

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

ATTENDANCE: Board members Eileen Domer and Jerry Toellner (by speaker phone), Linda Pedersen, Don Parry and Mary Jo Wallen. Dale Spencer absent. Landowners: Danny Montoya

Linda Pedersen called the meeting to order at 10:05 a.m. Quorum established.

Secretary's Report – Mary Jo

Jerry motioned that we approve the amended minutes (two typos to be corrected) and Eileen seconded. Motion carried.

Treasurer's Report - Eileen

Eileen presented the following for January, 2012:

- Income = \$ 28,686.15
- Expenses = \$3,786.00
- Balance in 4 Bank accounts = \$239,813.87 as of 2/17/2012

Significant expenses for January, 2012

- Office Supplies & Expenses - \$469.91 for paper, copying Jan letter; Corrales PO Box rental and copier parts
- Postage - \$895.00 – stamped envelopes and reimbursements for stamps/postage
- Ranch House - \$268.00 – framing, photos and fabric for Historic Room
- Utilities: - \$160.00 – telephone and electric

Collections:

- Three landowners (7 lots) owe over \$1,000.00. One lot has been sent to the State for delinquent property taxes.
- Twenty-eight lots have not paid this year's dues.
- Twenty-six lots are behind over two years.
- Fifty-four are behind half a year.
- Found new owners for two lots. Both new owners have agreed to pay past dues.
- One landowner who owned two lots declared bankruptcy. Cannot find the owner of lot 010106M. Two liens have been filed. Will file 20 liens if landowners do not pay by March 31, 2012.

Roads Report – Jerry

Jerry reported that Rusty recently put a tire on the Zetor. Rusty and Jack both spent 6.5 hours apiece plowing snow 2/15. Rusty can't do anymore grading until it dries up again. Linda contacted Justin on 2/8 about providing an estimate for 2" leach rock to complete the gravel on Oak Drive because of landowner concerns. Landowner was informed that as soon as it dries up again, we'll get the gravel. New batteries are needed for the grader. Linda also reported that she received a written request for gravel on Cottonwood Drive from full time landowner.

Architectural/Maintenance Report – Linda

No official building plans have been submitted. However, through communications there is a possibility of a house addition and one to two homes that may be constructed over the summer.

A reminder to all landowners is that the Amended and Restated Covenants state: "No construction or alteration of a structure on any lot that requires CID approval, and no placement of any structure on any lot that contains 200 or more square feet, shall occur without prior written approval of plans by the Architectural Committee."

Commons – Don

- Chopper worked on screen doors, but because of his accident, the walkway by the RH flagpole was not completed. Don will contact Chopper to determine when work can begin.
- Don will ask Chopper to help evaluate the condition of the playground equipment (fix or pitch).
- South Shore drive needs to be cleaned up.
- Don intends to purchase screen doors for the RH and add some "handiwork" to make them look a little fancier. It was agreed they would be stained instead of painted since stain lasts longer.

Communications (Next Newsletter) – Linda

- All articles are due by Friday, the 24th
- Eileen has completed the cover page and is working on the Treasurer's Report. Eileen will also give instructions to Mary Ray to add the 10% penalty/fee of \$23.00 to the invoices that are 18 months past due (to be done before liens are filed). No pie charts are needed for this newsletter.
- Don will prepare the Commons Report
- Jerry, Mary Jo, Linda and Eileen will provide input for the Roads Report
- Verizon tower/cell phone coverage –nothing new, so no report will be prepared (Linda received some last minute important news, so she is working on a "Telecommunications" article
- Mary Jo will prepare AGB update
- Tim and Roger will prepare an article (recent submission on the website)
- Linda will prepare the following articles: information for people buying land/lots in Timberlake (several new landowners weren't informed of Association dues, etc.); fire danger, yard sale, new meters installed by Continental Divide, lost and found for people in Phoenix, note of thanks (Rusty and Jack for snow plowing), new Board Members required to fill open positions
- Linda and Nancy Wills will prepare an article on how people found Timberlake
- Dale is working on Part 2 of El Morro (Dale left message for Linda while we were at the Board Meeting)

Old Business:

1. CCT 74 Update – Dale was unable to get commitment from the lawyer that the law professor had recommended due to his imminent retirement and not taking any additional cases. Linda has sent all pertinent information to Cassutt/Hays/Banner for their second perusal/legal advice. Mr. Beeler who owns property adjacent to CCT subdivision told Linda he may pursue his land disagreement with Mr. Lambson by talking to the Zuni Tribe as the land taken away from him has ruins on it and similar but more expansive than the one on CCT 74. Dick will let Linda know when he will meet with the Zuni Tribe because Linda would like to attend. The Zuni Tribe owns CCT78 which was also negatively impacted. There may be something about Antiquities Act and potential destruction or disturbing the site by Adverse Possession.

A letter was just received from the NM State Board of Licensure for Professional Engineers and Professional Surveyors. The Committee found to dismiss in accordance with NMSA 61-23-24E and indicated there is no cause for disciplinary action. Linda is providing further information to Mr. Banner.

2. Common Land Increase Update – Linda spoke to Carol West yesterday since Mr. Banner said he didn't have the paperwork back yet. Paperwork was evidently sent to their attorney, Mr. Rosebrough. Linda informed Mr. Banner so he

can follow-up. The documents are: Disclaimer of Interest and Resolution Authorizing Conveyance of Real Estate. All this is necessary in order to get Title Insurance on the property. Don motioned that we pay their \$483.00 lawyer's bill only "after" we receive the required paperwork. Jerry seconded. Motion carried.

3. Foreclosure Process Updates –

- a. One landowner said they'd pay, but only one payment has been received. They've paid on their taxes so the lot may not go the State anyway soon. Eileen will send to Mr. Banner to find out if we can go forward with foreclosure.

One landowner with four lots over \$1,000 – taxes are not behind that much and Eileen has the amounts owed and years behind.

- b. Another landowner was supposed to make a deposit to our WF account, but it hasn't occurred yet. They're not behind on taxes. Eileen will follow-up with landowner.
- c. Another lot has gone to the State.
- d. No money yet on the two new landowners who didn't realize money was owed. Eileen believes they will pay.
- e. Foreclosure will start on four lots.
- f. Liens will be released on ones that are 20 years old.

4. AGB Trail System/Lake – Linda reported that answers were received from Mr. Banner (copy dated 2/16/2012 provided to everyone). Brief details are as follows:

- a. Lease Agreement between Ramah Land & Irrigation and the Fish and Game Dept expires December, 2013. Ramah Land & Irrigation has water "use" claims going back to 1903 and 1920 of using the water at Ramah for irrigation. "Water rights" is being litigated in the Federal Court for the District of New Mexico. Mr. Banner indicated that Ramah Land & Irrigation would have difficulty excluding TRLA from using the water which lies on TRLA Common Land for recreational purposes. However, if a person in a boat landed on shoreline owned by an entity other than TRLA, it would be considered a trespass.
- b. Mr. Banner indicated it would be necessary to have the membership vote on the idea of granting an easement over our Common Land in order to build a trail system. Two-thirds of the membership would be required to vote at least 20 days in advance providing the purpose of the meeting at which a Special Quorum is present. (See By-Laws for specific requirements).
- c. Mary Jo reported that she, Nancy Dobbs and Nancy Wills attended an AGB meeting last November and they were planning on attending the next meeting. Tentative date is 2/27, but no notice has been received yet. Doug Decker, McKinley County Attorney, has indicated that if we partner with AGB or some other private entity that we could prevent the public from accessing our Common land by a trail that will intersect with the main trail system. The question was raised about Federal grant money. Mr. Banner said, "There was no mention of Federal Funds, or federally imposed restrictions in the Easement Agreement." Mary Jo intends to clarify again with Mr. Decker since we were previously told that grant money could be used. Dr. Robert Crooks and Linda Pedersen have also expressed an interest in attending these meetings as well as our own Ad Hoc Trail Committee meetings. Mary Jo agreed that she would be the Chair Person reporting back to the Board on future information from AGB and our Ad Hoc Committee.
- d. Rhett Renoud has been investigating the possibility of some Ramah students being employed by AGB this summer to work on the trails. Once the Ad Hoc Committee gets organized they need to determine what access points would be the least disturbing to TRLA. A question was asked about the trail around the lake. Until proper right of way can be obtained, this trail is not in the current plans (Mr. Decker also confirmed this with Mary Jo recently).

5. Cattle/Commons – Don reported that he would get Tom Merritt's assistance to straighten up some of the posts. Suggestion was made to put a lock on the gate. The cattle guard needs to be cleaned out. Linda will send a letter to Cibola County to determine if they will confirm ownership of the cattle guard. If not, then we'll clean it out.

6. Ferrell Gas/Propane – Mary Jo reported that the initial lease from Gallup Propane would cost \$540.94 (includes 200 gallons of gas, tax and inspection). After that, 100 gallon minimums are required. It was previously reported that the

purchase a 250 gallon tank would be approximately \$900 plus tax from both Gallup Propane and Ferrell Gas. It was agreed that we would not pursue the idea of purchasing/leasing tanks from another gas company. Don reported that there is a leak on the tank by the Ranch House, so it will be fixed when the tank needs to be filled again.

7. Crooks Retirement Party – Set for April 7th - since the Bath House will be open, we will just ask for a donation.
8. Confirmation Approval of Christmas Bonuses – Jerry made the motion to validate the previous email approvals for the \$200 given to Mary Ray and the \$50 gift card given to June Allen. Don seconded. Motion carried.
9. Confirmation approval not to forgive legal fees for landowner foreclosure – Landowner who was in foreclosure was able to pay past dues, but hasn't paid the \$243.42 legal fees yet. Lien will not be released until all funds are received. Mary Jo reported that landowner still intends to pay.
10. Approval of revised TRLA Guest Membership Agreement – Attorney added Box S landowners or landowners adjacent to Timberlake Ranch in addition to Woodland Lakes landowners. Also added that if keys are not returned upon expiration of the Guest Membership term, the Guest Member shall be responsible for the replacement of all locks and keys at a rate of \$50.00 per lock and \$10 per key to be issued to TRLA owners and Guest Members. Guest Member is also responsible for postage charges associated with replacement of keys. Don motioned that we accept the revisions made to the TRLA Guest Membership Agreement. Mary Jo seconded. Motion carried.

New Business:

1. Pay off Truck vs. Loan Guarantees in the future – Mary Jo reported that there are 14 payments left totaling \$12,506.76. Interest saved would be \$434.49. Mary Jo recently spoke to Juliana Lowe, Wells Fargo Equipment Finance, concerning whether or not it was a good idea to pay off the loan early. Juliana indicated TRLA now has a good credit history, so it shouldn't be a problem to pay off early and have a gap in time before initiating another loan. It was agreed that being able to secure another loan was better than paying the existing loan off early.

Don and Jerry have had some discussions about replacing the Zetor tractor sometime next year to coincide with paying off the truck loan. A replacement tractor that has more power, parts more readily available will probably cost \$40-50,000. Don suggested that we all look at the brochures and discuss further at a future date when everyone is available. 2012 emission standards increased costs in January. Some new implements will be necessary; however, the grader/leveling box should be ok. The question was asked about a building fund and equipment fund. Eileen responded that although we don't have a formalized plan, but we do have a replacement cost chart. There are funds in our contingency fund to purchase needed equipment and do necessary repairs.

2. Amending Common Land Usage to Exclude ATVs and OHVs – Eileen motioned that we add “includes ATV's and OHV's” after (use of vehicles) in the Policy & Procedure Manual under Commons. – Regulation #1. Mary Jo seconded. Motion carried.
3. Approval for purchase of picnic tables – Linda and Don researched several companies. Picnictables.com appears to have the best price/selection. It was decided to purchase 6 tables @ \$600 apiece. Each table is 87 lbs., so two people can easily move them. Don will email everyone so we can decide on a color and get approval from everyone. TRLA Volunteer group will donate \$450 towards the purchase.
4. Shop Vac & Vacuum – Linda provided information about a 12 gallon, 5 horsepower \$100 Shop Vac and a small Electrolux bag canister for \$200. Don motioned that we purchase these two items for use at the Ranch House. Mary Jo seconded. Motion carried.
5. Rug for the Library – thanks to Don and Jolene Parry for donating rugs for the Green room and Historic area.
6. Board Vacancy – Linda Shoppe contacted Linda about filling the open position when Rhett Renoud resigned. After a review of her qualifications, Don nominated/motioned that Linda Shoppe fill the open Board position (2 years) by her request. Jerry seconded. Nomination/Motion carried.
7. Gravel Pricing/Justin – Justin provided current gravel quotes to Eileen. Mary Jo checked recent invoices and determined that Justin's quote on 2" leach rock is \$21.14 including product, hauling and tax. Quote is competitive and as soon as it dries up enough, Justin will gravel Oak Drive. As prices increase because of fuel, etc., new quotes will be required.
8. Annual Meeting (Counting of votes) – Nancy Ramm's name was suggested since no one from the Board should be involved with this process. It was also suggested that Linda ask for volunteers in the next newsletter.
9. Dirt Pile at Elk and Timberlake – As soon as the weather clears, this area will be cleaned up.

10. Volunteers Project – Sharyl Cummings and Judy Haverstick have expressed an interest in developing a Timberlake logo. T-shirts, ball caps, etc. could be sold with this logo and it is hoped that samples could be available at the Annual Meeting. Consideration is also being given to a Timberlake screen saver or calendar.
11. Burn Pile – Linda will continue to follow-up with Andy Wilson to determine when the burn pile can be burned before it gets too dry.
12. Ranch House Renovation Costs – Last month Eileen reported the cost was \$39,882. Cost is now around \$40,000.
13. Fire Restrictions – Linda will contact Bill Woolman to determine if we can enforce our own fire restrictions within Timberlake. Clarification is also needed on when burn permits are required.

Don motioned to adjourn the meeting at 11:50 a.m. Jerry seconded. Motion carried.

Respectfully Submitted
Mary Jo Wallen, Secretary