

MINUTES
SIERRA LOS PINOS PROPERTY OWNERS' ASSOCIATION (SLPPOA)
BOARD MEETING
 October 15, 2019

1. CALL TO ORDER: President, Paul Lisko called the meeting of the Sierra Los Pinos Property Owners Association to order at 19:15 at the SLP Fire Station. A quorum was met.

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

President – Paul Lisko	P	Water – Vacant	P	Legal – Geraldine Burnworth and Dave Stuedell	P
Vice President - Cindy Hines	P/ E	Water Compliance – Tamara Weary	E	Firewise – Paul Lisko	P
Secretary - Geraldine Burnworth	P	Roads – Dave Stuedell	E	Architectural – Paul Lisko	P
Treasurer - Jeremy Oepping	E	Parks - Cindy Hines and Tamara Weary	E P		

GUEST: Suzanne Star, Harold Corn, Josh Toennis

Nomination of New Member to the Board to Enable Satisfaction of Minimum Quorum Requirement: Josh Toennis was nominated to the Board, and was elected. Cindy Hines was in attendance and present to make a quorum in order to vote Josh Toennis onto the board and then was excused.

3. APPROVAL OF AGENDA: Tamara Weary made the motion to accept the agenda. Dave Stuedell seconded the motion.

MOTION: All approve.

4. APPROVAL OF THE MINUTES: Dave Stuedell made the motion to accept the September 17, 2019 minutes. Josh Toennis seconded the motion.

MOTION: All approve.

5. OFFICER REPORTS:

a. **President – Paul Lisko** reported that Josh Toennis is now part of the Architectural review committee.

b. **Vice President – No report.**

c. **Secretary - No report.**

d. **Treasurer- Jeremy Oepping reported:** October 8, 2019

1. The balance in accounts as of September 30, 2019 is as follows:

Operating Account: \$132,596.36

Reserve Account: \$109,469.26

2. As of September 30, we have 13 delinquent accounts totaling \$5,677.20, an increase of \$31.22 from August.

3. The September amount of \$666.67 was transferred to Reserves during the month.

4. There was one change in property ownership in September.

5. The legal costs to date were unchanged:

Lawsuit Legal Costs: Unchanged at \$52,673.59.

Other Legal Costs: Unchanged at \$6,768.13

6. STANDING COMMITTEE REPORTS:

a. Water Report:

September 2019 Water Maintenance-Meter Report

Water System Maintenance:

- General – No water delivery maintenance events to report for September 2019.
- VOLUNTEERS ARE NEEDED to learn and maintain our water SLP systems. Training will be provided.
- There was a leak in the 4" fitting at the steel storage tank interface which was fixed early in the month and another leak in a pipe coupling which was fixed around mid-month which may make up a significant portion of the elevated System 2 leakage rate.

Water System Misc:

- Well meter readings were sent to NMED? **[Need to ask Harold about this.]**
- A new home owner is under contract for 700 Los Griegos Road where the System 2 storage tanks are located. Need to discuss the easement and create an agreement with the new homeowner for access to the storage tanks.

Water Usage: Meters were read September 30, 2019. Mark Stanley provided the setup, read the meters, and distributed the Readings and Usage reports:

- System 1
 - o Wells Pumped 493,925 (539,732) gals, (...last month's data...)
 - o Usage = 249,893 (266,425) gals
 - o Daily Average Household Usage = 99 (99) gals
 - o Main Line Leakage Rate = 5.8 (6.1) gpm
 - o Leak Flags Identified = 9 (10)
 - o Users > 7,000 gals = 7 (7);
 - 18,393 gals (leak flag);
 - 17,145 gals (NO leak flag);
 - 14,074 gals (NO leak flag);

- 11,864 gals (leak flag);
 - 9,648 gals (leak flag);
 - 9,360 gals (NO leak flag);
 - 7,529 gals (leak flag);
- System 2
 - o Well Pumped 680,340 (957,360) gals, (...last month's data...)
 - o Usage = 178,577 (202,874) gals
 - o Daily Average Household Usage = 96 (102) gals
 - o Main Line Leakage Rate = 12.0 (16.9) gpm
 - o Leak Flags Identified = 9 (7)
 - o Users > 7,000 gals = 6 (7);
 - 18,282 gals (leak flag;);
 - 12,194 gals (leak flag);
 - 11,875 gals (NO leak flag;);
 - 11,660 gals (NO leak flag);
 - 10,640 gals (leak flag);
 - 9,882 gals (leak flag;);
- Summary
 - o Thirteen users are above the 7,000 gal recommended usage threshold.

Compiled 10/15/2019 by T. Weary

Water Compliance - Tamara Weary reported:

Water System Coliform/Microbiological Reports:

- System 1 sample taken by Frank Naranjo, 09/07/2019, RT001, 7 Mesa Verde Road
 - o Total Coliform - Absent
 - o Total E. Coli - Absent
 - o Disinfected, Residual 0.07 mg/l
- System 2 sample taken by Frank Naranjo, 09/07/2019, RT005, 631 Aspen Grove
 - o Total Coliform - Absent
 - o Total E. Coli - Absent
 - o Disinfected, Residual 0.12 mg/l

Haloacetic Acids by 552.3 (SDWA): 09/11/2019, Location: 586 Los Griegos

Analyte	Result	Reporting Limit
Bromoacetic Acid	Non Detect (ND)	1.00 ug/L
Chloroacetic Acid	ND	2.00 ug/L
Dibromoacetic Acid	ND	1.00 ug/L
Dichloroacetic Acid	ND	1.00 ug/L
Trichloroacetic Acid	ND	1.00 ug/L
Total Haloacetic Acids	ND	1.00 ug/L

Compiled 10/15/2019 by T. Weary

Volunteers are still needed.

b. Roads – Dave Stuedell reported: We sent the MOU and we did get confirmation from the lawyer. We have one modification that needs to be done. Dave stated that we need the tarp to cover cinders by 12/1. He also stated that he sent 2 emails to Dave Roue regarding washboard grating and snow removal on our roads and Dave hasn't heard anything yet. The road near Dave's and Tamara's houses, the drainage ditch needs work. Does anyone else have road issues? Paul Lisko stated that the waterline work on Hovenweep left a couple of dips. Dave said that the work is not finished yet. Harold will try to speak with Dave Roue and ask him about the emails. Dave said we don't have to buy more cinders.

c. Legal – 1) Dave Reported: County attorney wanted to make one modification on the name for the county manager.

2) Geraldine Reported:

i) Attorney Brad Hays reminded us of the importance of having an adequate "errors and omissions" policy.

ii) He also said that we should have a policy that protects board members if and when sued.

iii) He says the board should comply with certification and by complying that should offer some protection.

iv) He also said that the Association could pass an amendment to our bylaws or amend the covenants that would indemnify any board member or officer. Although it would not stop someone from naming a board member or officer in a complaint.

d. Firewise - Paul Lisko reported: Contacted fire service Rick Duran. He said the spotted owl is preventing thinning of forest. Dave said fireban has been lifted. Paul was contacted by Samatha Profit who is purchasing property has requested to have the property thinned. John F. Wrote back to inform that property is owned. Harold said that Bootzin setup drainage. Paul will draft a letter to Bootzin.

e. Parks-No Report

f. Architectural – Paul Lisko reported: There were no new requests for anything to review for Architectural committee. Paul said 1) If someone makes a request they have to put in on a form, 2) Make it not too close to the property line, 3) See SLPPOA rules and regulations, 4) Sign off with 2 signatures or all signatures, and 5) Make sure that's fitting within compliance. For example, adding a pool would not be allowed to be filled with SLPPOA water.

Tamara said that a large greenhouse request might be down the road.

7. OLD BUSINESS:

- a) Ballot for vote on amended by-laws: Making some other changes to the by-laws: Change name of location, changes related to excessive water usage, John Schandt proposal regarding water billing(breakdown), annual costs less. Dave stated there are issues. The main system needs to be accounted for and we need to adjust that. Dave said he has issues with the current proposal.
- b) Leaks: Anyone with a leak needs to get a notice. Dave said to keep that in mind. Paul said that we need to be addressed on a case by case basis. Paul stated that SLPPOA has a certain amount of water rights, this is a water rights state. Dave said that a plan could be dragged out over years. Paul said he is ok with moving forward with this. Harold stated that there was a committee to look at totality of water rights that has not been perfected yet. Harold said that it came out to a certain amount per month, per lot, per home. Harold also said that the committee looked at all that stuff pretty hard. Harold said that another thing to consider is the people that dont live here are subsidizing. Dave aksed what if we send out notice and send the justification as well? Make it scientific.
- c) Suzanne asked when are you going to get Johns proposal approved? Somone said that they haven't heard anything about John's engineering plans. Paul stated that its a matter of whether we want to pursue this route or not. Suzanne stated that if its in the bylaws its interim. Paul stated that this is a good way to go as far as the interim. It could be another few years down the road. Its a good starting point. Paul said that there has to be somekind of reckoning on that. Harold stated that the board has to decide that. Harold said that John had put together some numbers. Paul stated that he is of the mind to move this forward. Its pretty straight forward. Tamara stated that longterm we have to come up with a better water solution.
- d) Water usage: Tamara stated that where the over usage is accruing is rediculous. Geraldine asked if notification has already been sent yet? Tamara said that nobody gets back to Harold. Tamara said that if its what it takes to get the attention of the people, she doesnt mind being the bad guy. Dave said he thinks we should move ahead on it. A white paper on it. Just a white paper. Harold said I dont know if we have gotten the right numbers. Tamara said we dont want our wells to run dry. Paul said that the bottom line is that we have to be responsible stewards of the land and water. Tamara said that we could have that argument but she is not sure we could win. Basing on rates and allotment is the best argument. Paul said to leave as is.
- e) Base annual Assessment, removing the water loss assesmnet, assessment of lots, attorney fees and costs: Paul stated that we should place them in the newsletter. Dave said that we want to add two. Dave said he does not want it to go in as is. Dave wants them all in one. Dave stated that he did not want us to peace meal this. Suzanne asked if each one has to have a 2/3 votes to pass? Dave and Paul said yes.
- f) Vacation Rental business: Harold ask if the Board is talking about making it a policy. Paul said he guessed that can be included in the newsletter as well. Harold said that would be a pretty big change. Dave asked that if it is a policy is it enforceble? People should follow it but dont have to follow it. But would be blackballed.
- g) Fire department property assumption. Suzanne said it would release us from liability. Dave said them assuming property rights so that we would not have to pay property taxes. Harold said that maybe SLPPOA should give them the property. They built and added on and that encroached. Suzanne said that no survey was done when originally built. Paul said it was a matter of giving the fire department an easment.

Dave asked if we can give a scientific white paper for the water? There is some logic that needs to be worked through.

Paul will followup on fire department.

h) HOAMCO: Is requiring 2 Million dollar bond (they do not want the liability). We can follow up with Karen Witt to get waiver for the 2 contractors (Re: waiving the certificate of liability). Dave said that we should have a policy on that. Dave Roue might need to get a bond for that. Typically there is a bond requirement for certain businesses. Harold reminded that Jeremy is working on the waivers.

i) Water Co-op vs. Mutual Water Consumption Association: Paul said, lets get this done. Dave said the water surcharge should be to identify where the leaks are. Going to a leak identification system would help everybody. Suzanne asked, regardless would you have to get membership with one of them for changes? Paul said he'll have to look into it

8. NEW BUSINESS:

a) Other items to consider for inclusion, 400 stems per acre revision, 20-30 percent reduction of annual dues, Newsletter? Errors and Omission,

b) Trying to find a local resident to take over water operator. Dave asked if we have a listing of jobs and tasks he will perform? Harold asked his current level of education? Paul said highschool. He has to be good at math. Tamara said we need to require the individual to have a certain level of operator experience. We may not be able to get by with a level one operator. Tamara asked how will it affect testing? Harold said that he can take courses. Tamara said that some other stuff needs to be purchased. Tamara said he could get sample qualified. Suzanne asked what happens if they don't comply? They get fired. Someone asked if the salary can be increased for insurance for being a water operator and water sampling? Tamara said screw up sample, screw up water sampling.

c) Geraldine: Received an email from Pat Jones the Board Secretary from TRHOA. She indicated that they had some concerns regarding SB 150 changes to the HOA ACT and was interested to know if SLPPOA had any concerns. One of their concerns was regarding the Financial Audit. TRHOA is a smaller association and the audit would cost them at least a third of their budget every year. The impact for us would be much less regarding that. For us it would just be a matter of time coordination. Although we do have other concerns that would require further discussion by the Board. Geraldine will contact Pat Jones and follow up on the matter.

9. ACTION ITEMS:

a) Tamara said she needs lot number on extension to make sure she is not including it for next year. Should be less than \$500

b) Volunteers needed: for 811 contact. Paul: Can include Mark Stanley. Tamara said the Engineering person needs to go over plot. Paul will ask Mark if he would be willing to do that. Harold is no longer receiving notices. Paul will contact NM811. Harold said that we give them phone #'s and emails.

c) NM 811: Tamara said should develop with how we are going to do the water system.

d) Newsletter: Paul is trying to get ballot initiative have lawyer to review. He will follow Judy's template. If anyone has anything to add have what you would like to include and introduce at the next board meeting 11/12/19. Harold said the budget should go out in the next newsletter.

e) Suzanne asked and reminded the Board about Nahan Cantral lawsuit: Re: Waiver of liability or rider. You should be collecting every year (Re: wall lawsuit). Settlement suggested that they had to indemnify SLPPOA. Check legal file. Adding additional waiver or rider that has to be renewed every year. Probably in the legal file.

f) Geraldine will reach out to Lynn Krupnik and HOA attorney recommended by the accountant.

10. NEXT MEETING: Tuesday, November 12, 2019, @ 19:15

11. ADJOURN: Tamara motioned to adjourn, Dave seconded the motion.

MOTION: All approved. The meeting adjourned at approximately 21:15

12. EXECUTIVE SESSION:

Delinquent Accounts

Submitted by: Geraldine Burnworth