

## Concerned Members report and comments on the Board meeting of SLPPOA – October 11, 2016

**NOTE: this is not the official Board meeting minutes that the Board is responsible for producing. The official minutes are posted on the SLPPOA webpage.**

Authors notes and comments:

- *Our thanks to SLPPOA member Marsha Thole for her parliamentarian expert input at the annual meeting requesting the Board to improve their meeting protocol.*
- *The cost of the law suit is now at \$31,412. Is it beneficial to the membership that the board is spending association money to deny members their rights to a books and records inspection spelled out in our SLPPOA bylaw?*
- *HOAMCO, an HOA management company, has been hired by the Board to manage SLPPOA.*

*Comment: HOAMCO is head-quartered in Arizona. It remains to be seen whether the Board will allow HOAMCO to transfer association accounts to a bank in Arizona. It also remains to be seen whether HOAMCO will be able to convince the Board to use their Attorney Krupnik to pursue members who are inconvenient to the Board's agenda and to enforce Board rules whether supported by the bylaws or not.*

*A [website](#) has been published by a group of homeowners in an HOA south of Santa Fe describing their unpleasant experiences with their association Board, HOAMCO and HOAMCO'S attorney Krupnik.*

*Comment: SLPPOA is not the only HOA in the nation experiencing strife between Boards and association members. Attorneys and management companies have been making a lot of money off these conflicts at the expense of homeowners and their associations. There are many types of conflicts and fortunately, so far, some conflicts plaguing HOAs have not been an issue in SLPPOA. However, SLPPOA members have been harassed with phone calls by Board members demanding them to sell their homes, Board members have engaged in character assignation; conveyed misinformation and false accusations, and have used other forms of retaliation against members. Read the "[HOA Syndrome](#)" to learn about what to watch out for and what may be in store for SLPPOA down the road.*

- *The annual dues have been increased by 10%. The 2017 SLPPOA dues will increase to \$759/lot for an annual income of \$117,645. The main justification is the continuing road repair expenses on Los Griegos and legal costs.*
- *The Board has selected volunteers to review the annual meeting minutes. It was stated that those members didn't take notes. The Board will control the contents of the final version of the annual membership meeting minutes. Members who are interested in annual meeting notes offering a view not controlled by the Board can view these on the [cmslppoa.org](http://cmslppoa.org) website.*

- *Delinquencies are still turned over to the attorney who charges the association \$215 per hour (as of June 2011) for his services. Legal action can subject homeowners to the potential loss of their security clearance and/or their employment in the course of the attorney's debt collection efforts.*
- *The new Board president suspects sabotage of the Board email accounts as they are getting a lot of spam.*
- *No mention has been made how the Board will deal with a slanderous handout/presentation penned by resigned Board member Jack Nyhan and distributed at the 2016 annual meeting that resulted in a threat of a lawsuit against the Board.*
- *Attending members at the October Board meeting were not afforded the opportunity to ask questions.*
- *Closed meetings and private email exchanges between Board members appear to be the primary decision making venues of the Board. This makes it difficult for attending members to follow the issues and developments that affect all SLPPOA members.*

### **Summary of the meeting**

Outgoing President Bennett suggested training for Board members.

A Reserve Study is in process.

2,000 ft of water line replacement is complete however no leak rate update is available.

More leak tests are required to evaluate effectiveness of water line replacements.

The Levelcon system that monitors the tank levels will be replaced with a new system due to continuing problems.

So far there is no progress concerning the proposed road repairs on Los Griegos.

There are no monies for SLPPOA applicants for tree thinning projects.

One uncollectable delinquent account over \$8K will be written off as bad debt.

There was no accounting of the 2016 year carryover or the total amount accumulated to date. *We are looking forward to a detailed accounting for budgeted funds not spent or overspent by 12/31/2016.*

Meeting called to order 7.15 PM.

Attending Board members: Max Otero, Judy Kilburg, Peter Veverka, Terrance Vergamini, Katie Ballman, Stan Bennett, Joe Brophy

New Board members: Lorraine Otero, Harold Corn, John Fredlund

Absent Board member: Eleni Fredlund, resigned Board member, Jack Nyhan

Guests: Sabine Shurter, Barbara Van Ruyckevelt, Carolyn Corn

Minutes taken by Lorraine Ortero who was allowed by the Board to record the open session.

Due to the elections, the next Board meeting will be postponed until Tuesday, November 15, 7.15 PM at SLP Fire Station.

New parliamentary proceedings for Board meetings were initiated and reviewed by Bennett, thanks to member Marsha Thole for her input at the annual meeting. Directives for future meetings included:

any agenda items to be discussed by a Board member will be given 5 minutes and should be researched ahead of the meeting; not just brought up with no research.

the Board needs to announce topics that will be discussed in closed session

roll call to be taken at the beginning of every meeting

reports are to be given by the president, vice president and secretary

Agenda items reviewed prior to the start of the meeting:

Board elections

HOAMCO, a property management company, taking over SLPPOA management

Board chair reports

Reserve study status

Budget approval

Web page / Listserver / Board emails

A discussion of agenda items for the next board meeting:

Board member email addresses

Water lines

Levelcon repair

Nyhan's presentation on membership/Board relationship - Nyhan was scheduled to give a presentation at the meeting but he did not attend. Bennett suggested the Board needed to vote whether Nyhan should come to the next meeting but Veverka interjected stating Nyhan had a right to speak like any member.

Meeting format

Board policy on executive sessions

Official annual meeting minutes being worked on by Lorraine Otero

Reserve study

Roads – contract bids, and budget

The Board election for 2016-2017 chairs:

President: Judy Kilberg

Vice President: Harold Corn

Secretary and Treasurer: Lorraine Ortero

Water: Peter Veverka

Firewise: Eleni Fredlund

Roads: Terrance Vergamini

Legal: John Fredlund

Architectural/Parks: Max Ortero

Water Compliance: vacant due to Nyhan's resignation, not mentioned in discussion

Reports:

Outgoing President - Bennett:

Bennett suggested homeowner association (HOA) training for Board members and tasked the Board on researching availability and costs.

Unnamed volunteers were selected by the Board and will be responsible for reviewing the 2016 annual meeting minutes. The final version of the minutes will be reviewed and accepted by the Board before posting. It was stated that the volunteers chosen by the Board after the annual meeting may not have taken notes. The Board will control the contents of the annual membership meeting contents.

Outgoing Treasurer - Kilburg:

Operating Acct: \$73,146, 10K of that money was transferred to HOAMCO, the new management company.

Reserve Acct: \$82,975

Special Assessment Acct: \$5,218

Past due accounts:

Collectable: \$1,511 owed by 4 lots, one lot owner owes interest only, 2 lots owners are making payments, one owner, (a vacant home) has not responded and will be turned over to the attorney.

Uncollectable Total: \$16,200

The largest account owing from one property owner totaling \$8,547 cannot be collected and will be written off as bad debt.

One property is in foreclosure, SLPPOA may collect \$4,667.

Transition to an outside management company, HOAMCO, is progressing. Members will receive a letter from HOAMCO with information on how to make payments etc.

Legal and lawsuit costs to date: \$31,412. There was no separate accounting of the costs attributed to the lawsuit and attorney's cost for legal action on delinquent accounts.

System 1 water line replacement financials will be posted.

Water - Ververka

Another 1000 ft of main water line was replaced on system 1. Previous test of the section showed a leak rate of 6.5 gal/min. The current leak rate after the repair is rumored to be at 3 gal/min but there have been no new leak test so far and no tests are scheduled before winter to determine the benefits of the replacement.

There is a new check valve and isolation valve at San Juan Rd. Existing drawings of the water lines did not match what was found in the ground during replacement.

Because Levelcon is still problematic, a decision was made to buy a new system for \$300 which will also save \$30 in monthly fees.

Reported leak rates after the first 1000 ft of replacement according to Mark Stanley:

Sys 1 = 15 gal/min (part of the loss is claimed due to line flushing and draining water to protect Hovenweep well),

Sys 2 = ½ gal/min

J. Fredlund stated that there is a water hydrant in Sys 1 that is useful for fire fighting and line flushing.

#### Webpage

Mike Schacht is still providing web services.

#### Roads – Vergamini

It was reported that there are two potential contractors, one of which is Chris Luster who has not submitted a bid and done no work to date because the Board did not give him the information he needed to submit a bid. Also they do not have a contract with him. Another company has already come out and measured and the bid is due soon - no names mentioned who it was.

Proposed road repairs are the Los Griegos Loop in system 2. Windstream will lower feeder wires and said they need to be 30 inches deep. Also they have to have Jemez Electric mark lines.

Reflective markings on phone boxes, stand pipes, shutoffs, and meter cans to avoid snow plowing damage, are still being discussed.

There was a reminder that cinders in county lot of the fire station do not belong to SLPPOA.

#### Legal – Brophy

A reserve study is in process, but the Board has received no further input. Kilburg has provided the required info. Total costs for the study will be \$2,400 payable in 2 installments. 50% (\$1,200) will be due when the draft report is submitted.

The attorney has not responded/communicated concerning delinquents or the lawsuit. A lien has been filed on one vacant home, next step will be foreclosure. Motion passed to let the attorney do what is required to ensure collection.

#### Architectural – Max Ortero

There were two requests, no action needed on the parks.

#### Budget discussion

##### Highlights

Electric - same,

Administration - down,

Travel mileage - up,

Roads need more money, \$3,000 has been added to increase the road budget to \$26,000

Taxes - down,  
Line location costs - up,  
Accounting - up,  
Legal - up but left at 8K in new budget,  
HOAMCO's management fees will be around \$4,500,  
Sunland Mgmt who was doing our financials quit. The Board will be looking for a new accountant.  
Insurance - up,  
Water maintenance - down.

It was stated that there is a need to increase reserves.

The Board approved a 10% annual dues increase for 2017, to \$759 per lot.

The snow plowing contract is still outstanding. Martin Crane must be contacted for a new snow removal contract. Estimates are 7- 8K for +/- 8 plowings.

#### Tree Thinning

No property in SLP was selected for money awards for tree thinning and the money has run out.

#### Abandoned Well Capping

One more job will require concrete fill-in capping.

#### Board emails

The Board and water distribution email list will be redone due to email issues. Kilburg suspects sabotage and will notify the server, GoDaddy, if issues persist.

Attending members were not offered any time for question or discussion at the meeting.

Open session closed at 8.30 PM.

There was no discussion items noted or reasons stated for the closed meeting despite Bennett's advice that the Board needed to announce topics prior to closed meetings.

ss/bv