

Concerned Members report and comments on the Board meeting of SLPPOA – February 13, 2018

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

Author's notes and comments

- The disturbing issue this month is the conflict between Board members on taking legal action on CCR violators. *In a [letter](#) to the Board, Van Ruyckevelt points out that taking aggressive action is an obligation to the community to preserve property values. Trash and junk accumulating on property is offensive to neighbors and devalues surrounding properties.*
- Fencing out cattle is a good proposition, *but fencing alone requires attentiveness to maintenance and will not deter trespassing cattle when good forage and water is easily available on the private lands of Vallecitos de Los Indios and SLP. The FS has neglected its responsibility to monitor and the permittee has abused his grazing privilege. There are local property owners currently working both angles.*
- Finally, one owner has openly expressed to the Board an interest in what is happening with the lawsuit. *We appreciate those who have called to support our efforts in preserving our rights to records disclosure of the association. Some feel the price is worth it.*

February 9th, call to order 7:19pm

Board members present: Kilburg, M. Otero, L. Otero, Nelson, Fredlund, Veverka

Absent: Corn, Weary

Guests: Star, Van Ruyckevelt, Schmitt

Agenda approved with additions: survey on Lot 16a/b, and working on the covenants

Minutes approved

No officer's reports

Treasurer

Account balances

Operating - \$125,581

Reserve - \$110,200

Special Assessment - \$7,200

There are 4 past due delinquent accounts totaling \$5,827. *We expect these are delinquent accounts from past years as the current year is not due yet. It was noted in the January report that a property that has gone into foreclosure will not be collectible; meaning all the legal fees and past dues will be forfeited. We expect had earlier aggressive action been taken, the community would again not be left holding the bag.*

\$962 has been received from another foreclosure.

A reminder will be sent to members who are still outstanding on their 2018 payments. Payments are not past due until April 1.

\$666 was transferred from the operating account into the reserve account.

Legal cost – \$50,693 *And the lawsuit is not yet settled. Now there are 2 attorneys working the case.*

Water

The Hovenweep well unexpectedly shut off and it was discovered that the aspen well had also shut down during that time. The issue was resolved after buying the part that needed to be replaced. Veverka mentioned that they need to check on old issues that may be problems at the well sites.

Schmitt stated that if the relay units were working properly there should have been a notice that the tanks were draining due to the pump malfunction. As soon as the weather permits they will bring Raue up to dig up the entire area around the tanks and put in a proper valve farm. It was also observed that water system spare parts have not been resupplied as they were in the past. A discussion regarding having spare parts available in case of failures was initiated, but no action was taken to get them.

Compliance report:

Kilburg reporting for Corn states that there are no sampling or residual problems, and that action on the NMED survey recommendations need to be remedied soon. Vent pipes, elbows and screens for tanks were mentioned.

Roads

Nelson reported prices for millings – \$20/ton \$26/yard with a \$250 delivery charge. Millings won't be able to be laid until spring, and it was suggested to get an estimate from CBK dirtworks as they will spread and grade. Nelson should also inquire if the company would consider doing private driveways. It was noted that cinders got dumped in the wrong place due to no one being around to direct the delivery.

Legal:

Paperwork on the lawsuit has been submitted. The case will be submitted to a panel of judges for review and decision and could drag on for months.

After months of Board discussion, a letter to a property owner on Los Griegos with vehicles stacking up on the property, was proposed to be sent certified. Concern about the content of the letters was brought up by Fredlund who stated that the two letters differed in their approach to the problem and that he was not satisfied putting into the letter the legal advice recommended. *If legal advice is paid for in order to attack a problem, it is imperative that the Board follow a higher authority. Volunteers with no qualified legal background should not contest a professional opinion.*

There was also scant discussion about a "poodle farm" and a letter to that owner. *This issue has been discussed at past board meeting and apparently has not reached resolved.* Full context was deferred to executive session.

Firewise: no report

Parks - no reports

Architectural - 1 request - approved

Old business

Webmaster - There were 2 bids. The cheaper and local bid was approved.

Schmitt informed the Board he has been working with the SFNF to supply fencing for parts of the SLP boundary to prevent cattle access. The Board agreed to put out a message to the community about the need for volunteers to construct the fencing. Details about how much of the boundary will be fenced and a plan for its installation and maintenance was not discussed.

As the county appears to have encroached on SLP land, a survey has been ordered for \$859 to determine the property lines between the firestation property and the SLP common and park property. Jersey bumper placement by the county will be addressed after the survey. *We expect the Board to act on any encroachment and not allow the cinders and jersey bumpers to become a permanent fixture. It was brought to the Board's attention that the county can move the cinders to the west of the firestation and not be intruding on SLP land.*

Residential leak flags - no report. There was another big leak and still there is no consistency or resolve for notification for leak flags. *We wonder why the Board discusses changing the bylaws instead of putting forth some effort to communicate with the few offenders. Any change in the bylaws will require conformity with the HOA Act, and this community will lose some rights in the process.*

Excess usage policy – Fredlund admits he had no energy to work on it. *Apparently has stalled out for now.*

Reserve study corrections – no response back. *This issue started back in 2016 and is long overdue for resolve.*

Management company changeover – still no resolve. Kilburg will contact an interested party in Los Alamos.

There are some issues with the property tax but Kilburg needs a plat to work on it.

New business

Fredlund indicated that he is disheartened and opposed to certain Board procedures (*it wasn't clear if that meant resigning or something else*) because he doesn't condone legal action against people in the association. *Legal action serves a purpose. Owners move into a community with the expectation that the Board will work diligently to curb violations of the governing documents. Enforcing the rules must be a priority of the Board and owners must not be allowed to devalue our properties and deface our neighborhood.*

Covenants – there was some discussion about the need to update the covenants and the Board needs to form a committee to work on it. Kilburg stated she could revive the old documents of years past when the issue was worked on. *New covenants may be difficult to pass a community vote. Instead of hoping for reform, the Board needs to enforce, by whatever methods available, those covenants we have in place.*

There has been some dissention between the Board and a member who is complaining of bad water pressure as a result of the meter install. Because it is unknown whether it is a meter or a line leak problem, it was decided that the Board would hire Raue to excavate and perform some exploratory work, and fix any issue on SLP land, and work with the member to continue to try to resolve the problem should it be a leak on their private property. It was reported that the "leak" is getting bigger on the property

Schmitt reported that Bootzin, Stillman and he are committed to working on fencing the NE corner of the association to restrict cattle access. The SFNF will buy and bring the materials for about 4000 ft of fence and a cattle guard on high road. There is also the issue of fencing the south boundary of Trujillo's land where the cattle can gain access to both Vallecitos de Los Indios and SLP. A cattle guard on Ashley lane is also being considered.

Schmitt also inquired about the excess water usage policy and why a straw man policy he proposed was not presented to the Board. Fredlund seemed unaware of the document.

Schmitt inquired about resolution of the lawsuit. Kilburg stated she would put out a notice with updates.

Closed session: 8:30pm

As we don't trust what is discussed in the executive meeting, we could care less about when the cars dispersed.

ss/bv

CM Report- Not for Copy