

**Concerned Members report and comments on the Board meeting of SLPPOA –
November 15, 2016**

NOTE: this is not the official Board meeting minutes that the Board is responsible for producing
Authors' notes and comments

- *Our former water compliance chair prided himself on his efforts to "clean-up" past issues with NMED and the Office of State Engineer. We question why he didn't know about the lead and copper sampling requirements and has put the association in violation. Maybe he spent too much time chastising members and not paying attention to important water safety compliance details.*
- *A more detailed financial report by HOAMCO, the new HOA management company hired by the Board can be helpful to those interested in the financial affairs of this community; however, another NM association under the management of HOAMCO has accused them of questionable charges. Members and the board need to be attentive to the oversight of the association's finances.*
- *Due to our leaky aging water system, unrestricted water usage by some members can put the community water supply at risk. The Board is considering the idea of penalizing high users based on a surcharge policy to be developed by the Board. This may sound reasonable BUT there is nothing in the SLPPOA bylaws and covenants to allow such a course of action. And, there is no indication that the Board is considering a proper bylaw change that would require a membership vote according to Art XI of SLPPOA bylaws. Is the Board willing to risk another lawsuit due to their unwillingness to govern our association according to our bylaws and covenants?*
- *Being a new member of the board comes with responsibilities; understanding their duties. Lack of standard operating procedures, leaves many new board members to fend for themselves reinventing the work of their predecessors and subjecting the association to violations and redundancy. Time and money continues to be wasted because of this deficiency.*

November 15, 2016 call to order 7:16

Board members present: Kilburg, Corn, J. Fredlund, E. Fredlund, M. Otero, L. Otero, Vergamini

Absent: Veverka

Guests: Star, S. Shurter, Bennett, Brophy

Minutes – approved

Agenda approved

Officer reports

President Kilburg requested that reports be submitted to help with the construction of the minutes.

VP- Corn - no report

Treasurer- L. Otero:

Op ac: \$73,296

Reserve: \$82984

Special Assessment: \$5,218

The LANB operating account has been transferred to HOAMCO, the new HOA management company hired by the Board.

Delinquents:

Two uncollectible at \$7653, but one is being handled by the attorney to possibly collect the outstanding monies. *In October there was reported \$16,200 in uncollectibles. Not collecting from one property owner has cost the association \$8,547. The amount was written off as bad debt.*

Three collectible accounts at a total of \$1,511.

There has been one disclosure request.

Lawsuit legal costs: \$ 31,412

No information on other legal costs.

HOAMCO financial statements are more detailed than what was done in the past by our Treasurer and they are structured differently.

Committee reports

Water – Veverka absent (Corn statements)

Stanley sent out meter results that shows the Aspen well (sys 1) pumped 200,000 gals less last month. *There was no explanation of whether the line replacement, diminishing usage, or other factors were responsible for the decline. The other wells are about the same.*

Roads- Vergamini

It was reported that there are no bids from contractors.

They are still working on the snow removal contract.

It was mentioned that Vergamini is the primary contact and that Kilburg would be a backup when it comes time to call for snow removal. Crane will be plowing this year despite that his shop has closed. *No mention on sanding the roads and what has happened to the sander purchased by SLPPOA several years ago.* It was stated that the cost increases 5% per year. Martin charges \$144.70 per hour He charges per hour when the contract retainer money runs out. A copy of the contract is to be given to HOAMCO to cut a check.

It was stated that Chris Luster, the road contractor sent a person to grade upper Los Griegos loop last week however it did not include the entire loop because the contractor is busy. There was concern that the work was not happening quick enough. The steep parts must be smoothed before they get icy to avoid accidents.

Corn mentioned that he did get an 811 request to start some work on the 18th.

Markers were *again* talked about to prevent damage due to snow plowing. It's the association's responsibility to protect the meter can assemblies. Reflectors also were talked about *again* and need to be done soon. No stakes have been purchased. Vergamini is still determining what works and the expense. *This has been discussed in numerous past board meetings with no resolve. Buying markers and installing is not a difficult job.*

Legal-J. Fredlund

J. Fredlund stated that it doesn't sound like much work has been done on the reserve study. Corn stated he sent an AutoCAD file of the water map to Carlos; however Fredlund stated that they didn't have a copy.

Firewise- E. Fredlund

There was concern by some folks on the extensive size of the cut tree piles. It was stated that they will burn when snow is on the ground. The Vallecitos burn is 1/3 done. No info on when that will continue. A mention was made about the wasteful burning of good firewood instead of letting people collect.

Parks/Architectural - M. Otero

Nothing on parks.

There was a request to build a tree house. Not enough information is available from the requester as to the specifications - a child's or adult's tree house- and the covenants don't identify requirements other than setbacks and visual restrictions. The folks requesting haven't purchased the lot yet because they are waiting on a contingency. It was stated that more info about the "tree house" was needed. *We remind those who are making the decisions, to check with surrounding neighbors as a courtesy before making blanket acceptances on improvements. There has been no indication that this process is being followed.*

Old business

L. Otero asked about the "special committee" that was appointed to review the minutes of the annual board meeting. Two unnamed individuals were selected by the Board. Kilburg will review her notes on how to proceed.

Nyhan, previous water compliance chair resigned, leaving the position vacant. Discussion was whether to replace or do without and let another Board member absorb the responsibility.

Corn stated that a lead and copper sampling due in June was neglected and that the association is now in violation. It was questioned why no one knew about the requirement. *Because the board president and compliance chair were not paying attention. This is not a new requirement and was successfully initiated by past water and compliance chairs until last year.*

It was questioned why our water operator did not advise us, and it was stated that he does not do this type of sampling. *This type of sampling does not require a water operator but the cooperation of a few homeowners. Anyone with proper instruction can distribute and pick up the samples.* Otero mentioned resident Weary to provide help on this. Corn stated that the association can wait until next June.

It was questioned whether a notification on this requirement was mailed. No board member seemed to know.

Action items

Levelcon -Corn reported that Schmitt tried to revive Levelcon on system 1, but it was basically beyond repair. A new single channel now reports over the Verizon network, is cheaper, and uses AA batteries. The new Levelcon is still in setup process, not working completely or calibrated yet.

New Business

There was discussion on whether to fill the board vacancy. The board can vote somebody in or leave the vacancy and work with 8 members instead of 9. There was no decision on how to proceed.

Listserver- Corn mentioned that during the water construction and pipe replacement, there was a gap in communication as E. Fredlund and Studebaker were unavailable to put out the notices. Corn volunteered to be a third option to send out notices.

The residential leak policy initiated last year has not been implemented. There are some very high water users on system 1. Last month there was an increase from 9 to 13 leakers on system 1 and 6 on system 2. 4 property leaks are over 10,000 gal. Some residents have had leak flags since installation. One resident

went from 3,000 to 30,000 gal/mon for what was stated as grass planting. The Board discussed developing a policy on penalizing high water users with a surcharge. *We question the legality of developing yet another policy that members do not have to comply with and cannot be enforced.*

Discussion ensued on how and when to notify these residents. The board discussed emails, phone calls and decided to research with the attorney about the best process.

The board discussed formalizing motions/policies specifically fine tuning a policy regarding the aging reports and the \$500 no lien policy. They are working on a “need to know” policy to deal with personal information (PI) and aging reports. They will turn this over to the attorney for advice. *These issues were brought up in court; a \$500 no-lien policy in violation with the state HOA statute, and securing documents with private information that was purported to be initiated but was never formalized. The board could defend neither policy in the courtroom. Now they are trying to clean up their act.*

The recent 22 hour phone outage that left the association without 911 access was discussed. People with medical issues may be in jeopardy when these disruptions happen. Discussion about contacting fire department personnel with radios was one suggestion to mitigate the issue, however internet contacting points are difficult to find in our community and the person in need may not be able to leave their homes.

It was suggested that we need to be vigilant and check on neighbors who may need assistance. Boosters for a cell phone was also mentioned, however cell phone reception is only available in certain areas of our neighborhood.

Next board meeting Dec 13th.

Court hearing on Dec. 12th 10 AM is expected to be a 15 minute hearing.

Open session ended at 8:20 PM

No topics for executive session listed

Cars dispersed approximately 9 PM.

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