

## SLPPOA Meeting, January 5, 2010

Present: Jeff Erickson, Sabine Shurter, Suzanne Star, Judy Kilburg, Barbara van Ruyckevelt, Kent Wolford, Laurie Lauer (Minute Taker)

Absent: Orlando Archuleta, Mark Stanley,

Guests: Sumner Dean, Kirk Thompson

Meeting called to order by Jeff Erickson at 7:19 p.m.

### Special Assessment Meeting

Guests were recognized by the board and invited to talk. Sumner Dean had comments on the assessment process and had some questions for the Board. Mr. Dean wanted to know what the decision process for the Special Assessment was. The Board told him that the Association Membership would make the decision for the Assessment and the votes were not looked at to see how individuals voted. We voted to present all three items and Judy added that we were pretty much given this request as marching orders during the General Meeting in September.

Mr. Dean wanted to discuss the definition of a quorum. Is a quorum per ballot or the items on the ballot? He informed the Board Members at the last Special Assessment Meeting he was given two different answers. The question was, does there have to be a quorum for each for each item or for the ballot? He said the problem is that for each item, we could have 3 choices, a yes/no vote or nothing selected. Changing the number of items on the ballot changes the outcome. The second scenario was if we put the votes together and have two people vote, one submits the ballot but doesn't votes, is there a quorum? He suggested we redo the vote.

Suzanne Star asked why he didn't come out with this before the voting process, why did you wait so long? Judy also stated that it is too late now.

Mr. Dean also wanted to know where the votes are now located. Suzanne said she had them in her office. Mr. Dean stated he had a problem with this since they are not secret. Judy explained that is why we had the management company tally the votes for us so that the votes would remain secret. Mr. Dean still had a problem with the votes being available but Judy explained we need to keep them as permanent records and that they are always taped. Kent also mentioned that it doesn't matter because we did not do the counting, the Management Company did the counting. Jeff mentioned that the ballots were sent out incorrectly. Kent added that there is no rule in the by laws that state the ballots have to be secret.

Additionally, Mr. Dean wanted to pass on a concern he received from another member. The person said at the Special Assessment meeting a Quorum was declared, but then later we ended up not having enough ballots to make a Quorum. Jeff explained that we had

enough votes. Kent explained also that the ballots were not completed correctly or were illegible. Mr. Dean asked if the Board inspected the ballots and wondered why the Board didn't look at them. Jeff mentioned to Mr. Dean that he was the verifier of the votes and told the Board that they were not eligible. Mr. Dean understood that the Board would look at them and make a call. Judy and Kent stated that they could not do that and that it is now history and we cannot go back. Jeff added that we have already put it back out to vote and the votes will be counted at the end of the meeting.

Kirk Thompson was recognized by the board and invited to speak. Wanted to let the Board know that he was upset the Board refused to give him the address list of the Association Members. In the past the Board has supplied address lists of the Association Members to other members in the Association who asked for it.

Kent Wolford explained that he did not want his address going out to 150 people. Kirk was upset that the Board was now changing the rules. Suzanne also explained that we asked the Management Company their advice on this issue and they advised that we do not give out the Association's Address List.

Kirk suggested that the Board make a Policy Manual so that these things are listed. He also mentioned that he is hoping we have a strong turnout for the Special Assessment Meeting and that people actually vote. He had talked to four people who had no clue of the assessment and had thrown away the Assessment Ballot Mailing.

Sabine mentioned that a good turnout to the meeting would be great and hopefully we have people who are finally waking up and asking questions. She sees a huge problem coming and she hopes people will understand the issues, participate and provide input of what we had done so far.

Kirk didn't agree in the assessment. He felt we should look at an infrared system, a FLIR or thermo imaging. He mentioned that Hovenweep Loop is the weakest part of the system for water leaks. If you use FLIR on it you would be able to see the leaks.

Sabine said our problems are with the valves. It is unknown how many valves will not shut down properly or are deteriorated and need replacement.

It was also mentioned that if we fix our leaks that could solve a lot of our problems.

Kent is really pushing for getting volunteers to help.

Kirk also mentioned that he was not trying to bias anyone's vote with his letter. He wanted to let people know how he felt about the vote as well as to urge the association members to participate, research the issues and vote on what they feel is important and look at how it will affect them and their wallet.

Sabine asked Kirk if we have to put out another assessment, would you rather have project assessments?

Kirk summarized by saying if he was on the board he would find out where the leaks are and fix them. He would suggest FLIR to find the leaks. He also feels that if we make up new rules we need to document them in a policy book, referring to the distribution of the association membership address list.

Jeff mentioned that FLIR could be very expensive.

Sabine mentioned that this is hard to do because we are looking at a lot of different things. We will first look at fixing the leaks, then go to long range planning.

Sumner Dean says he agrees with Kirk. The roster should go out to all people and the individuals who do not want their name on the list they can leave their name off. He also agrees with Sabine that we should have more community involvement.

Kirk also wondered why are there late fees on the Membership dues if I don't get them in by March?

Judy explained that a past board member interpreted the rules different and thus the discrepancy between the original policy and how members have been allowed to pay over the past years. Kirk said to document it again. Why do we have to pay now? We were given this great break. You need to write the rules down, do you need to go through a quorum to get this done. Jeff said that it was not necessary to do this. Suzanne mentioned that the Bylaws state the policy of when the annual assessments are due and when they are considered delinquent.

Judy mentioned that as the board changes, we are reinventing the wheel. Every Board wants to do it differently.

Kent suggested that we need an Operating Manual. He explained what we did is expand it or made the payment options easier or they can spread it out.

### **Review and approve minutes**

Minutes from the Nov. 10 meeting will be read and submitted for approval at the next Board meeting.

### **Special Assessment Preparations**

Mark will provide and set up the projector and slides. The Fire Department will move the Trucks out of the bays.

### **Treasurer Report**

Suzanne hasn't received the Budget Report for December. She has posted the November report on the web. We have about \$21,000 as of November and Jeff noted that we may

have some carry over of the \$21,000 into FY 2010. Suzanne noted that Roads has some carry over.

Roads has \$11,000 left for road repair. Snow removal has overspent budget by \$6,5000.

Firewise - \$500.00

Management's fee – is a little over budget.

Water Operations – we are over. We approved paying for insurance for a Water operator.

Water Budget is allocated into different categories.

Judy asked that we have a Profit and Loss Statement so we can see a breakdown and where we are. Everyone agreed they would like to see a simplified budget report.

Suzanne mentioned that Ed resigned as the treasurer. Laurie Lauer has volunteered to take minutes and is willing to take this seat as a board member. She is also willing to take the office of treasurer as well. Jeff stated that per the bylaws, the same person can hold the offices of secretary and treasurer. Laurie would be at this position until the next election.

Suzanne Star nominated Laurie Lauer to the Board; Judy Kilburg seconded the nomination and the motion passed.

Laurie will be doing the Secretary and Treasurer work. She will work with Suzanne on the Treasurer Duties and have a simplified budget plan. Suzanne also asked if Laurie could provide the prepared minutes to the board within two weeks of the meeting.

## **Water**

Suzanne asked if there was anyone working as a backup to Mark. It was mentioned that Mark seems to rely a lot on Harold Corn.

Sabine said Mr. Nathanson, NMRW engineer is coming to look at our water system. She handed out a flow chart taken from a Guide for Water systems document that defines how we might pursue our project development. Suzanne stated our long-range plan could change dramatically if we have leaks. Suzanne asked do we have one valve leaking or do we have a lot of valves and joints leaking? Kirk Thompson said that everything is leaking. Sabine said that she suspects that Mr. Nathanson will tell us to fix our leaks first. Questions were asked on whether Mark and Harold would be at the meeting with Nathanson and who needs to be invited. Jeff wanted to know who would head up the leak repair. Suzanne stated that Mark was the water chair person and Sabine the long-term planning chair. Kent wanted to know who was on the committee. Kirk Thompson said he would volunteer to be on the committee. Jeff thought that we didn't have a committee right now. Kent suggested that we start a temporary committee right now, and

someone be willing to take the lead, who had knowledge of the system. Some of the people who were on the Water committee were Don Bednar, Harold Corn, Sumner Dean, and Joe Brophy. Kent asked who would be the lead. Jeff stated that he did not believe that Mark has the time for planning. Sabine volunteered to head up a short-term plan, a leak detection plan and a repair plan. She could also call people to help with the work. Kirk said he would be willing to take the lead on getting the work parties together if she needs volunteers. The Board will decide what will need to be done.

Suzanne said she talked with Don Bednar. He wants the Board to pursue a Mutual Domestic Water Association. He said that if we didn't have a Mutual Domestic Water Association, we could not get funds. The State says if you want money, you need to become a Mutual Domestic Water Association and put meters in. Suzanne told the board that there is no guarantee we would get the money, all she can suggest is by forming a Mutual Domestic Water Association it gives us the possibility of getting financial assistance. It will not be an easy thing to do. We have to get a majority approval from the Association to form a MDWA. Then we have to separate the water system into a private water utility. The water system would have a separate board from the property owners association. As soon as we get that into place we can become a Mutual Domestic Water Association. Also the Engineering Report is not required for meters, but if we need funding for other water system infrastructure repair/replacements we need to go through an Engineering Study. Kirk told the board that you can get long-term interest loans. You pay for the Preliminary Engineering Study and they will lend you money to put in the meters. Kirk also suggested we contact our State Representative we need to find out from someone on the political angle, if we will have at least have a 50% chance of getting grants.

Jeff suggested we get our leak detection and repair plan in place. Sabine will head this up. Mark can be the technical expert. Mark or others who may have information regarding the system can tell us which sections of the system to look at first.

Suzanne noted that we have a leak on System 1 at junction of Aspen Grove and Scouts Lane and another leak on sys 2 at Aspen Grove and Los Griegos. Sabine said she would talk to TLC for valve repair and we have also used Dave Raue in the past. Suzanne suggested that we could inquire with Kennedy. Kent said that Joe Ballman might be able to help with the valve. Suzanne also stated that Lupe could also help us with the leak detection. Jeff mentioned that we would probably have to have a certified water operator present during the repairs.

### **Water Operator**

Suzanne told the Board that Rich Riley is interested in the water operator job. He is able to devote one Friday a week to work on the system. He would charge \$800.00 per month and anything above that would be \$27/hr. He would do the chlorination and sampling for us, however right now we do not have a lot of work in the winter for him to do. The cost comes to about \$200.00 per day. This covers his taxes and we would provide him with insurance, which is about \$4,000/yr. He would take samples to ARSA. The total yearly cost would be about \$13,400. per year. That is about half of the water budget. He will do

all the compliance requirements for us. He will send all the paperwork to Suzanne. Suzanne noted that she did get a \$2200 reimbursement check back from Lacey for the insurance premium.

Kent stated that you are talking about 4 Friday's a month. Suzanne noted that the sampling alone is a six-hour job because the samples have to be taken to Albuquerque, four hours of travel and the additional two hours to do the sampling. It was asked what would his job duties be for the other 3 Fridays. Sabine was hoping he could help us with the leak detection.

Suzanne suggested he could help us with the change we are making from powder to liquid chlorination. Suzanne will give him a log to keep the hours he is working. We will additionally need his help on the compliance issues. For the last 3 months, she has been transporting the samples and is charging the Association for the cost of travel to ABQ.

Suzanne stated that we could start out on an hourly basis until we had more work for him

Jeff suggested that he could do the rounds to make sure everything is working properly.

Suzanne stated that we need to send out Notice of Water System Violation from NMED (NOV) Jeff wants to review the letters before Suzanne sends the letters out. The NOV is because we did not complete the monitoring and / or reporting requirements in the specified time frame.

Jeff we have a year to get it out. Will send the notices together.

### **Handy Man**

Barbara informed the Board that she has a good handy man. His name is Paul Osmansun, and can be reached at 505-948-0936. Laurie mentioned that Carl Wilkins might be interested.

### **Disconnection from Water System**

There was a follow up discussion to a member that requested to disconnect from the water system and have the dues be reduced for not having to pay for the water. Judy will write a response to this person, indicating that this is not possible at this time. Judy said if we became a water utility we would revisit it.

### **Roads Report**

Judy reported that we had snow removal 3 times, (12/8/09, 12/23, and 12/31/09).

Jeff asked if we paid for the snow removal up front. Judy told the Board that we paid him up front \$7500 and what ever is left over he will use towards road maintenance. It costs about \$1000 per pass. Kent Wolford is the backup if Judy is not here. She noted that she hasn't had any complaints.

Jeff asked if Judy is going to put together a plan for road repair for the summer. Judy said she would be putting a plan together and said Bootzin may have some dirt available for us to use. She also noted that it was hard for some people to sell their homes this year because of the road situation.

### **Legal Issues**

Suzanne said that she just has to send out something regarding the Ashley Lane matter, and then our settlement is finished. We ask that everyone respect the private property of the Ashley Lane residents as they travel the road. As part of the litigation settlement, we will have to pay for and put in a gate. If a combination lock is installed the combination would be distributed to everyone in the association. She also asked that we stay on the road, no tree cutting.. If someone is considered to be abusing this condition, and the sheriff is called, then that one individual can be barred from using the road. The letter being sent out will clarify the agreement. Signs have been installed at the junction of Ashley Lane and FR 10 and at Ashley and Mimbres

A SLP resident has offered to take a look at the gate and design and put up the gate.

### **Architectural**

Barbara sent out the new Architectural Review form for comments. Jeff asked if she received his comments. She didn't believe she did, but asked for him to send it to her again. He mentioned in his comments he thought there should be a time period in there for review, such as 3 week or 30 days. This would allow enough time for the board to review the request.

### **Parks**

Barbara reported there were a couple of signs. Jeff asked if Ed gave her a manual about parks. This manual would address issues such as the depth of wood chips under swings, etc. Jeff wanted to make sure we have the manual kept somewhere.

### **Action items**

Jeff mentioned that we need a break down of the budget, in particular further than what was on the last minutes.

Suzanne said that Ed suggested that we itemized the budget a little more.

Jeff said that we might have to have another budget meeting to sort it all out. We need to do tweaking of budget to see our allocation. We may have to consider taking money out of the reserve allocation. We also were off on the estimate of the number of assessments.

### **New Business**

Suzanne said Eleni Fredlund, who is a member of the Association and also a member of the La Cueva Vol. Fire Dept has volunteered to work as a liaison between the LCVFD and SLP to determine the viability of using the inactive SLP well located in Bootzin's meadow for fire suppression. The LCVFD is proposing to erect a tank for water collection at possibly Station 2, near Hwy 4 or in Bootzin's meadow. The tank would sit 12 feet above the ground. SLPPOA would have to determine the location of the tank. Water usage will be metered and would be credited back based on meter readings. Suzanne mentioned that we have an easement to the well. LCVFD was also talking about putting a line in Bootzin's meadow up to Highway 4. Judy said that they could still run into private property. Suzanne stated that Fredlund would go down to state engineer and see what has to be done. Sabine stated that we don't want to give away our easement or our water rights.

**Meeting adjourned**

10:10 p.m. by Jeff Erickson