

# SLPPOA September Board Meeting

Tuesday, September 12, 2023

Call to order 6:35 PM

## Introductions

Scott Dewitt \*

Suzanne Star \*

Barbara

Donna Smith

Farita Tasnim

Daniel Wirth

Matthias Hochanadel

Tersa Hansen

Harold Corn

Paul Lisko

Josh Toennis \*

Justin Owen

Angela Mielke

husband Chuck

Tim Umscheid

Ann Cooke \*

Suzanne makes **motion** to make changes to Agenda

Would like to assign positions to new board members

WMT Standing committee Report move from Old business to Standing Committee Reports

No past meeting minutes to approve

Farita to transcribe minutes from past couple of meetings

President - Scott Dewitt

Any preferences?

Angela - Roads?

Suzanne got email from Dave that he's happy to relinquish Roads if someone else is willing to take it

Can Dave mentor?

Tasks: address problems, call vendors, set up jobs

Angela suggests to tag team it for a little bit with Dave before taking it on fully

Feels roads is a fast second priority after water

Ann Cooke - VP

Donna - VP, Legal, Architectural?

Scott nominates Ann for VP

takes Architectural

Farita - Secretary

New website and communications

Daniel - Water

Barbara - Long-Range Planning

Preliminary Engineering Report

Justin

First need to appoint new members to the board

Justin Owen willing to accept a position on the board

Four current board members need to vote to accept new members

Scott makes a **motion** to approve new board members (Angela, Donna, Farita, Daniel, Barbara)

Suzanne seconded

But Dave Stuedell is not present (so Justin Owen is maybe an alternate member)

All four board members present vote yes.

New members approved

Intentions to attend board meeting from other members (Matthias, Tera, Tim)

All here because interested and would like to figure out how to help

Tim - willing to take another position in ACC

Officer nominees

Scott Dewitt nominated as President

Ann Cooke nominated as VP

Suzanne Star nominated as Treasurer

Farita Tasnim nominated as Secretary

Donna makes a **motion** to accept officers

Suzanne seconds. All in favor. Passes.

Scott - Nyhan sent an email demanding water information, finances, etc. (also demanded it by today)

How to get him the information?

Scott - Any legal ruling from county on multiple dwellings per lot?

- Daniel - Section 9 (1) RRA - Allows singular dwelling unit per lot + guest house
- Tim - difference in permitting for multiple dwelling
- Farita - difference between single dwelling, multiple dwelling, and single dwelling + guest house
- Josh - county supercedes HOA laws
- Suzanne - offers to check the official legal system
- Scott - Can we limit single dwelling unit per lot? Have family, in law quarters
- Justin - What's the opposition to it?

Donna - water, traffic, noise, parties

- Ann - Suzanne to ask an attorney which has precedence - CCRs or state/county rules
- Angela - What could even be done
  - Josh - If structure has been there for more than 1 year, it's very hard to pursue legal action. Also you can only sue. Not fine or penalize in any way. Also from research, the legal precedence is the state and county in any lawsuit.
  - Josh - There's a shared Google Drive for every single position. Have all stuff documented on Google Drive. Contact Cindy for access and handed out to all new board members.

Suzanne will set all email forwarding for board addresses to new board member emails

Scott - Congressional infrastructure grant

- There's a series of grants that become available soon (1 week to write and apply for grants) - for water infrastructure (~1 million dollars) - Paul offers to help speak to Miller and Teresa about this
- Money left over for Cuba Soil and Water grant for thinning - encouraging all to apply. Property manager to coordinate with those thinning - they thin to a very high standard (recommended for fire safety)
  - Could the HOA as an association take part of this? Probably not
  - Paul - They like it when you combine with neighbors to do multiple adjacent lots at once
- Proposes time limits for meetings and individual discussions
  - 1.5 hours for the meeting
  - Individual discussions to 3 minutes (for people coming to the board for public commentary)

Josh -

3 requests come in last three months - fence, new house plus garage - all approved

Current ACC: Peter Veverka (probably removed), John Hines, and Scott Gould

Tom wants to take on a position.

Suzanne volunteering Justin Owen as another position? No response

Scott makes a **motion** to limit board meetings to 1.5 hours and guest speakers to 3 minutes

Ann seconds.

All in favor.

Ann passing around a document about excessive water usage

- Penalty for abuse of water (refer to the document for more notes)
- Asks for feedback via email - wants to get this assessment in this quarter - by January
- 9 users over 12,000 gallons in August
- Not to fund anything - hope to eliminate overusers, no fee
- Framed as a special assessment vote rather than as a change of by-laws
- Angela:

If you don't get 2/3 members voting?

You can have a second vote with 1/3 quorum requirement

- Ann asks all board members: How should we do if members don't agree?  
Can the board do it unilaterally? Or go for a second vote?
- Want to follow this up with a second special assessment - what should that look like?
- Paul - Can these complaints be filed in conjunction with a complaint form with the state engineering office? (Tim asking same and raising issue of flooding septic) - whether it's domestic use or acequia - Office of state engineer will assign an investigator to talk with the violator, to figure out what's behind this  
Scott - what is their definition of excessive use? Paul - not sure.  
Paul - each person uses 80 gal / person / day
- Barbara - We need a revenue system. Was on water board in Placitas. Get the water separate from homeowners. That's hard in this system because of the ways the by-laws are written. The revenue stream is important to get loans. Everybody should be required to pay for the amount of water they use. Barbara wants to send out the water billing vote before this special assessment. Scott asks Barbara to speak when it's time for the WMT to talk.

Secretary - Farita

- Will send out annual meeting notes right after this meeting to the board

- Will be creating a new website - hoping to have a draft by October
- Suzanne speaking to the newsletter for Sep/Oct - want to add thinning grant to the newsletter

Angela will send Farita info on the Cuba Soil and Water grant to add to the newsletter

- Will do further edits

#### Treasurer - Suzanne

- Harold - half of Starlink cost to be paid by HOA (real-time data harvesting for water system) - Fredlund from fire department wants to split half the cost with SLPPOA for water

Donna confirming legitimate business reason for the cost

(60 dollars a month)

- Ann Cooke makes a **motion** to approve halfway split with fire dept for Starlink  
Scott seconds. Suzanne approves. All approves. Passes
- Op acct - 94.8K, 25K for ICS, total - 120K
- Res - 59.7K
- Remaining budgets - 24.7K water, 23K for roads
- Delinquents - 16.9K (1 cannot track down, liens on and meters turned off for 3 properties, 3 others on payment plans)
- Will work with Farita to re-up bank signatures, recordings, etc.  
e.g. New board member HOA Law certification form

#### Hot Topics

- Parks? Back into volunteers - Justin + Tim will mow, obtain woodchips (arroyo from Coryphodon, Black Bear Park, Fire Station, on Chaco - an island with trees)

- Everyone who is new board member will have to sign HOA Law certification form (absolves board members of liability for executing duties)
- System 2 - exposed main line repair (next to booster station, got taken out by flood)
  - Harold - Pipe exposed and needs to be covered up before winter - contractor 160/hour, will get a bid from contractor
  - Suzanne - \$500 policy for any work that needs to get done (anything above 500 needs to be board approved)
  - Ann makes a **motion** to approve 620, up to 1300 for this issue. Scott seconds. All approves. Pass
- Scott - FEMA application for flooding damage - will be doing everything through the forest service. Anne volunteers to sit down with new permanent forest ranger to discuss funding.
  - Suzanne - is this individuals or HOA? Scott - not sure. Anne will ask about water and roads (from association side)
  - Angela - Is the flood really from the burn scar?
  - Paul - USFS BARE team report assessed the damage, and it's reported there.
- Status of water operator
  - John will not renew, but agreed to train Daniel, who is willing to become a Certified Water Operator
    - Ann - If there are fees associated with obtaining certification, bring that to the board
    - Paul - will hook up with apprenticeship program from NM water
    - Suzanne happy to help with compliance and reporting with the state
- Fire hydrant - raising in flood zone / locks?
  - Harold - haven't heard anything about that, just that parts are on the way



## Standing Committee Reports

- Water Management Team
  - Suzanne - request for water billing vote - Sat Oct 28th
  - Suzanne makes **motion** to proceed with sending out the membership vote for the by-law amendment. Barbara seconds. Questions?
    - Ann - What are we voting on?
      - The proposed by-law agreement in the Water Billing Proposal
    - Donna - Concerned about building a billing system with end-of-life water meter / system. Monthly billing system is a lot of work. 8K annual recording for billing - would have to go in the HOA budget. Does it assume a volunteer will be doing the monthly billing? The annual billing goes to HOAMCO. This would have to be in the SLPPOA budget (I think it would be more than 8K per year if buying a software). Is it a prudent decision to do water billing with current old system, esp if old system needs to be repaired?
      - Suzanne - let's add it as a point to discuss for next meeting
    - Donna - Will the billing be only for water system projects? If so, we still don't have enough money to cover ongoing repair, operations, and maintenance.
    - Donna - 6% on top for GRT. Would rather members pay directly into the water system
    - Donna - Two goals - generate revenue and reduce consumption. Think those two should be split apart to do it cleanly
      - Suzanne - How do you propose to split the two?
      - Donna - There could be other ways to fund the water system. Don't want to derail all the work done by WMT. But have serious concerns.
      - Suzanne - Talked to Jemez Springs community who's doing water billing. There's one person for 400 residents. The software program was 5K. The person took two days to do billing - all electronic portals. No paper billing. The administration of this will not be trivial, right. The water billing goal is to do more than one thing - generating revenue, and curtailing use is secondary.

- Donna worried about meter system being EOL - Paul wants to put us in contact with board (Joe Valdez - Rural Community Assistance Corporation)
- Donna - Another idea is to ask the membership to pass an increase in annual dues.
- Ann - Bylaws set up to sell access to water, not to sell water (that's why they don't have to pay taxes).
- Ann - Concerned about bylaw change, rather than special assessment (which could be used for penalizing excessive use).
- Paul - Proposal is to get consistent revenue stream.
- Barbara - Everyone should pay for how much water they use. Revenue stream and conservation
- Angela - We discussed it has to go out to a vote. Can we, by October 28th have a vote with an OR?
  - Ann - wishes to have a separate vote for her special assessment
- Ann - There was no board vote to create a WMT.
- Angela - Personally think it should go to a vote.
- Suzanne - The vote at least gets a benchmark and reading of the community
- Justin - Is important to community what the outcome of that last meeting was. People are wondering what is going on?
- Donna has problem with framing it as "If you want your water system working, vote yes"
- Ann wishes that the board approved the proposal before proceeding with vote.
- Farita - Can the board approve the by-law to be sent out to the membership for vote?
- Suzanne - letting all know that this is only one such proposal. Could also put objections that go out on the next newsletter.

- Ann - Suggest to table this motion.
- Donna - By-law change requires being sent out to membership by Sept 28th.
  - Make it clear on letter sent out to members, that there are four options: status quo, special assessment, water billing, increase in yearly HOA dues (e.g., 50% first year, then 25% second year)
- Justin - Would much rather pay flat 500 extra rather than.
- Daniel - If you don't have water, your property value lower, but higher HOA dues also decreases property value.
- Angela and Justin - would like to decrease dues back after projects done
- Ann - Presenting all options to members results in more overall disapproval
- Paul - Special assessments only for projects, as written in by-laws
- Angela - proposing lower 0.5 or 1.0 cents per gallon
- Barbara reminding that 2 cents a gallon is 74K.
  - Donna saying, there's also extra money paid for the billing software system (8K). So we'd net 66K out of water billing.
- Farita - Can the board approve a new by-law before
- Motion passes 5/3 to go out to vote.
- Ann makes **motion** to have Donna and Angela to write up cover letter, about 5/8th majority of board vote for the membership vote to go out, also outlining their concerns
  - Scott seconds. No discussion. Passes.
- Roads
  - Suzanne - says there's money in the budget. Morris asks for a shed (2500 for cover and 5500 for 3-sided). Angela will get in touch with Morris.
  - Also Calypso needs base course (Rowey point of contact? or his new apprentice, as suggested by Donna)

- Angela will follow up with Dave to get everything done (Dave is back on 17th)
- Suzanne will send info & contractor info to roads
- Architectural - done earlier in the meeting
- Legal - Suzanne takes legal
- Firewise - Ann
- Parks - volunteers, already discussed

#### New business

- Water operator contract update
  - Ann suggests state can provide one. Ann will talk to John Hines to discuss this possibility and also the work under the current license. Also for provide SOP so Daniel knows about compliance.
- Rescind \$500 past due lien policy
  - Suzanne - let's put this on hold for now
- OSE excessive use form
  - The complaint form that Paul referred to earlier, filed with the state engineer
  - To help with member consumption reduction
  - Also to let members know that we will be filing with the government for excessive use and abuse
  - Who fills it out? The water operator?
  - Add this to the newsletter, including that there are excessive users (100K)
- Zoom meeting possibilities
  - Angela - Zoom or keep the meetings to 1.5 hours

#### Remaining Action Items

- Chris McConaha - Aztec water line repairs

- These froze. Do they need to be replaced?
- Harold - I would replace the Calypso first because there's more users
- Ann asking for help from members on Calypso for filling out forms for FEMA
- Angela - maybe ask for FEMA's help on long term road projects
- Airbnb policy for Architectural
  - Donna will ask those with Bnbs to please file paperwork with association

Meeting adjourned at 9:30PM.