

**SIERRA LOS PINOS PROPERTY OWNERS' ASSOCIATION  
BOARD MEETING  
July 19, 2016**

Board Members Present: Stan Bennett, Peter Veverka, Judy Kilburg, Joe Brophy, Jack Nyhan, Eleni Fredlund, Max Otero and Terry Vergamini. Board Members Absent: Katie Ballmann.  
Guests Present: Suzanne Star; Mary Moore, Harold Corn, Dave Schmidt and Lorraine Otero.

Meeting was called to order by President Stan Bennett at 7:15 p.m.

Ms. Fredlund made the motion to approve the July 19, 2016 agenda. Mr. Veverka seconded the motion. Motion passed unanimously.

Mr. Otero made the motion to approve the SLPPOA Board Meeting Minutes dated June 14, 2016. Mr. Brophy seconded the motion. Motion passed unanimously.

**OFFICER AND COMMITTEE REPORTS**

**Treasurer**

Ms. Kilburg handed out the Budget and Expenditures report, which included the P&Ls and Balance Sheets.

Ms. Kilburg reported the following account balances as of July 19, 2016.

Balance in Bank Accounts:

Operating Account: \$111,456.18  
Reserve Account: \$100,960.83  
Special Assessment Account: \$5,217.94

Past Due Accounts:

Collectable Account total is \$1,806.44. There are eight properties where collection is possible. Two members only owe the late interest, five are making payments, one has not responded at all. Legal action was successful on one past due account.

The three members listed as uncollectable remain the same, with a total of \$15,615.59.

Another request for disclosure documents for a home on Scouts Lane was received. One property on Scouts Lane has closed and a property on Los Griegos will close later this month.

Legal costs incurred for the law suit as of the last invoice (mid-June) is at \$24,195.15 and does NOT include any current court costs.

Mr. Bennett stated that we are halfway through the year and are on track for the budgeted expenditures with the exception of the legal fees which are outpacing our projected amount. Ms. Kilburg estimated approximately \$10,000 alone for the last day in court.

**Water Maintenance**

Mr. Veverka reported that it has been quiet this month. A new battery was installed at the level con on System 2.

Mr. Veverka stated that Will Anderson's home didn't have water the weekend before last. The

meter was turned off as was the curb stop and he wasn't sure why. He turned it back on and he will check with Mr. Anderson to make sure everything is working properly.

Mr. Harold Corn stated that the new pressure probe was received today and will be installed soon.

### **Water Committee**

Mr. Veverka stated that Brad Shurter had concern regarding involving engineering support when we are ready to replace the pipe. We have good test evidence and Brad also talked with the New Mexico Rural Water Association and asked good questions that will help us. Mr. Nyhan stated that the NMRWA is not the official authority and that a NM Drinking Water Bureau representative has to enforce the law. Mr. Nyhan will call the Bureau for the authorization required.

Mr. Veverka stated that the repair on the pipe could start next Monday if we can get all the parts and required authorization. If we don't start next Monday the repair will need to be put off for approximately three weeks.

### **Water Compliance Report**

The June 2016 sampling was completed with Total Coliforms and E. coli absent. Chlorine residuals ranged from 0.11 to 0.12, well below the maximum of 0.40.

Thanks to the fact that we have an excellent Water Operator and that we have been consistently compliant with Drinking Water Bureau (DWB) standards, we have been issued an approved compliance monitoring waiver for our drinking water sampling plan by New Mexico Environment Department's DWB on June 17, 2016. The waiver states that "The purpose of the waiver is to reduce or eliminate sampling requirements only for the parameters identified in the waiver because of evidence that the risk of contamination for these parameters is minimal." So of the 569 Community Drinking Water Systems in NM at the start of 2016 (this does not include single private wells and groups of less than 25 connection systems like Thompson Ridge), this and our compliance record now put us close to the top system in NM.

### **Leak Study**

Mr. Veverka reported that the meter loop data is the best information we've had. After we fix the current portion of the pipe we will run another meter loop test.

### **Firewise**

Ms. Fredlund reported that we had two fires this month, the first off Hwy 4, mm 29 and the second in Jemez Springs. Both were quickly contained by the Forest Service and the La Cueva Volunteer Fire Department.

We are still in Stage 1 Fire Restrictions, which means no campfires, except in a Forest Service developed camp or picnic ground. And, no smoking unless in an enclosed vehicle or building.

This fall, and weather permitting, the Forest Service will conduct managed, prescribed burns and thinning in SLP.

Mr. Bennett noticed that the Forest Service and fire community have been sighted in the Valles Caldera area and Ms. Fredlund said they will stay in the area until the monsoon season starts.

### **IT – Web Page Status**

Mr. Bennett reported that Mr. Mike Schacht is keeping up with the website postings. Overall the website seems more efficient and bugs have been worked out. The most recent newsletter has been sent to Mr. Schacht to post.

### **Roads**

There was discussion regarding the size and placement of stakes and reflectors that will mark critical areas in the road to avoid damage during the winter season. Some road improvements may be required. Mr. Veverka will work with Mr. Vergamini to help him get started.

### **Legal**

Mr. Brophy reported that the court case completed on Tuesday July 11, 2016. The judgement is pending. We don't have a clear estimate when we might receive the judgement. The overall costs of this law suit greatly exceeded the budgeted amount.

One of the legal actions was paid in full. Three uncollectable accounts are due to foreclosure or death of the member.

### **Community Relations**

Mr. Nyhan reported there was no activity.

### **Architectural Changes**

Mr. Otero stated he received one architectural change request package which he reviewed and provided approval. Additionally, he reported that he noticed construction going on at a property on Cerro Pelado. He was not able to talk with the homeowner but he placed a copy of covenants on the homeowner's door and requested the homeowner submit an architectural change package for review.

### **Parks**

Mr. Otero stated the small park at the fire station was mowed this month.

### **Action**

- Road marker stakes for water and telephone (Vergamini) – Mr. Bennett stated that markers will only be placed where water stands or meters are too close to the road. The property owner will be notified before stakes are placed.
- Thinning Applications (Fredlund) – Ms. Fredlund reported she will inform the community and write the property report for thinning when funding becomes available.
- Abandoned well capping plan (Veverka) – Mr. Veverka reported there are no open wells right now. If it has a cap it still needs concrete. Mr. Nyhan reminded Mr. Veverka that pictures need to be taken.
- Levelcon repair (Veverka) – Mr. Veverka reported that the repair will happen very soon.

### **Old Business**

- Grant proposals – identifying sources (Bushnell) – Mr. Bennett reported that he has not received information from Mr. Bushnell. This will be dropped until a future date.
  - Roads – No change

- Member Knowledge – No change
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- Reserve Study – Mr. Bennett asked if there are any questions on what is going to be covered in the study. Mr. Brophy said he worked with Carlos to meet our needs. The revision includes the reference to the EPA Asset Management Handbook for Small Water Systems requirements which is covered in the first paragraph of the proposal. The updated price for completing the study is \$2,414.53. The Reserve Study addresses a requirement for future potential grant proposal applications.

Mr. Nyhan made a motion to set aside up to \$3,000 for Criterium Building Inspection Engineers to prepare a Reserve Study. The proposal amount is \$2,414.53. The additional \$585.47 is for unanticipated expenditures. Mr. Veverka seconded the motion. The motion passed unanimously.

- Accounting Services Quote – Ms. Kilburg stated that she received responses from HOAMCO to the questions posed by the Board regarding the HOAMCO quote. The responses were discussed and are acceptable to the Board. HOAMCO is to revise their quote language to state a maximum increase of 5% to the base cost per year based on their performance rather than an automatic 5% increase per year. Mr. Veverka asked if additional duties could be added in the future. Ms. Kilburg responded that additional tasks could be negotiated and will come with additional cost. The management agreement will not be signed until the negotiated changes are made.

Mr. Bennett also mentioned that HOAMCO has a homeowner’s portal for corresponding with homeowners and making electronic payments. Ms. Kilburg stated she will include this information in the next newsletter.

Mr. Veverka made a motion to accept the HOAMCO proposal base cost of \$375/month plus expenditures, with a maximum of 5% increase to the base cost per year. Mr. Nyhan seconded the motion. The motion passed unanimously.

- System Water Repair – The repair will include 4” pipe. The first section has two tie-ins and the second section has 9 tie-ins. Mr. Bennett asked about pricing stability since the repairs will be done in two sections and the quote is good for 60 days. Anticipated expenditures for the first section include \$4,436.56 for materials and \$7,437.50 for labor with a 10% contingency. Mr. Corn stated if the Board authorizes a 2,000 linear feet expenditure, they will learn a lot about the site conditions in doing the first 1,000 foot repair.

Mr. Veverka made a motion to authorize funds from the Reserve Fund in the amount of \$30,000 for water repair in System 1, Bonito Way to Hovenweep from intersection to isolate valve downhill across the meadow. Mr. Nyhan seconded the motion. The motion passed unanimously.

Mr. Nyhan made the motion to authorize the movement of \$18,000 from the Reserve Account to the Operating Budget for the first 1,000 feet of line replacement on system 1 and earmark the remaining \$12,000. Mr. Otero seconded the motion. The motion passed unanimously.

### **New Business**

- Nominating Committee – There are no volunteer responses. The Board has made many

positive strides that should be communicated to our homeowners, i.e., house sales have increased, we're addressing water issues, we had a successful water meter installation project, etc.

- Request for insurance information from Mary Moore: Mr. Bennett stated that the attorney had not yet released anything - still in progress.
- Request for questions regarding 2013 McKinney & Assoc Audit – Mr. Bennett stated that the questions from Barbara Van Ruyckevelt will be provided after the court date.
- Mutual Domestic Water Corporation (MDWC) - Mr. Nyhan stated that he will put together a presentation. He is totally against loans and is not going to ask people to pay for something that he doesn't think he can pay for either. Board members expressed concern with signing over our water rights with a MDWC. Mr. Nyhan stated that the water corporation that was taken down actually owned our water rights. Mr. Veverka stated he knows there are parts of the association that can't be moved to a water board.
- ATV/UTV Use – Ms. Kilburg stated that she had a discussion with someone from the Forest Service Law Enforcement and he expressed concern with ATV use in the Sierra los Pinos area, which included outlying residents. He has observed ATVs driving through trees and minors riding without helmets. If this continues, they will form a task force and start heavily patrolling the area. The residents surrounding Sierra los Pinos as well. There are ATV/UTV rules that will be posted.

The public Board meeting adjourned at 8:58 p.m.

### **Executive Session**

- Delinquency actions
- Presentation of legal actions

The Executive Session meeting adjourned at 9:20 p.m.

Submitted by L. Otero