

**MINUTES**  
**SIERRA LOS PINOS PROPERTY OWNERS' ASSOCIATION (SLPPOA)**  
**BOARD MEETING**  
**April 10, 2018**

**1. CALL TO ORDER:** President, Ms. Judy Kilburg called the meeting of the Sierra Los Pinos Property Owners' Association to order at 7:15 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, Chad Luke

**3. APPROVAL OF AGENDA:** Ms. Kilburg asked if anyone had any changes to the agenda. Mr. Nelson mentioned that he has accepted a new job in Colorado and requested that this be added to the New Business portion of the agenda. **MOTION:** Ms. Weary made a motion to approve the meeting agenda. Mr. Nelson seconded the motion. There were no oppositions.

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

**5. WEBMASTER DISCUSSION (Chad Luke)** - The Board introduced themselves to Chad Luke, the proposed SLPPOA webmaster. Ms. Weary stated that Mr. Luke drafted a contract that she wanted the Board to review. Ms. Kilburg said the Board will need time to review the draft contract. Mr. Luke said he would be happy to field any questions the Board may have. Ms. Kilburg asked that the Board review the contract and provide comment within a week. Ms. Kilburg explained that we use a GoDaddy website. She also mentioned it would be good for Mr. Luke to talk with Mr. Mike Schacht to discuss the transition, obtain access information and see how Mr. Schacht has set things up. Ms. Kilburg explained she doesn't believe our website will need a lot of redesign, maybe add some pictures of our community. Ms. Weary volunteered her husband to take pictures of the community.

**6. OFFICER REPORTS:**

**a. President** – No report.

**b. Vice President** – No report.

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

i. The balance in accounts as of March 31, 2018 is as follows:

Operating Account: \$151,106.64

Reserve Account: \$118,829.03

Special Assessment Account: \$0 (account closed)

In accordance with discussion at the March Board meeting the Special Assessment account was closed and the \$7,272.63 was transferred over to the Reserve Account.

ii. Past due accounts: We have 4 delinquent accounts in foreclosure or bankruptcy that total \$9,132.63. Eleven members haven't paid anything toward their 2018 assessment dues and I will be sending out warning letters to them this week. Eleven other members have made a portion of their payment and three of those 11 owe very minimal amounts.

iii. The covenant violation letters were sent out by certified mail on March 14<sup>th</sup>.

iv. New member packages were mailed to the three new members I reported last month.

v. The 2017 taxes were completed and Ms. Kilburg signed them. The originals were mailed to HOAMCO on Monday for their distribution to the IRS.

vi. Last week I received a check in the amount of \$666.67 from the Operating Account transfer to the Reserve Account. It will be deposited into the Reserve Account tomorrow.

vii. It was requested by a member that I also report legal costs for other than the lawsuit.

Other Legal Costs: \$936.59 (As of the January 1, 2018)

Lawsuit Legal Costs: \$51,949.63 and remain unchanged from last month.

## 7. STANDING COMMITTEE REPORTS:

### a. Water

i. Water Maintenance – Mr. Veverka reported that he and Mr. Corn are working to provide water to a new member. They got water out of the feed but the member's feed is so close to the water tank so the member doesn't have much pressure. Right now we have one tank that's isolated when turned on it goes out FR 10. He has asked Dave Raue to start next week to dig up the valve, re-plumb, and label it. Mr. Raue gave him a rough estimate and will start next Monday. Additionally, the electrician identified a number of improvements relating to electrical relays at the pumping stations. Mr. Veverka estimates \$6,000 for these two items. Mr. Otero recommended that the leak in System 2 also be included. Mr. Veverka concurred and estimated that portion at approximately \$2,000. **MOTION:** Mr. Veverka made a motion to do repairs on System 1 and System 2 tanks and valves estimated at \$8000. Mr. Otero seconded the motion. There were no oppositions.

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

#### Water System Coliform/Microbiological Reports:

- System 1 sample taken by Frank Naranjo, REPORT DELAYED
  - o Total Coliform -
  - o Total E. Coli -
  - o Disinfected, Residual --- mg/l
- System 2 sample taken by Frank Naranjo, REPORT DELAYED
  - o Total Coliform -
  - o Total E. Coli -
  - o Disinfected, Residual --- mg/l

#### Water System Compliance Schedule required by NMED DWB for 2018:

- Consumer Confidence Report is due to NMED and the SLPPOA members by July 1.
  - o Plan to tap Frank for help on this document's creation.
- Well meter readings for January were filed with NMED, 4/3/2018.
- NMED Sanitary Survey Results received by certified mail, 11/1/2017; NM3565423.
  - o 10 significant deficiencies were identified & 3 recommendations were identified.
  - o A corrective action response plan was filed 12/7/2017.

- o Posted sanitary survey violation notices on the fire barn and on the SLPPOA web site (thx Judy) as required by NMED.
- o Corrective actions are still in progress by Mr. Otero, Mr. Veverka, and Mr. Corn
  - March 6, Mr. Otero and Mr. Corn installed a new, vented, well cap on the FR10 Meadow Well.
- Reminder – A new SLP Water Compliance Officer has not been assigned.

Water System Miscellaneous:

- System 1 LevelCon monitoring is back on line.
- Progress on providing water service to an owner on Sys 1, Unit 2.
  - o Mr. Veverka and Mr. Otero installed a new curb stop valve.
  - o Low water pressure challenge is being worked on. We are keeping the member informed as to progress.

Water Usage: Meters were read March 31, 2018 by Mr. Dave Schmitt and Mr. Mark Stanley.

- System 1
  - o Wells Pumped 658,498 (546,055) gals, (...last month's data...)
  - o Usage = 250,301 187,923) gals
  - o Main Line Leakage Rate = 9.4 (8.9) gpm
  - o Leak Flags Identified = 20 (17)
  - o Users > 7,000 gals = 4 (3); highest user = 17,299 gals (leak flag)
- System 2
  - o Well Pumped 293,710 (245,730) gals, (...last month's data...)
  - o Usage = 134,062 (107,665) gals
  - o Main Line Leakage Rate = 3.7 (3.4) gpm
  - o Leak Flags Identified = 6 (4)
  - o Users > 7,000 gals = 2; highest user = 16,525 gals (leak flag...consistent high user/leaker), next highest user = 14,651 gals (NO LEAK FLAG)
- Summary
  - o Sys 1 highest user found to be leaking ~3.5 gpm. Water has been turned off by Mr. Corn.
  - o Sys 2 next highest user was contacted and water turned off by Mr. Otero. Repair should be complete by Friday.

Mr. Veverka stated that if we are starting to see increases in leakage in System 2 we have to replace the valve there. This is a good time to install a meter so that we can read the flow rate and this could be done simultaneously and within the \$8,000 motioned in 7.a. above. Mr. Corn agreed.

**b. Roads**

**i. Bonito Way Erosion** - Mr. Nelson reported that Montano and Associates could deliver the millings and they are cheaper than the cinders. Now he needs to look for a grading contractor who can spread the millings. He will continue to research. We need to get this done before the rains in July.

**ii. Sign for Cinder Pile** – Mr. Nelson said the sign for the cinder pile has been ordered and it will be here in approximately one week.

Mr. Nelson said we need to start checking for a new snow removal contractor if Mr. Crane is not planning to continue this service. Ms. Kilburg said Mr. Crane may have someone in mind for his replacement.

**c. Legal –**

**i. Delinquent Account Updates** – Ms. Kilburg said the attorney has been requesting information from us and it looks promising that we may collect on two of the foreclosed properties. Things are progressing in our favor. Our track record on collecting on foreclosures has been very good.

**ii. Lawsuit** – Ms. Kilburg reported that Star filed a Designation to Supplement Record on March 19, so we have incurred additional cost in this area.

**iii. Restrictive Covenants Violations** – Ms. Kilburg said the thirty days that the violators have to respond to the letters we sent is rapidly approaching. To date we have not received a response from them.

**d. Firewise** – Ms. Weary reported the following:

Mr. Jan Studebaker sent out the information about the three firewise activities happening in April. It started last weekend with about thirty people that showed up at Madonna Hall for the Dinner and Movie.

**On Saturday morning April 14<sup>th</sup>, from 9AM-1PM at the Jemez Mountain Baptist Church in La Cueva**, the 8<sup>th</sup> 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.

**On Saturday, April 21<sup>st</sup>, Earth Day** – there will be tours showing places that have had fire remediation done and places that have not had it done.

Ms. Weary had an action item to find out about the chipper for Mr. Joe Brophy. She was going to talk with John Dickerson but he has been dealing with the death of his wife and she wanted to give him some time to deal with his situation.

Ms. Weary said the other action item was to check with the County to see if the slash pit will be opened early but she hasn't been able to contact anyone. Mr. Otero said that he contacted the Forest Service and they are still assessing whether to open it but haven't made a decision yet.

Ms. Weary also mentioned the outlook on fires for this month is very bad with the dry weather and moisture content. It is worse now than last year at this time. Some of the conditions that we're experiencing are similar to those experienced before the Cerro Grande fire. The outlook for April-May is fairly normal. June will probably see a higher incident or potential for fires. In July we are expecting the arrival of the monsoon season with normal rainfall. Last week there was a small quarter to half acre fire on the south mountain that the Caldera took care of. It was started by a tree that fell on power lines. We've had about four fires since Thanksgiving. Normally we wouldn't see anything in the winter months.

Ms. Weary will try to get the Firewise sign put up this weekend.

**e. Parks** – Mr. Otero said regarding the playground he will provide a common sense approach to looking at the playground equipment but he is not an inspector. It was also

recommended that he document when and what is evaluated. He also said there is a picnic table that someone left at the big park that needs to be removed because it has bolts protruding. He will get rid of it as soon as possible.

**f. Architectural** – Mr. Otero reported that Mr. John Hines agreed to be part of the Architectural committee. We will need one additional person since Mr. Nelson will be leaving the community shortly.

## 8. OLD BUSINESS

**a. Webmaster Bids** – See paragraph 5. above.

**b. Unit 2 Lot 16 Property Survey** – Mr. Corn said he will call the surveyor and it should happen within the next thirty days.

**c. Sandoval County Cinder/Jersey Bouncer Placement** – Ms. Kilburg stated that will be taken care of once the survey is completed.

**d. Appointment of Water Compliance Officer** – Ms. Kilburg said this action will continue next month.

**e. Additional Member of Architectural Control Committee** – See paragraph 7.f. above.

## 9. ACTION ITEMS

**a. Spare Parts (water)** – Mr. Veverka said this is a work in progress.

**b. NMED Action** – Mr. Corn said this is in progress and almost complete.

**c. Residential water leak flags** – Mr. Corn said he would like to have a script on a worksheet that will generate emails to any member wanting to know their usage and if they have leak flags. This is still in the planning stages and hasn't been tested yet.

**d. Excess usage policy (surcharge/metering)** – Mr. Corn asked what is the next step. Ms. Kilburg questioned why there are voting boxes on the proposed letter to the members. There has to be a meeting of the general membership to discuss this change followed by a vote. The letter also includes a proposed bylaw change related to the excess water use. Ms. Kilburg stated there are a few other bylaw changes that are needed as well, i.e., the explanation of assessment dues late fees needs to be clarified and the Unit 2, lot 16 A&B lot designation needs to be corrected. It needs to be decided if these bylaw changes will all be done at the same time. Ms. Kilburg recommends sending the letter as an announcement with the meeting date and time for discussion and subsequent voting.

**e. Fencing** – Mr. Nelson said information went out to the members. Interested members were to let Mr. Dave Schmitt know by March 31, 2018. He hasn't heard from Mr. Schmitt.

**f. Mgt Company/Accounting Firms Bids** – Ms. Kilburg is still working.

**g. Property Tax Follow-up** – Ms. Kilburg said the 2018 property valuations were received. She and Mr. Corn will be reviewing them to see if they are valued correctly.

**h. Restrictive Covenants** – Mr. Veverka said nothing has been done in this regard.

**i. Post Lawsuit Information on the Web** – Ms. Kilburg said this has been posted.

**j. Drainage Issue on Cerro Pelado** – The ground is still frozen and nothing can be done until it warms up. Ms. Kilburg said there is a culvert there but it's been buried over the years.

**k. Draft Policy for Annual Assessment Dues and Reminder Policy** – Ms. Kilburg incorporated the comments received from the Board. Ms. Otero provided a final version for signature. **MOTION:** Ms. Otero motioned that the policy letter for Annual Assessment Dues and Reminder Policy be accepted and signed. Mr. Otero seconded the motion. There were no oppositions. The policy was signed.

#### **10. NEW BUSINESS:**

**a. Google Drive Management** – Ms. Kilburg mentioned that Google Drive management had been handled by John Fredlund who is no longer part of the Board. It was recommended that the proposed Webmaster could take it over. Ms. Weary will talk to Mr. Luke about it.

#### **b. Star –**

**i. Parks Insurance Coverage** - Ms. Star informed of a lawsuit in Las Vegas, NV where a 15 year old young man was on a swing on the playground and the cross bar came down on him and created some brain damage. The jury awarded a judgement of \$20,000,000. It may be appealed. The HOA was found to be negligent. The HOA had insurance for \$2,000,000 per occurrence. Each homeowner was assessed \$90,000 because of the lawsuit. The homeowners wanted to turn around and sue the HOA because they were not informed about the lawsuit. We also have playground equipment and insurance at \$1,000,000 per occurrence. Ms. Star said we need someone to do qualified safety inspections. Ms. Kilburg said this was a fluke accident. She spoke to our insurance agent and he is not concerned. It is common for large judgements to be awarded and then in appeal the award is significantly less. Ms. Kilburg stated we will do routine common sense inspections of the playground equipment.

**ii. Insurance Policy** – Ms. Star asked about the insurance policy that is posted on the website. Ms. Kilburg said there are errors in two unit and lot numbers. She talked with the agent today and discussed the corrections needed. The new policy that comes out for May 2018-May 2019 will correct these numbers and will have updated replacement values. Ms. Kilburg stated that anything under 950 Forest Service Rd 10 address is covered in the policy. Ms. Star questioned why there was an exclusion in the Travelers Insurance that the company will not be liable for loss or claim from Philadelphia Insurance. Ms. Kilburg said she will have to ask the agent.

**c. Mr. Brian Nelson Resignation** – Mr. Nelson will be resigning after the May Board meeting since he is moving to Colorado. The Board hates to see him go but wished him well.

**11. NEXT MEETING:** Tuesday, May 8, 2018, 7:15 p.m.

**12. ADJOURN: MOTION:** Ms. Otero motioned to adjourn the meeting. Mr. Veverka seconded the motion. There were no oppositions. The meeting adjourned at 9:10 p.m.

**13. EXECUTIVE SESSION**

Lawsuit

Delinquent Accounts

Restrictive Covenants Violations

Submitted by: Lorraine Otero