

**TRLA BOARD MEETING
TCC RANCH HOUSE – 10 A.M.
AUGUST 18, 2012**

ATTENDANCE: Board member Eileen Domer (by speaker phone), Don Parry, Steve Wills, Jerry Toellner, Linda Shoppe, and Mary Jo Wallen. **Excused absence:** Clint Burlison. **Landowners:** Allen & Pat Burnam, Tom & Darlene Merritt, Linda Pedersen, Judy Toellner and Duane Barbano.

Don Parry called the meeting to order at 10:05 a.m. Quorum established.

Secretary's Report – Mary Jo

Eileen motioned that we approve the July 14, 2012 minutes. Steve seconded. Motion carried.

Treasurer's Report - Eileen

Eileen presented the following for July, 2012:

- Income = \$ 91,734.84
- Expenses = \$ 11,814.14
- Bank Balances as of August 15, 2012 - \$291,153.41

Significant expenses for July, 2012

- Legal: \$1,003.64 – work on foreclosures and released one lien
- Wages: \$ 589 – Janitorial and Ranch Hand
- Common Land Maintenance/Repairs: \$ 685.15 – repair and paint fence, gates and replaced lock
- Gravel: \$5,102.00 – Elk and Shore Cliff
- Utilities: \$ 112.00 telephone and electricity

Collections: As of July 31, 2012

Nine lots owe over \$1,000.00

- Five lots with lawyer for foreclosure (One will be sold by the State for taxes)
- One Landowner contacted TRLA, but has not sent in a payment – will probably need to go to lawyer
- Two may need to go to lawyer

Other:

- Found owner of lot #010106M - will pay total amount due
- Nineteen owe two or more years
- 208 owe this year's dues (number is down even more now)
- Plan to apply liens in September
- Carry-forward transferred to Contingency/Savings account
- On the spreadsheet, Eileen explained the once a year Bad Debt expense. This year it is \$1,192.00

- Jerry Toellner asked if the time on Rusty's timesheet for repairs and maintenance were in a separate category from wages. Eileen and Mary Jo both confirmed that this was being done. The most recent timesheet reflecting Rusty's time for repairs will show up in the August report.

Roads Report – Jerry

Gravel has been spread on Aspen Loop (by Red Door Cottage) and on Cliffside. Spot gravelling will be done on Green Meadow, Monte Vista, Elk to the bluffs where it ties into Culebra and Sagebrush in several spots. Ditches are being cut on Ash. Gravel will be put down next year. Landowner on Deer Run reported the road was impassible during the recent flooding. We worked on both Deer Run and the BIA roads to repair damage caused by the heavy rainfall. The condition of Deer Run has deteriorated over the years. There is also a situation where the road is seeing increased use by a new owner down in the valley. Jim Judd, the owner, has hired work that required heavy equipment and there have been more people using the road to access Elk Haven. (See New Business for more details).

Architectural/Maintenance Report – Steve

No new plans submitted. We will discuss a resolution and a trailer violation in the Executive Session.

Commons – Don

- Rusty graded off an area by the alcove using the Zetor instead of the grader. Ditching for pipe needs to be done. Jerry asked if a transit had been used and since it hadn't, Steve said he could check it out. Rain gathers in that area and needs to flow past the Rock Room and down towards the burn pile.
- Volunteer Fire Dept. recently burned the brush pile. The ash pile needs to be spread out. After an incident occurred, cones were strategically placed so landowners would not put new brush in the wrong area.

Communications – Mary Jo

- July newsletter was mailed out August 8th. Linda Pedersen helped out with email notifications because Mary Jo had problems with her computer. We also encountered problems sending the file(s) out because of the resolution/size of the files. We ended up sending out notes to everyone indicating that they could view or download the newsletter from the website.
- The next newsletter will go out in November, so we can wait until the end of September to start talking about the content.

Old Business:

1. Internet at the Ranch House – Don reported that Wildblue will not let you park for the first two years. Randy Blea (in Ramah) services both Wildblue and Hughes. Hughes is \$39 a month, free installation and you can park up to six months. After discussing some of the pros and cons, it was decided that we would wait until March, 2013 since a lot of landowners will be leaving around Labor Day and there isn't much activity in the winter. We could promote the availability in the spring newsletter and it would be available during Board Meetings, Library day and special events. Linda Shoppe suggested we use Skype capabilities, which we will also check out).
2. Bear Trash Can Information – Mary Jo reported that quite a bit of information was included in the newsletter and several other people volunteered to check on other places to obtain cans, lids, etc. Further information and reminders will be included in the spring newsletter and website.
3. Woodland – Mary Jo reported that she mailed the plat information to Mr. Doug Decker, McKinley County Attorney, on 8/3/2012 along with the required \$100 processing fee. Don reported that once everything is finalized, he and Tim Amsden can sign the final papers.

4. New Business:

1. CC&R's – installation of septic systems on lots (re-installation of septic system does require a permit and inspection by the CID) – a new permit does have to be obtained and a system has to be up to code. It appears that one landowner is not using a septic system and a letter was sent to them by Andy Wilson, NM Environmental Division. A month later, they were again in violation. A neighbor contacted the entire Board and Mary Jo Wallen took pictures of the illegal toilet and forwarded to Andy Wilson (per his request) and to the Board. Don Parry then spoke to Andy Wilson who said he would try

to enforce a daily fine. However, we are not sure if Andy has followed up. Mary Jo requested a copy of the letter that Andy sent to the landowner, but it hasn't been received yet. Once received, a letter will be prepared from the Board to the Landowner requesting that they comply and be more respectful of their neighbor.

2. Review Procedures for Landowners submitting complaints and their concerns to the Board for consideration/action – Steve will send the Complaint form to Roger Irwin so it can be available from the website. All landowner complaints must be in writing and presented to the Board, when appropriate, for consideration. The landowner submitting a complaint, however, should realize that the Board is not a police force and they need to contact the sheriff and/or other governmental agencies first for assistance.
3. Purchase of Backhoe for Ranch/Roads Maintenance – the backhoe attachment that we have for the Zetor is a “toy” and not adequate for the heavy work needed on the Ranch. Discussion: Mary Jo provided the Board members a list outlining the pros and cons and some financial considerations based on purchasing a \$60,000 or \$80,000 piece of equipment. Liability insurance would cost \$538 and \$716 respectively per year. Based on a 4-year loan, 9% interest, 20% down and 50 hours of wages, it would cost \$16,868 a year to purchase a \$60,000 backhoe and \$22,302 for an \$80,000 backhoe (not including fuel and maintenance). Justin's Earthworks and Louis Munoz also provided current costs for their services. Justin is \$100 per hour (he has his own worker's comp and liability insurance) and Louis is \$88 per hour (includes a bond). Mary Jo and Don will investigate. Allen Burnam questioned whether or not the Zetor tractor would still be used and the answer is, “Yes”. The Zetor can still do a good job grading the road, bush hog usage, plowing snow and other light duty jobs. It was suggested that we do some further research (rental costs, talk to Jamie Lewis).
4. Official Request for Road Maintenance/Gravel to McKinley, Cibola & BIA: Should the Board write an annual letter to the Counties and the BIA requesting that County roads within Timberlake Ranch subdivision be added to their budgets? Discussion: When we recently experienced the heavy rainfall, Don called Cibola and the BIA offices asking for their assistance. The BIA said all of their people were on furlough until late September or October. Cibola indicated they have no money for rock and their budget was cut with no money for gravel/road repair available for the next two years. Don did not talk to anyone in McKinley County since the rainfall did not damage that part of the road. Verbal permission to grade the county road was given to TRLA (for Jerry Toellner only) by Gary Porter, the Cibola Road Maintenance Supervisor, a few years ago.

It was agreed that preparing an annual letter would be a good idea, although we realize it probably won't be of any benefit in the short term. Mary Jo is going to work on the draft with Linda Pedersen's assistance. Jerry Toellner mentioned that our NM Senators are trying to get County roads upgraded. Don Parry indicated that he also contacted Homeland Security for assistance; however, no response has been received. Don indicated a Homeland Security Rep did come in several years ago when several of our roads washed out (no assistance was offered).

5. Deer Run Heavy Usage – A developer is using Deer Run as an access road to bring in more people/equipment to develop the Valley and Elk Haven subdivisions east of Timberlake Ranch. This is having an adverse effect on Deer Run Road. The person who bought the Ranch in the Valley from the Clawson's a year ago has three gates past Deer Run indicating that the road is closed – no access. However, he uses Deer Run to access his property. After much discussion, we came up with several questions, such as:
 - a. We own Deer Run, but would it be beneficial to turn it over to the County so they would have to build it up to a Class C road and maintain? Easements would have to be obtained from several landowners to make the road wider.
 - b. What options do we have to put pressure on Cibola County and/or the owners in the Valley/Elk Haven, etc.?
 - c. Can we go after the landowner in the Valley for damages to Deer Run?
 - d. Can we put pressure on Will Strip to re-open the road that they closed off (Old 157, which would eliminate traffic on Deer Run)?
 - e. Can we request a cease and desist order?

Jerry made a motion that we get our lawyer involved to determine the best options. Eileen seconded. Motion carried. Linda Pedersen volunteered to prepare the letter to our attorney.

6. Newsletter Preparation – Mary Jo indicated that the services provided by Shawna Compton have not been satisfactory. TRLA does not have a written contract with Shawna. Nancy Ramm has indicated she would like to take over the newsletter preparation. The same compensation (\$200 per issue) is acceptable to Nancy Ramm. Mary Jo made a motion that we cancel Shawna Compton’s services and hire Nancy Ramm. Linda Shoppe seconded. Motion carried.
7. Sign for Burn Pile – A sign saying, “Sorry, Burn Pile Temporarily Closed) will be made by Dynamic Signs, Gallup, NM to help alleviate the problem of landowners going thru/around the gate after the Volunteer Fire Dept. burns. A recent incident occurred when the pile started smoldering again after a landowner brought more brush in. No one was watching the burn pile until it was reported.

Don reported that a landowner set up their truck/camper right between the Ranch House and the trees on the south side of the building. Thankfully, Karin Kangas was monitoring the Library that day and informed them camping was not permitted at the Ranch House. The landowner’s father was a former TRLA President. Linda Shoppe indicated that perhaps it was a misunderstanding as Ted Broderick allowed camping at his property years ago.
8. Burn Pile Lock – Otero's – Lock was picked up about a month ago and after a few days it was reported broken. Last Tuesday it was still not available. Mary Jo asked that whoever went to Gallup the next time make an attempt to pick up the lock(s) – It was suggested we change Lock companies and pick up both locks from Otero along with the records of our previous orders. Mary Jo reported that there is a lock company in Grants that we might try using. Otero’s has not been dependable for the last couple of years, necessitating a change.

Landowner Input:

Linda Pedersen said that Tim Amsden is concerned about an acreage error on the Woodland swap. He had 23 acres and now has 20. TRLA had 17 acres and now we have 16. Tim also had a concern about a 20’ easement by the gate. However, it’s a part of our Common land, so it might not be a big concern. Tim was going to speak with Doug Decker. Linda will return the file to the Office at the appropriate time and ensure everything is in order.

Linda Pedersen provided the Board with some insight on working together, delegating properly, etc. Linda was on the Board for six and a half years and said she had a hard time delegating at times. However, we need to remember that Committees are established and they are responsible for their task. For example, Steve Wills is the Architectural & Maintenance Committee Chairperson, so although he may have other individuals on his Committee, he has the final responsibility to ensure proper procedures are followed.

Allen Burnam talked about the \$10,000 settlement that Venture entered into with McKinley County years ago. The road was built to Class C specifications, but is deteriorating because it is not being maintained. Mary Jo indicated she took some pictures in the spring when the road was bad from Elk all the way to the Box S. There were at least seven areas that had ruts a foot deep. These pictures will be included with the letter that we intend to send to the County. Jerry Toellner indicated McKinley County was suppose to bring in some gravel last year and didn’t. It’s been three years since they spot graveled. Several years ago a landowner reviewed all of the tax documents and discovered that Timberlake landowners pay over \$250,000 a year and we are not getting much in return. Mary Jo also indicated a landowner recently suggested that we prepare a petition to the Counties for assistance. It was agreed that Mary Jo could tell her to “go for it” if she wants to help. Tom Merritt asked if the road was packed when it was originally built and Jerry indicated that it was packed. Jerry also indicated that we need to get the School Board involved. The School buses no longer come into Timberlake because of the roads.

Pat Burnam thanked Jerry for all his work.

Darlene Merritt suggested that we call the landowner in the Valley to determine whether or not he realizes Deer Run Road is being damaged and if he would pay for repairs. Phone number is on one of his gates.

Steve motioned to adjourn the meeting at 11:45 a.m. Jerry seconded. Motion carried.

Respectfully Submitted
Mary Jo Wallen, Secretary