

## UNOFFICIAL MEETING MINUTES

TRLA Qtr. Board Meeting

February 18, 2006

Ranch House

**Attending:** Board members Richard Hawkins, Howard Williams, Joe DeLorenzo, Tim Gugliotta, David Skinner, and Linda Pedersen with approximately 30 landowners.

President Richard Hawkins called the meeting to order. He announced that Secretary Dario Rodriguez had resigned due to heavy job workload with the state. Minutes of the past three meetings were presented with additional copies for landowners. A motion was made that the minutes of the Sept. 17<sup>th</sup>, Nov. 19<sup>th</sup> 2005 and board conference call on Jan. 12<sup>th</sup>, 2006 be approved. Motion was seconded and carried.

### **Treasurer's Report:**

David Skinner presented the following:

#### **Revenue & Expenses as of January 31, 2006:**

|          | <b>Jan 06</b> | <b>YTD FY 05-06</b> | <b>YTD FY 04-05</b> |
|----------|---------------|---------------------|---------------------|
| Revenue  | \$9,140       | \$97,193            | \$96,452            |
| Expenses | \$8,026       | \$58,723            | \$52,609            |

#### **Balance Sheet Summary as of Jan 31, 2006:**

Total Current Assets: \$63,174.38  
Property & Equipment: \$133,595.64  
Total Assets: \$196,770.02

Current Liabilities: \$169.38  
Long Term Liabilities: \$27,039.44 (Copier and Grader)  
Capital \$169,730.58  
Total Liabilities & Capital \$196,770.02

#### **Assessment Fee Collection as of January 31, 2006:**

FY 05-06 Assessment Fees Received: \$75,401

FY 05-06 Assessment Fees Due: \$20,929

#### **Assessment Fee Breakout as of February 13, 2006:**

|                | <b>Assessment Fees Due</b> | <b># of Landowners</b> | <b># of Lots</b> |
|----------------|----------------------------|------------------------|------------------|
| FY 05-06       | \$19,814                   | 138                    | 170              |
| Previous Years | \$18,384                   | 47                     | 60               |
| Totals         | \$38,198                   | 138                    | 170              |

With payment of the remainder of the FY 05-06 assessment fees, the Association projects it will meet it's budgeted expenses for the remainder of the fiscal year.

Motion made, seconded and carried to approve Treasurer's report.

## **OLD BUSINESS:**

1. Lawsuits: There are still two pending – the Garcia case and the McGarry case. Since they are still pending, the board cannot go into any detail. The Allen case was settled and with that settlement, he has to pay his back dues. The court ruled against him and he is liable to pay his dues including the cost of the appeal. This is being handled by the lawyer for Mr. Allen and TRLA.
2. Road Update (This does not include the main Timberlake Road): Ranch Manager Bubba Ozee presented the following report:

### OBJECTIVES:

- Improvement of roads, including tree and brush control
- Gravel and ditch maintenance
- Maintenance and placement of culverts
- Weed and brush control at intersection
- Maintenance and upkeep of Ranch House property and equipment
- Snow Removal
- Maintenance of road signs
- Ranch House building code improvements
- Update Shower House
- Public Relations and pertinent Ranch information to landowners
- Review and evaluate Fire Chief's report on Ranch and Shower House
- Replace ranch signs, repair and paint fences

### JOBS ON-GOING

- Clean-up and maintenance including mowing and weed-eating at Ranch House and surrounding areas
- Maintain brush piles in burn area
- Shower house improvements
- Daily Ranch patrol
- Service Equipment
- Road maintenance
- Contact available landowners to introduce Ranch Manager and to receive input on roads and other areas of interest on the Ranch. Make every effort to improve communications between management and landowners
- Coordinate with Ranch employees
- Road trash pick-up

### JOBS CURRENTLY IN PROGRESS

- Road Maintenance (Maintain ditches, gravel, leveling road surfaces, cleaning culverts, trim trees and brush)

- General Maintenance of equipment and buildings, general upkeep of grounds
- Ranch patrol
- Road trash pick-up

PROJECTIONS

- Roads (Inspect, build, repair and maintain TRLA roads)
- Roads completed or near completion as described under priorities:
 

|            |                |
|------------|----------------|
| Pinion     | Copperweed     |
| Conejo     | Sagebrush      |
| Yucca      | Ranch House Rd |
| Pinetree   | Mail Box area  |
| Black Bear |                |
| Lobo       |                |
- Ditches on Timberlake Rd between Firehouse and Cattle guard
- Roads currently under evaluation: All Timberlake Roads
- Snow Removal

Bubba asked for help from landowners with the persistent problem of vandalism. There is no reason that his signs have to be run over at the brush pile. The south gate to the lake had the signs busted off, the fence broken, and that was not for entrance as the vandals had a key. At the Ranch House someone came in and stole the small heater that keeps the pipes from freezing up in the ranch manager’s office, unplugged all the heat tapes and turned the water on. He still doesn’t know if there is damage from the spigot to the bathhouse until spring when the water is turned on. All the locks have been changed and access to all the buildings have been limited. Landowners are to be vigilant and notify Bubba (783-2496) if they see anybody in an area that they think are not supposed to be there or actually see somebody doing damage. Bubba has also confronted four different sets of hunters on the property with rifles between the north gate and boat ramp. He has the authority to make a citizen’s arrest and/or give a warning for criminal trespass.

Bubba reported the roads are coming along fine. He now has a budget with a certain amount of dollars allotted and tries to save a little padding for emergency repairs. He is working on a very limited amount of money until the end of May so there will be a slowdown on road activity with only spot repairs and emergencies.

3. Highlights of Cibola County Board discussion on main Timberlake Road

Richard Hawkins reported that TRLA had requested that Timberlake Road be upgraded to a Class 3 from recreational. Cibola County utilized resources for an engineering report at our request and Cody Kelley (TRLA Lawyer). This is an extensive report at Cibola’s expense. It encompasses the road from Hwy 53 to the Box S – 11.3 miles.

Synopsis:

- McKinley and Cibola County have responsibility for maintenance of the Class 3 road
- Takes into consideration all the driveways that intersect the road, speed limits and everything else
- 2 ways to pave it: chip base and flexible base (asphalt)
- Chip base has weight limits – 2 tons/axle and would be posted; it would prohibit cement, building, dump and gravel trucks as well as well drilling rigs and will be enforced with citations. Max.3.3 million dollars for total distance
- Asphalt has no weight limits. Max. 4.65 million dollars
- Absorb cost with state, county and federal monies; bond taxed over 10 years. Approx. \$120/lot/year over ten years
- S curves and others would be addressed by engineers
- Road counter was placed on Timberlake road mid November to mid December – average was 188 vehicles/day which is not considered a peak time of year
- Copies of report were made and are available through Howard Williams
- TRLA will have to spend between \$5,000 and \$10,000 to have a grant written to acquire county, state and federal monies; every dollar we spend on the grant will potentially save money for TRLA landowners in the long run and is an investment
- This is a starting point and may take a few years depending on availability of monies
- Speeding is still a problem regardless of chip base or asphalt

**NEW BUSINESS:**

1. Dues/Liens

David Skinner reported that as of February 13<sup>th</sup> (FY '05-06), 138 landowners have yet to pay total assessment fees which accounts for 170 lots out of 743 total. That is \$19,814 that is still yet to be paid for this year and a second notice was sent the end of January. Amount not paid for previous years comes to \$18,384 Total past due fees = \$38,198. One more letter is going to be sent out at the end of the month to the 138 landowners that have not paid as a reminder along with a note that if TRLA does not receive payment by the end of March 31<sup>st</sup>, liens will be applied. Approx. \$700-\$1500 will not be recoverable due to the fact that the properties were sold without liens being applied prior to sales transaction. Liens cost \$9/lot. There are 47 landowners that have not paid for a significant amount of time. Liens guarantee TRLA will regain past dues plus the cost of the lien being placed and removed when the property is sold. It was proposed that the board wait another 6 months before placing liens on landowners that are behind for just '05-'06 fiscal year. There are about a dozen lots where assessment letters have been returned to Mary Ray due to change in ownership or change in address. This requires research in tracking people down. The title companies have the

- responsibility to insure that all liens have been cleared and a copy of the CC&Rs have been given to the new landowner.
2. Appointing of Architectural Committee  
Tim Gugliotta announced that state building permit people have been notified and we are now on record. If any plans are submitted for permits, they have to have our seal of approval first. He along with Linda Pedersen are starting out as the core committee and would like to make it a five-person committee involving three volunteer landowners. Landowners are reminded that any outbuilding requires a county a/o state permit and should be brought to the attention of the Architectural Committee. The Architectural Committee is bound by the CC&Rs. Any disagreement between landowner and the Architectural Committee would be brought before the board for resolution.
  3. Real estate sales and obligation to inform of CC&Rs  
This goes back to the title companies and real estate agents. If you have not received a copy of CC&Rs, your argument is with the Title Company and real estate agent.
  4. New landowners  
Richard Hawkins reiterated that all new landowners are to be made welcome and if they have any questions, they are to be directed to the board or Architectural Committee.
  5. Reward on illegal hunting  
Joe DeLorenzo announced that thanks to Bubba and Howard Williams, the board collected \$500 for turning in illegal hunters. That money is being placed in TRLA's reward fund for TRLA to reward others (\$500/incident)
  6. Upcoming Elections  
There are four positions that will be open in May. They are positions that were and are held by Dario Rodriguez, Joe DeLorenzo, Tim Gugliotta and Linda Pedersen. The board is seeking volunteers for the nominating committee. This committee is responsible for pulling together at least a minimum of a number of people for which there is board openings. That list then goes to the secretary (Linda Pedersen, acting) who prepares the ballot. Part of this preparation is for potential candidates to answer questions that will be brought forward so that along with the bio of the candidate, there will also be a statement on some of the issues that have been talked about. Suggestions from the membership are also welcome. The board will determine the longevity of the 4 positions (3 year and 2 year) to try and return to the original cycle set up by the by-laws.
  7. Ranch House conditions and what do we do to fix  
Was covered in the last meeting and an ongoing commitment. Fire Department did walk through and TRLA will be getting estimates for other upgrades (i.e. electrical, plumbing, etc.)
  8. Camping on Common Ground by non-profit groups  
The board has agreed to allow the scout group and potentially others to use common land for camping as long as it is controllable. If you have a group, please present it to the board for discussion.
  9. Discussion on Woodland paying dues and using facilities

This is strictly voluntary. If they wish to pay the fees, it is handled as a donation and they in turn are given a key (bathhouse/lake access) and road maintenance. There was a discussion as to legalities and agreement for further investigation.

#### 10. Ramah Lake and Mercury Contamination of Fish

A local student school science project looked at lake contamination issues in New Mexico and how it impacts the fish. Some bass from Ramah Lake were analyzed by a lab in Albuquerque and came back with elevated mercury levels. This is a problem statewide. The fish analyzed had .36-parts/million mercury contamination. Most of the mercury found in the lakes is methyl mercury and it comes from coal burning plants and agricultural runoff. An EPA biologist said it is high but not alarmingly high. It appears to be high in the fish that inhabit the lake (Blue Gill, Bass, Catfish) and not the stocked fish (trout). Mercury is a heavy metal and it ends up on the bottom of the lake. Bottom feeding fish will have higher levels of Mercury.

#### C&E Asphalt Plant Permit

C&E (Hwy 53) has requested a permit for a portable hot mix asphalt plant. This permit would allow them at maximum capacity to produce 175 tons/hour. A group of people known as the Ancient Way Coalition are in strong opposition and have asked the county to interact with the state on their behalf with concerns to pollution, i.e. health issues, acid rain, etc. March 11<sup>th</sup> is the deadline for concerned citizens to write to the New Mexico Environment Department Air Quality Bureau (Ms. Longying Dong) in Santa Fe. There are also safety issues due to the markedly increased number of 30-ton trucks, which will carry asphalt and also supply the raw materials to the plant on Hwy 53. Hwy 53 has been designated as a scenic byway and the increased tourism may be incompatible with the proposed 126 trucks in and out per day.

### **OPEN DISCUSSION**

#### TRLA Lots For Sale

There will be two lots going up for sale (closed bids with a set minimum – fair market value) and the details are being worked on. The board will be excluded from bidding along with real estate agents. Hopefully the details will be worked out by the May meeting. Only landowners can bid on these lots. If after 30 days the bids are considered too low, the bidding process may be expanded and other directions pursued to acquire maximum money for TRLA.

#### Poaching

Bubba Ozee cautioned all landowners that they should never approach what they suspect as a poacher. Call the Sheriff's Department first (McKinley Co. 505/722-7205 or Cibola Co. 505/287-9476) and then call Bubba (783-2496).

#### Miscellaneous

TRLA's truck has an identifying sign on it that Bubba uses on the ranch. John Mitchell was introduced. He assists Bubba whenever the situation requires additional help. Potential future expenditures may include purchase of two-way radios and a base station with repeater tower for increased and immediate communication on the ranch.

Information is needed to give to landowners on the closest EMS unit and medical evacuation.

The next meeting will be the annual meeting on May 27, 2006.

It was moved, seconded and carried to adjourn the meeting.