

Concerned Members report and comments on the Board meeting of SLPPOA September 14, 2019 Annual Meeting

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

Author's notes and comments:

- There was nothing new that hadn't already been report in the prior 12 months of board meeting minutes and discussions. *We expect the annual meeting should address the goals of the past year, what was accomplished and what was not. Instead we get a regurgitation of old news.*



- Seventeen members coming to the meeting is an embarrassment. *We don't blame them, the meeting was boring, a waste of time, uncomfortable due to noise, rain pounding on the roof smothering out speakers and discussion interrupted by dispatch alerts, generator noise and fire personnel moving equipment.*
- Board member, Paul Rightley didn't show up. *He has only been present twice in the last 12 months, and missed the annual meeting as well. The bylaws provide for removal after 3 consecutive absences. The board needs to take action.*

Meeting called to order 2:05

Board members: Kilburg, Corn, Lisko, Weary, Stuedell, Burnworth, Oepping

Absent: Rightley

17 members including the board in attendance.

It was reported a quorum of envelopes was received.

Minutes from last year approved.

Burnworth listed the new members that moved into area.

Treasurers Report- Oepping

Operating account: - \$174,418 Reserve account: - \$116,759

Past due-- 13 delinquent for a total of \$5,000 -- 8 accounts owe very minimal amounts.

Other legal (*not defined*) - \$6,713

Lawsuit --\$52,673.

A pie chart was handed out to show the breakdown of expenses, with no expenses shown.

Water maintenance - Corn

Corn talked about those agencies we deal with and gave a brief summary of the water systems, the wells, storage tanks and the controllers to record levels, and the underground lines in the system.

Water usage is posted on website. *What wasn't reported was from Sept 2018 to Sept 2019 we have lost to main line leaks 7,026,000 gallons of water. Sys 1 average leak rate 57%, sys 2 averaged leak rate 60%. No water operator, no plan.*

Corn went over each month of water repairs. *Past cmslppoa reports detail the monthly discussions.*

He stated that based on testing results, a few lines in system 1 will need to be replaced and that is on the agenda. *We encourage the board to wait until the engineer has presented his proposal before dashing ahead with another 1000 ft of line replacement.*

Wolford questioned the road and water expense report at \$17,000 out of the \$174,000 budget. It was answered that \$40,000 for roads repairs this year are still outstanding. So there is \$57,000 spent out of \$174,000.

Water Compliance - Weary

All testing by sampler Frank Naranjo has come back within acceptable limits during the year. However there was one non compliance violation for delay to get the report in on time.

The consumer confidence report is posted in website. The testing samplings will also be posted on the website.

The *8 year past due* extension of time for perfection of water rights is in process of being finished and it will be posted on the website.

Kurt Moore, president of Canon MDWA asked if we flush the lines when we do repairs to clear chlorination byproduct buildup -- the answer is we don't flush. *That is a water system regulatory requirement, but our volunteers and Raue do not perform that requirement and there has been no water operator oversight on repairs. The personnel responsible are negligent in following regulations.*

Roads- Stuedell

The association paid for two loads of cinders costing \$762 this year and \$11,500 for snow plowings and we have a contract to do five road sandings for \$1,500.

Van Ruyckvelt asked where the 4 inch or more measurement is done before snow plowing begins. Stuedell stated the measurement is done at the higher elevations on Los Griegos. He stated that each additional plowing costs \$1,000.

Raue, the snow plowing contractor, has a 4 hours start time window. A resident asked how do we get out if the roads are not plowed. Kilburg said read the HUD report. The association doesn't guarantee road accessibility in the rural community, but they do their best.

Stuedell stated that snow plowing takes between 4-8 hrs. We have a 2 year contract, so we are still committed to the 4 hour window.

Roads were graded in July. The cost was \$40,000, however it was stated that it needs to be done earlier before the rainy season as there was damage to the roads after the rains.

Discussion changed to owners maintaining their culverts. Lisko stated that SLP will pay an engineer to evaluate whether some areas are in need of bar ditches or culverts and the board will give the resident 2 - 3 years to get the area corrected. If not the owner will get a bill.

Star stated that a few years back we paid \$45,000 to put in culverts and because they weren't maintained/cleaned, they will need to be replaced and more money will now be wasted to redo what we did in the past.

One resident complained about the runoff from Bootzin's land on their land and it was suggested the resident need to talk to Bootzin.

The county repaired Hovenweep and it was asked if the county might take over SLP roads. It was stated it would be a long process but because we pay taxes maybe we could get them to maintain the roads.

Legal- Kilburg for Rightley (*Rightley attended only 2 meetings the entire year*)

Since Feb 2015 the lawsuit by Star has been in process and the association will not get reimbursed for attorney's fees because of the bylaws. *However insurance would have covered it but the SLP board at the time lost coverage due to another claim that wasn't handled in accordance with the insurance company's requirements. The board is still hoping to recover costs.*

There have been liens filed on a couple of accounts that have been delinquent for several months.

A contract is in place with past resident Schacht to maintain the website for \$50/hr.

Firewise - Lisko

State forestry is available to improve our properties and defensible space. They would be interested in making a presentation.

An insurance company was available during the El Cajete fire for helping with the removal of slash, woodpile and other projects. Lisko stated that funding for thinning projects may be available.

Chipping operations were conducted in SLP and will be an ongoing project. Residents can put piles of slash at the end of the driveway. *Make sure to check when chipping will be scheduled.*

It was stated that the north end of unit 1 would be thinned by the FS at the end of the season.

Lisko mentioned that the current covenant timber stands of 400 stems is not environmentally sustainable and that a covenant change is necessary in order to receive federal money.

Parks - Kilburg

Weary has volunteered to take care of mowing until another volunteer takes over.

Architectural- Lisko

Lisko gave a report on the requests made this year and the committee that works with him.

He talked about a potential buyer who wants to install a pool. But the committee stated that no water would be allowed to be used from SLP water wells.

Old Business

Excessive Use Policy: the proposal was taken to the attorney for review and that led to a discussion about the tax consequences. The accountant recommended a more experienced attorney with HOA issues. More follow up is needed.

Proposed bylaw changes: a few mentioned-- correcting lot number for fire station, address on bylaws is outdated, and changes to collection of attorney fees, however if lost that would cost the association. Each proposed bylaw change is proposed to be voted on separately.

New Business

Lisko has been working on a rental property restriction policy because of the complaints about abusive tenants renting properties in SLP. He put a proposal (guidelines) together to have a vote on to include it in the covenants. There is a permit that will be included with the rental restriction policy. This rental restriction policy will focus on short term property rentals. It has nothing to do with long term leases. *We question the legitimacy of usurping private property rights without member vote.*

There were some questions about the restriction policy. It will only apply to someone who is advertising through airbnb, vrbo. However Star asked about a private owner who advertises and charges would it or how would be it enforced? Lisko stated the board will not police anyone. The board will rely on neighbor's complaints and then follow up.

A resident asked why visitors are being held to a higher standard than other properties owners. According to Lisko, renters not the owners have to abide by these standards. Whatever an owner wants to do with his property is his business.

Water engineer - The board met with John Schrandt of Sierra Engineering Solutions, and his proposal was to offer input on improvements to the water system and roads. Corn mentioned a caveat with regards to liability insurance that may require a waiver.

The new HOA act includes changes that will need to be addressed by the board. The act is posted on the website.

Volunteers appreciation was mentioned and gift cards will be mailed. Kilburg mentioned that SLP can't give more than \$25.

Some non board members were asked to review the minutes of annual meeting for future posting.

Nominations for a board position were asked from the floor. No one volunteered. *Two chairs are still vacant. And possible Rightley's chair as well.*

Kurt Moore asked if the board had considered lowering the number needed for bylaws change approval. He asked if the board had investigated the NMED community program that could help on the bylaws. He stated it was free help, but that we may not qualify.

Non board members were asked to tally the ballots.

A break was called. 4pm

We didn't stay for the final tally. Watch for it in the SLP minutes.

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