

**VISTA REDONDA WATER & PROPERTY OWNER'S ASSOCIATION**

P.O. Box 375, Tesuque, New Mexico 87574-0848

**Final MINUTES OF THE BOARD OF DIRECTORS MEETING**

Thursday, August 23, 2012

The first meeting of the Board of Directors for 2012-2013 was held at the home of Susan Mize. Notice of the meeting was announced to the membership via email and website posting by Judy Simon. Mize called the meeting to order at 3:30 PM. All nine of the voting Board Members were present; the required number to certify a quorum was met.

**PRESENT:** Susan Mize, President; Chris van Schayk, Director; Phil Marineau, Director; David Rule,; Susan Rule, Treasurer; JoAnn Ruppert, Secretary; Judy Simon, Director; Harvey Simon, Director; Harvey Stone, Director

**NOT PRESENT:** Fred Meyer, Adj. Dir; Bill Berra, Technical Advisor Roads.

**Architectural Review Committee:** Anna van Schayk, Bill Larson  
(Jill Bossory not present)

**Vista Redonda Property Owners Present:** Carl Stern

**APPROVAL OF THE MINUTES:** The minutes of the July 14, 2012 Board of Directions meeting were passed unanimously.

**ARCHITECTURAL COMMITTEE INFORMATION & VARIANCE REQUEST:**  
The Architectural Committee has received a request for a variance to the 50 foot minimum property line setback requirement. This request was precipitated by an irregular property line configuration, necessitated by the accommodation of a community well site. In order to place a guest house on the applicant's property, the request asks for a 30 foot side yard setback from the well site property line and no variance from front yard setback. Additionally, a separate septic system for the guest house has been proposed and will be located 125 feet from the well head. The State Engineer's Office requires a minimum distance of 100 feet. The Architectural Committee, which is not permitted to grant a variance, has requested input from the Board.

After discussion, the Board unanimously approved the request, contingent upon the approval of the County and State Engineer's Office. The adjacent neighbor

downhill from the project will be contacted, as well as a letter from the Architectural review committee.

**FISCAL AND ADMINISTRATIVE SERVICES:**

Mize noted that previously the Board had approved a change in fiscal and administrative services, to Carolyn Gonzales, CPA, effective October 1<sup>st</sup>, and noted that she had written to Annie Lewis requesting the necessary documents for Gonzales' review, but had not received them in a timely manner. Payment to Gonzales will be on an hourly basis.

There was discussion about retaining Lewis through 2012 yearend and beyond, to handle VR Administrative duties, e.g. monthly water usage reports, real estate, archiving documents, etc. Susan Rule and Susan Mize will meet with Annie Lewis to discuss same.

**MOTION:** Marineau made a motion that the board approve Gonzales to commence work for Vista Redonda on October 1<sup>st</sup>, 2012 and that Lewis continue handling V Administrative duties. Van Schayk seconded and the motion carried unanimously.

**RATIFICATIONS FOR FISCAL MATTERS:**

After discussion, van Schayk was recommended as the fourth Member of the Board to have the ability to sign documents, pay bills, make inquiries and approved as an additional signature to all of the VR banking accounts at LANB, First National and Community Bank. The other members are H. Simon, S. Rule and Mize. Gonzalez is the only non VR Director with rights to conduct bill pay and to have VR Bank Account inquiry privileges.

**Motion:** J. Ruppert made a motion that above recommendations be approved by the Board. H. Stone seconded and the motion carried unanimously.

**Roads: Meeting with the County:** Members from the VR Board and the VR Roads' Technical Advisor agreed to attend a meeting with the County, in order to notify them of the results of the Vista Redonda Annual Meeting voting. It was suggested that Adam Leigland be invited to attend as well as Richard Martinez. It was again reiterated that all decisions are negotiable with the county, and it was again emphasized that safety issues are of paramount importance with many VR community members. As such, additional information will be requested on safety issues and especially as that pertains to paving the hills.

The final counts from the Annual Meeting voting are as follows:

38 of 56 votes for Base Coarse (68%)

18 of 56 votes for Paving (32%)

33 of 52 votes for Partial Paving (63%)

19 of 52 votes Against Partial Paving (37%)

With respect to the issue of contributions from Vista Redonda for roadwork, the following votes were made, for and against contributions up to \$150,000:

57% for contributions up to \$150,000

43% against contributions up to \$150,000

**MOTION:** H. Stone made a motion that the Board inform the County, of the results of the Annual Meeting voting, and to request a meeting with the County in the near future. S. Rule seconded and the motion carried unanimously.

**BYLAWS:** There are currently three issues before the Board:

- A) How to formulate a plan with Non-Voters in the Vista Redonda Community
- B) Architectural considerations in the Bylaws and not as a separate document
- C) The “High Bar” for Voting on issues

Mize stated that Martineau will draft a letter to the VR membership regarding a new committee formed under Keitha Leonard to address the bylaw issues and asking for community participation by homeowners. An October 1 deadline was decided upon and Martineau will be the Board liaison with this committee.

**Motion:** D. Rule made a motion that the above bylaw issues be accepted, and the motion was seconded by van Schayk. The motion carried unanimously.

**WATER MANAGEMENT REPORT:** D. Rule stated that there is currently a problem with Well #4. There continues to be air in the line located on Vista Redonda Road. It is Rule’s opinion that the well may need a work-over. He also noted that Well 3A is still not compliant with the New Mexico Environmental Department’s standards (NMED). Vista Redonda has received a notice of Violation on Well 3A and must notify the community within 10 days by both website posting and email. It is felt that this well will require well head treatment to determine if this initial procedure is sufficient to solve the problem.

**MOTION:** Mize presented a motion that the Board allow work over to proceed on Well #4. The motion was seconded and carried unanimously.

**BASHAM MEETING WITH LAWYERS REQUESTED:** Mize stated that VR attorney, Mark Sheridan, has researched the issues with the Basham property and has recommended that the property be allowed only one water hook-up. The Basham's attorney received this letter and wishes to set up a meeting in the near future with selected Board Members, and Sheridan. It was decided that Mize and C. van Schayk would attend said meeting with legal representatives.

**WEB SITE STATUS:** Mize commented that after discussion with van Schayk and J. Simon, it would appear that a VR Web Site should have a Web Master and possibly a Web Hosting company. The two main questions in deciding on type of web site, and therefore the cost, is whether or not to select a basic system which would meet regulatory requirements, or a larger and more expensive site that would allow for additional information. H. Stone suggested that the Board consider a basic system, given all of the other major issues before it. More research will be done before definite proposals are made on the type of site to use.

**CONFERENCE PHONE ACQUISITION:** Mize emphasized that regardless of whatever conference phone is ultimately selected, detailed instructions must be sent to the entire community so that they can call in and participate. Both Martineau and Stone mentioned that they have conference accounts and could assist in setting up the required number of lines. Mize will get quotes on various systems before making a final decision on the system to purchase.

**OUTSTANDING ISSUES FOR 2012-2013:** Fiscal and administrative transition must be smoothly engineered as year-end approaches. Bylaws: the Board will continue working with the VR Committee to develop separate bylaws for the Water Association and the Property Owners Association, which are acceptable to the VR Community. Regarding Water/Well Management, continued work on Uranium compliance with the NMED; also, the Board will monitor water useage as relates to Beneficial Use Permit/Fulfillment as per the New Mexico Office of the State Engineer (OSE)., and the Board should search for a replacement for the existing Water Engineer.

With respect to Water Rights and the VR settlement with the OSE, there is concern that the OSE may be renegeing on the settlement. Attorney Sheridan will be contacted for his opinion on VR options.

Other important considerations before the Board for the 2012-2013 year, are Architectural Guidelines Review, legal support review, Guidelines for dealing with properties adjacent to VR properties and Board assistance through website and meetings via Conference Call system.

C. Stern, community member noted, with respect to the current voting procedures, that if people don't vote and their non-vote is considered a "no", that is a business practice not utilized in most governances. Van Schayk noted that governing by "no" votes is governance by apathy and should be addressed. It was also noted that a Super Majority of those voting is an important concept that should be addressed in greater detail.

**Motion:** A motion was made by van Schayk to approve S.Waller as Adjunct Director. Marineau seconded and the Motion carried unanimously.

**PROPOSED Meeting DATES FOR BOARD OF DIRECTORS FOR 2012-2013:** The Board Meetings in the coming year will be scheduled for Monday evening at 6:30 PM, when possible: Monday, **January 7, 2013**, Monday, **March 11, 2013**, Saturday or Sunday, **May 4 or 5, 2013** (Special Meeting for Bylaws vote); Monday, **June 17, 2013** (initial preparation for Annual Meeting); Tuesday, **July 16, 2013** (Annual Meeting).

A motion was made by Mize that the meeting be adjourned at 5:40 PM. It was seconded and the motion carried unanimously.

Respectfully submitted,

JoAnn Ruppert, Secretary