

**Concerned Members report and comments on the Board meeting of SLPPOA –
Sept 11, 2018**

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

Author's notes and comments:

- *WHY should you care about changing the Bylaws?*

The 2015 Homeowner Association Act (HOA Act) takes precedent over SLP governing documents and that includes the Bylaws. If members haven't read the new law, there are changes that could affect member's Bylaws rights. According to the HOA Act, "If there is ***any change/amendment*** to our community documents (Bylaws), the HOA Act requires the Bylaws to comply with the Act. (§47-16-15 (B) *Section 15*). [HOA Act.](#)

Read carefully. Legal consequence exist for Bylaws changes. We want answers from the Board--

1. What does "comply with the Act" mean, and how will this affect the existing provisions of the Bylaws?
2. What provisions of the HOA Act will change, supersede or be required to be incorporated into our existing Bylaws provisions?

Section 5- Records disclosure - what law-- Bylaws or HOA Act will take precedent?

How will that affect your rights to inspect association documents?

Section 10- Financial audit - what law-- Bylaws or HOA Act will take precedent?

How will that affect your rights to an audit every 3 years and yearly financial statements?

3. What legal advice has the Board received on this issue?

- *Why should you care about the proposed emergency water policy? Read the [Debate.](#)*

Meeting called to order 7:17pm

Board members present:, Corn, M. Otero, L. Otero , Weary, Stuedell

Absent: Kilburg, Lisko, (newly elected board member) Rightley, (newly elected board member)

Guests: Star, M. Moore, Veverka

Minutes and agenda approved.

Corn presiding for Kilburg.

Corn made some opening statements:

- Officers have not been changed on the Sec. of State website for some time. Old board members are still in force and must be changed.
- The Hovenweep road was not graded during the recent road work. It was stated that Hovenweep is still maintained/graded and plowed by the county and that's why it was bypassed during the road repair work.
- We are still in need of a snow removal contractor. Crane did propose to continue for double the money. Whether he plows or not depending on the snow, he still gets the full pay. Last year it was approximately \$13,000 for very little work due to very little snow.
- The Board is still waiting for final review of the proposed Bylaws changes by attorney Hays.
- A new management company/accounting firm - Integrity is under consideration and may take over for HOAMCO.
- A reminder to new members that they need to review the Bylaws and CCR's.
- Credit, debit, or prepaid cards were asked about to pay for expenses. It was stated that reasonable expenses are normally paid by the Board member and reimbursed from a receipt.

Treasurer Report- L. Otero

There was no 2019 budget discussion.

Account balances:

Operating - \$118,810 Road repair of \$35,000 is still outstanding.

Reserve - \$122,167

Past Due- 17 delinquent accounts at \$10,823. 4 in foreclosure (\$7,500) and the remaining -- some making payments and some owe interest.

It was asked at the annual meeting, but there was no answer: It was asked again at the meeting -- What was the annual income received last year: \$127,645.

Misc. legal costs at \$2,637

Lawsuit unchanged at \$51,949

New Officers:

President Kilburg (she has moved out of town, but still active)

Vice President - Corn

Secretary/Treasurer - L.Otero

Water - Lisko (Veverka agreed to help to transition the new member)

Water Compliance - Weary

Roads - Stuedell

Legal - Rightley

Firewise - Lisko

Parks and Architectural - M. Otero

One 2-year term is still open. Board could appoint if there is another applicant.

Water - Corn

A long time leak result from a root ball. The leak is now fixed.

One high user on sys 1 is leaking 2.2 gals/min. but promised to fix it.

There is more electrical work to do on sys 1 Hovenweep well.

Sampling --sys 1 - .01 residual. Sys 2- .1 residual.

Compliance

Trujillo from the state was here.

The well meter readings were filed. The cloudy water in the Bonito Way area has cleared up.

The water operator/sampler took another sample and the result was clean.

The chlorinator circuit is not functioning on Hovenweep.

Sys 1 pumped 600,000 gals this month. Usage was 300,000 gals.

Sys 1 has a 6.4gal/min loss rate. (287,000 gals./mon or 49% loss rate)

Leak flags-- 10. One high user over 83,000 gals. this month.

Sys 2 - pumped 375,000 Metered usage: 173,000.

Sys 2 has a 4.4. gal/min loss rate. (195,000 gals./mon or 54% loss rate)

Leak flags-- 7 And the highest user at 15,000 gals and no leak flag

Roads-

John Lovato at the county needs to be contacted regarding Hovenweep maintenance.

A resident on Los Griegos and Aspen Grove is complaining about water coming over the road onto their property.

There was discussion regarding culvert clean out. Some suggestions:

- owners should take up the responsibility, but if they don't--
- increase the assessments to budget for cleaning by the association.

John Hines from Los Alamos Landscaping may be a potential contact for snow removal.

The budget has approx.\$13,000 for snow removal and \$18,000 for roads maintenance.

Legal-

Discussion ensued as to when to schedule a meeting for the bylaws changes. *Other than a presentation to the Board a few meeting ago, the Board has not defined what the exact changes will be or what legal advice they have received. Resident's will have little time to reflect on these changes before the vote.*

Firewise- Weary

Weary reminded that slash burning is still limited to a small a3 ft x 3 ft. area and calling ahead would alert the fire dept from having to chase down smoke reports. She also mentioned that a chipper is available from the county by appointment.

Parks - M.Otero

Nothing to report.

Archit. - M. Otero

One request received

Old business

A new potential webmaster has been located and has indicated he would be constructing the website in wordpress.

J. Fredlund has agreed to continue to manage the information upload on Google drive.

Former manager of the listserv has moved.

Oct. 27 was set as a date to have a meeting to discuss and vote on the excessive use water policy bylaw change, however the Board is still waiting on the attorney's input.

The possibility of establishing a neighborhood garbage collection has logistic problems and is not in the foreseeable future.

It was noted that one resident with a leak flag was called.

New business

Immediate change is needed to get old officers off the bank lockbox access and new officers on. *It was noted that the website is out of date as well.*

There were comments about recent discharging of firearms in the neighborhood and what the rules are.

Star asked for follow up on the 2014 Reserve Study, and the County trespass on SLP land adjacent to the Fire Station.

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