

**MINUTES**  
**SIERRA LOS PINOS PROPERTY OWNERS' ASSOCIATION (SLPPOA)**  
**ANNUAL MEETING**  
**September 8, 2018**

1. **CALL TO ORDER:** The chair, President Ms. Judy Kilburg called the annual meeting of the Sierra Los Pinos Property Owners' Association to order at 2:04 p.m. at the Sierra los Pinos Fire Station.
2. **ROLL CALL:** (P-Present, E-excused, A-Absent without notification)

Pres: Judy Kilburg	P	Water: Peter Veverka	P	Firewise: Tamara Weary	P
Vice Pres: Harold Corn	P	Roads: Judy Kilburg	P	Architectural and Parks: Max Otero	E
Sec/Treasurer: L. Otero	E	Legal: Judy Kilburg	P		

3. **INTRODUCTIONS:** Ms. Kilburg introduced herself and welcomed everyone to the meeting. Each Board member in attendance introduced themselves and identified their position on the Board. The members in attendance also introduced themselves. Ms. Kilburg announced that handouts for the budget information were available on the table at the back of the room.

**4. GUEST SPEAKER(S):**

a. Chief Lee Taylor extended a special thanks to the community for the caring and compassion that the community has shown relating to his son's accident that happened last December. The accident was not life threatening but disfiguring. Chief Taylor and his wife can't express how grateful they are and they really appreciate the community.

This past spring and summer were the worst drought conditions that anyone here can remember. We had very severe conditions but we dodged the bullet. Any spark could have started a major fire. We appreciate everyone's diligence in not having campfires on their properties or burning slash. It could have been catastrophic. There were some issues in our neighborhood. We had a wind event in April that he would characterize as a tornado but not sure. It was a wide swath about a mile long that took out hundreds of big ponderosa trees. The majority of it was on private property. As the fire department we felt an urgency to help folks get the fuel off their property. The fire department chipped slash at various homes off and on for about six weeks. We hope that was beneficial.

Not too long ago there was a structure fire on Bonito Way. It could have been disastrous. The home owners lost their garage but luckily the fire department got there fast enough to save their home.

Since January this year, we responded to about 100 different incidents in our fire district which is from Soda Dam to Los Alamos County line and north the fish hatchery at Seven Springs. The forest closure reduced the traffic and it really reduced the number of calls that the fire department responded to. I want to encourage everyone to keep the fuel on your property minimized.

Ms. Ann Cooke the Firewise advocate, added that anyone that had downed trees that they cut and split wood, or if you put a new roof on your home, please put your name down and identify the number of hours spent on the activity. You can include time and money spent. This will go toward keeping our firewise status in our community.

Chief Taylor said the Forest Service slash pit is a huge benefit for our community. However, there has been a lot of abuse at the slash pit. Please don't leave tires, car batteries or trash at the pit. If it keeps getting abused the Forest Service will shut it down. The chipper owned by the fire department is good resource and is available for member's use. Please call him or John Fredlund to schedule an appointment.

Ms. Cooke said there are two splitters that are available for member use at no cost. Contact Howard Fagan, 575/829-3031. All he asks is that if it breaks you call Howard and don't try to repair it yourself.

Chief Taylor said that the water tanks at the fire station in La Cueva that he has mentioned in past meetings, are almost ready to use. Plumbing is being done now and the tanks should be filled with water within the month. We should have 50,000 gallons of fire suppression water in storage which benefit the whole fire district. Ms. Suzanne Star asked about the tanks for Sierra los Pinos. Chief Taylor said obtaining the two La Cueva tanks was long cumbersome process. We don't want to comingle the domestic use water and the fire suppression water. Right now the plan is to have this totally separate. We need to work on funding. Intel Corporation has tanks available for free but we would have to transport and set up plumbing etc. The tanks go for about \$100/gallon.

October 13, 2018 from 10am to 3pm the fire department, Station 1 in La Cueva will be having an open house. If you are available, please attend.

**5. READING AND MEMBERSHIP APPROVAL OF THE MINUTES:** Ms. Kilburg said hopefully everyone had an opportunity to read the draft annual meeting minutes dated September 9, 2017 posted on the SLPPOA website. **MOTION:** Paul Rightly I move to accept the minutes from the last year's annual meeting. Eleni Fredlund seconded the motion. There were no oppositions.

**6. BALLOT COUNT TO VERIFY QUORUM:** Ms. Kilburg verified that a quorum of ballots was met so that we can proceed with the meeting. We needed 47 ballots and there are 51.

#### **7. OFFICER REPORTS:**

a. Presidents Report – This past year has been very busy as usual. Unfortunately, we did lose two board members, which was very unfortunate.

b. Secretary – In the absence of the Secretary/Treasurer, Ms. Kilburg presented the Secretary/Treasurer report:

**(1) Financial Status**

**(a) The balance** in accounts as of August 31, 2018 is as follows:

Operating Account: \$118,810.30

Reserve Account: \$122,167.71

**(b) Past due accounts:** We have 17 delinquent accounts totaling \$10,823.88. Of these 17 accounts four are in foreclosure or bankruptcy in the amount of \$7,576.36. However, we just received a check on the largest delinquent account which will reduce this amount to just over \$1,800. Of the remaining 13 delinquent accounts, 6 are slowly making payments and the remaining 8 accounts owe very minimal amounts attributed to unpaid interest.

**(c) The legal costs** to date are:

Miscellaneous Legal Costs: \$2,627.03

Lawsuit Legal Costs: \$51,949.63

**(2) Expenses (Attachment 1)** - This chart shows the 2018 SLPPOA total expenses through August 31, 2018.

The light blue piece of the pie has Administrative Costs in the amount of \$26,634.26 which includes costs such as:

- Accounting/Tax Prep fees
- Bad Debt
- Insurance
- Legal Fees
- Lien/Collection Costs
- Management Fees
- Travel Mileage
- Office Supplies
- Postage
- Printing
- Safe Deposit Box

The orange piece is the transfer of funds from the Operating Account into the Reserve Account which is \$12,605.99.

The grey area is for the Common Areas in the amount of \$22,762.68. The Common Areas include:

- Certified Water Operator
- Line Location services
- Parks
- General Water - Repair & maintenance
- Water System 1 - Repair & maintenance
- Water System 2 - Repair & maintenance
- Repair & Maintenance – Roads
- Snow removal

- Water Conservation Fees/Taxes
- Water Sampling

The yellow area is Taxes and Other Expenses - \$944.50. This includes:

- Boundary Surveys
- Corporation Commission Fee
- Taxes – State

The dark blue section represents the Utilities at \$6,222.43.

**(3) Water Expenses (Attachment 2)** - This chart shows the Water expenses in further detail:

- In the little dark blue section at the top is the Water Conservation Fee/Taxes - \$354.39
- The small green sliver is the Water Sampling - \$945.13
- The light blue piece is Certified Water Operator Cost - \$1,361.72
- The small orange wedge is for General Water Repair & Maintenance – \$462.77
- The grey wedge is for Repairs & Maintenance of Water System 1 - \$9,543.76
- The large yellow section is the Repairs & Maintenance for Water System 2 - \$8,736.19

#### **(4) New Members**

Since last September we've had quite a few new members join our community. We would like to welcome the following homeowners:

- Lisa Kay & Michelle Rabe
- Gary Schlegel & Thelma Davis
- Jeremy & Rebecca Oepping
- Thomas & Kristi Cross
- Evan Ferguson
- Jacob Sanger & Shae Reinecke
- Michael Breidenbach
- Fred & Carmen Catellier
- Scott & Holly Gould
- Jeffery Wheat
- Fermin & Felisha Martinez
- Erik & Heather Grove
- Jonathan & Katya Morris
- Benjamin Grenzer
- Dave & Angela Shrader
- Diane Duback

A member asked what the amount of the total income received was. What is the total on the Roads repair?

**RESPONSE:** Mr. Harold Corn mentioned that the latest repairs done on the roads has not yet been invoiced yet. Ms. Kilburg stated that she did not have the exact dollar amount that was received, but the monthly financial reports are posted on the website.

## 8. COMMITTEE REPORTS:

### a. Water

#### i. Maintenance – Mr. Peter Veverka gave a month by month reporting.

- In October a pressure reducer was installed because a member's water pressure was too high.
- In November – one of two leaks were fixed on Los Griegos Rd. It took about three days to fix. He thanked Harold Corn, Dave Schmitt, Max Otero, Brad Shurter and Joe Brophy who volunteered their help. Without volunteers we wouldn't have a water system.
- December and January – were fortunately very quiet.
- February - we had a big loss of water on System 1. That investigation was done by our electrical experts Brad, Harold and Mark Stanley. They identified that a contact on the pumping system had blown apart. The system is old but we were able to find another contact. It was at this time we decided we should get a certified, licensed electrician to go through our systems to ensure they were up to date and up to code.
- March – Max, Harold and he worked to fix the findings identified by the NMED in our Sanitary Water System. The majority of the findings required putting vents on tanks in System 2 and vent every well cap. We purchased the equipment, installed it and brought everything into compliance with the NMED.
- April - We had a big windstorm. It took down all the power and power pole from the Hovenweep well. It took a while to get it up and running again. The power pole was out of code so we had to completely rebuild it and put in a new power pole and bring in an electrician. It took several months to get Hovenweep back on line. One of the things that kept things going was when we did bring in the electrician, he worked on having all the wells equipped with transfers so we can run them off of the emergency generator.
- May - A new member that was going to start building on a lot up above our tanks gave us the incentive to completely re-valve all of our water tanks both in System 1 and System 2. We were able to provide a system to provide water to their booster pump.
- June – we had another big leak in the meadow which is the highest-pressure area. Thanks to Chris Ross, Brad Shurter, Harold Corn, Max Otero and everyone else that helped fix this leak.
- Harold is still working with our electrician to install pressure reducing systems on the Hovenweep well so that when we have to isolate it from the tanks, we don't blow the pump. We have been going steadily forward and have made lots of advancements in the last few years.

**QUESTION:** When the leak in the meadow occurred and Mr. Raue replaced that whole line, did he also replace the part that blew out previously or was it an original replacement?

**RESPONSE:** Mr. Veverka stated that about a year ago we installed a blow down valve there so we could bleed the lines. It was in that joint that it blew due to pressure. It is a challenge due to the elevation between the meadow and the tanks. We have to keep track of that.

**QUESTION:** What the leakage rate is at this time.

**RESPONSE:** The leakage rate is about 6 gpm on one system and about 4 gpm on 42,000 gallons a month on one system.

We have a long way to go to reduce the leakage rate. It's much better than it was five years ago. We're continuously fixing things. If someone wants it to be perfect, the job is open. Mr. Corn said when we were first able to diagnose the leakage rate it was at 23 gpm. So, we've come a long way.

**QUESTION:** What is the average leakage in other communities?

**RESPONSE:** The acceptable average leakage in the industry is about 15 percent of production is acceptable in the industry. We still have a long way to go but we have made much improvement.

**QUESTION:** Was there any replacements done on any main lines this past summer?

**RESPONSE:** Mr. Veverka said no, we worked on valves and making sure that electrical systems worked properly.

**QUESTION:** Are there plans to do more?

**RESPONSE:** I'm sure they will have plans in the future. We did install a method to do accurate rate tests. System 2 was pretty tight but it is starting to creep up so we need to do testing on that system. We need many volunteers to shut off valves to individual homes so that all we're testing is the main lines.

**QUESTION:** What fuel does the electrical generator run on?

**RESPONSE:** Mr. Veverka said the generator runs on gas. It's a North Star 15KW generator.

**ii. Water Compliance – Mr. Harold Corn provided the 2018 SLPPOA Annual Meeting Water Compliance - Meter Report**

Water sampling is required for Public Water Systems by the New Mexico Environmental Department Drinking Water Bureau (NMED DWB).

The 2018 Sampling Schedule included:

- Routine monthly samples are collected for Total Coliform, Total E. Coli, and the disinfection residuals are reported and filed with NMED for each water system by our Water Operator Frank Naranjo. All monthly samples for the year reported Total Coliform & Total E. Coli as "absent".
- CCR (Consumer Confidence Report) was drafted and posted on the SLPPOA water web page in June 2018.
- The 2017 Sierra Los Pinos Sanitary Survey was completed and submitted to NMED IN April 2018.
- The 2018 Annual Water and Sewer Survey was completed and reported to NMED DWB July 2018. This year's survey requested AWWA Drinking Water Audit Results (water loss data). SLPPOA reported water loss data.
- Vernon Trujillo, Dept. of Health/Scientific Laboratory Division, sampled our wells on 7/24/18. Multiple reports are available.
- A cloudy water issue was reported on Bonito Way in August 2018. Water line purging was performed by our water volunteers and the homeowners. Separate water sampling and testing was performed by our licensed Water Operator. Results of that test were normal.

#### Water System Meters & Miscellaneous:

- Water meters are read on the first of each and every month. Anonymous usage is posted to the SLP web pages as well as a "leak flag". VOLUNTEERS have been trained and operate the water metering system.
- The all-time single residential monthly water use was noted on System 2 in January 2018 at 243,794 gals, System 1 for April 2018 at 193,109 gals. Last year's runner up was on System 2 for July 2017 at 160,462 gals.
- Water service with the standard meter can was installed for residents in Unit 2 that live above the System 1 water storage area. It was necessary for the property owners to install an on-demand water pump for appropriate pressure.
- The water storage manifold connecting lines for both systems were excavated, mapped, and valves replaced if needed.
- An unusual "Wind Event" occurred on April 19, 2018.
  - System 1's Hovenweep Well was knocked out due to that event. Complete repair was not finished until recently.
  - A System 1 resident experienced a leak immediately after that event using 90,107 gals.
- A resident in one of the Units had a long-term medium leak that was difficult to locate. I am pleased to announce that resident persisted with our leak detection equipment and isolation techniques to locate a large root ball in the driveway, ~5 feet deep.
- Some water was drawn from System 1 by the La Cueva volunteer fire department during recent fire suppression activity at a residence in Unit 1.
- Water was also drawn for the recent road maintenance contract.
- Both of the above water usage needs to be tracked to report to the state as "Unmetered or Unbilled Water"
- An all-time System 1, main line, low leakage rate was attained in July 2018.

**QUESTION:** When you said someone had a 240k gal leak was it the home above me because that homeowner is an absent owner?

**RESPONSE:** The home above you is not the house with the big leak.

**QUESTION:** What fraction of total water production is leaking?

**RESPONSE:** Ms. Kilburg said it was approximately 37% back in June, as shown in the Newsletter, for both systems at that time.

**QUESTION:** Mr. Corn was asked to explain what's being done with the leak flags you get off of personal properties. It would be interesting for people to know what you're doing.

**RESPONSE:** We started out notifying everyone with leak flags. Then our Surcharge Committee came along and we need to know what the Board and the people want to do about the excess users. Mr. Veverka said it has to be looked at it closely. For example, one member had a leak flag but the member hadn't used 600 gal total in the month. The fact that you have a leak flag isn't always a problem. It gets triggered with 24 gals within 24 hours and a leak flag will come up.

**QUESTION:** How do members get informed?

**RESPONSE:** Mr. Corn said it is published each month on the website.

**QUESTION:** Some of us don't use the computer. If I have a problem will I get a phone call?

**RESPONSE:** Mr. Corn said he will call or even go knock on doors if necessary.

### **b. Roads**

Ms. Kilburg said we did have someone in charge of roads but he got a job out of state and moved. Mr. Otero and others have helped with the roads until we can assign someone to the roads next week. Mr. Otero provided a report. He cleaned out the culvert at the bottom of Cerro Pelado to avoid continuous erosion of the road. I believe Mr. Corn helped out with that.

A contractor from Santa Fe, RL Leeder, was able to do our road grading last month. They did a very good job and also dug out about 70% of the bar ditches. They were not able to do the other 30% due to phone and electrical lines that were too close to the surface. Approximately 100 tons of millings were spread and compacted in the worst areas of our roads. We have not yet received the invoice from the contractor but it's anticipated to be approximately \$35k. Consequently, this is not reflected in the expenses to date. The invoice has been requested from the contractor. With all the rain we've been getting recently the roads are holding up very well. Erosion will always occur as long as we have dirt roads but this can be minimized by homeowners clearing out the culverts at their driveways (where present) to minimize rain diversion back onto the road.

Members also need to reduce their speed to 15mph in our subdivision to prolong the road work that was accomplished and for safety reasons, people are walking and children are playing. People need to slow down.

If anyone has an idea or suggestion as to who could do our snow plowing this winter please let someone on the Board know. We no longer have a person for snow removal.

**QUESTION:** A member said the new roads are wonderful but they are having problems with the runoff from Los Griegos road. Our home flooded two times. At what point are we able to go and dig those drainage ditches out because it is compromising our property with the monsoon rains?

**RESPONSE:** Mr. Veverka said if it's protecting your property and it's not causing erosion to the roads or dumping excess water on someone else's property you can maintain them. However, Ms. Kilburg said she will try to get someone out there to see what is happening there. It seems that particular property has historically had problems because it sits in a bowl. We've done lots of things to divert the water. Unfortunately, nothing stays. I'll see if I can have someone come up and take a look at that drainage there on that corner to divert the water away from your home.

**QUESTION:** The roads look great but asked why Hovenweep Loop was not done when the roads were graded?

**RESPONSE:** Ms. Kilburg said the reason Hovenweep Loop wasn't done is because the County has been maintaining Hovenweep Loop. They should have done it but because we didn't really



have someone in charge of roads and that didn't get communicated. Ms. Kilburg will try to get someone out to get it done. Mr. Corn said anybody can get on the County website online and request that this road be graded.

**QUESTION:** The cleaning of the culverts up on Los Griegos would help those roads.

**RESPONSE:** Ms. Kilburg said years ago the fire department would assist us but they don't do that anymore. It's up to the residents to keep the culverts cleared if they go across their driveway. Ms. Star said the members may not know about that but Ms. Kilburg said this has been communicated in the Newsletters.

Mr. John Fredlund said that the last couple times the contractors graded the roads they have stopped on Trilobite just past Coryphodon and not gone up to FR10. He fixed it this time but may want to keep it in mind for the next time the roads are graded.

**RESPONSE:** Noted.

### **c. Legal**

Ms. Kilburg stated that our Legal person left the Board and Ms. Kilburg has been taking over the Legal position.

Delinquent accounts - we continue to collect on the delinquent accounts and foreclosures. Ms. Otero discussed briefly in her report.

Insurance costs went down this year to \$9,224.00 from over \$12,000 last year. After Ms. Kilburg and Mr. Corn reviewed the policy carefully, it was determined that the replacement cost for playground equipment and well houses was really high. After they did research it was determined that they had excessive replacement cost coverage so that helped reduce our overall premium cost.

Property taxes – there were four SLP owned properties that Ms. Kilburg protested this year. When the 2018 Notices of Value were received it was noted that these properties were excessively high valued at over \$40,000 per lot. In the past they were minimal. The increases ranged from about a 3000% increase to over 9000% increase. She was able to get the values lowered on all four properties. One property went down to \$2,950, one \$4,067, one \$12,168 and the last at \$21,211. If I can locate more documentation on the last two properties, hopefully next year we can get these lowered into the \$5,000 range as well.

Lawsuit Status – The lawsuit appeal filed by Suzanne Star on December 30, 2016 is pending a determination by a panel of judges. She filed her Brief in Chief last November and our attorneys filed a response. She claims that the judge of the District Court made significant mistakes of law that will affect the contract rights of an estimated 275,000 association members because she believes the judge misinterpreted the HOA Act. If you want more information on this it's pretty much the same information in the minutes of last year which are posted on the website. We were not allowed to get reimbursed attorney fees because there isn't a provision in our bylaws. The judge did award \$1,857 for court costs and fees which the plaintiffs objected to. The judgement against the cost is pending the completion of the appeal. The court has not placed the appeal on the calendar. The cost for the lawsuit is estimated at \$51,949.63. That's over \$335 per member.

We've been looking at a different accounting firm to take over the management of our financials. We haven't been very pleased with HOAMCO for managing our books. Too much oversight is

required. We're narrowing it down and are in discussion with Integrity Accounting Consultants. We should be deciding soon if we will switch or stay with HOAMCO.

Our website management looking at other sources since our webmaster moved out of state. He is still continuing to help with our website at no cost but since he is no longer owns property here, we are looking for someone else. We thought we had a local resident but that didn't work out. Mr. Corn has another prospect that we are talking with and we should be deciding soon.

#### **d. Firewise**

Ms. Tamara Weary presented the following information:

For those people that are not signed up for Code Red, a reverse 911 system (**Attachment 3**), when we have an event, Sandoval County will call you at your home or cell phone. It is a good early indicator if our community is threatened by a wildland fire or other imminent threat.

**Wildfires:** My information was primarily obtained from New Mexico Fire's website and may not include all 2018 fire activity within the Santa Fe National Forest, Jemez Ranger District.

I'm going to discuss the fire activity for 2018 only but I want to mention that the La Cueva VFD did respond to some small wildland fires in November and December 2017, two of which were human caused and the other was undetermined. It seems like fire season is no longer just a specific time of the year as we are seeing wildland fires during every season. Please be vigilant and aware when you are burning, and please either procure a fire permit from LCVFD if >3x3' or provide a courtesy notice to Chief Lee Taylor if <3x3'. We have had a few calls within the SLP area for smoke checks that turned out to be residents burning slash in pits that were <3x3' but were creating copious amounts of smoke.

We had 6 named wildfires which ranged in size from ¼ acre to 4150 acres in size. Out of the 6 wildfires 1 of them was human caused. There was a 7<sup>th</sup> that was human caused and was located a few miles south of the Jemez Springs Village Complex in one of the day-use areas, ~May 2018.

There were numerous smoke checks by La Cueva Volunteer Fire Department with two of them turning out as actual fires. The first was a couple of weeks ago and was the Pelado Fire which was located in thick dead and down, lightning caused, burning 3-5 acres. It was monitored by the Forest Service and did not last long. Then last Sunday there was a smoke check out on the south end of Stable Mesa that was a fire but was out by the time LCVFD personnel arrived on-scene.

In March and April many organizations started going into Stage 1 fire restrictions.

April 13 – SFNF Stage 1 Restrictions implemented. Stage 1 restrictions include:

- Fires, campfires, charcoal, coal, and wood stoves are prohibited. Exception is the use of camp stoves or other heating device that is strictly fueled by liquid petroleum or LPG fuels that can be turned on and off in areas that are cleared with no overhead and surrounding materials within 3 feet of the device.
- Smoking is prohibited except in enclosed vehicles, buildings or developed recreation sites.

On April 25 the SFNF stated that no prescribed burns would be occurring on lands due to the extreme weather and dryness.

On May 3 the VCNP and Bandelier went into Stage 2 Fire Restrictions due to extremely dry fuel conditions, which were followed on May 7 by the SFNF.

On May 10 BLM issued fire restrictions for the ABQ District that included Sandoval County.

The Casitas Fire in Canon started on May 22 and was located on private land off of Hwy 485 north of the Jemez Pueblo and east of Ponderosa along the Rio Guadalupe Creek in heavy interior fuels of willow and brush. The fire was approximately 10 acres.

The Alamo Fire started May 23 by lightning and burned approximately 15 acres of grass & dead and down trees on FR289 within a half mile of the southern border of Bandelier Park.

The New Mexico State Forestry (fire restrictions), Santa Fe National Forest (closure), Bandelier (backcountry areas closed) and VCNP (partial closure) implemented Stage 2 fire restrictions and/or closed the forest from June 1 to July 9.

Stage 2 fire restrictions include the following prohibited acts:

- Building, maintaining, attending, or using a fire, campfire, charcoal, coal, or wood stove other than in developed sites and areas. **Allowed:** The use of stoves fueled by pressurized liquid or gas (can be turned off) within areas cleared of flammable materials at least 10 feet in diameter.
- Smoking, except within an enclosed vehicle or building, developed sites and areas, or while stopped in an area at least 3 feet in diameter that is barren or cleared of all flammable materials.
- Operating a chainsaw or any other internal or external combustion engine without a USDA or SAE approved spark arrestor properly installed and working, a chemical pressurized fire extinguisher of not less than 8 ounces capacity by weight, and one round point shovel with an overall length of at least 36 inches.
- Possessing or using a motor vehicle off roads, except routes in areas open to OHV travel and except when parking in an area devoid of vegetation within 10 feet of the roadway.
- Discharging, using, or possessing any combustible or explosive composition, or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. This includes, but is not limited to, fireworks, pyrotechnics, or exploding targets.
- Discharging steel-core, steel-tipped, or steel-jacketed firearm ammunition. Using a tracer or incendiary bullet or device is always prohibited.

Closure was defined as the prohibition of public access with county and state roads that crossed Forest Service lands to remain open to vehicular traffic. This included our FR10 at the south end of the SLP community. Violation of the closure order carried a mandatory appearance in federal court and was punishable as a Class B misdemeanor by a fine of not more than \$5000 for individuals and \$10,000 for organizations and/or by imprisonment for not more than six months. Roughly 10 written warnings, 23 violations, and many verbal warnings were issued by June 16 with the warning that only violations would be issued from that point forward. No additional information on the numbers of violations issued was available.

The forest was closed for public safety and forest health reasons until conditions improved to acceptable levels. The seasonal drought outlook for Northern New Mexico was extreme according to NOAA but the drought outlook was expected to be entirely mitigated through the summer monsoon season, according to Chuck Maxwell a predictive services meteorologist with NOAA.

There was a total of 5 human caused fires on the SFNF during the closure period but no wildfires resulted from these instances.

It should be noted that Sandoval County did not go into Stage 2 fire restrictions at the same time as the State and National Forests and for a time private landowners in unincorporated areas were allowed to use chainsaws on their land prior to 10am and after 6pm.

On June 4, Fenton Lake closed due to extreme fire danger.

On June 6 BLM implemented Stage 2 fire restrictions on public lands in Northern NM, including Sandoval County.

On July 9 the Santa Fe National Forest lifted closure and Stage 2 fire restrictions on June 9 at 0800.

On July 16 Bandelier National Monument and the Valles Caldera National Preserve lifted fire restrictions due to higher humidity and rain received during that month.

On July 26 the State lifted smoking, fireworks, and campfire fire restrictions on state lands.

The Valles Caldera National Preserve started with the San Antonio Fire on June 14 and was lightning caused burning approximately 416 acres in the northern backcountry of the preserve. Two firefighters were injured by a falling tree during firefighting activities and were airlifted to ABQ hospitals where they were treated and released. SR4 remained open during the fire.

The Valles Caldera National Preserve had the Hidden Valley Fire that started on July 17 and was lightning caused. The National Park Services took advantage of the fire to complete firing operations and burned an additional 585 acres on the South Mountain to manage the potential for undesired fires.

The Venado fire is reported as 100% contained as of 08/11/18. It started on July 20 and was lightning caused burning 4150 acres. Part of FR376 was reopened at that time for public use. With this fire the Forest Service also burned piles in the Joaquin fuels treatment area robbing the wildfire of fuel and reinforcing their control lines.

The Cochiti Mesa fire started July 28 and was lightning caused, burning roughly a quarter acre in dead and down fuels.

### **Extreme Weather:**

This year was marked with extreme dry spells, low humidity, and high temperatures that led to multiple fire restrictions and eventually forest closure.

Earlier on April 18 (Wednesday) we experienced a severe wind storm that knocked down hundreds of trees across the area, including in SLP. Many homeowners experienced damage to their homes, vehicles, and exterior structures. The county wood chipper was used to clean-up the downed trees but you can still see the effects to our neighborhood in some areas. Walatowa timber came in during the forest closure and cleared up many of these trees over in the Vallecitos area.

### **Prescribed Fires –**

January 26 the Vallecitos prescribed pile burn was conducted by the SFNF.

February the SFNF planned and completed the slash pit burn in Thompson Ridge.

March/April the SFNF planned the Cebollita prescribed burn for 1900 acres one mile southwest of La Cueva.

April 4 the VCNP planned a prescribed burn for Valle San Antonio targeting 1050 acres of meadow grassland.

There were no updates available for fall 2018 prescribed burns from the SFNF, but I would not be surprised if they continue to burn the piles south of SLP on FR10.

Ms. Weary also mentioned that if anyone is interested in volunteering for the La Cueva Volunteer Fire department, they are always looking for volunteers. They meet the first Wednesday of every month at Station 51 in La Cueva at 7:30 pm. You can also talk to Chief Taylor if you are interested or want more information.

**QUESTION:** In the bylaws it states if your house burns down, you're supposed to rebuild your house. If we have a total area fire that burns everything is that really wise to have this in our bylaws?

**RESPONSE:** Ms. Kilburg said she doesn't know how enforceable that would be. Ms. Weary said if people would take the time to create a defensible space on their property this would reduce the probability of that happening (**Attachment 4**).

**QUESTION:** There are two lots by the cattle guard and someone should clean up those lots.

**RESPONSE:** Ms. Kilburg said we can't do anything about that because those lots belong to the Forest Service and they are aware of it.

### **e. Parks**

In Mr. Max Otero's absence Ms. Kilburg provided his report. The parks are being maintained as needed. In consideration of a lawsuit that happened in Las Vegas, Nevada, periodic inspections on the playground equipment are now being done. The first inspection indicated that the monkey bars were a hazard and they were removed from the playground. Other minor things were noted and repaired. Signs were placed at the parks alerting members that SLPPOA is not responsible for injuries incurred from use of the playground. Mr. and Ms. Otero have mowed the parks periodically.

## **f. Architectural Changes**

In Mr. Otero's absence Ms. Kilburg provided his report. An architectural committee consisting of three members received and approved seven architectural requests since September of last year.

## **9. SPECIAL COMMITTEE REPORTS:**

a. Excessive Use Policy – Mr. John Fredlund provided the following report:

Identified the members of the Committee

Why do we need to do something? Developed a problem statement. Trying to deter excessive use.

What we do currently is not sustainable

Only a few people using excessive water and sometimes grossly excessive amounts of water

The excessive use has been increasing

More and more people had leaks that weren't being repaired

Histogram (summary of our community water usage per month for twenty-one months)

The bars are number of people using that much water in that month.

Most of our residents are using a reasonable amount of water

The costs of operating the water system

Discussions ensued and it was stated that there will be a separate meeting to discuss this issue at length. Members will have an opportunity to ask questions and a vote will be held.

## **10. OLD BUSINESS - None.**

## **11. NEW BUSINESS:**

a. Proposed Bylaw Changes – Ms. Kilburg said since we were going to send out the bylaw change for excess water usage, there are other bylaw changes that needed to be made. Some are minor changes and need to be changed or corrected. They are being reviewed by the attorney. The way the ballot went out in the past is if one topic failed the whole thing was shot down. The way it's being done now is each change will be voted on individually. Some things may pass and some things may not. When we get things finalized, we'll send an announcement with the ballots.

**QUESTION:** How will the bylaw changes be sent out?

**RESPONSE:** By regular mail

**QUESTION:** In Aug I sent the board questions regarding our bylaws and the HOA law that passed in 2013. Will the Board be addressing those at the bylaws meeting?

**RESPONSE:** Since this association was established before 2013 when the Act Jul 2013 went into effect, if any bylaw changes are made, you then have to make sure they are in compliance with 9, 10 and 14 of the HOA Act. You don't have to incorporate everything verbatim into your bylaws. The bylaw changes you make have to be consistent with the requirements of the three sections of the HOA Act. Our attorney has reviewed that and we're fine with what we are doing. The way that it also reads, our bylaws take precedence over the

HOA Act unless the HOA Act gives more specific detail. If the HOA Act says an audit is required every year but our bylaws say every three years, our bylaws take precedence although we have been doing an audit every year since the lawsuit. With any change that we make to the Bylaws, if there is a conflict with the HOA Act or bylaws, our bylaws take precedence.

Our bylaws say all books and records can be reviewed, that doesn't change. The sections of the HOA Act, as was discussed and the outcome in the lawsuit, are just those items that are specified in the HOA Act and are records that any member can have a copy of. According to the judge, it is just those items in the HOA Act. That still remains the same. That does not change. There is a difference between a review and copies. We have never denied anyone a review of the association books. What was asked for was copies.

**QUESTION:** There are two provisions that will affect our bylaws.

**RESPONSE:** According to our attorney there is nothing there that will affect our bylaws. As soon as we get things finalized, we will send the notices out. The member continued to pursue the subject so Ms. Kilburg stated that since these questions relate to the lawsuit and the suit is pending, there will be no further discussion at this time.

b. Volunteer Appreciation – Ms. Kilburg acknowledged our volunteers. This community is run primarily on volunteers. She presented a token of appreciation to the following:

Mike Schacht – has helped with webmaster  
Dave Schmitt – Helped repair water leaks, ISIC controllers and tank monitoring system  
And attended a meeting in Farmington on water billing  
Byron Denny – helped with road repairs on Los Griegos Rd  
Mark Stanley – helped every month with water meter readings and analysis and other various things  
Brad Shurter – helped with water leak repairs  
Chris Ross – helped with water leak in the meadow  
Zech Robinson – helped with water leak in the meadow  
Joe Brophy – helped when we needed to get documents to support our property tax assessment at the safety deposit box.

We would like to thank all our volunteers for their efforts.

c. Request for Volunteers to Review Minutes – When Ms. Otero types the minutes we need to have two or three volunteers to help review the minutes so we can make sure of their accuracy before we post the draft on the website. John Fredlund and Ann Cooke volunteered.

d. Candidate Introduction and Call for Nomination from the floor – The candidates that are running for the Board this year are:

- Paul Rightley said he has an appreciation for those that serve on the board to help keep this place going. It's a good community.

- Paul Lisko

- David Stuedell - like Paul Rightley I wanted to throw my hat in the ring. I was the vice president of the Cabazon Board for five years. It's a big commitment and a lot of work

but if you're committed to the community someone has to volunteer. It's not going to get done on its own. I've been here about three years.

Ms. Kilburg stated that this was Mr. Veverka's last year on the board, other vacancies are from people that have left and one position that was never filled last year at all. She asked if there were any other volunteers from the floor. There were no volunteers from the floor.

e. Ballot Count – Ms. Kilburg asked the members to turn in their ballots if they haven't already done so.

i. Request for non-Board members to count ballots – the volunteers are Ed and Sandy Partridge.

ii. Election Results

Paul Lisko - 79 votes

Paul Rightley - 51 votes

Dave Stuedell - 62 votes

**12. QUESTIONS** – There were no additional questions.

**13. ADJOURNMENT** at approximately 4:30 p.m.

**14. BOARD MEETING** (election of officer/director positions discussion)

Submitted by: Lorraine Otero, Secretary