

Minutes of Vista Redonda Water and Property Owners Association

Board of Directors

Monday, March 4, 2013, 6:30pm

Certification of Quorum: The meeting was held at the home of Susan Mize. Notice of the meeting was announced to the membership via email by Judy Simon. Mize called the meeting to order at 6:30 pm. Five of the voting members of the Board were present, and one had given her proxy in lieu of attendance. The required number to certify a quorum was met.

Board Members Present: Susan Mize, President, David Rule, VP, Harvey Simon, Director, Susan Rule, Treasurer and Secretary-Pro-tem, Chris van Schayk, Director.

Members present via proxy: Judy Simon, VP

Board Members not present: Phil Marineau, Director, Harvey Stone, Director, JoAnn Ruppert, Director

Adjunct Board Members not present: Fred Meyer and Susan Waller

Architectural Review Committee member present: Bill Larson

Architectural Review Committee members not present: Anna van Schayk and Jill Bossory, Technical Advisor - Roads: Bill Barrera

Vista Redonda Property Owners Present: David Stupin, Keitha Leonard, Hans and Verena Frauenfelder, David and Suzy Pines, and Beverly Martin.

1. Approval of Minutes - August 21, 2012 and August 23, 2012 Board minutes presented with H. Simon making a motion to approve; D. Rule seconded, and unanimously passed. January 7, 2013 Board Minutes presented. One edit was recommended that JoAnn Ruppert not be shown as not present as she had resigned at that time. This edit was accepted, a motion made by van Schayk to approved and seconded by H. Simon and unanimously passed.

2. Financial Report – S. Rule reported that expenditures were overall under the budget and that a check in the amount of \$2500 would be delivered to Tesuque PTA as per budget.

3. Roads - H. Simon reported that Leigland of Santa Fe County had reported their intention to move forward to: (1) Pave 1300ft of Vista Redonda, beginning at the intersection of NM 592 and continuing 600 f.t past the intersection of NE and SW Paseo Encantando, (2) Pave 2500 ft. of SW Paseo Encantando beginning at the intersection of Vista Redonda, (3) Pave 1300ft of NE Paseo Encantando beginning at the intersection of Vista Redonda, and (4) Hire an engineering consultant to look at drainage, road widening, and any other issues relevant to the paving and the safety of these areas and provide their professional recommendations for improvements. Depending on funding availability, any recommendations from #4 could be accomplished immediately.

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Leighland had sent an email outlining what the county would do if VR did not accept partial paving. His e-mail said the paving solution was proposed with the intent of minimizing total life cycle cost and any alternative would have to have the same intent. The \$600k of bond funds allocated to VR would be used elsewhere. Base course cannot be purchased with bond funds, and county studies show that applying base course to roads actually increases overall maintenance costs and the county is getting away from base course. Over the last 4 years, VR roads have been graded every 3 months and that will continue. Numerous areas have been identified that could benefit from "spot" drainage improvements, and those improvements would be accomplished over the next two summers.

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H. Simon reported that an on-line petition from Jamie Morris had been circulated to unknown members of the community to protest against the partial paving. The petition indicates that some 10 members of the community have signed, although he was unable to verify this fact.

S. Rule made a motion that (1) H. Simon write a letter to Leighland and Mayfield reiterating the commitment by the Board and the community, through their majority vote at the 2012 Annual Meeting, to support partial paving and to ask for a meeting, and (2) that we will continue to watch the vote count on the petition before any further action is taken. This motion was seconded by D. Rule and passed unanimously.

4. Water Management Report -

Well Management – D Rule reported that well 3a continues to have uranium problems and that after exploring other options; he recommended a well work over as per Schumaker's report. This work over is projected to cost between \$14-15,000 and is in the budget. van Schayk made the motion to move forward with this work, H. Simon seconded, and it was passed unanimously.

Water Usage: Rule reported that the holiday on the water usage should be terminated since beneficial rights had been established in wells 1,2, 5 and 6. He presented various options and analysis to be considered in setting an allotment. A motion was made by van Schayk and seconded by H. Simon that the allotment be established at 163,500 gallons with the overage rate structure as presented. A vote was taken and was passed. A notice of the new allotment will be sent out in the next month's water bill to all lot owners.

5. NM Office of State Engineer (OSE) Settlement – van Schayk reported that he and Mark Sheridan, VR's water lawyer, had met with the OSE on Feb 15, 2013 concerning settlement of a legal suit filed in 2004. The OSE had refused to endorse a Settlement negotiated in 2012. A subsequent version proffered by OSE was deemed not acceptable to VR. At the meeting a new Agreement was discussed with the following provisions: (1) VR would be granted an additional 15 acre feet: 5 wells @ 3 acre feet each, (2) VR would have 40 years after each well is drilled to demonstrate beneficial rights (3) the well permits would be in VR's name, (4) VR would have 12 months to tell the OSE of the boundaries of service. van Schayk reported that Sheridan is drafting an agreement based on this information and the draft would be circulated to the board for review prior to sending to OSE.

A motion was made by van Schayk made that the Architectural Committee be asked to provide the board with accurate plats and any information and data that is required to correctly determine the boundaries of VR service. S. Rule seconded and the motion unanimously passed.

6. SF County Meeting/Decision on Variance Request re: Code Violations on Houses

Adjacent to VR - H. Simon reported that he and other members of the community (Larson and Martin) had met with counsel (Gary Friedman), attended meetings, and communicated with the county regarding the barn construction adjacent to VR that exceeds county codes. The owner had made a request for a variance to the code. The county variance committee, in response to the VR concerns, voted unanimously to deny this variance. The owner has until April 9th to respond to this decision, but it is expected he will withdraw his application. If the application is not withdrawn, the VR community is urged to attend further public hearings and will be notified of same.

7 Bylaws Status and Special Meeting - Mize reported that the mailings for voting on the bylaws had been mailed within the required 60 day period prior to the special meeting on May 3. Annie Lewis, the VR administrative assistant, is receiving all responses. The Special Meeting will be at Marineau's home, 5 pm, 24 Paseo Encantado, SW.

8. Select Nominating Committee for 2013-2014 Slate of Officers - van Schayk volunteered to be Chairman of the committee and H Simon will serve. Anyone in the community who is interested is invited to participate and should contact either van Schayk or Simon. The Board would warmly welcome any interested individuals.

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Meeting Adjournment – Mize asked for a motion for adjournment. van Schayk made a motion and S. Rule seconded with a unanimous vote. The meeting was adjourned at 8:45 p.m.

9. Vote To Enter Executive Session Pursuant To NMSA 1978

9:00 pm.

a. §10-15-1(H)(2): Personnel Matters: Director appointment and retention"

No decision was made. Executive Session adjourned at 9:15 pm.

Respectfully submitted, Susan B. Rule

Secretary-Pro-tem

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