

## Concerned Members report and comments on the Board meeting of SLPPOA Nov. 19, 2019

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

Author's notes and comments:

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- The process of posting financial reports, audit requirements, compliance with a litigation agreement, and water system documentation were neglected discussions during the board transition. *There were some critical processes left unaddressed by some former board members forcing the new board to "reinvent the wheel." We hope the intent was not to give the impression that some former board members are irreplaceable.*
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Meeting called to order 7:17 pm

Board members present: Lisko, Burnworth, Stuedell, Oepping, Hines, Toennis, Weary

Guests: Star

Stuedell recommended an agenda revision to reposition the "hot" topics before the reports. Lisko reminded that the Board is suppose to comply with parliamentary procedure (RRO) and tasked Stuedell and Oepping to investigate streamlining the agenda to cut down on time. *If 2-3 hours a month is too much for discussion and decision, we question the value of the board and whether the main topics are being discussed privately to prevent member involvement.*

October minutes and agenda approved.

### **President's report - Lisko**

He introduced a pumice mine letter from the FS. that seeks input from the board on comments for the environmental assessment. Comment period ends November 22. Weary stated that it is across the road and could increase traffic in the neighborhood. Lisko will write something up. Due to the short fuse to comment it will be posted on the listserver.

### **Secretary report -Burnworth**

She requested that they approve board election minutes.

She also mentioned another problem, the word "draft" on last year's annual minutes needs to be removed from the document. Oepping agreed to help.

## **Treasurer - Oepping**

Balances:

Operating account - \$113,269. Reserve account -\$110,187.

There are still 13 delinquents for a total of \$5,707. An increase of \$30.

\$660 was transferred to reserve account.

There was a \$878 increase in legal fees. *No breakdown on the fees.*

*There was no discussion on the financial report.*

## **Water - Weary**

Samples were good. All absent coli form and e-coli and residuals within acceptable tolerance.

### **Water maintenance - Weary**

- sys 1 - 497,061 gals pumped. Usage 263,429 gals/mon. -95 gals. daily average use. Leak rate at 5.1 gal./min, (233,632 gals lost) 11 leak flags, 5 users over 7000 gals.
- sys 2 -785,450 gals pumped. Usage- 225,197 gals/mon. 110 gals. daily average use Leak rate at 12.2. gal./min (560,253 gals. lost), 7 leak flags, 5 users over 7000, One user at 76,000 gals. stated a sprinkler issue.

*A total of 17.3 gals/min, ~800,000 gals lost to main line leaks last month.*

Weary stated that Corn has not given her the email template to contact those with leak flags yet.

The issue with the new owner that adjoins the system 2 tanks still needs to be addressed. The owner is concerned about liability with SLP volunteer access.

A question was asked about the tank repairs. Weary stated there are no issues with the tanks.

Corn turned over the system 1 line replacement reports.

Weary stated she got a call from the state regarding an asbestos report form but she didn't have the form. Star stated she could get it and forward it.

## **Roads - Stuedell**

The cinders are covered. We have enough supply this year.

Weary agreed to call Raue at 6 am if she sees 6 in of snow and Stuedell will backup.

Leeder (road contractor) asked if he could buy water in exchange for road maintenance. The board will discuss further.

Raue hasn't had time to grade the roads to remove the washboard. May not happen this year.

### **Legal - Burnworth**

The visit with Mimi Stewart is on hold as there is a group getting together to talk with Stewart about the audit provision of the HOA Act. The issue is regarding the expense of the audit.

Hays questioned the 66% for member approval of bylaw changes. (delayed until old business)

### **Firewise - Lisko**

Lisko sent a letter to Bootzin regarding property he owns and whether SLP could be allowed to thin it. Bootzin had concerns about liability. Lisko will initiate a hold harmless agreement. Haynes from state forestry will mark the timber. Lisko volunteered that as long as Haynes is up here he might look at other properties for marking.

Bootzin reserved the right to advertise and give away whatever material that is cut.

### **Parks - Hines**

She reports it's time to inspect.

### **Architectural - Toennis**

Nothing this month.

Hines questioned a property on Los Griegos that put up a fence line and freestanding carport and whether they got architectural control approval. It was stated that they can't be 20 ft from the road. Toennis was directed to investigate and send an email or a certified letter to the owners with a review of the CCR's.

### **Old business**

Proposed bylaw changes. Hays (attorney) questioned the 66% vote approval. He stated it is 60%. Hays also stated that the provision stating no board member compensation needed to be deleted from the bylaws and a new compensation clause written. Lisko was in agreement to delete the no compensation provision. Discussion ensued of the pros and cons of board compensation. Compensating board members could inspire more members to volunteer, however the other side is that it may be seen only as a perk for board members. *With no value added.*

It was stated that the members can vote it down and that the provision will need to be specific about what compensation and "active" means.

Stuedell reported that his letter to the county about cinder storage on SLP land was rejected because they could not agree to SLP's proposal. They are not willing to accept liability. They stated they will look for another area for the cinder storage. Hines states that they need to be given a deadline to move their cinders otherwise they will ignore it. *Bringing this issue to closure will ensure the association is not held liable for county actions on SLP land.*

Fire department access easement - Lee Taylor agreed to cooperate.

Star stated she could send the survey to the board and the board will discuss the easement issues further. She said a former fire dept volunteer said an easement was granted and should be in the LCVFD and SLP files. No one was aware of the documentation.

An audit is due in 2020, but the Board doesn't have any idea of the process. *The former board could have done a better job with the transition of knowledge.*

The waiver for contractors is still being settled. There was a bit of confusion over which waiver was completed. Lisko was concerned about the waiver for Schrandt (engineer). Oepping stated an \$8,000 payment was made but discussion was illegible. *The statement didn't make any sense. The only agreement the board voted on was to pay Schrandt \$900 for a 3 phase plan. There was no agreement to pay Schrandt or anyone that has been identified at a board meeting \$8,000.*

Discussion ensued about bartering water for road work. It was advised that this needs to be reviewed by the attorney. Stuedell will call to see if it is legal to sell water. The general opinion is it's a bad idea.

System 2 tanks access on a resident's property will be reviewed.

Lisko commented on a letter from the state that lists some water operators. Also the state gave info about accessing funds. He stated an urgency to move on a decision. SLP needs to get Schrandt (engineer) to start the evaluation process and start coordinating the documentation. The past idea of grooming a kid for the responsibility is still a possibility, but too far in the future to wait. The state recommended to start with an engineer evaluation. The engineer could also produce the maps and documentation. The board remains unclear where all the water system documentation is located, or if we have a complete file. *The former board could have done a better job with the transition of knowledge.*

Once we have engineering documents on hand we can then work with a water operator.

Weary stated that there is are a couple of people from UNM interested in researching small water systems and asked whether the board would be interested in participation. Weary stated maybe Corn could help. As we have little historical knowledge of the systems, the issue was passed on until we get the engineer involved.

Weary is still working on the overdue water rights perfection form for OSE and may complete by next month.

More discussion revolved around the roles and responsibilities of a water operator.

The 811- POC - Corn and Stanley volunteered to help.

Hines will assemble the newsletter and get it mailed by end of the month.

Oepping opened the a discussion about the budget. In 2018 the projected income was \$127,645 and dues were \$823.51 per lot. The dues can be increased 10%. The board agreed to a 10% increase to \$905. 87. This will increase the total annual income to \$140,409 -- a \$12,764 increase. *Not nearly enough to fund the water budget.*

The board agreed that more monies will be needed for water maintenance and water operator fees guesstimated around \$25,000 for part time, and cost attributable to engineering. There was mention made to take some out of reserve. *Reserve funds are for emergency and capital improvements. It appears that the majority of the budget discussion was decided through private board conversation because the observed discussion was lacking in any reasonable dialogue of past expenses vs income.*

Lisko commented on a document that Star sent to the board to help with water system management decisions. [Read more.](#)

Lisko stated that the engineering plan should be made available to the members, Members are paying for it.

It was stated that the budget is suppose to be posted 30 days before the rates take effect, so the newsletters needs to go out ASAP.

Before the meeting was adjourned Star asked about:

- the missing financial reports since June that are normally posted on the website. Oepping stated he was unaware of the postings and would get the past financials posted.

- the board's compliance with the Nyhan/Cantrell lawsuit agreement that ensures liability coverage for the association in the event of an accident. Burnworth will follow up.

Hines questioned the Board's D&O insurance. Star stated the Board should review the insurance policy to make sure it is up to date.

Star mentioned the tank inspections she alerted at last month's board meeting. Inspections are coming up in 2020 and the costs of ~\$1000 a tank that normally is done every 5 years will also be a cost to include in the budget. She will send the vendors contact info. *The Board had no knowledge of any inspections.*

Star pointed out that system 2 is at a 71% leak rate and that this past month we wasted ~800,000 gals. She added that heading into winter with this high leak issue is problematic. Lisko agreed there is an urgency to move ahead and that we should be ready by Spring to tackle the problems.

Meeting adjourned to executive session 9pm

Cars dispersed 9:20 pm

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