

**MINUTES**  
**SIERRA LOS PINOS PROPERTY OWNERS' ASSOCIATION (SLPPOA)**  
**BOARD MEETING**  
**January 8, 2019**

**1. CALL TO ORDER:** Vice President, Mr. Harold Corn called the meeting of the Sierra Los Pinos Property Owners' Association to order at 7:17 p.m. at the SLP Fire Station. He reported that Ms. Kilburg would not be attending the meeting but said that a quorum was met.

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

Pres - Judy Kilburg	E	Water – Harold Corn	P	Legal – Paul Rightley	A
VP - Harold Corn	P	Water Compliance – Tamara Weary	E	Firewise – Paul Lisko	P
Sec/Treasurer - Lorraine Otero	P	Roads – Dave Stuedell	P	Parks/Architectural – Max Otero	P

GUEST: John Fredlund, Joe Brophy and Suzanne Star

**3. APPROVAL OF THE MINUTES:** Mr. Corn asked if everyone had a chance to review the minutes from last month. **MOTION:** Mr. Stuedell motioned to accept the minutes and Mr. Otero seconded the motion. There was no opposition from Mr. Corn, Mr. Lisko or Ms. Otero.

**4. APPROVAL OF AGENDA:** Mr. Corn asked to amend the agenda by addressing **NEW BUSINESS** first so that Ms. Star who requested time to make a presentation to the Board and Mr. Fredlund who was invited by Mr. Corn to attend since the topic was water usage, could leave after the presentation is they so choose. **MOTION:** Mr. Otero motioned to accept the agenda. Mr. Stuedell seconded the motion. There was no opposition from Mr. Corn, Mr. Lisko or Ms. Otero.

**5. NEW BUSINESS:**

a. Water Billing Proposal: Ms. Star stated that she did not want to present her case without the whole Board being present, therefore she would wait to present it at the next Board meeting. Mr. Joe Brophy asked to make a comment. He believes there is a direct conflict of interest with Ms. Star, as a representative of the proposal for consideration, presenting her case due to the fact that she has an ongoing lawsuit against the Board. It was determined that since the Board did not have specifics about the presentation yet, it could not be considered a conflict of interest at this time. Mr. Fredlund asked for Ms. Star to consider what problem is being solved with her proposal presentation.

b. Water Rights for Unit 9: Mr. Corn said it was thought that possibly Mr. Robert Bootzin was infringing on our water rights for his Unit 9. Mr. Corn spoke with Mr. Robert Bootzin who said he has his own water rights and a different well for his Unit 9. Ms. Star said the problem is that Mr. Bootzin has not removed himself legally from Unit 9 in SLPPOA responsibility documents. She said Mr. Bootzin had previously agreed to remove his unit from SLPPOA responsibility but then reneged on his agreement. Possibly we should seek attorney opinion to see if he has any legal water rights from SLPPOA.

## 6. OFFICER REPORTS:

- a. President – No report.
- b. Vice President – No report.
- c. Secretary/Treasurer: Since there was no December 2018 Board meeting, the account balances for November 30, 2018 are provided first:

(i) The balance in accounts as of November 30, 2018 is as follows:

Operating Account: \$101,251.50

Reserve Account: \$110,718.01

(ii) In November we had 13 delinquent accounts totaling \$2,762.89.

(iii) The balance in accounts as of December 31, 2018 is as follows:

Operating Account: \$137,956.58

Reserve Account: \$111,394.09

(iv) In December we had 10 delinquent accounts totaling \$2,107.60.

-On one of the delinquent accounts, I provided an account transaction history and the attorney costs associated with this account to the company handling the property. I sent that in November but haven't heard anything back from the company.

-Two accounts have only paid about half of their 2018 dues.

- The remaining seven accounts own minimal amounts attributed to interest and hopefully they will pay these with their 2019 dues.

(v) On December the 14<sup>th</sup> I deposited the November and December Reserve checks totaling \$1,333.34 into the Reserve account.

(vi) The final draft of the September 2018 Annual Meeting Minutes is now posted on the website.

(vii) Three new member packages were mailed on November 24<sup>th</sup> and two more were mailed today.

(viii) The legal costs to date:

Lawsuit Legal Costs: Changed from \$51,949.63 to \$52,077.13, an increase of \$127.50. This was due to billing that was not submitted from Jan and Feb 2018.

Other Legal Costs: Changed from \$5,283.28 to \$5,557.41, an increase of \$274.13. The increase is related to the proposed bylaw changes and the HOA Act.

(ix) We had three changes in property ownership in November and one in December.

(x) The Water Conservation Fee taxes for Jan 2019 were submitted for payment. The tax bill was \$169.97.

(xi) The Combined Reporting System submission for Jan 2019 was completed.

(xii) As of the end of December, over 41% of members have paid their 2019 assessment dues.

The Board accepted the November and December 2018 financial reports.

## 6. STANDING COMMITTEE REPORTS:

### a. Water

i. Water Maintenance: Mr. Corn provided the following:

#### November 2018 Water Maintenance-Meter Report

Water System Maintenance:

- General
  - Storage Tank Levels are monitored almost every day.
  - Extension of Time for water rights app?
  - Planning on a storage tank inspection next year.
- System 1
- System 2
  - Dave Schmitt changed the Sys 2 LevelCon batteries.

Water System Miscellaneous:

Water Usage: Meters were read December 1, 2018, 2018 by Mark Stanley & Peter Veverka. Mark Stanley provided and distributed the Readings and Usage reports:

- System 1
  - Wells Pumped 546,691 (519,201) gals, (...last month's data...)
  - Usage = 208,146 (224,409) gals
  - Monthly Average Household Usage = 4.8 (5.0) gpm
  - Daily Average Household Usage = 80(83) gals
  - Main Line Leakage Rate = 7.8 (6.6) gpm
  - Leak Flags Identified = 15 (9)
  - Users > 7,000 gals = 4 (9); highest users = 14,974 gals (leak flag); 9,426 gals (leak flag); 8,618 gals (leak flag); 7,258 gals (leak flag);
- System 2
  - Well Pumped 344,850 (360,530) gals, (...last month's data...)
  - Usage = 133,008 (143,186) gals
  - Monthly Average Household Usage = 3.0 (3.2) gpm
  - Daily Average Household Usage = 70 (73) gals
  - Main Line Leakage Rate = 4.9 (4.9) gpm
  - Leak Flags Identified = 9 (7)
- Users > 7,000 gals = 1(3); highest users = 13,708 gals (leak flag);
- Summary

Mr. Corn reported that today LevelCon sent out a concern that has to do with Verizon because we send our data from the LevelCon transmitter to Verizon. They are going to pull the plug on the old G2 analog protocol. Mr. Corn believes we're ok since ours are still working.

## December 2018 Water Maintenance-Meter Report

### Water System Maintenance:

- General
  - Pleased Water Systems are running smoothly!
  - Storage Tank Levels are monitored almost every day.
  - Extension of Time for water rights app?
  - Planning on a storage tank inspection next year.
- System 1
- System 2

### Water System Miscellaneous:

Water Usage: Meters were read January 1, 2019, by Mark Stanley & Brad Shurter. Mark Stanley provided and distributed the Readings and Usage reports:

- System 1
  - Wells Pumped 643,597 (546,691) gals, (...last month's data...)
  - Usage = 258,323 (208,146) gals
  - Monthly Average Household Usage = 5.5 (4.8) gpm
  - Daily Average Household Usage = 91(80) gals
  - Main Line Leakage Rate = 8.2 (7.8) gpm
  - Leak Flags Identified = 15 (15)
  - Users > 7,000 gals = 7 (4); highest users = 17,703 gals (NO leak flag); 13,380 gals (leak flag); 9,989 gals (leak flag); 9,262 gals (leak flag); 8,968 gals (leak flag); 7,991 gals (NO leak flag); 7,278 gals (leak flag);
- System 2
  - Well Pumped 380,760 (344,850) gals, (...last month's data...)
  - Usage = 149,395 (133,008) gals
  - Monthly Average Household Usage = 3.2 (3.0) gpm
  - Daily Average Household Usage = 73 (70) gals
  - Main Line Leakage Rate = 4.9 (4.9) gpm
  - Leak Flags Identified = 8 (7)
- Users > 7,000 gals = 1(1); highest users = 16,674 gals (leak flag);
- Summary
  - The highest user on Sys 1 has been contacted by email.
  - The highest user on Sys 2 is aware of the leak. When the ground thaws, I will work with the owners.
  - Seven users are above the 7,000 gal recommended usage threshold.
  - Both systems are UP on production and usage. This is unexpected for winter usage. I would guess some members are allowing water to run to keep from freezing.

Mr. Lisko asked how many VRBOs we have. It is believed in System 2 there are at least two. He has a concern that the renters do not have a tie to the community. Mr. Otero said the covenants need to be revised to address VRBOs to ensure the owners inform their renters that there are items i.e., noise, parking, fire restrictions, etc. that need to be adhered to. Mr. Lisko will look into

his forestry guide books to see how he can use that language to help regulate the VRBOs. Mr. Lisko also agreed to take this on as an action item.

ii. Water System Losses & Solutions: Mr. Corn said the next item has to do with Ms. Suzanne Star's requested discussion on the plan for water system issues at tonight's Board meeting. But before we have a discussion on where we're going we need to discuss where we've been. We had a Water Committee meeting in 2016 to tackle the leak issues.

Where we have been...

- 2015 - Master Meter Loop was installed on System 1
- 2016 March – A Water Committee developed a medium to long range plan to isolate, diagnose, and replace the worst sections of main water service lines on System 1.
- Master Meter Loop was upgraded to an ultrasonic meter
- Main line leakage rate samples for System 1:
  - o 2015 – 23 gpm
  - o June 2016 – 17.0 gpm
  - o July 2016 – 15.6 gpm
  - o August 2016 – 13.8 gpm
  - o May 2017 – 11.8 gpm
  - o June 2017 – 7.9 gpm
  - o August 2017 – 7.8 gpm
  - o September 2017 – 7.4 gpm
  - o October 2017 – 8.1 gpm
  - o February 2018 - 8.9 gpm
  - o March 2018 - 9.4 gpm
  - o April 2018 – 7.4 gpm
  - o May 2018 – 7.6 gpm
  - o June 2018 – 7.1 gpm
  - o July 2018 – 6.2 gpm
  - o August 2018 – 6.4 gpm
  - o September 2018 – 6.1 gpm
  - o October 2018 – 6.6 gpm
  - o November 2018 – 7.8 gpm
  - o December 2018 – 8.2 gpm
- 2016 - Main line supply pipe replaced (2 sections), new isolation valves were installed.
- 2017 - Main line supply pipe replaced (2 sections), new isolation valves were installed.
- 2018 – No main line supply pipe was replaced, however both system storage tank farm areas were reworked...new isolation valves, drain valves, and mapping was accomplished.

Where we are going for 2019 and beyond...

- Continue to isolate, diagnose, and replace the worst sections of main water service lines on System 1. NM allows replacement of 1000 ft of line every 60 days.
- Funding for any line replacement to be from Water Budget Reserve Account upon board approval.

- Ask for leak detection advice from Bill Conner with New Mexico Rural Water Association.
  - Isolate and diagnose main line leakage on System 2.
    - A master meter can was installed in 2018 to facilitate attachment of the ultrasonic diagnostic meter to System 2.
    - Install additional isolation valves as needed.
  - Member leaks will continue to be addressed. ALL LEAKS MATTER!
- ii. Compliance – Ms. Tamara Weary was not in attendance.

**b. Roads** – Mr. Stuedell provided the following:

Our snow plow contractor has plowed 4 times and sanded 2 times, details below:

Plowings

- 12/3/2018- 4 hrs.
- 12/27/2018-4.5 hrs.
- 12/29/2018-4.5 hrs.
- 1/2/2019-7 hrs.

Sandings

- 12/15/2018 2.5 hrs.
- 1/5/2019 2.5 hrs.

Issues:

i. We need to order cinder as soon as possible, have not found cinders mixed with salt. What should we do about salt? Mr. Stuedell said the cinder people we've used in the past said they cannot mix the cinders with salt. Mr. Corn said Mr. Raue told him that he knows of a company that sells ice slicer that could be used with or in lieu of cinders. Mr. Lisko said we have to be careful because of the chemicals in the ice slicer product. Mr. Stuedell said he will go ahead and order 26 tons of the cinders because of all the snow we've been getting. Mr. Corn agreed. We have to ensure that the cinders stay covered so they don't freeze or get wet and harden. Mr. Lisko mentioned that Mr. Crane is selling all his snow equipment for \$50K. He is also willing to train someone on use of the equipment. Another issue is who we would get to plow our roads. Mr. Corn said maintaining the equipment is also another problem.

ii. There's been several times that vehicles have been parked on the main roads, hindering the plowing and sanding. We should put out a notice out for residence and guest not to park on the main roads. Mr. Corn said either he or Mr. Fredlund will put out an announcement on the Listserver to remind people not to park on the main roads.

iii. Dave scraped a portion off of the recently applied dressing (>\$38,000 for material) on Hovenweep Loop, the county indicated SLPPOA would be billed for the damages if it happened again. I believe Harold ask Dave Raue not to plow Hovenweep and the portion of Mesa Verde Rd. so they could not blame us for future damage, I need to verify with Harold. Mr. Corn said the Board needs to decide whether or not we want Mr. Raue to plow this area. For the time being Mr. Stuedell will ask Mr. Raue not to plow Hovenweep and the portion of Mesa Verde Rd.

**c. Legal** – Ms. Kilburg was not available.

**d. Firewise** – Mr. Lisko called the State Forestry Department and spoke with Donald Griego and asked him to think about doing a presentation to our community on defensible space around members' homes and talk about firewise activities. Mr. Griego said he would be happy to do that whenever the Board deems the best time to do this.

La Cueva Fire Department will have the firewise activity usually planned for April at the Baptist Church in La Cueva.

During the El Cajete fire, Mr. Lisko said his insurance company had a group called the Southwest Fire Defense. This company had a truck manned with individuals at Amanda's Store. His insurance company was being proactive and said these people are available to create a defensible space around their individual home, i.e., move wood piles or rake up pine needles, etc. Mr. Lisko wants to find out more about this resource.

He went to a meeting today with Harry Jones of the Greater Eastern Jemez Wildland Urban Interface Corporation. There is a group called the Nature Conservancy. Mr. Jones has been sending in applications to do thinning projects on private lands because the Conservancy is concerned about having a healthy, viable forest and watershed by reducing the risk to the Jemez Spring water system. It applies to Jemez Springs, the Pueblo of Jemez, Sierra los Pinos, Thompson Ridge and Seven Springs. It's a matter of convincing people that this is a good thing to do. The Conservancy has made it through the first stage of the application process for this grant money. The second process is a workshop on the 5<sup>th</sup>-7<sup>th</sup> of February in Santa Fe, which Mr. Lisko has been invited. Lodging and meals are covered but he would like to get his mileage reimbursed by SLPPOA. Ms. Otero said that won't be a problem. He just needs to track the dates, mileage and event name.

**e. Parks** – Mr. Otero said there is no activity at the parks.

**f. Architectural** – Mr. Otero said there is no activity to report.

## **7. OLD BUSINESS:**

**a. Webmaster & Listserv Management** – Mr. Corn said that he has not been able to reach Mr. Mike Schacht. He will keep trying to reach him.

**b. Water Surcharge Committee Proposal/Bylaw Change Meeting** – Mr. Corn said he has heard nothing. Ms. Kilburg had requested a response to a question about the conflict on bylaws and the current lawsuit. He said we are waiting on word from our attorney.

**c. Accounting Firm Status** – Ms. Otero reported that she has been working Integrated Accounting and Consultants (IAC) for a few months to determine if they are a viable company to take over from financial management from HOAMCO. There are a few problems that were encountered. IAC does not want to pin down a specific date or day when the financial deliverables will be provided each month. IAC said there are too many variables with obtaining

the bank statement, reconciliation and transaction review to commit to a specific date. Another issue is that IAC will not do the HOA disclosures for property sales, which will be an added burden to the secretary/treasurer. Therefore, Ms. Otero stated she will inform IAC that it is not a good fit for SLPPOA at this time and we will continue with HOAMCO.

Mr. Lisko had one more item under Old Business - **Individual Property drainage causing damage to the main roads**. Mr. Lisko said he recommended we get an engineering firm to look at individual property owner drainage issues. This would include identification of issue(s) related to a particular property, identify what work is needed to be done, provide the homeowner a specified amount of time to get it completed. If the property owner does not fix the issues within the specified timeframe, SLPPOA will then have the drainage issues repaired and bill the property owner. Mr. Otero said it may be a good topic to introduce in the June Newsletter. He offered to contact RL Leeder to see if they have this type of expertise available.

## **8. ACTION ITEMS –**

**a. Water Rights Perfection Extension Application – Pay Back Fees.** - Ms. Weary was not available.

## **9. NEW BUSINESS: Discussed in Item 5. Above.**

**10. NEXT MEETING:** Tuesday, February 13, 2019, 7:15 p.m.

**11. ADJOURN: MOTION: Ms. Otero motioned to adjourn the meeting. Mr. Otero seconded the motion.** There was no opposition from Mr. Corn, Mr. Lisko and Mr. Stuedell. The meeting adjourned at 9:20 p.m.

## **12. EXECUTIVE SESSION**

Lawsuit

Delinquent Accounts

Submitted by: Lorraine Otero