

Tierra Grande Improvement Association, Inc.  
Via: Zoom & Telephonic  
Board of Directors  
July 27, 2022

**Directors Present:** Jim Lardner, President  
Michael Sumner, Executive VP  
Rhonda Davis, Secretary  
Trenten Moore, Director

**Directors Absent:** Judi Magnussen, Treasurer

**Administration Present:** Sue Moran, Administrator  
Ron Robbins, IT/Maintenance  
George Hobbes, Accountant

**Guest(s):** Damond Vigil, Sam Slezak (Zoom)  
Cibola Search & Rescue

Andrew Tabet, Rio Communities Fire Chief  
Rob Barr, Valencia County Wildland Fire Captain

**Audience:** Kim Pravda, Open Space Steward

Jim Lardner, President, called the meeting to order at 4:10 p.m.

**AGENDA:**

Mr. Lardner asked if there were any changes to the agenda.

Ms. Moran noted she had a couple of minor topics to add to "Other Items."

Agenda was approved as amended.

**PRESENTATION – Cibola Search & Rescue:** Damon Vigil & Sam Slezak (Zoom)

Damond Vigil, a Tierra Grande landowner and Sam Slezak, of Cibola Search & Rescue came before the Board virtually to request permission to use the Tierra Grande Open Space for search and rescue training about once or twice a year. They shared that training would be individuals on foot navigating through the area to locate a preplanned subject or complete a rescue task. From time to time they may use radio communication or remote drones (not over residential areas). Additionally, once the training or exercise is planned, they would contact TGIA with the full plan to disclose the impact on the area.

Ms. Moran asked if their team had liability insurance. The answer was no. Ms. Davis suggested that the team members involved sign a waiver of liability prior to each event and provide it to the Association. Mr. Vigil and Mr. Slezak agreed that a waiver would be obtained from each rescue participant and provided to the Association prior to the event.

Ms. Moran asked that the team provide two (2) weeks' notice prior to the training event so the residents in the area could be informed.

Ms. Pravda, agreed to guide the team into TGIA's Open Space upon request. They were appreciative of the support.

The Board did not feel a motion was necessary to approve this request.

Mr. Vigil and Mr. Slezak left the meeting at this time.

**PRESENTATION:** Wildfire and Residential Fire Protection – Rob Barr, Wildland Fire Captain, Valencia County & Andrew Tabet, Rio Communities Fire Chief

Captain Barr opened the discussion sharing that the Wildfire program is working to obtain MOU's with various entities relating to the use of water owned by individuals / corporations to help with wildland fires. As it relates to Tierra Grande, Mr. Barr has received positive support from Haw Dairy, Harvey Yates, and Mark McKinley for the use of their tanks and their properties within our community. Each of these MOU's will help keep wildfires from spreading within the mountain areas and into the residential areas.

Chief Tabet shared that he has been in contact with the State Fire Marshall to schedule a time to visit the proposed location of the new TG Fire Station / Community Center / Office for the State's approval. Chief Tabet went on to share that he is working on a grant to cover the cost of the water storage tank (30,000 gallons) plus the pump and a well. He hopes to receive \$200,000 which may cover most of the cost of the project. Chief Tabet went on to state that working with area landowners to obtain MOU's for water usage will help retain the current ISO rating of four (4) – which is an excellent insurance rating. He shared that the TGIA station will be a "main" station which qualifies for special services. The station will be furnished with a brush truck, a ladder truck, and a rescue truck (ambulance). Chief Tabet requested that residents in Tierra Grande who may be interested in volunteering their service to the fire station should contact him directly. Currently he has heard from a couple of our residents offering to volunteer. There are a variety of tasks volunteers can choose from such as driving the trucks or staffing the station. Volunteers do not have to be fire fighters or emergency responders.

Ms. Pravda offered to guide Captain Barr and Chief Tabet to the various wells / drinkers in the Tierra Grande community so the water locations can be mapped.

Captain Barr and Chief Tabet thanked the Board for the help and support they are providing to the community at large.

Captain Barr and Chief Tabet left the meeting at this time.

**ACTION ITEMS:**

**Board of Directors Meeting Minutes – June 22, 2022**

Mr. Lardner asked if there were any changes or corrections to the content or to the substance of the minutes. There being no discussion:

**Motion: Motion by Ms. Davis, seconded by Mr. Moore to approve the Board meeting minutes of June 22, 2022, as presented. No further discussion. Unanimously approved. Motion carried.**

**CD Renewal** – Discussion took place regarding a CD that is maturing July 29, 2022. Many on the Board shared their belief that interest rates will increase. Recommendation was made to wait the nine (9) days after maturity and see if the CD rates are any better than the current .50 percent on a different CD held by the Association. If the CD rates increase beyond the .50 percent, then the decision will be to move the maturing CD into the higher yield rate for a period of three (3) months. If there is not a better rate, then the recommendation will be to roll the maturing CD into the Association's .50 percent CD.

Ms. Moran will research the rates and send the information the Board on or before August 5<sup>th</sup>.

**Motion: Motion by Mr. Sumner, seconded by Ms. Davis to invest the maturing CD as directed above. No further discussion. Unanimously approved. Motion carried.**

**Election of Officers and Appointments to Committees** - Ms. Moran reported that the present Committee members will continue to serve. Mr. Sumner recommended that the current officers remain in place for another term. There being no further discussion, the Board acting as the nominating committee proposed to keep the officers in place for the period of July 2022 – June 2023. Mr. Sumner cast the proposed slate of officers by acclamation:

<b>President:</b>	Jim Lardner
<b>Executive VP:</b>	Michael Sumner (no signatory authority)
<b>Treasurer:</b>	Judi Magnussen
<b>Secretary:</b>	Rhonda Davis

**Motion: Motion by Mr. Sumner, seconded by Mr. Moore to approve the slate of officers as presented. No further discussion. Three (3) voted in favor with Mr. Lardner abstaining. Motion carried.**

**Architectural Control Committee** – Ms. Moran provided a report to the Board of the issues relating to Architectural Control that are currently being tracked. She wanted the Board to be aware that the ACC only reviews construction plans. The ACC does not have input regarding problems / issues. That is the role of the ACC Chair, Judi Magnussen. Ms. Magnussen and Ms. Moran meet

on a regular basis to discuss the next steps in ACC related issues. There is a respect for a certain level of confidentiality of life events of owners. If the full ACC were required to make decisions relating to fees/fines, warnings, etc. then a regular part-time person would have to be hired to manage those communications.

**FINANCIAL REPORT(s)** – The Financial Report for period ending June 30, 2022, was reviewed.

There being no discussion, Mr. Lardner recommended that the Financial Statement for the period ending June 30, 2022, be placed in the record for audit or review.

## **OLD BUSINESS:**

**Update-Multi-Use Center** - Mr. Moore noted the following:

- Fencing contractors: Mr. Robbins remarked that the contractors delivered the T-posts to his property for storage. Ms. Moran was instructed to contact the contractors for an update on the fencing project.
- Status of State Fire Marshall Site Inspection: No updates available
- Well: Discussion about the proposed well for the fire station. Ms. Moran noted that the old fire station has two (2) wells – a domestic well for the building and another well that feeds the storage tanks. The Board thought that this might be a better way to proceed. Just drill a well for the facility at this point. Ms. Moran will contact John Kirkpatrick, Architect, and contact the well drillers who submitted bids to ask for a revised bid for a residential well.

**Newsletter Costs** – Ms. Moran shared with the Board that because of the rising cost of postage the decision was made to include the October newsletter with the October billing statements. This action will also reduce the number of redundant returns for bad addresses received at the office. It may take a little more staff time upfront, but it will be more time and cost effective overall. Incidentally, the cost of producing the newsletter is about two-thirds higher than in 2021.

**Annual Meeting Review** – Ms. Moran reported that all the door prizes have been mailed to the winners. Next year – it would be more cost effective to award gift cards. Overall, the feedback received from members was that the meeting was positive, the location convenient and the food excellent. There was a problem recording the meeting, but that glitch will be resolved before the 2023 meeting of the members.

## **NEW BUSINESS:**

**Status of Unpaid Lots** – The Board reviewed the June 30, 2022, report of unpaid assessments. The number of unpaid lots has reached an all time high of over 20.50% - 694 lots. She stated that this is related to the failure of our legal counsel to schedule foreclosure sales. Not only does not holding a foreclosure sale hurt our bottom line, but we are also required by law to write off amounts more than 5 years / 364 days, a related issue is that we are unable to recover the legal

fees we have paid until such time as the foreclosure sale is held. It is not fair to those who do pay their assessments to cover the expenses related to those who do not pay.

Ms. Moran also shared with the Board that of those 694 lots past due – 190 owners have bad addresses. We are unable to locate them. Some owners may be deceased. This is the nature of the aging out of the original Horizon buyers and a nomadic population.

The Board reviewed a report that shows the migration of owners over the past thirty-five (35) years which supports the fact that buyers particularly on the east coast have moved south or west.

**Foreclosure Measures** – The Board reviewed a spreadsheet of forty-six (46) owners of fifty-four (54) lots that are now entering the foreclosure stage. Ms. Moran noted that in April these owners received pre-foreclosure warning letters from the Association. Then in May of 2022 Ms. Self mailed letters to these same owners warning of impending foreclosure action and providing information to the owners of alternatives to foreclosure. Only two of the owners paid. These owners happened to have been current on their property taxes.

The Board made the following recommendations –

- 1) Send a letter to Karla Poe our attorney outlining the consequences that not holding foreclosure sales has on the Association's finances and asking her to bring processing our foreclosures to the top of her priority list or ask if she has alternative recommendations to move these foreclosures forward.
- 2) Pick ten (10) of the best properties which are located on power. Send the owners an "offer to purchase" the lot for XXX dollars over and above the past due assessments and property taxes. It is to be noted in the offer that acceptance is DEPENDENT upon a clear title search. Ms. Moran will research recent property sales in the area to make an informed offer.

Once the information is gathered, Ms. Moran will draft a sample offer letter for the Board's review and approval. This may take some time.

**Five Year Goals & Objectives** – The Board reviewed the 7/2017- 6/2022 – Five (5) year Goals and Objectives. The Board felt that the Association had been successful in achieving a great deal on behalf of the members during this time. Now it is time to plan for the next five (5) years.

In that light Ms. Moran was instructed to reach out to the members for their ideas. The member suggestions will be discussed at the August 24, 2022, Board meeting to prioritize and develop the next set of Goals and Objectives.

#### **OTHER ITEMS:**

**Work From Home Request & Purchase of Laptop:** Ms. Moran opened that from time-to-time Ms. Self does not have childcare available to her and would like to work from home. Many of the

tasks Ms. Self is assigned can be performed remotely such a new owner packets, processing title / disclosure requests, researching bad addresses, email responses, etc. To securely work from home a laptop will need to be purchased by TGIA. Mr. Robbins will program the laptop with the necessary security and access limitations.

Mr. Robbins explained to the Board that our Microsoft Office 365 program allows up to five (5) licenses. One of the features of Office 365 is remote access to our data base and correspondence. Mr. Robbins would program security features into the laptop to prevent unauthorized access.

Mr. Hobbes noted that Ms. Self would have to have the supplies she needs at home to do the work. Ms. Moran responded that Ms. Self would be provided with the supplies she needs to complete her assigned tasks.

**Motion: Motion by Ms. Davis, seconded by Mr. Sumer to approve the purchase of a laptop not to exceed \$1,000. No further discussion. Unanimously approved. Motion carried.**

Mr. Robbins shared that another benefit of Office 365 is a type of “Zoom” feature called “Teams”. Teams is a free subset of Office 365. He is understanding how the feature works, will train staff and the Board on its capabilities. Mr. Robbins hopes to have Teams up and running before the Zoom license comes due for renewal next year.

**Protective Covenants:** Ms. Moran explained that per our Protective Covenants # 6 – residents may operate a profession within Tierra Grande if the business is operated solely by the members of the family occupying the residence.

Related to that issue is that Valencia County requires home based businesses to obtain a business license. However, our Covenants do not require that applicable members provide us with a copy of that business license.

There are two (2) known cannabis operations occurring in Tierra Grande. Neither has a Valencia County business license. Ms. Moran provided applications to these owners. A neighbor, of one of these properties would like TGIA to act against the owner. Ms. Moran told the neighbor that she did not think there was any action TGIA take to address the neighbor’s concerns. The neighbor asked that Ms. Moran bring this issue before the Board.

Discussion ensued. The Board shared that TGIA has no authority over this issue. They recommended that the neighbor deal directly with Valencia County Code Enforcement regarding the issue.

**Crimes in the Area:** The Board reviewed a crime report of recent activity in and around Tierra Grande.

**Illegal Camper / Animals in Tierra Grande:** Mr. Sumner and Ms. Pravda reported that someone has set up a camp site and has a variety of farm animals in the area south of the Natural Burial Cemetery. Ms. Moran and Mr. Robins will investigate the matter.

**USPS:** The Association was informed that Amazon Prime will stop delivering packaged to certain remote areas in Tierra Grande. Amazon is partnering with USPS for delivery services. Ms. Moran spoke with the Belen Postmaster. The plan is to install large delivery boxes around Mallette and Manzanita BUT – USPS would like the community to pay for the cost of the installation / cement. Ms. Moran agreed that TGIA will help offset the cost of the installation of these cluster boxes.

**EXECUTIVE SESSION:**

The Board moved into Executive Session at 6:20 p.m.

BNSF activity in Tierra Grande – no action taken by the Board

The Board reconvened into the general Board meeting at 6:30.

**ADJOURNMENT:** Mr. Lardner adjourned the meeting at 6:30 p.m.

**Next TGIA Board Meeting:** The next meeting is scheduled for Wednesday, August 24, 2022, at 4:00 p.m.

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Signature

/sdm: Minutes07/27/2022

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Date Approved