a check and deny that they have a leak. They declared they have more persons at home because of COVID. A shutoff policy was suggested, however because the situation remains unclear shutoff was not considered an option. The water operator will review whether there is a leak flag on the property next month and engage Corn's help in contacting the member again.

Water Operator - J. Hines

Maintenance

There were no events effecting delivery in December. A major water leak at 16 gpm was discovered after reading meters on January 4. The house wasn't occupied and the leak loss was over 700,000 gals. The water was immediately shut off and the owner notified. The ¾-inch main line beneath the house was broken and will be repaired this spring.

J. Hines contacted the state about the water rate survey and the effort is still in process. He also investigated the water rights and well locations issues with the office of the state engineer (OSE). OSE indicated that there were errors on the well numbers and they would be corrected.

18 leak flag letters were sent out and only 5 had not responded. The other 13 shut off water or corrected the leaks. One meter that is shut off is still showing a leak.

A check valve at the booster pump station was replaced and the emergency notification number has been changed.

J. Hines reported that water usage for December 2020 went up a little.

Compliance

All samples were clear of coliform.

Roads - Stuedell

Stuedell requested input for road ID markers and misc. traffic signs. He requested that members should be alerted via the listserver to the future markers and signs installations and seek input their input should there be any other suggestions for additional signs.

Stuedell shared a spreadsheet during the meeting regarding road repairs, sign locations and plowings.

He stated that the repair of the cattle guard at FR 10 and NM Hwy 4 will hopefully happen in the next week. He asked if the DOT would also fix the potholes near the mailboxes.

The 4 inch policy on snow removal was discussed and Stuedell said he won't call unless the board members think the roads need to be plowed.

Lisko reminded the board that they need to have something in place by June 30 to decide on a new snow removal plan for the future.

Legal - Rightley

Report was passed due to illegibility of Rightley's speech during the meeting.

Firewise - Cooke absent - no report

Architectural - Toennis

Toennis had no requests for any home improvements in December. He is still looking for a new member for Architectural Control Committee. The architectural standards need more specification and are expected to be revised in the future.

Parks - C. Hines - absent- no report

OLD BUSINESS

Stuedell is continuing conversation with Verizon regarding area of service coverage.

Stuedell reported that the Los Alamos network fiber optic internet may be coming soon to SLP. The provider is hooking up line of sight at the ski hill this week.

Star asked about the end of year annual reports that have not been posted since 2015. She stated it was a Bylaws requirement under section 8 Duties of the Treasurer; a review of the Association books to be made at the completion of each fiscal year or at the completion of his/her term. Terms end each year. She reminded them that an annual review is not the same as an audit that is due every 3 years. Oepping stated that he would review and report back.

Star also inquired on her previous question that surfaced during the discussions about Unit 6 lots and residents just being charged for road. She questioned whether the lots still owned by Bootzin could be exempt from paying association dues and only pay for roads if the buyer's of the existing developer lots drilled their own wells.

At the last meeting Rightley stated he investigated the concern about property owners drilling their own wells with the OSE and the answer was depending on the logistics, property owners could drill their own wells. The remainder of the question of allowing a roads only fee for the developer lots with private wells was not addressed. Lisko stated it was still on the agenda and that the board will deal with this after the issue with Unit 6 is resolved.

NEW BUSINESS

New Mexico 811 will be transitioning its GeoCall ticket management system to a new server location within the month. This change will apply to those receiving and/or responding to their locate tickets through digital means either by email and/or API. Lisko wants to make sure that J.Hines will be put on the call list.

Lisko presented a letter supporting Outstanding Natural Resource Waters Protection ([ONRW](#)) for Jemez. He attended the meeting. He declared this was a positive initiative for fire prevention and would like to support it. Stuedell questioned whether it would impact private septic tanks by putting restrictions on any leaching and that the board should be careful that it doesn't backfire on SLP. Lisko agreed to check into his concern. The discussion was tabled until next meeting.

ACTION ITEMS

There will be an on-site meeting between Lisko, Stuedell, Weary and Oepping with District Ranger Brian Riley set for Friday, January 29 to discuss the alternate escape route from Los Griegos onto the SFNF easement.

As the Good Neighbor Authority doesn't take into account a private nonprofit, Lisko will reach out to the fire marshall's office about getting involved in a partnership in hopes of getting involved with the escape route.

J. Hines will be contacting state reps to address the Board about establishing water rates for SLP.

J. Hines is trying to get more information about the Intel storage tanks from Intel. He has had no contact yet with LCVFD chief Taylor.

Meeting adjourned 8:15 pm for executive session.

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