

**Sierra Los Pinos Property Owners' Association**  
**Board of Directors Meeting**  
**June 13th 2023, In-Person VFD #2**

**CALL TO ORDER**

Meeting called to order by the vice president Scott Dewitt at 6:31pm, with the following members present: Scott Dewitt, Suzanne Star, John Hines, Amber Gaston Dewitt, Ann Cooke, Josh Toennis and David Stuedell.

**GUESTS**

Chris McConaughy, Paul Lisko, Barbara Van Ruyckevelt, Donna Smith

**APPROVAL OF AGENDA**

- David Stuedell moved to approve the agenda of the June 13th meeting, seconded by Amber Gaston DeWitt and, there being no opposition, motion carried.

**APPROVAL OF MINUTES**

- March 2023 minutes approved by Suzanne Star, seconded by Scott DeWitt and, there being no opposition, motion carried.
- May 2023 minutes approval tabled until the July meeting.

**OFFICER REPORTS**

- **President** (vacant)
  
- **Vice president** (Scott DeWitt)
  - Water Operator job description
    - Looked up job description from NMRWA.org
    - He needs additional information (work hours, pay, etc.)
    - Suzanne sent him all the water operator information for Scott to meet with John Hines to validate what was applicable.
    - John Hines stated we are a “small water system”
    - Water sampling is part of the water operator’s job
  - Water Maintenance Person
    - Board unaware of this second position.
    - Suzanne thinks it would be hard to find this combination on the market.
    - Paul advised this will be an in-depth position for all the activities John Hines does.
    - Scott said all the water maintenance duties seem to roll up into the water operator’s job description.
    - David advised there is an urgency to get this posted; should look at a young person for the water operator.
    - Without a water operator this winter, the community will face going without water and needs to be informed about this issue.
    - Pay a Water Technician for this position.
    - John Hines is not level 1, 2, or 3, it is a Small Water Systems Operator with only 150 customers (lowest and easiest level).

- We should state they must have a license for the position.
    - NM rural water doesn't require a login and password, just post 2 positions there asap.
    - John send Scott his job description which combined both positions into one role and leave it to Scott to determine whether to post as 1 or 2 positions.
    - John willing to mentor new water operator/technician as long as he isn't taken advantage of.
  - Salazar Letter
    - Noted there was an over-payment of \$16,000
    - Paul advised Salazar was willing to settle for \$22,000
    - Suzanne, David, and Paul agreed we should say we are even regarding the settlement demand due to the \$16,000 over-payment.
    - Scott will state this in the response letter to Salazar's demand.
- **Secretary** (Amber Gaston DeWitt, acting)
  - Nothing to report.
  - David asked if Amber was using voice-to-text app to create minutes.
  - He will forward a recommended app for trial next month.
- **Treasurer** (Suzanne Star)
  - Newsletter
    - Dialogued water billing to educate on billing effort.
    - Keith wanted to add a request for Parks labor volunteers.
    - Scott asked her to add that we are seeking a water operator and technician/apprentice.
    - John asked that the CCR report be published in the newsletter, on the SLPPOA website, and on the Sierra Los Pinos Homeowners Chat site.
      - State requires John to report to them where his 3 mandatorily required CCR posting locations are.
    - Suzanne to reach out to Mana for labels information.
    - Scott suggested also putting the newsletter on our website and on the Sierra Los Pinos Homeowners Chat site.
    - Suzanne requested board approval for corrections, Mana to help her with labels, and to send out the newsletter.
    - No board members were opposed to Suzanne's request.
  - Treasurer's Report
    - Operating Account: \$136,944
    - New ICS Account: \$25,000
    - Reserve Account: \$53,655
    - \$1,989.70 transferred into the Reserve account.
    - Water System 1 Account: \$25,731.
    - Water system 2 Account: had \$12,152, but we received a \$9300 initial electricians bill with another one expected to follow.
      - Looking at this account being empty by receipt of the final bill.
      - Last half of the year, Water System 1 will have to support Water System 2, then after that we face Reserves support.
    - Roads Account: \$25,000.
  - Delinquent Accounts
    - Currently have \$23,437.10 outstanding.

- 1 sent to collections – can't determine who is handling the estate on this account.
- 4 scheduled for shutoff.
- 3 past dues with small collection fees they haven't paid.
- 2 residents are on payment plans.
  - Newest payment plan will be sent to board pending owner's decision whether to pay off the entire account or go onto the payment plan.
- Water Disconnects
  - Water shutoff notices went out 5/29/2023.
  - 4 owners are now paid up or on payment plans.
  - John provided a list of properties currently facing water shutoff as of 7/5/2023.
  - Sheriff will meet him at VFD to attend shutoffs – John not sure he will need the Sheriff's assistance.
  - 2 vacant lots can be shut off any time after 7/1/2023.
  - 1 property is a tenant and the landlord has been notified (no one can seem to locate the landlord).
  - Suzanne sent out a letter initially; once certified letters were sent out, responses were received.
  - This protects us to proceed with liens once the time comes.
  - HOAMCO's cutoff date is 7/1/2023.
  - John will not accept checks on the date of shutoff from owners as they had plenty of warning; checks are to go to HOAMCO directly.
  - Lien notices went mailed certified on 6/5/2023; attempting to do water shutoffs before issuing liens.
- Annual Budget
  - July agenda – Suzanne is getting budget started and ready for approval.
  - August 25<sup>th</sup> we will have to send out the budget, ballots, and the billing proposal agenda.
  - She recommends we increase by 10% again this year.
- A board nominating committee was suggested.
  - David put out the suggestion to amend our bi-laws for the President, VP, Treasurer, and Secretary to not have to pay dues.
  - He also suggested the remaining board positions receive a 30-50% dues discount for serving on the board.
  - This would have to be voted for and passed by 60% of homeowners.
  - Josh tried going door-to-door in the past and received no responses.
  - Part of the problem is people have jobs, kids, and have minimal free time to get the job done properly.
  - Law suit fear keeps others from applying for board positions, regardless of insurance.
  - Suzanne advised If we are unable to locate board members, we face having to hire a pricey Property/Office Manager acting as the board.
  - Retired residents are going away to hold these positions.

### **HOT TOPICS**

- **Chris McConaughey** - Water Management Issue
  - Mid-Feb freeze occurred.
  - Water line was only 18-19" deep.

- They live at end of cul-de-sac where a lot of dirt is removed on top during snow plow season.
- They request they plow their own road to prevent this issue in future.
- Sink hole occurred when line re-buried with ice and dirt.
- Facing an entire re-freeze to line next year since nothing changed.
- He was without water for 1 month two years ago on his side and 10 days on SLPPOA's side this year – deferred maintenance is unacceptable moving forward.
- He asks the issue gets fixed correctly.
- If this happens again, he'll go to a hotel, report to his insurance company, and he will share that the board is the responsible party for the bill.
- Water stand being inoperable threatens his availability of homeowners insurance (or he runs the risk of increased rates).
- Suzanne stated we are looking to do water billing moving forward, plus increasing by 10% on dues each year.
- He supports increasing dues each year as the board hasn't kept up with inflation.
- They have 2 fairly large sink holes at this time.
- Mary is unhappy the phone line is laying on the ground surface – Jason nicked the phone line working with the water.
- They have ground mess with a phone line laying across a driveway.
- They are wanting to sell their house in the next year or two and will face looking to the board if they can't sell due to mess and incomplete repairs.
- Chris would like to see:
  - Road filled in 2-3' higher (putting the water line 5' deep).
  - Fire stand hooked back up.
  - Phone line re-buried (this is Windstream's responsibility) – 100 yards to get the phone line buried to the corner.
  - He doesn't feel he should make efforts to fix what wasn't caused by his actions.
- Need to see if we can get contractor out to work the repairs before considering moving funds from Roads for the repairs.
- Electric line is too close to rent a backhoe to do the repairs ourselves.
- John suggested putting backflow preventors which have small valves to trickle water at the end of water lines to keep water moving on dead-end lines inside of the meter housings.
- Very economical solution estimated at \$50 per valve.
- SLPPOA water rights:
  - State is presently not calling out on primary water rights (if you don't use them, they rescind them).
  - This is always a possibility this could happen, but all our leaks are ensuring we are using our water rights per the state's requirements.
  - We must always maintain we have a need for this water.
- **Donna Smith** – Tiny Home Issue
  - Unit 3, Lot 3 has a tiny home parked on their property (it has a license plate on it).
  - Covenant states paragraph 4, mobile homes are not permitted.
  - Owners are living in the mobile home, renting their primary house on Air BnB, advertising they live in the tiny home on site.
  - This puts 2 dwellings on the property, which is also prohibited in the covenants.
  - They run an above ground water line (garden hose).
  - Josh found a tiny home is classed as an RV by most states and are registered as such.

- If we class tiny homes as mobile homes, they would not be allowed per our covenants.
- Gray area everywhere whether these are tiny homes or mobile homes.
- State defines RVs as travel trailers or camper.
- Tiny homes have license plates on them while in transit per the state.
- Violation is having 2 dwellings on the lot, and any dwelling which is temporary.
- These 4 lots are developed as residential lots.
- Two families can't live on a single lot in a single-family dwelling.
- If it is a camper, they can't live in it, but can store it on the lot; if it is a mobile home, they have to remove it from the property.
- Exceptions have been made for a family to temporarily live in a camper while building their primary, permanent dwelling for up to 12 months.
- They are using it currently as a mobile home, and advertise it on the AirBnB as their residence. They can park and store it only, otherwise it must be removed.
- Paul found 5 SLP properties listed for rent online, 3 listed on VRBO and 2 listed on AirBnB – how many of those are in compliance with bi-laws policy and have applied for a Vacation Rental Property Permit?
- **A suggestion** was to put an article in the newsletter regarding this policy.
- Josh initially sent an email to the owners and received a response they were only parking it on the property.
- Board determination for all cases:
  - We class tiny homes per use.
  - If they are living in it, it is hooked up to our water, and it has its own sewage, it is a mobile home and must be removed.
  - If it is a moveable trailer, not hooked up to water, and unoccupied, it is storable on the property.
  - If they are not in compliance with the Vacation Rental Policy, you can go to VRBO and AirBnB and pull their listing.
  - Discussion on temporary use with visiting relatives, etc. versus using it as a residence.
- **Path forward:** Send owners a letter that the Board has evidenced their tiny home being used as a mobile home and they are required to remove it within 30 days of the letter.
- **Josh will draft an email** of his proposed letter for the board to review.
- Water
  - System 2 Controller (well)
    - Electrician came out and replaced the capacitor, then the controller, still not working.
    - Well company came out and found the 1 ½ year old motor was frozen.
    - This is the best motor you can buy (German made).
    - Well company can't tell what was wrong with it.
    - Well company said it wouldn't be worth repairing it.
    - Electrician is \$9000, don't know yet how much it costs to pull the motor out to replace it.
    - Our well is about 400' deep.
    - Bad news: entire well is 350' of brittle, cracking PVC instead of galvanized steel lining.
    - He has a rope tied to the motor so it doesn't sink to the bottom of the well.
    - Best suggestion is replacement with schedule 80 PVC vs our current schedule 40 PVC.
    - We have a 5 HP and a 10 HP well controller on hand now which aren't under warranty, but both controllers are usable by SLP.
  - Aspen Grove leak

- The 60 gallon/minute leak has been repaired by John (no invoices pending on this repair).
- We have not tied in a new line yet.
- Pending work is to fill the hole.
- System 2 main line repair
  - John met with Jill from resource center.
  - Solution – put trees the size of your thigh and fence posting to catch the sediment and spread out the sediment.
  - Jill will be attending a meeting next week for funding from forestry to do repairs
  - She suggested people should really apply individually versus applying as a whole SLPPOA group.
  - For any repairs made before funding received, we eat those costs.
  - Exposed water line from last year – dump sand on it, then rock, then tree branches. Don't put dirt down.
  - For Los Griegos/Forest Rd 10/County Rd 76/St Hwy 4/US 85 which isn't owned by anyone except Bootzin, the county was planning on putting in concrete soil.
  - Mr. Blount has put straw bales and waddles where the water enters his property. (Waddles run \$10 per foot)
  - Jill also suggested using silk fence which is also very expensive.
  - She also recommended they build silt-collection ponds across the meadow, which may be their ultimate option, which face being cleaned each year.
  - There are no water lines in this area.
- Hydrant issue
  - They want to raise the hydrant and put concrete here.
  - Since the hydrant is so old, they are going back to the original manufacturer to see if parts are even made anymore.
  - Quote is pending.
  - Baker is struggling to locate 4" (vs current 8") parts for our older hydrant.
  - Paul advised there may be funding for this issue.
    - He sent the board a link which has funding available for fire suppression.
    - We only need to state we are 501-C3, bordered by national forest, it is a fire threat, we need to have this done – it will get funding.
      - Meeting will be in Santa Fe at the Sheraton from 10am – noon. You must show up in person to get anything.
  - Hydrant locks – we have some on hand.
  - Baker is looking at fabricating these parts.
- Aspen Grove and Calypso
  - The plan is to put a valve on their water line end.
  - Bakers sells these spigots.
  - We plan to put one on every water line end/cul-de-sac.

## **STANDING COMMITTEE REPORTS**

- **Water** (John Hines)
  - Water Compliance Report
    - System 1
      - Total coliform - absent
      - Total E. Coli - absent

- Disinfected, residual .26 mg/l
  - System 2
    - Total coliform - absent
    - Total E. Coli - absent
    - Disinfected, residual 0.18 mg/l
- Water Maintenance
  - Meters read on 6/1/2023
  - Responded to Meadow well that was down
  - Replaced the LevelCon system 1 & system 2 tank level monitors
  - Repaired the Aspen well leak
  - Received the CCR from the state
  - System 3 homeowners leak detection location and repair
  - John has 3 appointments over next 2 weeks to help identify their leaks
  -
- Wells
  - co-mingled most of the month since the well was down
  - System 1
    - Pumped 645,000 gallons (471,000 without the co-mingle)
    - Used a little under 200,000 gallons from System 1 to keep System 2 going.
    - Usage was 324,561 gallons.
    - Average household usage rate of 106.6 gallons/ minute.
    - Main leakage rate was at 65% (should go down considerably with recent repairs)
    - Gallons lost was 150,000
    - Leak flags: 8
    - There were 11 users identified over 7,000 gallons with 7 of those with leak flags
- System 2
  - Pumped 175,000 gallons
  - Usage was 177,000 gallons (again, co-mingle changes this rate)
  - Average household usage rate of 98.82 gallons/ minute.
  - Main leakage rate was at 1%
  - No gallons lost for the month rate due to the co-mingle.
  - Leak flags: 7
  - There were 2 users over 7,000 gallons, both with leak flags.
    - John assisted with leak repairs on one of the leaks.
- Locks delivered yesterday.
- Ken Vigil asked when he would be paid
  - Bill submitted immediately after receipt to HOAMCO about 2 weeks ago.
  - Check should be arriving soon.
  - He is asking if he can pick up the check in person or have it mailed directly to him, not through his finance company?
- Water billing – Paul Lisko
  - Do you want it (yes or no)?
  - If yes
    - We pay a percentage from the annual fee for water now.
      - Do we remove it from the annual dues and charge it out per month?

- Or do we keep the annual water fee in the dues and then charge a monthly fee for water usage on top of that? If yes, how much is the max you would pay per month?
  - Suzanne would like the board to have a water billing only meeting next month on a weekend for 2 hours.
- **Legal** (vacant – Suzanne Star’s topic)
  - CPA
    - Awaiting a quote from the CPA for the water billing idea.
- **Roads** (David Stuedell)
  - Spreader sold for \$350, let him know when check clears so new owner can be texted to pick it up.
  - Awaiting a new contract quote from Jonathan Morris for
    - Building a cinders shed
    - Snow plow services this next winter
  - Following up to expand the forest service road so a water truck can get up there on High Road.
  - Gravel
    - Still pending getting gravel ordered
    - He will purchase on his credit card
    - \$1200 for 2 loads of gravel (3/4 mil road base)
    - He wants them to give us a 30-day net for invoicing
  - Aspen and Calypso
    - Josh is picking up the culverts this Friday
    - Install them Saturday
    - They need a dirt compactor to pack dirt around the installed culverts.
    - David suggested purchasing a dirt compactor
- **Architectural** (Josh Toennis)
  - Home builders at Membres are requesting to live in their trailer while they build their home for 5-6 months.
  - Suggestion is to give them 12 months.
  - They are working with SLPPOA with surveys and all necessary forms to do things right by the association.
  - They are reaching out to us and working with us throughout their entire process.
- **Firewise** (Ann Cooke)
  - One request for information on the tree thinning grant responded to.
  - Cuba Soil and Water – fill out an application to get on the list.
  - They cover 80%, you pay 20% of bill.
- **Parks** (Keith Rigney)
  - Looking for volunteers to mow the park on email.
    - We have 1 lawnmower available for use.
    - Took about ½ a day to clear the park area.
    - Have folks reach out to parks1 email to volunteer in the newsletter.
  - Tank Inspections



- No schedule received yet.
- They are ready to go on these and contract already approved.
- Uncover them on a weekend.
  
- **Special Tasks** (Amber Gaston)
  - Nothing to report.

#### **ACTION ITEMS**

- Approve May's minutes.
- John to send information on the Water Technician position.
- Next board meeting set for 7/12/2023.

#### **ADJOURNED**

- Scott Dewitt made a motion to adjourn the meeting; Amber Gaston DeWitt seconded, motion carried and the meeting adjourned at 9:01 pm on 5/9/2023.

Minutes submitted by Amber Gaston DeWitt, SLPPOA Special Projects / Acting Secretary