

**TRLA PUBLIC BOARD MEETING
JANUARY 20, 2007
TCC RANCH HOUSE**

David Skinner, President called the meeting to order at 10 am.

Present: Board members Eileen Domer, Ted Rodda, David Skinner, Duane Barbano, Jerry Toellner, Linda Pedersen (Anne Gilpin Excused) and 10 landowners.

Board Quorum established.

Linda Pedersen read previous board meeting minutes from October 21, 2006 and special board meeting minutes from November 13, 2006 and January 16, 2007. Eileen moved that minutes be accepted as read and Ted seconded. Minutes approved.

TREASURER'S REPORT:

Eileen Domer reported the following for the month of November and December, 2006.

CASH-ON-HAND

November	\$65,879
December	\$58,221

REVENUE

Assessment Fees Collected

November

Current Year	\$3,579
Previous Year	\$4,435

December

Current Year	\$179
Previous Year	\$110

Total Assessment Fees Collected \$8,303

Key Income	\$51
Donations	\$130
Finance Charges	\$744
Total Revenue (Nov/Dec)	\$9,228

EXPENSES (Nov/Dec) \$16,956

Other Outflows (Nov/Dec)

Copier	\$272
Grader	\$1,158
Total Outflows (Nov/Dec)	\$18,386

Note Receivable

Sagebrush Lot (Dec)	\$11,909
---------------------	----------

STANDING COMMITTEE REPORTS

ARCHITECTURAL/MAINTENANCE COMMITTEE

Ted Rodda reported the following:

“As a first step in an effort to preserve and protect Lot 74 (Cloh Chin Toh – Indian Ruins), a sign was installed advising people that want to enjoy this special place, to walk, not drive any vehicles on this lot. This simple act will help insure, that this community owned treasure, will enjoyed by future generations.

The Architectural Committee and others on the board are engaged in working to resolve CCR issues with two different lot owners. Without identifying anyone, both of these CCR issues are the result of violation reports that were turned into the board. I have not tracked the hours that many of us on this board have given to just these two issues but I feel confident in saying it would be 200+ hours.

Every time a board responds to a reported violation, there is the potential of a legal entanglement. This takes hours and dollars away from roads or other priorities. As a way of trying to cope with these CCR violation reports, the Architectural Committee has developed what we hope is a mutually cooperative method of resolving. There are presently about 50 violation reports on record.

Our CCRs are vital to the protection of our property, enjoyment and value. In order to accomplish this, we encourage each landowner to review the CCRs that apply to their property, and consider whether their lots are in compliance. If you feel your lot contains violations, please take the initiative to correct them. If you do not have a copy of your CCRs, you can find them on the Internet at www.trnews.info. We will also be glad to mail you a set for the price of copying and postage.”

If you have any question, please call Ted Rodda 505.783.4590 or Duane Barbano 505.783.4190.

RANCH OPERATION COMMITTEE

Jerry Toellner reported:

Good news: The tractor is repaired and working great. Snowplow and chains have been added. The dump truck has been repaired thanks to Bill Wolford. The pickup has been running well and snowplow and chains have been added. So far Jerry and Ted have plowed 4 times. It is taking longer to plow side roads due to the increase in fulltime residents after the main road is plowed. Residents at various locations on the ranch are notifying Jerry as to how much snow has fallen to aid in removal process. There are about 37.5 miles of side roads.

The well pump froze, but is now working after portable heaters were used at the well and inside.

Bad News: The grader has been sold for \$10,000 for the following reasons:

- 38 years old
- Transmission inoperable
- Intermittent problems with engine
- Valve body inoperable
- Tires need to be replaced

Total cost to fix was \$26,700 and we would still have an old grader that would have more problems down the road and \$14,000 still owed on bank note. We would be “upside down” for \$41,000. There was no money in the 2006-2007 budget to repair it and it would require borrowing more money if that was even possible.

Cinders will be spread on “S” curve if situation is immediately dangerous. It is still the responsibility of Cibola County and we have already done it once.

BYLAWS/CCR COMMITTEE

Linda Pedersen reported:

The rewrite of the Bylaws was completed in October and submitted to the Board for review/input. They were officially sent to the law firm of Cassutt, Hays & Friedman for legalize on the 14th of November, 2006 and the Board was informed yesterday via email that we should be getting them back next week. The Board hopes to have them sent to all landowners in a special mailing for input/feedback along with a proxy letter for passage.

After taking a couple months off, the committee is now starting on the CCRs. The recitals are to be completed by end of next week and the main body revision will then commence. Projected timeline is to have a copy of revisions to give to everybody at the annual meeting and mailings to those landowners not present for feedback. The committee hopes to accomplish passage by the end of this fall.

UNFINISHED BUSINESS

TRLA WEBSITE:

Anne Gilpin was unable to attend meeting due to dangerous road conditions from Albuquerque to Timberlake. She says progress has been slow but is still working on it.

TRLA WELL

Keys have been distributed to those who filled out requests and The Board is now working on Zuni Litigation. We are requesting 3 acre-feet instead of .7, which has been the normal request for residences.

NEW BUSINESS

1. Landowner on Deer Run has been petitioning Cibola County Commissioners to make it a dead end. This was being acted upon in December, 2000 and Commissioners were favorable to doing this. All of sudden it was dropped. At one time Deer Run was the entrance to Timberlake and when new entrance was made, the Board never went back to vacate the easement and technically we can't close it. Linda moved to send a letter to the Cibola County Commissioners to

reaffirm the position taken by the Board in December of 2000 to close Deer Run. Ted seconded. Motion passed unanimously.

2. David Skinner reported that along with the Bylaws and CCRs, the Policies and Procedures have to be updated and revised. Roger Irwin and Tim Amsden started this Policy and Procedure Manual in 2000 and since then parts are missing or have gone missing and information is outdated. The Board is now working on this. Additionally, due to issues with the Architectural Design process as well as housing on the ranch, the Board has taken an additional step to address those two policies specifically. The Board wants to clarify the Architectural Design process as well as work toward changing the criteria for housing and basing changes on building code standards rather than on site built/stick built which has been used in the past. These are now with Cassutt/Hays for their legal review. The Board hopes to put these 2 policies in the next newsletter. There is a general lack of awareness by the membership which is possibly due to turnover in membership and failure to publicize. Intention is to put these policies out to the membership for comment and the reason we are doing this and to notify that there is an Architectural Design process and the Board expects the membership to abide by these policies. Based on comments and feedback we hope to vote on these policies at the February meeting. Purpose is to give clear, clarified communication to landowners of certain policies that have caused problems through interpretation of Bylaws/CCRs.

3. CCR Enforcement Strategy.

Ted reported that he and Duane worked out a draft to put in the Timberlake Times with regards to CCRs and Architectural Maintenance Committee.

4. Timberlake Times

Duane reported that the next publication was intended for the 28th of February but due to so much information we now aiming for the 31st of Jan or first part of February as we want to keep the general membership as informed as possible. Duane suggested that we try to keep it down to 1 or 2 items and concentrate on them but it appears we have several more.

MEMBERSHIP QUESTIONS AND COMMENTS:

1. Landowners expressed sincere appreciation to Jerry and Ted for snowplowing and their unselfish willingness to serve the membership.
2. Landowner expressed concern that policies and procedures are strictly guidelines for the board and not a legal document and they should not be published to general membership unless there are particular areas that have caused problems due to lack of education and communication. Discussion brought forward the following facts:
 - 1) Board can define terms used in the Bylaws and CCRs, 2) establish procedures to carry out Bylaws and CCRs, 3) Board is bound by previous

Board's policies unless they are changed or amended, 4) Board can set regulations for use of Common Areas.

Board Response:

The Board is not seeking to elevate policy and procedures to the legal standing of the Articles, CC&Rs or Bylaws. Policies and procedures that provide guidance to the membership as to how to comply with the CC&Rs, Bylaws or Articles will be sent to the membership for comment prior to being adopted by the Board. At the discretion of the Board, comments may be incorporated into the final version of the policy or procedure before the Board votes to adopt it. Once adopted, these specific policies and procedures will be published to the entire membership.

3. Grader Situation: Landowner expressed his concern in the fact that more and more people are moving into Timberlake and it is road repair and maintenance that is needed. He owned a truck and it was an old truck and it's pretty tough to make payments and repairs at the same time. In his opinion we should try to get a new grader if the payments are reasonable so we have some warranty protection and find a qualified person to run it.

Board input: We currently have two qualified grader operators – Robert who works for the state (20 years experience) and Jerry Toellner. Jerry reported that if you buy from an auction or used dealer you get it “as is” and if you buy one from a reputable dealer the warranty is 30 days. A new grader warranty is 5 years. If the new grader needs repair, the dealer will bring another one until it is fixed. The approximate cost will be \$210 – 250,000. Hard to get a loan for more than 3-5 years on used graders. Ted Rodda reported that they had investigated used Cat Grader in Albuquerque. It is a 2002 with low hours (1200) and cost \$2600/mo for 5 years with 30 day warranty. A new John Deere Model 670 would be a few dollars more (approx. \$2,674/mo) for 5 years and a 5 year warranty on lease to buy and renegotiate in 5 years. Jerry has good friend in Texas that deals with heavy equipment and that is how we were able to get \$10,000 for old grader. Texas dealer had a few graders that were “upside down” which means putting bad money into bad money and you need to get out. Jerry commented that this is not a machine that you will want for 2 or 3 years but for 20-30 years. He feels the county will eventually have to deal with a substantial upgrade to Timberlake Road from Hwy 53 to Box S, but they will never deal with the side roads. Any improvement that is done to roads increases the value of landowner property – just like painting their house. Because of the grader situation, dues will have to be raised to replace it. An unfortunate situation, but we landowners have done it to ourselves. We have made an admirable attempt to keep the dues low, but we've shot ourselves in the foot and now we're behind the “8 ball”. TRLA nearly went bankrupt last year because of the purchase of the pickup and blade which wiped out our reserves, but had it not been for the pickup this winter, there wouldn't be efficient snow removal right now. The small tractor cannot cover a large distance quickly. A special mailing will probably be sent to explain the situation and what the Board needs to do in a five year plan to maintain and increase the value of membership property by upgrading 37.5 miles of road with proper road drainage and stone.

4. Landowner expressed concern that not everybody is rich, there are those who are retired and on fixed incomes and if dues are raised, they may not be able to afford living here. The Board has thought long and hard about this - do we stop and let the infrastructure deteriorate and property values decline or do we do what cities do – raise taxes. Boards have always made arrangements with landowners who wished to pay dues in more than two installments when there are hardships. All they need to do is notify Mary Ray or the treasurer.
5. Landowner commented, “whoever we are out here and we paint our house or fix it, we do it because we need to maintain our most valuable asset. If we don’t invest a little bit, which is what it is compared to the cost of gasoline or anything that is in our budget - if we don’t invest a little bit to maintain our roads and CCRs to protect our property values, we are doing the same thing as not painting our house or fixing what is broken - we are degrading the quality of our largest asset.”
6. Landowner learned from Jimmy Chavez (Cibola County Roads Manager) that the road between cattle guard and Fire station (McKinley Co. line) wasn’t a designated road in Cibola County. McKinley County and Cibola County take turns maintaining Timberlake Road but hasn’t been done that stretch for that reason. It isn’t in their maintenance inventory. The paperwork needed to put it in road maintenance inventory was given to Jerry Toellner. She also asked if there has been any progress in making the road from BIA to Firehouse a residential road instead of recreational and what is needed to get definition. The Board will try to acquire this definition from Cibola County and hopefully succeed this time and no reply is unacceptable.
7. TRLA has permission from McKinley and Cibola to only snowplow the main Timberlake Road – not grade.
8. Landowner asked what was included in the pie chart in the 55.3% in administrative costs from July to Dec. She said that the goal for a nonprofit charitable 501C(3) is 10%, but this may be completely unreasonable for our association.
Board Answer: This includes insurance, legal fees, taxes, financial costs (accounting salaries/supplies), accounting costs, and election costs/office supplies/postage. TRLA is a domestic non-profit and is currently paying taxes on all revenue other than assessment fees. The high percentage is due to the way we have defined it and it was arbitrary decision. We will look for a better model.

Linda moved meeting be adjourned. Jerry seconded. Meeting adjourned at 11:40.

