

SIERRA LOS PINOS PROPERTY OWNERS' ASSOCIATION
Meeting Minutes for Board Meeting
September 14, 2021

** Note: Anything Underlined is the original approved agenda

1. CALL TO ORDER

Paul L. called to order at 6:37PM.

2. ROLL CALL: (P=Present, E=Excused, A=Absent without Notification)

President: Paul Lisko	P	Water Maintenance: John Hines, Special Non-Voting Officer	P	Legal: Paul Rightley	P
Vice President: Keith Rigney	P	Water Compliance: John Hines, Special Non-Voting Officer	P	Firewise: Ann Cooke	P
Secretary: Vacant		Roads: David Stuedell	P	Architectural: Josh Toennis	P
Treasurer: Jeremy Oepping	P			Parks: Cindy Hines	P

Guests: Shawn Amburgey/added late. Suzanne Star. Barbera.
Enough Members for a quorum.

3. APPROVAL OF AGENDA

Paul L. Entertains motion to accept the agenda. Motion by Cindy. Keith Rigney second. No Oppose.

4. APPROVAL OF MINUTES

a. Regular Board Meeting of August 10, 2021.

Going to be delayed. Paul L. talked to Geraldine and did not get it done. Paul will transcribe minutes for the annual meeting. Currently half way through it.

5. OFFICERS' REPORTS

a. President – P. Lisko

i. Dealt August 12th with misinformed email of a member re: water rate billing structure

Paul is dealing with a misinformed email that was sent out from Scott Turner's information given about the water billing structure. The board decided to go democratic allowing the public to vote. Will have a special meeting at a later date. This was addressed in the annual meeting.

ii. Attended August 21st meeting in Cuba for interaction with county and state officials.

Purpose was twofold. Talk to legislatures. NM Senator/Benny Shendo NM Representative/Christine Chandler (Did not attend). Whole idea was to approach them to help us get funds to improve our water infrastructure and set up broadband internet service. Benny relayed there is a movement right now between him and Rio Riba county trying to identify those who need the greatest need. Information sent to legal (Paul Rightley).

Senator was aware of the lack of good internet form letters from the board. Currently making great strides for LANet. Keith Rigney stated there was a picture of fiber coils posted on facebook that there is a technician stating that fiber is getting placed in our area. There are many concerns with this being true. Current cables only to La Cueva. They are indicating it is for SLP. Highly unfeasible to trench in our area without notification of the board. Paul asks Keith to follow up with windstream to see how true these statements are.

iii. Email on Sept. 2nd with LA Net with "cc" to attorney re: placement of comm tower.

Got a request from the CEO of LANet. Asked Paul to write an email to NF for an extension for their current tower location. Currently providing to people in SLP. Email was sent to Brian Riley. Board members and legal included. Email was received allowing the extension of the permit for a couple months. Extension is going through November. Should know more next week. Need to comply with restrictive covenants but want to get LANet to a permanent location soon. Paul Rightly stated they currently provide 12 houses but more than 12 people. Rightly was CC'd in the original email that Paul had stated.

iv. Interested board members attend meeting Sept. 7th on NV5 Design Analysis Report.

The only ones to show up were Pau L. Dave Stuedell, J. Hines, and Harold Corn. Pauls questions wells and their names. One is valid by the office of engineers and one is not. They were confused about where the connection between systems were. This was clarified.

v. Election results of ballots cast for votes at the annual meeting. Assign board positions

Total of 49 valid envelopes. Two board members were Paul Lisko and David Stuedell. Non board members present were, Sally Hunter, Jack Nyan, and Bill. Results are as follows: Paul Lisko: 84 votes. David Stuedell: 55 votes. Three invaliid write in votes. 2 for candidates that were not nominated and one that was not specified. Assign board position: Paul Lisko renominated as President. Jeremy and Paul R motion and second. David Stuedell renominated for roads. Josh T. and Keith R. motion and second.

vi. Request reimbursement for mileage, postage and gift cards.

Mileage (\$0.56/mile): 3 trips. July 27th round trip Jemez Springs to Madonna hall for water protection plan and community wildfire scoping meeting. \$17.92. Round trip to retrieve notices of annual meeting to Geraldine then to mail in Jemez springs. \$20.16. Round trip for legislature meeting in cube. 148 round trip \$82.88.

Postage: To mail ballots to membership. .55 each.\$ 90.20.

Gift Cards: 6 Gift cards at \$25 for volunteers. Had a \$3.95 service charge. \$173.70.

Zoom Storage: Increase cloud storage for zoom because of a long annual meeting 4.5 hours. Meeting from August did not get transcribed. Had 3 meetings on cloud storage. Paid for 5GB of memory. \$84.10. Paul is looking to finish meeting minutes and delete meetings to free up space. Should only need this charge for one month. October 6th is the need by date for zoom.

Total pay out= \$129.960+ \$90.20 + \$173.70 + \$84.10 =468.96

Paul entertains motion to be reimbursed. Cindy Hines makes a motion. Paul Rightley Seconds. Paul Rightly asked where the legislature meeting was. Stated to be in Cuba and asked which route was taken due because there are two paths and mileage matters. Paul. L took a longer route to not beat up the vehicle. Paul R. was kidding.

b. Vice President – K. Rigney

i. Complaint about a game camera and large signs by one property owner from another.

There has been recent activity in the neighborhood that a neighbor has constructed a large structure on their property. This is not an issue normally but this structure has had game cameras placed on these very high posts that look in/at other peoples houses. This was brought to our attention about a month ago but was not added to the agenda due to the agenda already going out. This is still going on since the last part of communication. Greenhouse is normally fine but the cameras are the question and I wanted help from the board to see what we can do. Suzanne: If this is a business then we have rules and regs for that. Paul Rightley will look into what the law states for looking over property boundaries. Paul L: wants to look into the county for privacy. Contact the sheriff office or Sandoval county office to look into this. Paul R. will look into this. Action items: Josh T. to look into the ACC forms approved to see if the plan states cameras will be on it. Paul R. To look at it at a state/county level. County manager/DA/Sheriff/etc.

ii. Further developments on water & road maintenance agreement for Lots 1-5 of Unit 6

Received an email from Scott Turner. Two outstanding. Adjust current road agreement to fix the annual assessment. Board requested a document to save the HOA from providing water to the 6 lots in unit 6. Scott Turner states that the current covenants protect us from this. Keith asked the board if they agreed. Paul R. wants the email forwarded to him which was immediately. All lots will be members of the association and have annual assessments minus the water assessment.

Paul L. brings up a point that these lots were entered into the association with intent of selling. Since then these lots have not sold but are now active members. This needs to be brought up to the attorney to see how we assess them since they have not made payments since roughly the 80s. Keith R. was not aware of any of this. If one of these lots are to sell, we start taking assessments. It is only fair that the other 5 lots recently introduced into the board are assessed as well. Jeremy states that we could be in a fight for these assessments. Keith R. brings up that we do not want to charge these 5 lots roughly \$4k for something they do not use. The board might be able to look at this as we can do this from this date further as in not charging full amounts taking out roads and water. Could possibly charge administrative, parks, etc. fees.

iii. Follow-up inquiry from attorney on August 4th re: High Road access for Lots 6-17.

Keith did not understand what this action item was. Asked Paul L. to clarify. Action Closed out. No Longer needed.

c. Secretary – Vacant

i. Any suggested search or replacement to fill position? -OR-

Paul is asking if anyone has a replacement for this position. If not this will have to be given to someone in the house. Keith Rigney brings up a point if he can update the community through facebook and also ask social media if there is a possible secretary position. Cindy Hines wants something in the news letter to be put out looking for a secretary since we need one. She states that one of the VPs duties is to fill any vacant slots. It would be in Keith's best interest to look for a secretary allowing him to not be the secretary. Kristi Cross speaks up and asks if her Mom (who is living with her) can be our secretary. His mom was a certified court reporter in the past. It is stated in the by laws that only members of the HOA can be on the board. To be a member, a person must own a lot within the association. Paul L. states it would be fine for Kristi to sign up and have her Mom/family help her get the job done. Paul Lisko asks Kristi if she wants to step up and be the new secretary. Shawn Amburgey makes a motion to put a post on facebook to look for a secretary and take Kristi out of the hot seat. Paul L. states since this is a board meeting and not members meeting, this is not allowed. Paul L. states that if this motion is made that Keith Rigney will have to take on the role of secretary for this month. Keith Rigney copies Shawn's motion to make a post on facebook looking for a secretary. Also asks where the previous secretary went. Geraldine did not rerun as secretary after a talk with Paul L. Paul extended his motion not only from the post on facebook but for Keith to act as secretary. Cindy Hines seconds the motion. Kristi volunteers to help type transcripts and says she is more than willing to help out and complete September's minutes. Paul re-ask for a motion to continue for the facebook post and for Keith to cover this month as secretary. Motion carries.

ii. Temporary assignment of duties made in-house.

See above explanation in part i.

d. Treasurer – J. Oepping

i. HOAMCO Financial Statement ii. Treasurer's Report iii. Member Listing: Change of ownership

August 31st, 2021. Operating Account: \$ 178,431.89 Reserve: \$125,303.10. 11 delinquent accounts. \$12756.54 reduction \$360.57 from last month. 666.66 transferred to reserves. No changes in ownership in August.

iv. Discussion on developing budget for 2022

Open floor to things we may need to budget for. Things we have not in the past or things we need to in the future. Keith R. Budget money towards water. Trying to get a 168k gallon leak down to something more reasonable. Paul L. says we have not done considerable increases in budget in many years. Thinks it is best to increase the budget by 10% allowed. Says excess budget was marked for legal. Can be less as long as we are covering excess water/legal costs. Should consider an increase at some point. Keith R. asked if legal fees actually took a chunk

out of savings. Keith Want to make sure legal is the actual cause and a good stance. Jeremy states we set aside \$8k per year into our reserve account. Year to date: legal fees in 2018-19 \$13K budget. Brought down to \$2500 for 2020 and 2021. Actuals were: 2018 \$12,000. 2019: \$2,800. 2020: \$10,000. 2021 is at \$15,000 to date. 8x over what was budgeted but not far over what was in the past. Only way to balance the checkbook is to bring in more or spend less. Keith Rigney states current delta is only around \$7k. States we need a better justification like money going towards our 168k gallon leak on system 1. Paul L. Reserve account is stagnant but will go down as we get our contractor to connect system 1 and system 2. Need numbers from NV5. David Studell wants to add culverts to the culverts to around \$1000 for improvements. Falls under road repairs and maintenance. Paul R asks for an estimate of how much it would cost to half our leak rate. John Hines talked about how the board wanted to get an estimate for the booster line. Once we find out the cost of construction we can better estimate this cost of how to fix our leaks. Materials going up and covid has made it difficult. Want to get per foot costs to replace piping. Assessments must be advertised 30 days in advance. Jeremy wants to conclude in October. If annual assessment is increased by the max of 10% this is a net gain of approximately \$14k in our budget. Paul L. is looking into contractors to get a rough estimate. Need all the information by late October. Jeremy: request to increase our reserves from Barbera. Consideration from David Studell for 3 culverts at a total of \$5k. Consideration from Keith to put money towards leaks. Consideration from Paul L. to increase up to 10% max and get additional information from NV5.

Suzanne Request to round our annual assessment to an even number rather than include all of the cents.

6. HOT TOPICS

Scott Turner has been asked about the LANet's possibility to buy one of the lots in unit 6. Scott got back to Paul L and Keith R asking a few questions. These were sent forward to the CEO for LANet. There is a new idea that LANet could be signified as a utility which would make all of the issues we are currently having go away. Scott Turner asked what the ACC (Architectural Control Committee) thought about the tower. Josh Toenis answered: From their standpoint if it is being considered a utility, it would not fall under our covenants and restrictions. There are junction boxes and transformers and pumps all over already. The ACC does not have any issue with LANet coming in as a utility. The board is in agreement that this is the best way to proceed and should be able to make it through our issues. The board is trying to make this as easy as possible on LANet to make sure we do not push them away. Keith R. asks how do we push this through faster? What is our next step to push this forward and get the internet here. Paul L. is going to ask the CEO of LANet the questions Scott Turner requested. This is our next step. The ACC is ready to approve any forms they are given.

7. STANDING COMMITTEE REPORTS

a. Water – J. Hines

i. Maintenance

1. General – The Levelcon tank level monitors are now working.
2. Weekly well and pump inspections

3. Sent out nine repeat leak flag letters. Sent out excessive use letters.
4. Assisted two customers in leak detection and service-related issues.
5. FR10 well is now working and System 1 and 2 are running independent again.
6. Attended Rural Water Association Seminar in Albuquerque with Paul Lisko.

Water system is running normally again with no new major concerns.

ii. Water Usage for August 2021 1.

System 1: # gallons pumped + leak flag letters & leak detection for customers.

542,534 Gallons Pumped, 259,285 Gallons used. 283,249 Gallons Leaked. 98.25 gallons per house. 48% leak rate. 9 leak flags. All are repeated from the month of August. 11 users over 7000 gallons with 5 being leak flags

System 2: # gallons pumped + leak flag letters & leak detection for customers

147220 Gallons Pumped. 147111 Gallons Used. 109 Gallons leaked 77.83 gallons per house per day. .08% 3 leak flags. All repeats. 3 users over 7000 gallons. One of them has a leak flag.

iii. Compliance 1.

System 1 Coliform/microbiological reports 2.

No coliform, no e coli, 0.4 mg/l of chlorine.

System 2 Coliform/microbiological reports

No coliform, .07 mg/l of disinfection.

b. Roads – D. Stuedell

i. Road work completed by Tug Leeder on Sept 3rd to the satisfaction of most residents.

1. Complaint: Ashley Lane improperly sloped, creating spring run-off problems.

Non member complains about the way Ashley lane is graded. No complaints have been made by someone in the association.

2. Windstream cable severed; possible electrical cable exposure on Los Griegos.

Typically cut 1-2 cables during grading. Need to engage windstream before grading next year. This is an issue when people rely on service. David will look into the electrical cable near the service.

ii. 1416 Los Griegos entrance damaged from adjacent property run-off exposing culvert.

Driveway runs right into another person's driveway. Have not had real rains to date but will need an embankment to try and solve problem.

iii. Need for three culverts identified. Dave Raue or Tug Leeder to effect placement.

The contractors can not get to them this year but may be able to get to them in winter. Not sure how it will go with the ground frozen. All construction people are very busy.

iv. Quote requested Sept. 7th from ASM Property Mngmnt for snow-plowing contract.

ASM was supposed to drive the properties this week. Our old plower has not completely ruled out plowing just yet. Will have to talk to ASM about that. Still looking for a snow plow. Keith Rigney: expect an email to David Stuedell for a member in SLP wanting to plow roads. There is

a serious member in SLP that would like to look into the possibility of buying equipment and offering services better than anyone else could since they live in the area. This would be good for the community to have to eliminate a commute for another company. Paul L. has brought up in the past an idea to buy our own equipment. David Stuedell advised against this.

The only contract received to date has been rejected because he did not want to do Los Griegos and was much higher than the normal rate.

c. Legal – P. Rightley

i. Complaint received 7/19 on possible operation of puppy mill at Mesa Verde Road
Been playing phone tag with officer Tafoya in Sandoval county. Paul R. will try and prioritize this.

ii. Initial development on determining possible establishment of MDWCA for SLPOA.
Paul R has been doing extensive research into MDWCA. States this will be a very extensive and delicate process that will take a lot of time. If the board thinks this is the case then he needs to be told so. He has gotten push back from two very different viewpoints already in this process. One member states MDWCA is a waste of money and suggested there is another way to accomplish this without incorporating another government entity. The second person thinks the MDWCA will take away their say from the water system and that there will not be a 10% limit. Paul received another amount of input from a member from a group call "Intrenosa " that is led by someone who is a part of the sanitary process in the early 2000s of New Mexico. He led his water to be a coop instead of a MDWCA. Paul R. has come to the conclusion that he does not think the MDWCA is the best option for our community with the reading he has completed. Most MDWCA have a much larger customer base. He has not been able to get in contact with Canjon yet. Are all of our wells registered with the state of Engineers? From J. Hines, Yes they are. Paul R. wants to know what water we are allowed and what we are consuming. This could cause us to choose a different path for water. J. Hines states that we have two wells that are dry or abandoned that have not been taken off of the books. This is causing us issues that the state has now confused the well numbers for J. Hines monthly reporting. What are the property owners association rights? How much are we using? Let's start from there. Given the fact that 3 members have reached out and all 3 were against an MDWCA. That is why this will take some amount of time. There was also another individual that sent out an email with their concerns about the MDWCA. Saying it is a bad idea. Paul R. asks if the board wants him to reply or Paul L to reply. This is going to take a lot of discussion to get to a MDWCA. Why is the current situation not okay?

Paul L. asks what the cheaper way of reaching our water goal is. The cheaper way is the status quo. Paul replies that we cannot stay with the status quo if we want to get grant money from the feds. Also wanted to answer at what rate and limit the board would charge/set. That limit, whatever it is, will be answerable on whatever board that is created. J. Hines will be on this board. Paul L. named who sent out the email Conversation dovetailed to "New Business" below.

d. Firewise – A. Cooke

i. LCVFD to schedule use of county chipper.
Has no information about when the chipper will be by.

ii. Any Firewise initiatives from presentations (NMSF, Cuba S&W) made at annual mtg.
Ann has been in contact with NF about the “sliver” of forest service property between FR10 and SR4 and the back side of SLPPOA property. That is on their list to be treated but they are basically out fighting fires elsewhere. They do not have manpower to get this done at the moment.

e. Architectural – J. Toennis

i. Any new architectural requests received for August 2021?

One new request. For residents to restrain the house and deck with new windows. Approved.

ii. Any update on completion of new Architectural Control Cmte guidelines this winter?

Has not made progress. Estimated completion is still winter when he has more time.

f. Parks – C. Hines

i. Setting protocols for communication between board members and membership.

1. Discuss pros & cons of having one member handle/review all communication.

Trying to clarify do's and don'ts for communication between the board and members. Reminding board members that if we want to send an email to the members, that we need to restrain ourselves from using personal opinions. Make sure it is not as a board member. This is inappropriate. Be very clear it is not from you as a board member it is coming from you personally.

Protocol for communication? Will one board member have all communication, email, newsletter, facebook? Want the membership to come from a point of unity. Should documents be run through the entire board before they are sent out to the rest of the membership? This works for talking to the entire membership but if it is for the person's volunteer area, they can reply. Keith R. made a post this morning asking if people in SLP will be interested in getting information about the HOA on the SLP facebook group page. Asks if this is okay and what steps he has to take to keep continuing this. The board states it is a good idea to use social media to communicate. It has to be basic, this is what we are doing and when. The board has allowed Keith to make these communications through facebook.

ii. Use of the old listserv (Fredlund/Corn)

Members are to not use the old Listserv and use the new email communication vehicle. Just for communicating with the membership. Old listserv has the ability to give information to people who are not in the membership. slppoacommunicaitons@gmail.com. Please do not respond to this email. Used to send information out to members.

ii. Update on road identification and miscellaneous traffic signs

Had to give a list to the creators since signs are priced per letter on the signs. Send list at next meeting.

iii. Update on newsletter

1. Notice and responsibility of residents to clean ditches and clear culverts.

Youtube videos were collected to be sent out on how to help/show people how to clean out culverts.

8. OLD BUSINESS

a. Webmaster contacted for any changes or service upgrades to Go Daddy account? –

C. Hines

Webmaster was having an issue. Cindy H. Email Mike as to what he needed her to do on GoDaddy. Cindy logged in and updated information on our profile. We can have different types of contacts. Cindy Hines is Administrative and mike the technical contact. Jeremy is the financial contact.

9. NEW BUSINESS

a. Schedule a special meeting with state water experts for input; potluck for members? –

P. Lisko

Open to discussion of membership. Paul thinks MDWCA is the way to go. I Want to get all experts in a room to answer questions from the community. David Stuedell says it is possible MDWCA could be better than what we have now. The main assumption with this, is that it is banking on us getting grant money. We need to write a proposal for grant money, this takes time to get this money, etc. We have 5-10 abusers of water. Is our system so bad that these few abusers are making us go to an MDWCA with the assumption we are getting grant money? Paul L wants to put us in a position to get grant money when it comes up. He likes NV5 because they have a grant writer on staff and this is why he liked them as a company. Keith R. says he likes the conversation and where this is going and how everyone is giving their opinion but at this time we do not need opinions. We need facts written on paper. If SLP goes to MDWCA, we have the potential of getting grants. Keith has talked to multiple members in SLP that have stated they will not vote for any water billing until our current leaks have been addressed. Some members feel this is an HOA issue and not a member issue. He states this is why earlier he wanted to try and fix the leaks. This can be shown to the public that the HOA is trying to move towards a better system. Could be used as justification to help us move forward. Paul asked what Keith thought about setting up this meeting. Keith agrees this meeting could be wonderful because at the end of the day he does not understand everything that is going on and he is the VP. He thinks this is a miscommunication when the MDWCA came up only a day before the annual member meeting. He states when he first came into office as the VP the consensus was that the board wanted to shut off peoples water for excessive water use. He never heard of the idea to get grants or the MDWCA. 9 months later, our new ploy is that we have to separate water to get grants. Keith wants to stay away from all of this until we have done our homework and have made efforts to fix our current situation. Paul repeats his question asking if Keith would be okay with setting up a special meeting. Paul R. says unless we can get the main people in the room with all of the experts all agreeing on the same thing; we are not going to be making a lot of headway on this topic. Cindy Hines explains that these meetings will not be a waste of time for board members and normal members because a lot of us do not understand what these meetings would accomplish. The board needs to educate, educate and educate

some more. Paul R states that he is still unsure whether a MDWCA is the best way to go but maybe a coop. But a coop does not get the ability for federal funding like a MDWCA does. Paul L will be setting up a meeting with the experts.

10. ACTION ITEMS

- a. Possible FEMA support to pay for acquisition, transport & placement of Intel tank – P. Lisko

Paul L. has been talking to a gentleman but he has not gotten back to him. Paul L will reach out to see where this funding might be.

11. NEXT REGULAR BOARD MEETING: Tuesday, October 12, 2021, at 1830 hours via Zoom

12. ADJOURNMENT

Paul Entertained motion for adjournment.

Keith Rigney Motions.

Ann Cooke Seconds.

Officially adjourned at 9:14pm.

13. EXECUTIVE SESSION

Recording turned off.