

**Concerned Members report and comments on the Board meeting of SLPPOA –
May 8, 2018**

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

Authors' notes and comments

- *Water is not free. It costs to deliver and maintain safe standards. It's a finite resource that is being squandered by some "water hogs" in our association. One user consumed **192,000 gals. last month--this is NOT ACCEPTABLE**. Property owners need to press the Board for water billing--it's the professional way to operate and fund a water system. Billing benefits low users and penalizes high users.*
- *As the threat of lawsuits due to negligence become more prevalent and court awards exceed most HOA insurance coverage, homeowners need to be aware of what insurance the SLP Board has in place and what actions the Board is taking to mitigate liability issues. SLP has water, roads, and playgrounds subject to litigation should accidents occur. Because a \$1 million dollar per occurrence is not sufficient, the Board must remain vigilant about liability potential.*

May 8 call to order 7:23 pm

Board members present:, M.Otero, L.Otero, Nelson, Kilburg, Veverka (late arrival), Corn. Weary absent.

Guests: Star, Van Ruyckevelt

Minutes and agenda approved

Treasurer:

Account balances:

Operating: \$151,110

Reserve: \$119,460

Past due accounts:

4 presumed uncollectible delinquents- \$9257

9 members have made no payments

11 members have made a portion of the annual assessment payment

1 of the 11 members requesting a payment plan

The total number of delinquent accounts appears to be 24 and according to a follow-up email, the total amount still outstanding is \$19,655.86.

Covenant violations:

The Board has received no response from letters sent to two property owners who are in violation of the CCR's. One can be turned over for legal action. *No reasoning why the other will evade legal process.*

The insurance policy is being renewed with changes. The two exclusions explained on Travelers Insurance *that went unnoticed by the Board on the initial policy.*

- The Company will not be liable for Loss for any Claim based upon or arising out of Claim with Philadelphia Insurance PHDF1512-947313.
This was included because the issue between SLP and a homeowner became contentious when pursued.

- The Company will not be liable for Loss for any Claim brought by or on behalf of Joe Brophy.
This will be changed to Suzanne Star, Sabine Shurter, Barbara Van Ruyckevelt, and Mary Moore , the four who initiated the lawsuit against the Board *for refusal to allow a books and records inspection and to produce a timely audit.*

Legal costs:

\$51,949 - lawsuit

\$900 - other legal costs

Water/ maintenance

There has been no credit back yet from the mainline valves returned to the vendor.

An accessible culvert can is being installed at the system 2 tanks to allow for flow testing like what was installed at the system 1 tanks. There will also be a new electric pole installed at the site. The electrical issues are still behind schedule.

Water compliance

Samples for system 1 & 2 are good.- Sys 1 residual-- .06. Sys 2-- .10 residual.

The consumer confidence report is due on July 1 – Frank Naranjo (water sampler) will help work on that report.

Sanitary survey was finally completed and the report sent to state. A notice of completion is satisfied.

A new property owner, building above the system 1 tanks, has installed a booster pump and meter can assembly.

Meter report

Corn noted that the well meter readings were filed late.

System 1 reporting a 7.3gal/min leak rate with 19 leak flags.

There are 7 property owners using over 7,000 gal.; *we counted 11 --one typically high user exceeded 193,000 gals.* When confronted, the owner sent a nasty gram back. *Not only is this usage UNACCEPTABLE, but the user is also a former board member.*

Two other high users-- one abuser over 42,000 gals. and one over 37,000 gals.

Corn stated they need to catch these leaks and high usage a little sooner. *No-- what we need is water billing and then the onus will not fall on the volunteers to constantly be checking whose leaking or abusing massive quantities of water.*

System 2 reporting 4 gal/min. leak rate with 4 leak flags and 4 users over 7000 gal. *We counted 3.*

The high user with 23,000 gals had a break and it's reported to have been fixed again.

Another user of 15,000 gals has a leak flag.

Owners have no incentive to fix leaks. Water hogs have no incentive to conserve. Water billing would fix both problems and put the association on a "normal" track on how professional water systems are managed and funded. What doesn't the Board understand about this concept?

The Hovenweep well is still out of commission.

Roads

Martin will not be snow plowing for us next year, and he does not know of a replacement. Kilburg stated that he needs to return the sander.

Nelson called 5 grading companies but has received no responses from the companies. Nelson was not impressed with the Thompson Ridge road maintenance.

Legal

No new actions on lawsuit

Firewise – no report

Parks

M. Otero checked out the playground equipment and indicated that the monkey bars have to be removed. After reviewing safety requirements for playgrounds, he supplied his inspection sheet and indicated there is a lot of work needed on some of the playground equipment. There are screws loose, jagged edges and the chin up bars need caps. The swings need to have a protective landing and that possible chip rubber may be an option. The wood table have to be removed. The one picnic table dumped anonymously in the front park of the association has been removed. He proposed signage and will decide on what type of post to erect. *Despite the best efforts, the playgrounds are a liability subject to litigation. We live in a park... we do not need this added liability.*

Architectural

There was 1 request for a garage. Otero is waiting for 2 other committee members to approve the plan. He mentioned the committee consisted of John Hines and Brian Nelson.

Old Business:

The Board is working on contract for the webmaster.

Survey for the county cinder pile. It was noted that the cinders and jersey bumpers are on SLP land (Lot 16A). The county placed the cinders and bumpers on SLP land without approval from the Board and Kilburg will call about the issue. The survey plot will be sent to the fire chief.

The Board is still looking for a replacement for the water compliance chair.

There will need to be a replacement for Nelson for the architectural committee as he is moving out of state.

Discussion regarding the insurance exclusions brought up by Star are still in the works.

Action items

Spare water system parts are in progress.

Corn indicated that he is calling on the highest users with leak flags.

Excess usage policy still needs work. Question is who is leading it now that Fredlund has resigned.

Veverka stated that another test is needed for both water systems.

Nelson stated that he has not heard from Schmitt regarding the cattle fencing, however it was noted that Schmitt got his fencing.

L. Otero has some management company possibilities. It was stated that having a company would be better than using a private individual.

Kilburg submitted 4 protests regarding the property taxes but has received no response. She received evaluations on SLP personal property that she declares is way out of line and will investigate.

Restrictive covenants – no progress

Drainage issue on Cerro Pelado – *conversation regarding resolve was not understood.*

Insurance policy renewal– replacement costs for wells, houses, have been adjusted that reduced the policy costs to\$ 9200 instead of \$12,000. It was suggested that we still have good coverage.

New business

Studebaker will no longer manage the listserver. The Board will ask Luke (new webmaster) if he can assist.

A nomination committee is needed. There are 5 seats projected to be filled next year.

Playground protection plan - Otero volunteered to do monthly inspections. *Unfortunately, this does not qualify as a "professional" inspection and may not protect the association from liability.*

Open meeting ends: 8:26pm

Cars adjourned: 9pm.

ss/bv

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