

SLPPOA BOARD MEETING
January 14, 2014

Board Members Present: Joe Brophy, Stan Bennett, Judy Kilburg, John Nyhan, Suzanne Star, Eleni Fredlund. Board members absent: Peter Veverka, Deb Pero
Guests Present: Barbara Van Ruyckevelt , Kent Wolford, Sabine Shurter, Brad Shurter, Harold Corn, Carolyn Corn

Meeting was called to order by President Brophy at 7:20 PM. A meeting quorum was met. Mr. Brophy presented ideas for streamlining the meetings, with the desire to shorten the meeting times. A goal of 2 hours for total meeting time was announced.

Officer and Committee Reports:

Secretary:

After some discussion the November Minutes were unanimously approved as written.

After some discussion the December Minutes were unanimously approved as written.

Ms. Kilburg reminded everyone that reviews of the minutes include only what was discussed at meetings, and does not include email communications, etc.

Treasurer:

2013 Budget Expenditures

Balance	Operating Account	89,914.23
Balance	Reserve	57,771.80
Balance	Special Assessment	1,785.45

Ms. Kilburg reported that she had made contact with two members who have delinquent accounts, with positive results.

Discussion of accounts in arrears ensued. The amount uncollectable is \$6791.19 and the collectable amount is \$9,344.95.

Ms. Star asked for a total delinquency amount, and Ms. Kilburg reported that it is \$16,136.14.

Ms. Shurter wanted to see the "Aging Reports", including names. Ms. Star asked if the aging summary could be sent electronically, but Mr. Brophy brought up the issue that sending proprietary information electronically could be a liability issue. Ms. Shurter would occasionally like to see an aging report with the names blacked out. She's been asking for this report since July. Her concern is monitoring how the collection process being carried out. Ms. Kilburg questioned the value of sharing that report. After further discussion, Mr. Brophy said that this must go through a reviewing of policy. Mr. Wolford commented that all membership should be able to review the records, including names. Continued discussion brought up that a Treasurer's Report is an official report and can be reviewed by members. The Aging Summary is not an official record and in fact contains very private information. Mr. Shurter asked what is classified as proprietary. He suggested that the bylaws do not specify proprietary limitations. Wolford requested a legal opinion on the matter, specifically "WHETHER THE BYLAWS STATE THAT MEMBERS HAVE ACCESS TO ALL RECORDS OF THE ASSOCIATION" and if there is anything as far as individual records considered as proprietary that would put the association at risk. Bennett did not see the benefit to release an unofficial copy of the aging summary to members.

Mr. Brophy read the By Laws pertaining to this topic and said we will use these as the guideline for what the board will do.

Water Maintenance

Water operator was not present and there was no report . Ms. Star asked if Mr. Nyhan had ever received some manuals from the Water Operator. He replied no.

Water status report...Mr. Veverka was not present. Mr. Corn did provide a brief summary. Systems 1 and 2 are functioning with no outages at this time, There are still leaks. System 2 Two LevelCon batteries were purchased. The LevelCon for System 1 is currently non functional but is being troubleshot by Mr. Stanley at this time. The System 1 pump Controller (Isaacs) is doing well. The level switch was replaced. Aspen pump is controlled by Isaacs. Hovenweep pump is on a timer. Of the two valve leaks found in the fall, the Aspen isolation valve was replaced and valve on Bonito Way will be repaired in the spring. The status of the crossover valve leak is unknown.

Ms. Star asked if the year-end water usage had exceeded our water rights. Ms. Kilburg has information on that and would have to check and report back at another time.

The water project will hopefully start beginning of May. There was an oversight meeting last week to plan for the second phase meter installation. There is the possibility of extending the number of cans installed this year. It is possible to complete the water project this year, but there is some concern from members about doing more cans than what the membership had voted on. The contractor can attend the next water meeting to discuss the specific plans..Mr. Corn suggested that the project could potentially be finished this year, and asked the Board to evaluate the costs to consider this idea.

The water meter # list needs to be updated.

***ACTION ITEM:** Mr. Corn will send that list to Ms. Kilburg.

Ms. Kilburg stated that a concerned resident questioned the number of meters installed and the additional cost being withdrawn from budget funds.

Ms. Van Ruyckevelt asked for copies of the water sampling reports. Ms. Star indicated that they are posted on the web.

Ms. Star stated that the 811 agreement needs to be submitted and there may be a fee. After some discussion, it was decided to submit the form and associated map and CD and wait on submitting the fee until we hear back on the exact amount.

Water Compliance

Mr. Nyhan had no report. Star stated that the NMED has Mike Brown still named on the account. That needs to be changed to Mr. Nyhan.

***ACTION ITEM:** Mr. Nyhan agreed to take care of it.

Roads

Mr. Brophy reports that the snow removal contract with Martin Crane was for \$7500 (same rate as for Mr. Meskimens) and the association could add additional monies if more plowing was needed. The winter so far has been mild and that is not necessary at this time. The sanding contract is not yet determined. The sander that is owned by the association is kept by Mr. Crane, attached to the back of a pickup, and could be used by the same company that is removing the snow, who could help us but also use for his business as well. Mr. Crane suggested he might be willing to sand in exchange for working off the purchase of the sander. This might entail some risk factors, with the association owning it and someone else using it

for other purposes. . Question -Is Crane allowed to use it privately for other jobs? Brophy stated that we don't have complete control over this situation. Mr. Crane is also willing to do the sanding on a purchase contract agreement. No resolution was found. Wolford asked if another contractor might put in a bid for the use of the sander for the association. Mr. Bennet indicated that this is a new business item for the next Board meeting. Ms. Star requested that the snow plowing contract document be turned over for the legal file. Mr. Brophy agreed to take that action item.

Mr. Brophy presented the idea that Sandoval County could trade a "lay down" area in exchange for Los Griegos road maintenance. Nothing has been firmed up but Mr. Brophy would like to move forward with the idea, and asked if anyone else would want to help write a proposal or agreement to make this happen. A survey would be needed, so we know what part of the association property we would be granting for county use and maybe a 10 year lease agreement.

Ms. Star asked about buying more cans to fill with sand for icy stretches of road. Mr. Brophy indicated that he is unable to accommodate sand and can delivery. Anyone want to take this on? Because of the time this takes, it was suggested that this might better be approached as an individual owner's responsibility. The county cinders/sand are available at the fire barn, and owners may fill their own cans.

- **ACTION ITEM:** Ms. Star will add the above idea to the website for the membership.

Legal

Delinquent Account Status--- Ms. Star reported that two owners have indicated that they will pay toward past due monies, and that one is interested in making payments. Lawyer Hays will forward payments after taking his cut. Payment plans need to be addressed as new business and a policy developed. Ms. Star asked what date the interest is added to the delinquent account, and Ms. Kilburg responded that it is added on the 9th of the month.

Ms. Star requested the status of a lawsuit against the association which Mr. Brophy reported last month. Hays accepted service for this. Association could file a cross claim against the estate, but that is not a likely scenario. LANB will get first dibs on any claims

Ms. Star said that Brad Hays is willing to be an agent of record for legal dealings such as the above. Mr. Hays suggested there would be no charge for this service.

In a related comment, it was stated that the association Registered Agent with the PRC is Judy Kilburg and if a change occurs with that, there is a \$20 change fee with the PRC. Ms. Kilburg clarified that the registered agent for the PRC is different from what Mr. Hays offers. Ms. Star asked about proof of home owner's insurance for property of a homeowner. Mr. Nyhan indicated that this was worked out with Mr. Brophy and the homeowner.

Architectural Control

Mr. Bennett suggests that the link for architectural information on the website for architectural control needs to be redone.

- **ACTION ITEM:** Mr. Bennett work with Ms. Star to redo and post that information.

Parks

Mr. Veverka chairs this committee and there was no report

Firewise

Ms. Fredlund discussed the escape route for SLP in times of fire or other emergencies. This would be High Road via los Griegos, a five mile route all around. This route has mostly met the NEPA standards. Ms Fredlund will talk to Jeff Harris in the Jemez Springs office of the SFNF to see if the forest service will further deal with this road in light of the potential serious fire season. Ms Fredlund will also talk to Bootzin about an alternative and shorter emergency exit for homeowners, that would go through his property at Amber Lane to the Forest Service Road.

- **ACTION ITEM:** Ms Fredlund will talk to Jeff Harris and Bob Bootzin about emergency exits.

Ms. Fredlund asked for a plat of the fire station and park. Ms. Star thought there to be an error on the plat with lot designation. Ms. Kilburg indicated that the plat filed with Sandoval County is correct and that the designation on the SLP records is incorrect.

- **ACTION ITEM:** Ms Star will provide a plat for the lot where the fire station is located to Ms Fredlund and Mr. Brophy which can be verified by the County.

Public Relations

Mr. Nyhan wants to increase volunteer-ism. He also has been talking with residents about the water project and explain the approach that the Board is taking to improve the water situation in SLP

- **ACTION ITEM:** The Water Oversight Committee needs to crunch the numbers and brief the board on costs.

This past summer's overrun was a concern for some members. Mr. Brophy reported that the approximately \$48K overrun is a major hit to our general funds. Mr. Bennet added that some of this money will be replenished. Mr. Nyhan suggested developing two possible scenarios. Ms. Van Ruyckevelt questioned Mr. Nyhan regarding a recent email and wanted to know what response he has received from people. Mr. Nyhan said that he was "dumped on" by both System 1 and System 2 residents and some expressed blame regarding some past Board members. Ms. Van Ruyckevelt read from the Feb. 2010 minutes regarding the mutual domestic water decision to form a shell corporation. Mr. Brophy and Ms. Kilburg corrected her in stating that this was not a "shell" but was indeed a formal Mutual Domestic Water Corporation per the PRC, but which has since been officially dissolved. Mr. Bennett emphasized that Mr. Nyhan was simply relaying what people's perception is and this situation could bring an opportunity to change.

Old Business

Mr. Bennett had looked into induction compensation on the pumps. He was thinking that the motors had greater horsepower , but it turns out they are only single phase with only low horsepower. He is willing to table this issue, saying it was a non starter.

There will be a Member's Only password protected webpage. Mr. Bennett would like to delineate the web page into an Open/Public page including News, Management, Community. Then the Members Only would include Minutes, Finance/Budget, Water.

The Water Usage Chart was discussed, and it was suggested to change the leak column into an asterisk column. Mr. Nyhan moved and Ms. Star seconded: "Place the information on water usage onto a password protected webpage and take the "leak" out of the

column and put * with explanation at bottom of page in place of leak". The motion was passed unanimously.

New Business

Ms. Star requested that Action Items be noted in the minutes. It was agreed.

Ms. Star handed out a Delinquent Process Notice, as a guideline for use in the collection of delinquencies. Several changes were made to the handout. Ms. Star will edit and this topic will be covered under Old Business at the next meeting. There was much discussion regarding the mailing of warning letters and Ms. Star suggested sending out a warning between February and March. Ms. Kilburg indicated that reminders will begin on Feb. 1. Mr. Bennett suggested that the recent special assessment mailing has already given ample notification. Mr. Brophy added that a nine-day grace period for the special assessment is unusual and unfortunately slipped by when it was voted on. It's more typical to allow a 30 day grace period.

Mr. Bennett expressed concern with members being so far behind in payments that they can't catch up. Ms. Star presented a hardship policy and debt payment agreement for those who request payments. She suggested that people who can't pay in full, should be encouraged to write to the board about their situation. Mr. Brophy expressed that some may have difficulty, and the Board can review those special cases at the April meeting. Ms. Star said that Atty. Hays advised to have a written payment plan agreement from members and not to let the accounts get delinquent. Ms. Kilburg stated that this is impossible as we don't have control over members' financial situation.

* **ACTION ITEM** Ms. Star is to get an opinion from the lawyer about Hardship Policy Debt Payback, and visit this issue again at next meeting under Old business.

Mr. Brophy suggested the Board come up with an email policy for distribution of proprietary and sensitive information---think about what information should be sent and to whom the information is going. Mr. Bennett stated that he has been on other boards and proprietary information is very real. Ms. Shurter asked if information could be sent out without names. Mr. Brophy emphasized that we have meetings, and can expand on proprietary information "at the table." Mr. Brophy emphasized again that everyone should think before they act.

The current Water Operator contract ends in May. Ms Star passed around the existing job description, and suggested she would rework the contract for next meeting. She also mentioned that she has a name of someone who could possibly to the job of WO. He is licensed, can do the sampling and has his own certified lab work for much less than our current WO contract. He also works as a WO for the Forest Service. His cost for sampling is ~ \$100/month. Additional services could be included for additional cost. She suggested many of the services we are currently paying could reduce our costs down to a few hundred dollars. Ms. Star stated that Mr. Veverka suggests that volunteers could do many of the services currently provided by the WO. Ms. Kilburg expressed concern that we are burning out our volunteers. Mr. Brophy added that we need to seek other WO candidates and Mr. Trujillo should be informed that the WO contract is being renegotiated. Mr. Bennett added that the water board should be looking at this next month.

- **ACTION ITEM** Mr. Nyhan and Mr. Veverka will seek people who might be interested in applying for job of Water Operator.
- **ACTION ITEM** Ms. Star will develop a draft contract and contact the individual to obtain possible dates for a meeting with the Water group.

An earlier proposal presented by Mr. Nyhan on the Community Relations job description was briefly discussed. Mr. Bennett said it should be reworked and a comment was made to define the methods of outreach to be covered at the next board meeting under Old Business. Ms. Kilburg expressed concern and frustration that information disseminated outside of Board meetings is not being relayed accurately. As an example, the amount in uncollectable accounts includes a large amount from deceased members, but this information has been left out. It is imperative to present full factual information. Ms. Fredlund expressed the need for a protocol on how to disseminate information.

Mr. Nyhan moved the meeting be adjourned. Seconded by Ms. Star. All in favor. Meeting was adjourned at 10:55 PM.

Respectfully submitted by Carolyn J Corn, for Deb Pero
second draft completed by Deb Pero, as Ms. Corn is out of town.