

# Timberlake Times

Timberlake Landowners' Association  
*A Deed Restricted Community*  
HC 61 Box 767, Ramah, NM 87321

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Web site: [www.trnews.info](http://www.trnews.info)



## PRESIDENT'S PONDERINGS CHANCE, CHOICE, AND CHANGE



Three years ago (May 2006) I ran for the Board and I boldly told the landowners that I wanted to see new Bylaws and CC&Rs rewritten and passed in the first year. In retrospect, I actually was wishing and hoping it would happen. Well, a wish is a goal with no energy behind it and hope is not a strategy. Consequently it took longer than I thought as history, legal facts, and the process weren't entirely clear in the beginning, but the goal was eventually set and the energy was there.

The Amended and Restated Bylaws were finally passed on November 3, 2007 (not quite in the first year), but the process for amending the CC&Rs has taken much more time and effort. The Bylaws and CC&Rs Revision Committee sent out the first draft of the Amended and Restated CC&Rs to all the landowners on November 23, 2007, the second draft to everyone on April 11, 2008, and third draft on July 22, 2008. Each time we asked for landowner input, we got it and all feedback was addressed. Incorporation of the feedback after Draft 3 did not significantly change the document and the Committee and Board did not feel another expensive mailing was necessary. This Draft 3 of the CC&Rs was then sent to John P. Hays, Esq. for legal review and suggestions. Mr. Hays responded on January 14, 2009, and after further discussion, a few minor changes were made. We are now awaiting Mr. Hays' final review.

The Committee didn't always agree among themselves or with the feedback. We would find ourselves bogged down with wording and missed deadlines, but we kept going forward. We didn't even agree with some legal feedback, as we felt it tried to "urbanize" a rural environment. Always there was compromise.

The CC&Rs that are now in effect were put in place by the Developer in 1978, 1979 and 1981 as the various plats for the Ranch were filed in Cibola and McKinley County. They

need improvement. Some of the language is ambiguous, some conflicting, some no longer needed, and some need to be altered. There are differences among them in their application to different parts of the ranch. We have gone through a long, thorough process to draft a single new document that will apply everywhere in Timberlake, that better meets the needs of today, and that will be much less likely to result in costly litigation.

Are the Amended and Restated CC&Rs perfect? I believe perfection is not obtainable, but striving for excellence is, and these are excellent. The Committee was consistently mindful of the interests of all landowners—people for whom their land is recreational, residential, or an investment.

The completed final Amended and Restated Covenants, Conditions, and Restrictions will be coming to you in the mail for your approval in a few weeks, and it is very important that you respond positively.

We have a chance now to take a great step forward, to clarify our rules, to bring them up-to-date, and to avoid more expensive litigation. When you get your package, please respond. We need an affirmative vote of 75% of our ownership—a failure to respond is the same as a no. The difference in success or failure is not entirely chance, but choice. Choices create change. Please choose change when your packet arrives.

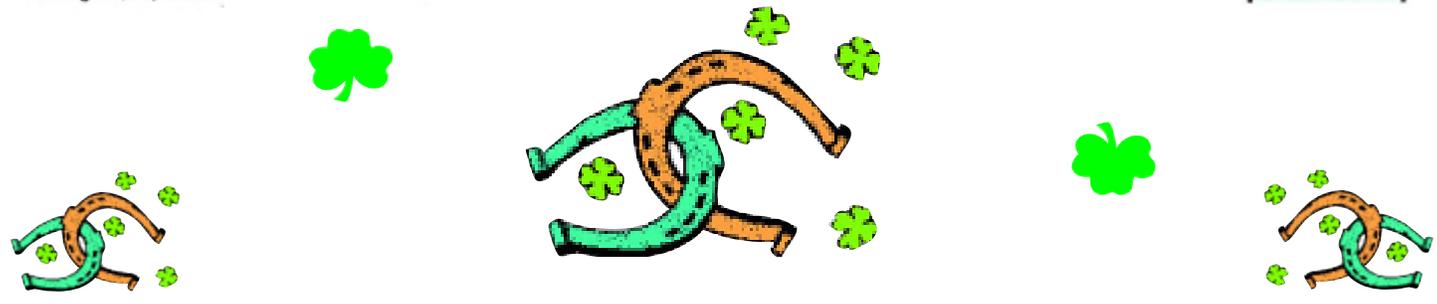
Even if there are one or two things you would change on the Amended and Restated CC&Rs, please vote "yes" on this, because the new CC&Rs are such a great improvement on the old. And let us know where you would change things for the next round—these new CC&Rs will be much easier to amend than the ones now in place.

So, for now, it is farewell from Timberlake, where the volunteers are strong, the deer are good looking, and the anticipation of spring and change is in the air. □ 

|  | 2008               |                    | 2009               |                      |                      |                           |
|--|--------------------|--------------------|--------------------|----------------------|----------------------|---------------------------|
| Treasurer report for Meetings<br>June 2009 | October            | November           | December           | January              | YTD Total            | <b>FY08/09<br/>Budget</b> |
| <b>INFLOWS</b>                             |                    |                    |                    |                      |                      |                           |
| <b>Assessment Fees total collected</b>     | <b>\$ 9,711.34</b> | <b>\$ 4,188.90</b> | <b>\$13,312.71</b> | <b>\$13,287.12</b>   | <b>\$139,828.65</b>  | <b>153,801</b>            |
| current yr collections                     | 7,700.18           | \$ 2,727.57        | \$13,111.12        | \$12,722.08          | \$133,955.87         |                           |
| previous yrs collections                   | 2,011.16           | \$ 1,461.33        | \$ 201.59          | \$ 565.04            | \$ 5,872.78          |                           |
| Assessment fee Woodland                    | \$ -               | \$ -               | \$ -               | \$ -                 | \$ 450.00            |                           |
| Key Income                                 | \$ 26.00           | \$ 21.00           | \$ 10.00           | \$ 16.00             | \$ 558.00            |                           |
| Donations                                  | \$ -               | \$ -               | \$ -               | \$ -                 | \$ 60.00             |                           |
| Finance Charges                            | \$ 330.00          | \$ 241.00          | \$ 210.00          | \$ 221.00            | \$ 1,687.00          |                           |
|  | <b>\$10,067.34</b> | <b>\$ 4,450.90</b> | <b>\$13,532.71</b> | <b>\$13,524.12</b>   | <b>\$142,583.65</b>  |                           |
| <b>OUTFLOWS</b>                            |                    |                    |                    |                      |                      |                           |
| Annual Meeting                             |                    | 0 \$ -             |                    | 0                    | \$ -                 | <b>1,250</b>              |
| Insurance-Directors & Officers             |                    | 0 \$ -             | \$ -               | \$ -                 | \$ 1,957.00          | <b>2,000</b>              |
| Meetings and socials                       |                    | 0 \$ -             |                    | 0 \$ -               | \$ -                 | <b>300</b>                |
| Office Supplies & Exp                      | \$ 307.00          | \$ 100.00          | \$ 44.00           | \$ 594.00            | \$ 1,325.00          | <b>2,500</b>              |
| Postage                                    | \$ 3.00            | \$ 19.00           | \$ -               | \$ 11.00             | \$ 426.00            | <b>2,000</b>              |
| Subscriptions and Dues                     | 0 \$ -             | \$ -               | \$ -               | \$ -                 | \$ 10.00             | <b>10</b>                 |
| Mileage - Board Members                    | 0 \$ -             | \$ -               | \$ -               | \$ 31.00             | \$ 31.00             | -                         |
| <b>TOTAL</b>                               | <b>\$ 310.00</b>   | <b>\$ 119.00</b>   | <b>\$ 44.00</b>    | <b>\$ 636.00</b>     | <b>\$ 3,749.00</b>   |                           |
| <b>Comminications</b>                      |                    |                    |                    |                      |                      |                           |
| Newsletter                                 | 0 \$ -             | \$ 245.00          | \$ -               | \$ -                 |                      | <b>700</b>                |
| Website                                    | 410 \$ -           | \$ -               | \$ -               | \$ -                 |                      | <b>200</b>                |
| <b>TOTAL</b>                               | <b>\$ 410.00</b>   | <b>\$ 245.00</b>   | <b>0</b>           | <b>0</b>             | <b>\$ 909.00</b>     |                           |
| <b>Financial</b>                           |                    |                    |                    |                      |                      |                           |
| Accounting                                 | \$ 640.00          | \$ 640.00          | \$ 790.00          | \$ 640.00            | \$ 5,018.00          | <b>8,300</b>              |
| Audit                                      | 0 \$ -             | \$ -               | \$ -               | \$ -                 | \$ -                 | -                         |
| Taxes - Real Estate                        | 0 \$ -             | \$ 1,011.00        | \$ -               | \$ 21.00             | \$ 1,032.00          | <b>1,700</b>              |
| Taxes - Income                             | 0 \$ -             | \$ -               | \$ -               | \$ -                 | \$ 862.00            | <b>3,500</b>              |
| <b>TOTAL</b>                               | <b>\$ 640.00</b>   | <b>\$ 1,651.00</b> | <b>\$ 790.00</b>   | <b>\$ 661.00</b>     | <b>\$ 6,912.00</b>   |                           |
| <b>Legal</b>                               |                    |                    |                    |                      |                      |                           |
| Legal                                      |                    |                    |                    |                      |                      |                           |
| Legal - Casutt                             | \$ 1,290.00        | \$ (608.00)        | \$ 204.00          | \$ (5,030.00)        | \$ (1,503.00)        | <b>17,500</b>             |
| Lien & Notary Fees                         | \$ -               | \$ -               | \$ -               | \$ 9.00              | \$ 36.00             | <b>250</b>                |
| <b>TOTAL</b>                               | <b>\$ 1,290.00</b> | <b>\$ (608.00)</b> | <b>\$ 204.00</b>   | <b>\$ (5,021.00)</b> | <b>\$ (1,467.00)</b> |                           |
| <b>RANCH OPERATIONS</b>                    |                    |                    |                    |                      |                      |                           |
| <b>Insurance</b>                           |                    |                    |                    |                      |                      |                           |
| Insurance - Workers Comp                   | \$ 112.00          | \$ 113.00          | \$ 113.00          | \$ 113.00            | \$ 752.00            | <b>800</b>                |
| Insurance - Liability & Bond               | \$ 701.00          | \$ 701.00          | \$ 1,401.00        | \$ -                 | \$ 5,596.00          | <b>8,570</b>              |
| <b>TOTAL</b>                               | <b>\$ 813.00</b>   | <b>\$ 814.00</b>   | <b>\$ 1,514.00</b> | <b>\$ 113.00</b>     | <b>\$ 6,348.00</b>   |                           |
| <b>Employee Wages &amp; Taxes</b>          |                    |                    |                    |                      |                      |                           |
| <b>Wages</b>                               |                    |                    |                    |                      |                      |                           |
| Grader Time (\$4,900)                      | 0                  |                    | \$ 82.00           | \$ -                 | \$ 921.00            |                           |
| Brushhog Time                              | 0                  |                    |                    | \$ -                 | \$ -                 |                           |
| Snowplow (\$2,500)                         | 0                  |                    |                    | \$ -                 | \$ -                 |                           |
| Sanitation & Janitorial (W-9) (\$1,400)    | 0 \$ -             | \$ 180.00          | \$ 75.00           | \$ -                 | \$ 715.00            |                           |
| Ranch Hand (\$5,000)                       | 0                  |                    |                    | \$ -                 | \$ 215.00            |                           |
| <b>Taxes</b>                               |                    |                    |                    |                      | \$ -                 |                           |
| Taxes - FICA                               | \$ -               | \$ -               | \$ 7.00            | \$ -                 | \$ 88.00             | <b>811</b>                |

|                                       |                    |                    |                    |                    |                     |                |
|---------------------------------------|--------------------|--------------------|--------------------|--------------------|---------------------|----------------|
| Taxes - Federal Unemployment          | \$ -               | \$ -               | \$ 1.00            | \$ -               | \$ 9.00             | 99             |
| Taxes - State Unemployment            | \$ 9.00            | \$ -               | \$ 4.00            | \$ -               | \$ 70.00            | 670            |
| Mileage - Foreman & Employees         |                    | \$ -               | \$ -               |                    | \$ -                | -              |
| <b>TOTAL</b>                          | <b>\$ 9.00</b>     | <b>\$ 180.00</b>   | <b>\$ 169.00</b>   | <b>\$ -</b>        | <b>\$ 2,018.00</b>  |                |
| <b>Buildings &amp; Commons</b>        |                    |                    |                    |                    |                     |                |
| Operating Supplies                    | 0                  | \$ -               | \$ -               | \$ -               | \$ -                | 1,000          |
| Building Maintenance & Repairs        | 0                  | \$ -               | \$ 0               | 0                  | \$ -                |                |
| Ranch House                           | 17                 | \$ 46.00           | \$ -               | \$ -               | \$ 76.00            | 1,000          |
| Bath House                            | 67                 | \$ -               | \$ -               | \$ -               | \$ 97.84            | 1,000          |
| Common Land Maintenance/Repairs       | 322                | \$ 1,691.00        | \$ -               | \$ -               | \$ 3,405.00         | 1,000          |
| Sanitation & Janitorial Supplies      | 9                  | \$ -               | \$ -               | \$ -               | \$ 103.00           | 175            |
| <b>TOTAL</b>                          | <b>415</b>         | <b>\$ 1,737.00</b> | <b>0</b>           | <b>\$ -</b>        | <b>\$ 3,681.84</b>  |                |
| <b>Equipment Maint. &amp; Repairs</b> |                    |                    |                    |                    |                     | <b>10,000</b>  |
| Dump Truck                            | 20                 | \$ -               | \$ 104.00          |                    |                     |                |
| Grader                                | 0                  | \$ -               | \$ 116.00          |                    |                     |                |
| Pick Up                               | 0                  | \$ -               | \$ 116.00          |                    |                     |                |
| Tractor                               | 0                  | \$ -               | \$ 1,164.00        | \$ 1,299.00        |                     |                |
| Other                                 | 0                  | \$ -               | \$ -               |                    |                     |                |
| <b>TOTAL</b>                          | <b>\$ 20.00</b>    | <b>0</b>           | <b>\$ 1,500.00</b> | <b>\$ 1,299.00</b> | <b>\$ 2,892.00</b>  |                |
| <b>FUEL</b>                           |                    |                    |                    |                    |                     |                |
| Gasoline                              | \$ 140.00          | \$ -               | \$ -               | \$ 110.00          | \$ 480.00           | 2,800          |
| Dyed Diesel                           |                    | \$ 964.00          | \$ -               | \$ -               | \$ 3,368.00         | 7,200          |
| <b>TOTAL</b>                          | <b>\$ 140.00</b>   | <b>\$ 964.00</b>   | <b>0</b>           | <b>\$ 110.00</b>   | <b>\$ 3,848.00</b>  |                |
| <b>ROADS</b>                          |                    |                    |                    |                    |                     |                |
| Gravel                                | \$ 7,381.00        | \$ 8,745.00        | \$ 325.00          | \$ -               | \$ 20,875.00        | 21,000         |
| Road Maintenance & Repairs            | \$ -               | \$ -               | \$ 720.00          | \$ -               | \$ 1,200.00         | 7,000          |
| <b>TOTAL</b>                          | <b>\$ 7,381.00</b> | <b>\$ 8,745.00</b> | <b>\$ 1,045.00</b> | <b>0</b>           | <b>\$ 22,075.00</b> |                |
| <b>UTILITIES</b>                      |                    |                    |                    |                    |                     |                |
| Telephone                             | \$ 38.00           | \$ 59.00           | \$ 38.00           | \$ 74.00           | \$ 254.00           | 660            |
| Electric & Propane                    | \$ 104.00          | \$ 186.00          | \$ 48.00           | \$ 70.00           | \$ 687.00           | 1,500          |
| <b>TOTAL</b>                          | <b>\$ 142.00</b>   | <b>\$ 245.00</b>   | <b>\$ 86.00</b>    | <b>\$ 144.00</b>   | <b>\$ 941.00</b>    |                |
| <b>NOTES PAYABLE</b>                  |                    |                    |                    |                    |                     |                |
| Copier                                | \$ 136.00          | \$ 136.00          | \$ 136.00          | \$ 136.00          |                     | 1,632          |
| Grader                                | \$ 1,432.00        | \$ 1,441.00        | \$ 1,450.00        | \$ 1,459.00        |                     | 17,457         |
| Interest Expense                      | \$ 196.00          | \$ 173.00          | \$ 165.00          | \$ 156.00          |                     | 1,919          |
| <b>TOTAL</b>                          | <b>\$ 1,764.00</b> | <b>\$ 1,750.00</b> | <b>\$ 1,751.00</b> | <b>\$ 1,751.00</b> | <b>\$ 12,267.00</b> |                |
| Contingency Fund                      |                    |                    |                    |                    |                     | 10,000         |
| <b>Total Outflows</b>                 | <b>\$13,334.00</b> | <b>\$15,842.00</b> | <b>\$ 7,103.00</b> | <b>\$ (307.00)</b> | <b>\$ 64,171.84</b> | <b>150,303</b> |

**Amt Bank Accts: 2/18/09**  
 Deposit: \$64,214.70  
 Blue: \$14,786.24  
 Reward: \$1,518.67  
 savings: \$77,218.76



# TREASURER'S REPORTS

## November 2008

See spread sheet (pg 2-3) for detailed income and expenses for the month of November 2008.

### Summary:

Income: \$4,450.90

\$1,461.33 collected for outstanding accounts and \$2,727.57 for current year dues.

Expenses: \$15,842.00

### Significant expenses were:

- Newsletter: \$245.00
- Property taxes: \$1,011.00  
(McKinley County = \$183.02, Cibola = \$828.45)
- Land maintenance and repair: \$1,691.00 (replace water pressure tank
- Installed water meter plus parts)
- Gravel: \$8,745.00 – 444.43 tons  
plus C&E fuel charges)
- Dye Diesel: \$964.00
- Lawyer fees **-\$608.00**  
(settled on past due Association dues)
- Notes payable: \$1750.00 a month.
- One lot owner and one landowner with two lots, owe greater than \$1000.00.
- Invoices for second half of 2008-2009 Association dues sent January 5, 2009.

## December 2008

See spread sheet (pg 2-3) for detailed income and expenses for the month of December 2008.

### Summary:

Income: \$13,532.71

\$201.59 collected for outstanding accounts and \$13,111.12 for current year dues.

Expenses: \$7,103.00

### Significant expenses were:

- Christmas gifts to employees: \$300.00
- Equipment maintenance and repair: \$1,500.00 for repair to snow plows, service and clutch repair on tractor.
- Gravel: \$325.00 for 16.32 tons and \$720.00 for culvert clean outs, moving dirt and digging hole last fall.
- Lawyer fees \$204.00

Notes payable = \$1750.00 a month.

Two landowners owe greater than \$1000.00. Both lots have liens, one in negotiation with Realtor the other landowner not responding to request for payment.

At the end of the month landowners who are more than eighteen months to two years past due will have liens applied to their lots.



## Treasurer's Report for January 2009 Open Broad Meeting 2-21-09

See spread sheet (pg 2-3) for detailed income and expenses for the month of January 2009.

### Summary:

Income: \$13,524.12

\$565.04 collected for outstanding accounts

\$12,722.08 current year plus key income and finance charges.

Expenses: **-\$307**

- Received reimbursement lawyer fees \$728.44
- Redemption for lot CCT49 \$6312.88 amount divided. (Lawyer fees, allowance for doubtful accounts and foreclosed properties accounts)

### Significant expenses include:

- Equipment maintenance and repair: \$1,299.00 for repair to tractor
- Lawyer fees \$98.00

Notes payable = \$1750.00/mo.

- One landowner owes greater than \$1000.00.
- Approximately 10 lots will have liens applied by next month.
- Working on Budget for 2009-2010 in March.

## Summary of Treasurer's report October, November, December 2008 and January 2009

Please see the spread sheet (pg 2-3) for detailed income and expenses for the above time period.

Collections: Association dues

- Year to date total for Fiscal year 2008-2009:  
\$133,956 / \$153,801 (budget amount) = 87%
- Year to date total for previous years (2001-2008):  
\$5,873 / \$10,526 = 55%
- Lots delinquent greater than one year: 14
- Lots delinquent one year plus interest: 26

Expenses:

- Year to date fiscal year 2008-2009: \$64,172 / \$150,303  
(budget amount) = 43% of total budget spent the first seven months of this fiscal year.

### Savings:

- Reserve saving = \$77,218.76
- Reward saving = \$1,518.67

At this time \$19,845 is still outstanding for the association dues. Eight new liens have been applied to those lots that are past due 18 months to two years. Lots owing more than \$1,000.00 will be sent to TRLA's lawyer for collection and possible foreclosure proceedings. When an account is sent to the Lawyer the landowner is responsible for the additional lawyer and filing fees.

For those landowners who are financially strapped we encourage you to please call the Treasurer to arrange a payment plan to avoid the eighteen percent (18%) interest that is added in on the first day of the month to all delinquent accounts.



### Information on Your Current Board of Directors

- Linda Pedersen, President  
(Bylaws / CC&R Revision Committee)  
(term ends May, 2009)  
HC61 Box 833  
Ramah, NM 87321  
Phone: (505) 783-2465  
E-mail: [pete137@juno.com](mailto:pete137@juno.com)
- Gary Blum, Director, Secretary  
(Equestrian Chairperson / Commons)  
(term ends May, 2010)  
PO Box 547  
Quemado, NM 87829  
Phone: 505.772.2539  
E-mail: [garyb@starband.net](mailto:garyb@starband.net)
- Eileen Domer, Treasurer  
(Commons Committee)  
(term ends May, 2010)  
HC 61 Box 807  
Phone: (505)783-4045  
Cell 505.713.1570  
Ramah, New Mexico 87321  
[tedomer@wildblue.net](mailto:tedomer@wildblue.net)
- Duane Barbano, Director  
(Communications / Architectural Committee Member /  
Bylaws & CC&R Committee )  
(term ends May, 2009)  
HC 61 Box 819  
Ramah, NM 87321  
Phone: (505) 783-4190  
E-mail: [dbarbano@hughes.net](mailto:dbarbano@hughes.net)
- Jerry Toellner, Director (Roads Chairperson)  
(term ends May, 2010)  
HC 61 Box 842  
Ramah, New Mexico 87321  
(505) 783-4373 ☐



### TRLA OPEN MEETING DATES

- March 21, 2009
- May 23, 2009 (annual meeting) ☐



### REGULAR EMERGENCY NUMBERS

- For ALL Emergencies 911
- Timberlake Vol. Fire Department 783-4221
- Game and Fish Warden 783-4882
- McKinley County Sheriff 505-722-7205
- Cibola County Sheriff 505-287-9476
- Poison Control 1-800-222-1222 ☐

### HELP US SAVE MONEY

There are currently three-hundred and fifteen (315) landowners requiring a hard copy of the Timberlake Times along with occasional mailings.

Two-hundred and fifty-nine (259) landowners are able to receive these communications via internet E-mail and the savings in postage and printing adds up.

If you have an E-mail and would like to help save the Association money on postage, please contact L. Pedersen at [pete137@juno.com](mailto:pete137@juno.com). These E-mails are not shared and all communication is virus protected.

Note:

Because this has been a quiet time for Timberlake Ranch and the Board of Directors, the usual Commons Report, Architectural/Maintenance Report and Roads Committee Report found in the main body of the newsletter is covered in the February 21<sup>st</sup> Quarterly Meeting Minutes. ☐

### HOME FOR SALE OR LEASE

Custom home, approximately two years old on 8 acres of wooded land. Spectacular views of Ramah Lake and the red rock bluffs. Centrally located in Timberlake Valley on Shorecliff Drive in Timberlake Ranch in Ramah, NM.

Beautiful walk to the lake.

Amenities include:

- 3 Bedrooms
- 3 Baths
- Fireplace
- Large studio or family room
- Central heat and full laundry
- New appliances

For information, call Fitz Maurice at 949-436-2231 ☐

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# TRLA QUARTERLY BOARD MEETING

## Timberlake Ranch Community Center, February 21, 2009

Gary Blum, Secretary

### ATTENDANCE:

Board members Eileen Domer, Duane Barbano, Jerry Toellner, Gary Blum and Linda Pedersen. Three landowners present.

Linda Pedersen called the meeting to order at 10:00 a.m. Quorum established.

Gary Blum, Secretary, read the minutes from the October 27, 2008 meeting. Jerry moved to accept the minutes. Eileen seconded. Minutes approved.

### TREASURER'S REPORT:

Eileen Domer (report included on page 4 in the body of this newsletter).

### ROADS REPORT:

Jerry Toellner reported the following:

- Ditch work that was done in the flats last summer has prevented melting snow water from flowing over the Timberlake Road in the flats.
- Some roads will need gravel after ruts dry.
- Pat Simpson, Cibola County Commissioner District 4, contacted him concerning road dedication between cattle guard and Fires Station. Lloyd Felipe, County Commissioner District 5, has not answered his calls and he will pursue follow up with Pat Simpson. District 5 covers Timberlake Ranch.
- Sagebrush needs work this summer past Elk going north. Culvert has to be placed on Elk before Roadrunner and road needs to be built up. Extra dirt may be available from contractor after excavating for new home.
- Road to boat ramp needs improving this summer. Culverts are plugged and bar ditches are non-existent.

Jerry thanked Dick Knowles for his volunteer hours at Christmas time. Dick used the TRLA tractor snowplow to help open up the side roads. Jerry also thanked Ron Mansfield for his time and the use of his truck to plow snow, along with Ron's son-in-law for riding shotgun. There was up to forty inches (40") of snow on the ground. Grader is running good. It, however, cannot be used on certain side roads, i.e. upper Sagebrush and Quail Rd. The tractor snowplow had to be rebuilt.

Review of budget in the next few months will determine how much more money can be spent on gravel above what was budgeted for the Fiscal Year.

### ARCHITECTURAL/MAINTENANCE COMMITTEE:

Duane reported that plans were received and approved for a new home in Unit 1 McKinley. He received word from contractor that plans will be submitted for new home in Unit 9 McKinley.

### CC&R'S REVISION REPORT:

On January 14<sup>th</sup> John Hays returned Draft 3 with his legal changes and suggestions. Document was returned to him on February 6<sup>th</sup> for finalizing and answers to legal questions for adoption. It is the hope of the Committee that they will be ready for mailing to landowners by the end of March.

### NEWSLETTER UPDATE:

Duane wants to get the newsletter out by the 1<sup>st</sup> of March. He needs articles from board members and landowners.

### COMMONS REPORT:

To be addressed in Old Business.

### EQUESTRIAN REPORT:

Gary reported that Equestrian signs would be going up as soon as posts are made available. This summer the Hitching Post to the east of Ranch House will be built. If anybody has extra 8" to 10" steel pipe that can be donated, please contact him. If not, posts will be made out of Cedar.

### OLD BUSINESS:

#### WELL ISSUES/WATER METER READINGS

The water meter at the Ranch House was installed on October 7, 2008. Since installation the average usage had been approximately 270 gallons per day. A long discussion ensued. Consensus is to revisit the legal opinions from John Hays and begin the process of setting a policy regulating the well after speaking to the major users of the water.

#### CIBOLA PROPERTY TAXES ON CLOHCHINTOH 74 (CCT) (COMMONLAND):

The Board received word on 19 December 2008 from Cibola Co. Assessors Office that CCT 74 had been appraised after our protest and reduced it to the original 1990 valuation.

### NEW BUSINESS:

Duane reported that the copier lease expires on August 4th. Wells Fargo and Imaging Concepts need to be notified 120 days in advance if the lease is to be renewed. The copier currently costs TRLA about \$171 a month. Besides the 3-4 newsletters a year and Annual Meeting packet, the only large mailing in the next six months will be the final Amended and Restated CC&Rs.

Since there are only about 320 hard copies of the newsletter to print due to the ability to send it through E-mail to landowners, there is no longer justification for the monthly lease expense. Duane moved and Gary seconded not to renew the lease. Motion passed unanimously. Eileen will notify Wells Fargo and Imaging Concepts.

Three quotes for printing newsletter in the future were obtained. All quotes were in the \$185 – \$230 range. It was agreed to take the PDF of March newsletter and have one copy run off to observe the quality of printing by vendor.

The possibility of purchasing of a small tabletop model copier that could be used in the future for occasional printing needs was tabled.

### PURCHASE OF PA SYSTEM:



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## Quarterly Meeting, cont'd from page 6

Owner of PA system used at the TRLA annual meeting in May of 2007 is willing to sell it for \$100. Duane moved and Jerry seconded to purchase the system. Motion passed unanimously.

### SIGNS FOR CCT 74 AND DEER RUN:

Eileen moved and Duane seconded to purchase signs for CCT 74 and Deer Run. The signage will designate CCT 74 as Private Property and no off road vehicles due to extreme fire danger. Deer Run sign will alert vehicles that they are entering a deed restricted area—No Hunting and No Shooting.

### OFFICIAL TRLA STATIONERY:

Linda presented a few examples and one quote for stationery and envelopes. Consensus was to get additional samples of letterhead and quotes and tabled until the next meeting.

### THISTLE BURNING AT BOAT RAMP:

Private landowner off Timberlake has requested with the oversight of the volunteer Fire Dept. to burn thistle overgrowth on his property. Board was contacted as some of this thistle overgrowth is also on TRLA Common Land. Board agreed to allow burning as long as Fire Department is overseeing

Eileen will purchase an additional 100 keys for the common areas.

### ROAMING DOG PACKS:

It has come to the attention of the Board that a pack of five (5) dogs have been seen in and around the Timberlake Rd and on Sagebrush areas. These dogs apparently have more than one owner. They have killed livestock. Board will put article in newsletter which will include phone numbers and county laws (see page 8).

With no further business to conduct Duane Barbano moved to close the meeting and Jerry Toellner seconded at 11:45 a.m. □



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## THE BEAR FACTS

Bears will be making their appearance from the dens about mid-to late March. Here are some facts and safety reminders that you may want to keep handy.

- Never feed a bear.
- Human trash accounted for 70% of bear-human conflicts in one study.
- Bears generally avoid humans unless accustomed to eating human food or garbage.
- Roughly 85% of a black bear's diet is vegetable material.
- Black bears occur in all mountainous areas of New Mexico.
- Adult black bears weigh between 125 and 400 pounds and are strong enough to rip doors off cars. Cubs weigh 10-16 ounces at birth and are born while the mother is in the den during the winter.
- Black bears can run up to 35 miles an hour, climb trees and swim well. □

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## SNOW REMOVAL

Snow removal started with a bang over the holidays. Around 40" (more in some areas and less in others) of snow blanketed Timberlake on the 22<sup>nd</sup> and 23<sup>rd</sup> of December. Jerry Toellner on the grader, Dick Knowles on the Zetor tractor and Ron Mansfield using his own truck logged well over 60 hours of volunteer labor to keep the main Timberlake Road open along with side roads where fulltime residents live. McKinley County snow removal equipment and employees were instrumental in helping to further clear the main Timberlake Road in the next few days.

Several chose to take advantage of a winter wonderland and visited Timberlake over the holidays, experiencing first hand the mischief Mother Nature wreaks with several inches of snow and ice.

The Board revisited snow removal policy after receiving calls asking for TRLA equipment and volunteers to clear driveways, remove snow berms, pull stuck vehicles out, etc.



1. TRLA will begin snow removal operations when six inches (6") of snow accumulates. Snow depth checks would occur on the northwest side (Halcon) northeast (Pinion), the flats and southeast (Monte Vista). Note: The previous policy stated four inches (4"). It is a waste of money and time to remove only two inches (2") as the plows leave approximately two inches (2") on the roads.

2. Timberlake Road gets cleared first, followed by roads leading to full-time resident's homes. When time permits, and conditions are favorable (i.e., roadbeds are frozen and not muddy), snow plowing continues until all roads have been cleared.

3. TRLA equipment cannot be used to clear driveways, remove berms, or for getting vehicles unstuck. This is an insurance and potential litigation issue. Residents must make arrangements for their own snow removal from personal property and driveways, including any berm left by the plows when roads are cleared. This is every individual's responsibility and not the responsibility of TRLA.

Next fall the Board hopes to have a list of those individuals available who can be contracted to plow driveways for the landowners.

The Board wishes to thank Jerry Toellner, Dick Knowles and Ron Mansfield for their long hours of snow removal. We appreciate your hard work and dedication in clearing the roads and working so many hours during storms to do so. □



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## SEE A BEAR — BACK AWAY

If you encounter a bear, follow these safety rules.

- **Do not run!** If you see a bear, stay calm.
- **Stand upright.** Slowly wave your arms.
- **Back away.** Slowly back away from the bear.
- **Look for cubs.** Don't come between a mother and her cubs.
- **Fight back.** If attacked, fight back aggressively. □

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## RANCH HOUSE WELL UPDATE

### Original Intentions and Useage



On October 7, 2008 a meter was installed on the well at the Ranch House. This was done to see how much water is actually being used as a means of documentation for the Zuni River Basin Adjudication. The well is identified in the hydrographic survey and report as a "domestic" well and its usage should not exceed 0.7 acre/feet per year (or 228,096 gallons a year). This amounts to a total of 624 gallons a day.

We are currently using an average of 270 gallons a day since metering. That means in the very slowest time of the year for Timberlake, we are nearing half of our allotted amount of water.

Given that the water from the well is a limited resource and the constant strain upon the pump and plumbing, the Board will be formulating a policy to regulate the usage of the water in the following months. The legal opinion obtained in July 2008, feedback from landowners, and speaking with the major users of the water will help to set this policy. □

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## TAX PROTEST PAYS OFF

In April, 2008 the Board submitted petitions for protesting the Cibola County Assessor's valuation of Common Land. These four (4) parcels included the Horse Pasture, 100' easement to the north of the horse pasture, field of stream and ClohChinToh (CCT) 74.

Increases ranged from a gigantic six-thousand to twenty-thousand percent (6000% to 20,000%) increase in tax liability. Compromise was reached on three of the parcels, but CCT 74 remained unreasonable.

On November 12<sup>th</sup> Eileen Domer and Linda Pedersen met with Pablo Savedra (Cibola County Assessor) and Sandy Ortiz (Chief Appraiser) to continue the protest and plead the Board's case. An additional form was filled out and submitted.

Notification came on December 19<sup>th</sup> that the Assessor's Office had revaluated the protest and reduced the value back to the original 1990 valuation. Release of the protest was signed on January 10<sup>th</sup>. This saved TRLA more than \$350.

The Board wishes to thank Mr. Savedra and Mr. Ortiz for their willingness to work with the Board and save potential legal fees. □

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## ANIMAL CONTROL IN TIMBERLAKE

It has been brought to the attention of the Board that a pack of four (4) to five (5) dogs have been spotted on Timberlake Road and Sagebrush areas. They have caused livestock destruction.

Not only do the CC&Rs address the issue of allowing animals to leave premises without owner control, but so does the Cibola and McKinley County Animal Control regulations.

### Cibola County Ordinance NO. 01-01

Section VII C. It is unlawful for any person to keep or harbor a known vicious animal. A vicious animal is defined as any animal which bites, has bitten, or in any manner attacks or attempts to attack or bites any person within the county or any animal, which, unprovoked, kills or maims any animal owned by a person. Any attack to a person, livestock or domestic animal by a vicious animal or any animal displaying traits of a vicious animal may be repelled by the use of reasonable force, including deadly force. Section VIII L. If any dog shall kill or injure any livestock or poultry, the owner or keeper of such dog shall be liable for all damages that may be sustained thereby, to be recovered by the party so injured before any court having competent jurisdiction, and it shall be unlawful to keep such dog after it is know that the dog is liable to kill livestock or poultry, and it shall be the duty of the owner to kill, or have killed, the dog upon order of the court after a finding that the dog has killed or injured livestock.

Section XIA. It shall be unlawful to keep, maintain, harbor or possess upon the premises of any one household more than four (4) mature dogs unless the owner or person in charge thereof has obtained a permit from the Animal Control Officer to operate a kennel, or unless these animal have been neutered or spayed and are otherwise maintained in a humane and responsible manner as specified by this Ordinance.

### McKinley County Ordinance March 1992

6-2-6A: No person or household shall own, harbor or keep more than three (3) dogs and three (3) cats over the age of three (3) months. This limit shall not apply to any permitted premises. County residents may apply for permission to keep more than the above number with approved facilities.

6-2-6E: It is unlawful for any person to keep or harbor a vicious animal. A vicious animal is defined as any animal which bites, or in any other manner attacks or attempts to attack a person or animal. Any vicious animal shall be humanely destroyed by its owner or surrendered to the Center for humane destruction.

Both counties require rabies vaccination on all dogs over the age of three (3) months.

Animal Control advises to try a take pictures to help in the identification of animal ownership. They recommend contacting the County Sheriff's Dept. and make an official complaint before calling Animal Control. Citations can then be issued to the owners.

Cibola County Sheriff 505.287.9476

Cibola Animal Control 505.287.4404

McKinley County Sheriff 505.722.7205

McKinley Animal Control 505.726.1453 □



## BLACK BEARS LIVE AMONG US

by Fran Barbano



Bears have always fascinated humans. All too often, our interest in bears is misinformed and marred by inaccurate beliefs.

On the one hand, we feel a kinship with bears, due partly to the traits we have in common. In addition, bears occupy a distinct, often exalted place in folklore, mythology, legend and literature and indigenous cultures in the Southwest have incorporated bears into their system of belief.

Their popularization in the form of cuddly teddy bears such as Pooh and Yogi helped create a potentially dangerous misconception in the minds of children and adults. Associating these fictional bears with wild bears regularly leads people to risk serious harm in their attempt to befriend these powerful wild mammals.

Many of us also have a deep fear of bears. Sensational depictions of bears in movies, stories, and tall tales misrepresent actual bear behavior and leave us with erroneous impressions of the bear's ferocity and viciousness.

The factual information about these remarkable animals is more fascinating than our romantic and sensational misconceptions.

Historically, both black bears and grizzlies lived in New Mexico. Grizzlies were common in open grasslands as well as forested areas and were more aggressive than black bears. Grizzlies evolved primarily on the plains where cover is scarce so they tend to stand and fight rather than flee. They are more predatory and carnivorous than black bears. They were hunted to near extinction and when laws were passed to protect them, it was too late. Their numbers were too small and reproductive rates too low. The last recorded grizzly in New Mexico was killed in 1931 north of Silver City.

By contrast, black bears are more reclusive animals. They evolved in the forests where flight behavior (scrambling up a tree) rather than confrontation proved to be more successful in dealing with humans. Black bears are smaller overall and more agile for climbing than grizzlies. This allows black bears to forage in dense, hidden areas.

The black bear is not a threatened or endangered species in the West. Their numbers are closely watched. And the current New Mexico population is estimated at 5,000–6,000. Due to their mating habits and times, wildlife management policies take care to prevent over-hunting of black bears. Our black bears breed between mid-May and July but give birth in the winter in the den in January or February with a litter size of one or two cubs. Cubs venture out of the den in April or May. They are seen in a variety of colors including black, brown, cinnamon (the most common color), reddish and blonde but are all called black bears. The male can weigh up to 400 pounds, but generally they average about 250. Females weigh between 150 and 180 pounds. Their life span may exceed 30 years.



### FEED A BEAR—KILL A BEAR

It is shocking but factual that the majority of bear deaths, apart from hunting, are directly attributed to our own ignorance, carelessness, laziness or intentional irresponsibility with food.

As human populations increase and we encroach further into bear country, we unwittingly create problems for bears and ourselves. Black bears have a natural fear of humans, instinctively avoiding us but the scent of easily obtained food is irresistible to bears, especially during times when food is scarce. A snack left

inside a tent, unwashed dishes at a campsite, pet food on the porch, garbage in cans outside, and even hummingbird feeders can entice hungry bears. The bears do not normally attack people unless they are cornered or injured. However, contact with humans can radically alter bear behavior. Black bears have been known to invade tents and smash windshields and ice chests in search of an easy meal. The intentional baiting of bears with food by people who want to photograph them or see them up close is dangerous, illegal, and often results in dire consequences. That sad truth is that if you introduce human food to a bear it will not be alive much longer. If you feed a bear, you kill a bear.

### CAN YOU TRANSPLANT A “PROBLEM” BEAR?

Yes — and no. Most “problem” bears are young, on their own for the first time, and don't yet have their own territory. Our problem as humans, is trying to find a place to “take” a problem bear. You can't take it back to where it was as it has no territory there, and other bears would kill or drive it away. You can't drive 200 miles to another forest and just “dump” the bear; the resident bears will probably kill it. A relocated bear will travel vast distances to find its way “home.” Once home, the bear will still not have a territory, will resume its nuisance behavior at campgrounds or residences, and face the last and least desirable alternative — being destroyed.

### BEAR SIGNS



You can tell when a foraging bear has been near by seeing overturned rocks and stumps, and torn apart decaying trees and logs. It is thought that bears may mark territory by chewing, scratching, and rubbing against trees and wooden signposts. Look for indentations from teeth or claws or remnants of fur on posts and trees. Bear “trails” can be found in solitary as well as high density bear territory. The most frequent indicator of bear activity is ‘scat’ or fecal material. Scat content varies from vegetative matter to acorns, berries, or flesh/hair remains.



### IF YOU SEE A BEAR

Stay calm. Do NOT run. Chances are the bear is just as afraid of you as you might be of it. Move children and pets indoors or to a vehicle. If the bear has not seen you, calmly move away and leave the area. As you move away, talk to the bear to let it discover your presence. A surprised bear is a dangerous bear. Do NOT approach the bear but back away slowly while facing the bear. Do NOT make any sudden movements. Look for cubs. Do NOT come between a mother and her cubs. Bears often run from humans, but if it feels cornered or threatened, it could attack. Fight back aggressively if a bear attacks you. Black bear attacks have been driven away when people have fought back with rocks, sticks, binoculars, etc. Spraying cayenne pepper at close range at the face of an attacking bear can stop an attack. □

*Editor's Note:*



*This article was rewritten, with permission, from materials provided by the New Mexico Department of Game and Fish. It was reduced in size to accommodate the space available. If space permits in the next newsletter, more information will be provided. Bears will be coming out of their dens by the end of March.*



RETURN SERVICE  
REQUESTED

TRLA  
HC 61, Box 767  
Ramah, NM 87321-9611

## IN SEARCH OF BOARD CANDIDATES

In May there will be four (4) board vacancies to fill at the Annual Meeting—three (3)—three (3) year terms and one (1) two (2) year term. Positions held by Duane Barbano and Linda Pedersen will expire.

We have advertised in the August and November newsletter with no response. Some of you have voiced interest after your retirement and some feel they can't be of service because they are not fulltime Timberlake residents. Being a permanent resident isn't necessary as there is a constant electronic communication and being a Board member isn't a fulltime job.

In the next 6 weeks you may be getting a call from a Board member asking you to serve to help continue the progress in Timberlake. Think long and hard before you say no as you have already made a commitment to this area in choosing to live, camp or invest here, and protecting your investment comes with involvement and stewardship.

Thomas Huxley many years ago said, **“Do what you should do, when you should do it, whether you feel like it or not.”** ☐



*Note:*

*We would like very much to continue our Board with a volunteer base whose interest is in overall improvement and with individuals who have a “wilderness mentality” which simply means “doing what is best for the group.” No personal vendettas, no selfish reasons for joining except for positive change and service to our community.*

*After having watched Boards come and go (and we have had some really good ones) over the 20+ years that we have owned property here, this Board has been one of the best. Members are most giving of themselves and their time, and congenial in doing what is “best for the group” more so than some I've witnessed. They had no ulterior motives in joining—nothing “for themselves” in mind but simply an overall desire to be an asset to this community.*

*Thank you. ~Editor* ☐

