

Concerned Members report and comments on the Board meeting of SLPPOA July 9, 2019

NOTE: this is not the official Board meeting minutes that the Board is responsible for producing.

Author's notes and comments:

There is plenty of unfinished business for the next round of Board volunteers. Some of the more important issues are:

- A loss of over 6.4 million gallons last year to undetermined main line leaks. Excessive main line leaks need to be aggressively addressed either through leak detection or complete replacement.
- A water operator is needed.
- Water tank monitoring system is not operating effectively or at all.
- Water billing should be explored to raise funds for system improvements and curtail high water usage.
- There is no plan on how to stop road erosion, excessive runoff and excessive costs for yearly repairs.
- The new HOA Act affects our Bylaws, but no legal advice has been forthcoming.
- The county is still trespassing on SLP land without an agreement.
- There are still 14 delinquent members totaling an uncollected \$7,474.

Meeting called to order 7:29 pm

Board members present: Kilburg, Corn, Lisko, Oepping, Burnworth

Board members absent: Stuedell, Rightley, Weary

Guests: Star

Agenda minutes approved.

No officer reports.

Treasurer report - by Oepping

Balance in accounts:

Operating - \$178,421- major roads and water expenses still to be deducted.

Reserve - \$115,394

Still 14 delinquents accounts totaling - \$7,474

A \$666 check was deposited into the reserve account.

There was one change in property ownership.

The lawsuit cost is at \$52,673 up by \$345.

Other legal costs - \$6,470 - *no accounting where costs were allocated.*

Water Maintenance - Corn

There were no delivery events. Volunteers are still needed. Training will be provided. There are many tasks to learn including hardware and software.

Corn reported on a past water testing. He thanked the people who helped.

On the 24th the well water level auditing was installed on the aspen well. It is currently in manual mode and transition to internet mode is still in process.

Corn noted that the fire department filled their tanker with 2000 gals., in 10 minutes.

Water Usage Report

Corn estimated that the meter reading route is approximately 9 miles.

Sys 1 -

Over 598,000 gals pumped, up from previous month. Usage was reported at 292,000 gals. The daily average - 112 gals. The main line leak rate at 7.1 gpm with 12 leak flags and the highest user at 18,000 gals with no leak flag. There were no leak flags on many on the high end usage.

Sys 2 -

405,000 gals pumped. Usage reported at 203,000 gals. The daily average -- 107 gals and a main line leak rate at 4.7 gpm. There were 8 leak flags and 7 property owners over 7,000 gals and 1 user at 18,000 gals with no leak flag.

Total leak rate this month 11.8 gpm -- over 500,000 gal. mon.

Water Compliance- Corn reporting for Weary

SLP got a sampling violation due to a delinquent reporting. Our sampler noted that there was a glitch in the filing system that caused the delay in reporting.

May report - Sys 1 reported absent total coliform and residual disinfectant. Sys 2 reported absent total coliform and 0.25 disinfectant residual.

June report both system absent total coliform and 0.16 disinfectant residual on sys 1 and 0.25 disinfectant residual on sys 2.

Lisko mention a July 31 training for water that he planned to attend.

Roads - Kilburg for Stuedell

R.L. Leeder will be here this month to do road maintenance. The county is putting asphalt millings on Mesa Verde and FR 134.

Legal- Kilburg for Rightly

Kilburg reported that a judgment (*a memorandum opinion*) from Appellate court concurred with the District Court decision. A copy is posted on the web. *Not great news for homeowners as Boards will continue to change the rules as they desire with no legal consequences.*

Four points were discussed and the cost settlement has been referred back to the district court. More details were discussed in executive session. *We noticed in the newsletter that there was an announcement about further details for the members. We were weren't surprised that no one but Star showed up and 3 Board member were absent. It doesn't appear that anyone really cares what happened.*

There was no acknowledgement at least in open session about a possible appeal to the decision.

Firewise -Lisko

The LCVFD recently chipped brush for residents. They may be bringing the chipper back again in Sept.

The county has suggested it will be cutting marked trees on FR 134 when the crew from Walatowa is available in a few months.

Parks - no one has taken over the chair.

Architectural Control - Lisko

It was reported that a below ground pool was requested however the new residents were told they could not use SLP water for filling it.

Units 4-10 owners can drill their own well according to the developers disclosure agreement, but it was questioned whether it would affect the aquifer. The Board agreed that a change was needed in the covenants to address this situation. Kilburg agreed to get legal guidance on the disclosure agreement.

Old Business

The water surcharge proposal - there have been no further answers from the new attorney.

Part time rental restrictions proposal - the final draft will be sent to the attorney.
Agreement (MOU) with Sandoval about county cinder storage on SLP land - no further update.

Question about absentee board member Rightley and why he hasn't been removed as per the Bylaws - Kilburg reported that Rightley travels a lot but stays in the loop-*there has been no indication that he has contributed anything to any Board initiative.* The Board however will give him an excused absence. Kilburg stated that he may start attending regular board meetings after the project he's working on has ended. *Rightley has only attended 1 meeting this year. The Bylaw provide for removal after 3 consecutive absences. We question whether he will attend the annual meeting to defend his nomination and subsequent absence.*

New Business

Parks maintenance- Shaun Weary volunteered to mow the parks.

Nomination committee - No one took over the responsibility so the consensus was that everyone on the Board would participate, knock on doors, send email, ask around, because the ballots need to go out the end of July.

There will be 5 openings on the Board next term. Three- 3yr terms and two- 1 yr terms. Both Kilburg and Corn's seats will be vacated.

Because the treasurer and secretary positions are now separate, a computer is needed for the secretary. The Board approved spending up to \$800 for hardware and software and the money would come out of the admin supplies budget.

HOAMCO requires a contact for disclosure on any modifications made to a property before a sale. Oepping asked how he would know these details. Kilburg stated that some files will have that information and some files have been lost over the years.

ATV problems - there have been complaints about kids on ATV's. The Board doesn't accept the responsibility of any nuisance and they stated that those annoyed by the issue should call the sheriff.

Fire dept property - Fredlund put out a notice in turnaround areas adjacent to the fire station, however they do not own the land depicted by a recent survey.

According to the survey, both the county and the Fire Department are encroaching on SLP land for their activities. A memorandum of understand (MOU) was discussed to give them legal access. Oepping stated that Stuedell was going to be working on a MOU with the county for the cinder piles and that it would be better to incorporate both.

Action Items

Corn was to contact elect coop about a billing problem. He surmised that the last set of electric bills got messed up when they put a new meter on the Hovenweep well and the meter may be stuck. He expects this will be remedied and SLP will get a bill for the balance.

Extension for Water Rights form 8 yrs past due to OSE- still in progress as someone has to list those properties that are still undeveloped before the report can be put in. It was estimated that 9 lots don't have meters and the Board needs to update the list.

The issue of the county taking over roads - still in progress. It was mentioned that David Martinez may be taking over for Yardman.

Because Corn and Kilburg stated they would not be attending the August meeting, the meeting date was reset to Aug. 20th. There will be a meeting on Sept 10 before the annual meeting.

Open session adjourned 8:30pm

cars left - 9:30 pm

ss