

MINUTES
SIERRA LOS PINOS PROPERTY OWNERS' ASSOCIATION (SLPPOA)
BOARD MEETING
March 13, 2018

1. CALL TO ORDER: President, Ms. Judy Kilburg called the meeting of the Sierra Los Pinos Property Owners' Association to order at 7:20 p.m. at the SLP Fire Station.

2. ROLL CALL: (P-Present, E-excused, A-Absent without notification)

Pres - Judy Kilburg	P	Water – Peter Veverka	P	Firewise – Tamera Weary	P
VP - Harold Corn	P	Roads – Brian Nelson	P	Parks/Architectural – Max Otero	P
Sec/Treasurer - Lorraine Otero	P	Legal –			

GUESTS: Suzanne Star, Barbara Van Ruyckevelt, Joe Brophy

3. APPROVAL OF AGENDA: MOTION: Mr. Otero made a motion to approve the meeting agenda. Mr. Nelson seconded the motion. There were no oppositions.

4. APPROVAL OF THE MINUTES: MOTION: Mr. Veverka made a motion to accept the minutes of February 13, 2018. Ms. Weary seconded the motion. There were no oppositions.

5. OFFICER REPORTS:

a. President – Ms. Kilburg sadly reported that one of our members, Ms. Katie Ballmann was taken off life support today. The family is working on having memorial for her and will let the Board know when it's arranged.

b. Vice President – No report.

c. Secretary/Treasurer: Ms. Otero provided the following Monthly Report:

i. The balance in accounts as of February 28, 2018 is as follows:

Operating Account: \$136,705.71

Reserve Account: \$110,879.98

Special Assessment Account: \$7,272.60

ii. Past due accounts:

We have 3 delinquent accounts in foreclosure or bankruptcy that total \$8,229.77.

We were just informed today of another bankruptcy.

We have approximately 30 members that haven't paid any of their assessment dues and about 16 others that have paid a portion of their dues. I sent out reminder letters on February 19th. I've received many calls and emails requesting copies of statements. I expect several will make payments that will be reflected in next month's financial statement.

iii. I have one payment plan request to present to the Board for approval in the Executive session.

iv. Two homes closed in February and a sale is pending on another. New member packages will be sent.

v. The Legal costs for the lawsuit have increased from \$50,693.22 to \$51,949.63, an increase of \$1,256.41. This is attributed to the ongoing appeal.

Mr. Veverka asked if it would be a good time to close the Special Assessment account as no more activity is expected in this project. The Board agreed. Therefore the Special Assessment account funds of \$7,272.60 will be moved into the Reserve account and the Special Assessment account will be closed.

Mr. Nelson asked if members could set up an automatic payment at the HOAMCO website for payment of annual assessment dues. Ms. Kilburg said she believes that it is possible. Ms. Otero said she will include that information in the reminder letters that go out to the members.

6. STANDING COMMITTEE REPORTS:

a. Water

i. Water Maintenance – Mr. Veverka reported that he and Mr. Otero are working on the NMED Sanitary Survey which required properly designed venting on the two tanks in System 2. They did one of them today and Mr. Otero shared a picture of what was done. Mr. Veverka said we now have to get vented well caps for the wells. They are approximately \$500 each and we will need two. Mr. Otero found them online. **MOTION:** Mr. Veverka made a motion to buy these vented well caps. Ms. Otero seconded the motion. There were no oppositions. **MOTION:** Mr. Veverka made a motion to hire an electrician to identify what needs to be done to fix and simplify all the electrical wiring on all pumping stations and well houses. He estimates this review will cost approximately \$1,000. Mr. Otero seconded the motion. There were no oppositions.

ii. Water Compliance – Mr. Corn provided the following February 2018 Water Compliance-Meter Report:

Water System Coliform/Microbiological Reports:

- System 1 sample taken by Frank Naranjo, 2/17/2018
 - Total Coliform - Absent
 - Total E. Coli - Absent
 - Disinfected, Residual 0.23 mg/l (7 Mesa Verde)
- System 2 sample taken by Frank Naranjo, 2/17/2018
 - Total Coliform - Absent
 - Total E. Coli - Absent
 - Disinfected, Residual 0.13 mg/l (1223 Los Griegos)

Water System Compliance Schedule required by NMED DWB for 2018:

- Well meter readings for January were filed with NMED, 3/5/2018.
- NMED Sanitary Survey Results received by certified mail, 11/1/2017; NM3565423.
 - 10 significant deficiencies were identified & 3 recommendations were identified.
 - A corrective action response plan was filed 12/7/2017.
 - Corrective actions are in progress by Max Otero, Peter Veverka, & Harold Corn

- TWO Sanitary Survey Notices of Violation were received on 3/8/2018 (violations must be publically posted).
 - 30 day Action Plan filed late
 - 120 day Failure to Correct Significant Deficiencies
 - Included was a closed 2014 Sanitary Survey Violation??
- Recommend the board assign a new SLP Water Compliance Officer (see new business).

Water System Miscellaneous:

- Reminder that Water System 1 is currently operating on two storage tanks instead of three, due to an unknown valve configuration at the site. Action to remedy will take place as soon as spring arrives.
- Feb 4, 2018 Sys 1 Water System was low. Troubleshooting on Feb 5, a defective Aspen well contactor (electrical problem) was found.
- Feb 5, an electrician picked up the contactor, brought it to SLP, and installed it.

Water Usage: Meters were read March 1, 2018 by Peter Veverka, setup and usage was calculated and summarized by Mark Stanley.

- System 1
 - Wells Pumped 546,055 (705,586) gals, (...last month's data...)
 - Usage = 187,923 (218,640) gals
 - Main Line Leakage Rate = 8.9 (13.5) gpm
 - Leak Flags Identified = 17 (13)
 - Users > 7,000 gals = 3 (5); highest user = 9,880 gals (leak flag)...same highest user as last month
- System 2
 - Well Pumped 245,730 (505,490) gals, (...last month's data...)
 - Usage = 107,665 (354,550) gals
 - Main Line Leakage Rate = 3.4 (3.4) gpm
 - Leak Flags Identified = 4 (4)
 - Users > 7,000 gals = 1 (1); highest user = 15,601 gals (leak flag...consistent high leaker)
- Summary
 - Total gallons pumped for both systems was down for February compared to January by 14.3% (132,441 gals).

b. Roads

i. Bonito Way Erosion - Mr. Nelson reported that since there hasn't been much snow and no snow in the forecast he hasn't done anything on this erosion issue. He'll be calling next week to see if the company that does the grading will do millings and if they would be able to put in a berm. Ms. Kilburg said we don't have a regular grading company and that it was CBKN Dirtworks that did it last time. Mr. Nelson will try to find another contractor.

ii. Sign for Cinder Pile – Mr. Nelson said he has been looking at an aluminum sign from VistaPrint that will probably last for many years and another that is cheaper but may not last very long. It was decided that we would invest in a durable sign.

c. Legal –

i. Delinquent accounts – Ms. Kilburg said that she hasn't heard or seen anything further from the attorney on the delinquent accounts.

ii. Lawsuit – Ms. Kilburg reported there has been no new correspondence on the lawsuit.

iii. Restrictive Covenants Violations – Ms. Kilburg said she sent the two letters to the Board for review and comment. There were comments received but no actual changes to the verbiage in the letters except for one suggested change from Mr. Nelson which was incorporated. The letters will now be mailed out.

d. Firewise – Ms. Weary provided the following:

We have a new Firewise sign for the community and she asked for suggestions as to where it should be placed. It was decided to place the new sign at the main entrance and the smaller, older sign across the road for visibility for those coming from the other direction.

Every year as the winter snows recede and the spring winds start blowing, we begin to think of the dry summer months ahead and the increasing wildfire risks that we all face as residents in the Jemez Mountains. This year is especially worrisome, as accumulated snowfall has been far below average, while temperatures have been above average. Even if we do get more moisture before summer, we will most likely still be in drought conditions during our fire season. More and more residents and visitors are recognizing that large wildfires will occur in the Jemez, and if not this year, then next year or the year after that. Jemez Mountains have had the dubious honor of being a trend setter with some memorable large uncontrolled fires. And every year in the Southwestern US, large and dangerous wildfires continue to occur and are likewise becoming almost a normal expectation here in the Jemez.

Carelessly, people abandon dozens of campfires on the Jemez Ranger District every year, and one of those resulted in the 1,400 acre Cajete Fire, impacting the east side of one of our communities only last year. We face similar and increasing ignition risks this year and in coming years from campfires and many other sources such as lightning strikes, tossed burning cigarettes, unscreened sparks from combustion motors or chimneys, over heated catalytic converters in dry grass, downed power lines in a high wind, and (more and more likely) the burning embers from an established fire up wind.

So let us start thinking, planning and preparing to decrease risks to homes and people, and to consider appropriate responses when the next wildfire occurs near or within our neighborhoods.

Anyone interested and specifically residents and property owners of the Greater Eastern Jemez Corridor are cordially invited to a series of free events on the first three Saturdays in April (7th, 14th, and 21st) to help residents and property owners plan and prepare for the upcoming Fire Season. The Greater Eastern Jemez includes but is not limited to Jemez Springs, Areas 1, 2, & 3, La Cueva, Seven Springs, Thompson Ridge, Sierra Los Pinos Area, & Cochiti Mesa. Please save the dates and attend one or all the events described below:

On Saturday evening, April 7th from 5-9 PM at Madonna Hall in Jemez Springs, *Dinner and a Movie* will be offered. A spaghetti dinner (with options for those with gluten allergies) will be provided and the 2017 film "Only the Brave" will be shown, accompanied with a discussion about wildfire risks to properties, residents, and fire fighters. This movie is about the Granite Mountain Hot Shot crew that tragically lost 19 of their crew members in a wildfire in

2013 near Prescott, Arizona. That crew fought the Thompson Ridge Fire in the Jemez Mountains a few weeks before their deaths.

On Saturday morning April 14th, from 9AM-1PM at the Jemez Mountain Baptist Church in La Cueva, the 8th Annual Fire Preparedness Workshop will be held with short presentations from experts and public discussion regarding the context of wildfire problems in the Jemez, fire and fuels management in the Jemez, emergency preparations for wildfires, and ways to reduce risks to properties and lives. Signup sheets will be available to indicate interest in events planned for April 21st.

On Saturday, April 21st, Earth Day (times and locations to be determined) and depending upon public interest, Field Trip Tours and practical examples of grant funding opportunities for homeowners to assist in reducing fuels on private properties will be provided to those RSVP'ing. Sign up opportunities can be found at the April 14th event or by calling Tom Swetnam 575-829-4649, treering1748@gmail.com or Harrison Jones, 575-829-3669, hjonesaz@gmail.com) to express your interest and reserve your space.

The financial arrangements for the April 7th movie are kindly provided by the Jemez Valley Credit Union, and the 8th Annual Fire Preparedness Workshop is sponsored by the Greater Eastern Jemez Wildland Urban Interface Corp., the La Cueva Volunteer Fire Department, Sandoval County Fire District 5, and Jemez Mountain Baptist Church.

This information will also be placed on the website so all members are aware.

e. Parks – No activity

f. Architectural – Mr. Otero reported that he received two requests for architectural approval, one for Unit 2 and the other in Unit 6. One was approved and the other member is to provide additional information.

7. OLD BUSINESS

a. Webmaster Bids – Ms. Kilburg said we will need a formal contract from Mr. Luke. Ms. Weary will talk with Mr. Luke and have him formulate a contract based on the job description provided to him. Ms. Kilburg also mentioned that a W-9 will be required from Mr. Luke.

b. Unit 2 Lot 16 Property Survey – Mr. Corn said the person to accomplish the survey has been contracted but the start date is not yet known.

c. Sandoval County Cinder/Jersey Bouncer Placement – Ms. Kilburg stated that nothing further will be done on this action until the survey in 7.b. above is accomplished.

d. Fredlund Resignation – Ms. Kilburg stated that John Fredlund indicated at the last meeting that he wanted to resign his position. He also sent Ms. Kilburg an email reiterating the resignation. **MOTION:** Mr. Nelson motioned to accept Mr. John Fredlund's resignation. Ms. Weary seconded the motion. There were no oppositions. Ms. Kilburg stated that Mr. Fredlund said he will continue his work on the Excess Use Water Committee and see it through completion.

8. ACTION ITEMS

a. Spare Parts (water) – Mr. Veverka said he hasn't starting looking into this yet. Mr. Otero recommended cleaning up the shed to determine exactly what residual parts are there and make an inventory of parts. Mr. Veverka agreed.

b. NMED Action – Mr. Veverka stated this was covered in 6.a.i above. The well caps will be ordered as discussed.

c. Residential water leak flags – Mr. Corn said this is a work in progress. He wants to find an automated way to let members know when they have a leak flag. He will work with Mr. Mark Stanley to see what the options are.

d. Excess usage policy (surcharge/metering) – Mr. Corn said Mr. Fredlund conducted another meeting and the draft policy was posted on Google Drive. He is waiting on comments from the Committee before presentation to the Board.

e. Fencing – Mr. Nelson reported that he and Mr. Corn contacted Mr. Dave Schmitt who asked to be informed by March 31, 2018 of those members that are interested in the free fencing. Mr. Corn sent an email to all members on the list server early this afternoon letting them know that the free fencing is available to those members that have property that borders the National Forest. Ms. Kilburg will also post the information on the website.

f. Mgt Company/Accounting Firms Bids – Ms. Kilburg has not had time to work this item due to other priority Board issues.

g. Property Tax Follow-up – Ms. Kilburg said she has not had time to work this item due to other priority Board issues.

h. Restrictive Covenants – Ms. Kilburg stated that she found a set of revisions to the covenants that was done several years ago and she emailed the draft set to the Board. The goal is to standardize the covenants where possible. Mr. Veverka indicated an interest in revising these covenants. When the draft is done it will go to the membership for a vote.

i. Post Lawsuit Information on the Web – Ms. Kilburg said she has not had time to work this item due to other priority Board issues.

9. NEW BUSINESS:

a. Board Vacancies – Ms. Kilburg wants to remind people that we don't have to wait until September to fill Board vacancies. There were no extra members voted in last September so we are now short two vacancies.

b. Appointment of New Water Compliance Officer – Ms. Kilburg mentioned that Mr. Corn would like to step down from Water Compliance. She is hoping for a volunteer from the Board.

c. Appointment of Two Additional Architectural Committee Members - Ms. Kilburg said there is an immediate need to identify two more members to serve on the Architectural Control Committee in order to comply with the restrictive covenants. Ms. Kilburg said they do not have to be Board members.

d. B. Van Ruyckevelt – Ms. Van Ruyckevelt asked that the letter she submitted to the Board be included in the minutes (See attached). Ms. Van Ruyckevelt said she wants to thank the people that are trying to enforce the covenants. She didn't want to make Mr. Fredlund upset. Ms. Kilburg said she believes Mr. Fredlund took offense to Ms. Van Ruyckevelt's perception that Mr. Fredlund was friends with the violator. That was to the contrary. Ms. Kilburg explained that each set of unit covenant are written differently. We have different violators in different units. For example, Unit 1 doesn't mention anything about the Board having any authority but at the time those were written there was no Board in place. As years went on and other covenants were written they were more stringent. The covenants for Units 4-10 mention that it could be a member, architectural committee or SLPPOA that can actually file a lawsuit to take legal action. That's what Mr. Fredlund was having a problem with and what some of the confusion and heartburn was about. We are tired of being in lawsuits and he was concerned about being in another lawsuit. If we go after somebody with an attorney, someone may sue us because the Board is spending money on another lawsuit. There is a lot of concern about that. Ms. Kilburg said we are trying to take care of these violations and there are many of them out there. When you get many complaints we have to do something about it. Ms. Van Ruyckevelt said she is concerned about keeping the neighborhood up, which Ms. Kilburg stated we all are. In order to be fair between the other unit violators, we will give each violator a 30 day warning and point out what the complaints are and have the violator tell us within 30 days how they intend to remedy the situation. Ms. Van Ruyckevelt said she appreciated that. Ms. Kilburg said she also appreciated her concern.

Ms. Weary said she forgot to mention during the Roads presentation that over on Cerro Pelado by the bend there is a spring that has backed up and iced over in the road. It is now creating big potholes in the road. Ms. Kilburg said there is a culvert there but it's probably plugged up. We will need to look at either cleaning out the culvert or putting a new culvert in at that area when the weather warms up.

Ms. Kilburg mentioned that Ms. Otero drafted a Policy for Annual Assessment Dues and Reminder Letters because HOAMCO will not follow up on the statements or send reminder letters because we have no written policy. We are still addressing comments on the proposed policy.

Mr. Joe Brophy asked if there are any updates on the availability of chippers. Ms. Weary said that John Dickenson in La Cueva has the County chipper and he can contact him or she can contact him. She believes there is a cost associated with using it. Mr. Brophy also asked Ms. Weary if there was any update on when the slash pit would be opened. Ms. Weary said she didn't have any information on that at this time.

10. NEXT MEETING: Tuesday, April 10, 2018, 7:15 p.m.

11. ADJOURN: The meeting adjourned at 8:52 p.m.

12. EXECUTIVE SESSION

Delinquent Accounts

Payment Plan Approval Request

Submitted by: Lorraine Otero

Attachment:
Final BV letter 2-15-2018

February 16, 2018

Dear Judy,

At Tuesday's meeting, a letter was discussed by the Board regarding a member whose property looks like a wrecking yard for old cars. The member has been accumulating cars on his property over the past few years that makes it an eyesore of the neighborhood.

I commend your defense of the forceful letter plus the extra time you spent conferring with the attorney on the letter.

As I understand the argument, the Board has decided to send the letter with a strict proposal of legal action if nothing is done to alleviate the eyesore. However, a Board member decided that he may not want to be on the Board if the Board took this action. After a discussion between Board members, regrettably, the Board seemed to back down from sending this forceful letter in order to pacify the dissenting Board member.

The member who was protesting the letter said he had no desire to be on the Board in the first place and he didn't want to be a part of the Board if they are planning to enforce the covenants of our association. He also said that it was not the Board's purpose to enforce the covenants. He is also a close friend and co-worker with the member that was supposed to get the letter.

I was appalled to hear this statement from a Board member and point to the rules in our Declaration of Restrictions UNITS 4-10:

9. No trade or offensive activity of any kind shall be carried on upon any lot, nor shall anything be done on any lot, which shall constitute an annoyance or nuisance to the neighborhood. (pg 3)

ALSO

18. It shall be the responsibility of owners of lots, vacant or otherwise, to keep said lots, and all easement areas encompassed within the exterior boundaries of said lots, clear of trash, rubbish, or noxious materials. (pg 4)

I find this appalling and a dereliction of the Board members' duties since they are elected among other reasons to enforce the covenants.

