

a

QUARTERLY MEETING FOR THE LOWER GALLINAS LAND GRANT

DATE – April 19th, 2025

TIME – 12:00 pm

LOCATION – Fire Station

APPROVED MEETING MINUTES – 08/22/2025

- I. Call to order.
12pm by Chairman Tony Benavidez
- II. Invocation.
By Chairman Tony Benavidez
- III. Roll call of officer:
Chairman, Tony Benavidez – Present
Treasurer, Margaret Lucero – Present
Collector – Robert (Bobby) Padilla – Present
- IV. Approval of Minutes for General Meeting: for March 1st, 2025
 - a. **MOTION** made to accept Minutes from the 3/1/25 by – Margaret Lucero, Treasurer
 - b. **DISCUSSION** – Chairman informed that Administration Assistant was hired, Avedona Lucero is not a Board member but an employee.
 - c. **SECOND** – made to accept Minutes from the 3/1/25 Robert Bobby Padilla, Collector--**VOTE** – all three board members in favor **—MOTION PASSED**
- V. Introduce Spouses:
Robert (Bobby) Padilla introduced Melanie Padilla
- VI. Treasurer's Report.
 - a. Update on adding Tony Benavidez and Bobby Padilla to the bank account
 - b. Update on Money from FEMA.
 - i. Board of trustee's process with the \$33.7 83,026.55 million
 - ii. Cost of Lawyer fee and expert fees. \$6, 6,886,393.59
 - iii. Information on financial advisor meeting
 - iv. Resolution 2025-5 for the payout of FEMA money
 - c. Account Balance (checking/savings) information
 - i. Current balance is \$27,239,655.50
 - ii. Quarterly 3 report is due at the end of the month
 - iii. Report given by Margaret Lucero, Treasurer. FEMA awarded \$33,783,026.55 to the LGLG. The lawyer was paid \$6,886,393.59 for expert fees and the lawyer by a wire transfer. Chairman Benavidez and Collector Padilla were added to the bank account so that they can represent the LGLG in bank issues; that was voted for at the prior meeting.
 - iv. LGLG has a meeting on 4/24/25 at Sandia, time is TBD, with a financial planner. The meeting is open to the public, anyone can attend; it is not specific to only LGLG matters but anyone can ask any financial questions.

Margaret has a meeting scheduled with Steve Lynch, financial advisor in May. Southwest bank also gave LGLG info on investing.

- v. Treasurer read Resolution 2025-05 Authorizes the President to accept the funds from FEMA.
- vi. Distributed the monies to different banks to be compliant with FDIC and protect the LGLG from any loss. Treasurer informed that there are several banks that have the money in them, she made the list of banks available to review by all the members. The LGLG put all the money into an account for 6 months that is called an IC where it is accumulating interest and the LGLG can take it out at any time.
- vii. **MOTION** Made to accept the Resolution 2025-05 – Robert (Bobby) Padilla
- viii. **DISCUSSION**
 - i. Kathy Archuleta – the interest money is it going to be used as a savings bond
 - ii. Andrew Ortega – has the board considered organizing as an LLC?
The board has not considered it to date.
 - iii. Avedona Lucero – LLC is easy to set up with the state and the largest pro is that it limits the liability of the LGLG.
 - iv. Andrew Ortega asked what was the partial payment made to LGLG for? Board members said they did not have that info but could make it available upon request.
 - v. Are all the fees paid to the attorney? Treasurer said that they had paid all the fees to date.
 - vi. Andrew Ortega, do we have full documentation of all the work done for the claim. Is the claim completed? Yes, it is all complete.
 - vii. Henrietta Trujillo, is the bank going to be merged and how will that be handled? Treasurer said she would be addressing that in future items.
 - viii. Michael Benavidez – as of today, the money received to date is in our account and as of today we do not owe the attorney anything correct? Treasurer stated that that is correct; Attorney is paid up to date.
 - ix. **SECOND** – Made to accept the Resolution 2025-05 by Margaret Lucero, Treasurer **VOTE** – all Board Members in **MOTION PASSED**

VII. Collector's Report.

- a. Report given by Bobby Padilla. Collected \$2,770 as of 4/9/25 annual dues and road project payment. Attorney would like to see a list of membership dues. The LGLG would like to encourage the membership to pay their 2025 dues. Two individuals are behind on dues and payment of road project. One has not paid membership dues since 2019.

b. **MOTION** made to accept collectors report – made by Margaret Lucero

c. **DISCUSSION**

- i. Joann Vigil – Don't the bylaws say that a member that has not paid in 5 years is no longer a member. Bobby Padilla said the bylaws require certified letters be sent to the member.
- ii. Anita Baca – was the letter sent, or contact made to the individuals to inform them? Bobby Padilla informed he has gone to inform the members but has not been successful.
- iii. Kathy Archuleta – will the letter be certified? – Board members said they will send certified letter
- iv. Melvin Ortega – Do we need to pay the dues before the money is distributed? Bobby Padilla said it is not.
- v. Andrew Ortega – Why do the attorneys need the roster and current dues list.
- vi. Ron Duran – Maybe the attorneys just want to know who they are representing. Also, the LGLG should not have to hold the members hand to pay their dues.
- vii. Margaret Lucero – It makes it easier to keep the books when people are paid up to date.
- viii. Bobby Padilla – we want to have our items up to date
- ix. Avedona Lucero – how and when can people pay their dues? Bobby Padilla as collector is willing to accept them at any time. Margaret Lucero informed the procedure will be updated in the bylaws
- x. **SECOND** – made to accept collectors report by Bobby Padilla **VOTE** – all board members in favor **MOTION PASSED**

VIII. New Business.

- a. A new Letter of Determination (LOD) has been sent to the LGLG Board of Trustees (BOT) to accept or deny.
 - i. MARCH 20, 2025 letter of determination from FEMA was read by Margaret Lucero. The letter stated that nothing was given for timber loss or taxes.
 - ii. **MOTION** – decline the LOD-Margaret Lucero
- b. **DISCUSSION**
 - i. Andrew Ortega – Was concerned why was there no money given for timber loss. Margaret Lucero read the first Determination of Loss letter. Andrew Ortega
 - ii. Kathy Archuleta – can the LGLG send the definition of "Timber Loss" from the attorney?
 - iii. Melvin Ortega – why are we at \$0 for the loss of tress, can we find out why? Yes, we will ask Mr. Feinberg.

- iv. Henrietta Trujillo – Determination of Loss, do we have to pay the state taxes? Individual state taxes is unknown, what we do know from the state DOJ and FEMA state people most likely not BUT, they do not know for sure, so LGLG is advising members to seek advice from their tax advisors or research it on their own.
 - v. Andrew Ortega – what was awarded on the DOL; there was no money granted. Andrew Ortega suggested that the attorney be present at the next meeting and that the DOL be declined.
 - vi. **SECOND** – Bobby Padilla **VOTE** – all board in favor **MOTION PASSED**
- c. Update on FEMA request; Member list – informational item, no vote required or taken.
- i. Margaret Lucero spoke with attorney and informed that FEMA has asked for a list of members. \$6.3 million for substance fee loss. They want a list of members in good standing as of April 2022.
 - ii. Kathy Archuleta – Has FEMA called any of the board members about the loss of wood? Andrew Ortega – yes the individual claims the loss that on their FEMA claim and the LGLG board signs the form for personal claims.
- d. Membership–Freezing new membership holding off on accepting New Members, Chairman explained that the reason for freezing the membership because of the funds received from the fire. The LGLG will be accepting letter requests for new members, but they will not be reviewed until sometime in the future.
- e. Bobby Padilla informed that we need to know who a member was as of the date of the fire on 4/22/22.
- f. Margaret Lucero explained that this came out of two things. As the LGLG spoke with the NMLGC and the DOJ. The current bylaws do not work for us know it has a cap of 42 members, and they contradict what the state statute requires. The LGLG board is working on the bylaws and using the NMLGC template. The DOJ wanted us to do the list of members before compensation is given. Los Vigils closed their membership temporarily last year, so the BOT felt it was in the best interest of the current members to ensure that any new members get started on the right foot with current and updated bylaws so that when they do take over the BOTs they have a clear path for success.
- g. Bobby Padilla, regarding the compensation it is a good way to ensure that it is fair and that the LGLG would not be sued for not offering compensation to new members.
- h. **MOTION** – Close/freeze the membership until further notice made by Bobby Padilla
- i. **DISCUSSION**

- i. Andrew Ortega, he is in favor of closing membership and in favor of not offering compensation to any members that came in after 2022. We currently have 72 LGLG members.
- ii. Kathy Archuleta, the membership will be frozen. Her daughter brought a letter after the last meeting.
- iii. Bobby Padilla if she had been voted in then yes, she would be a member, her letter had not been added to the agenda, nor had it been read to the membership.
- iv. Andrew Ortega, suggests voting Kathy Archuleta's daughter into the membership
- v. Anita Baca, wanted to know if because she took over her mom's position who would be eligible.
 - i. Tony stated that her membership was a bequeath.
- vi. Henrietta Trujillo – we are just talking about membership now not about other things.
- vii. Melvin Ortega – Anyone that was a member at time of fire is eligible anyone after the fire is not eligible. Keep it simple.
- viii. Bobby Padilla – the attorneys are thinking of “what if” someone comes up and wants to be paid after.
- ix. Margaret Lucero – right now we are talking about proponing membership.
- x. Ron Duran – bylaws would protect us from lawsuit.
- xi. Andrew Ortega – suggest tabling the discussion until the next time to close the membership.
- xii. Kathy Archuleta – her daughter put in the letter last time and it was not her fault that it didn't get on the agenda for this meeting.
- xiii. Melvin Ortega – If we get new applications before the membership is frozen.
- xiv. Kathy Archuleta – if her daughter becomes a member now, she will be a member after 2022 and will not be eligible for the disbursement.
- xv. Kathy Archuleta understands that she cannot be a member but keep the letter for the future.
- xvi. Tony Benavidez, Chairman – the board is trying to do the best they can, for all members. He wants the membership to know that they are doing the best they can to keep business meeting, with the NMLGC which has taken a lot of time.
- xvii. He proposed; The members letter will be read at the next meeting for by the Chairman to the membership, at this meeting no action taken.

SECOND – Tony Benavidez to accept Close/freeze the membership until further notice --**VOTE** – all board in favor **MOTION PASSED**

- j. Voting Information – informational, no vote required/made.

- i. Voting is May 17th, 2025, from 10:00am to 12:00pm, at La Placitas Fire Station Gallinas

- ii. Candidates will need to submit a Declaration of Candidacy, with Margaret by no later than May 7th, 2025. The form via mail, it must be postmarked by May 7th, 2025.
- iii. The Chairman informed about the details of elections mentioned in item d – i. and ii above
- iv. Kathy Archuleta – what positions are up for election. Tony Benavidez, the positions are not title specific. Avedona Lucero informed send Declaration of Candidacy to PO box 201, Montezuma, NM. 87731
- v. The LGLG board of Trustees NEED MEMBERS TO JOIN THE BOARD OF TRUSTEES.
- vi. All members who vote must fill out the Certificate of Membership by May 2nd, 2025
- vii. Avedona Lucero informed that the Certificate of Membership form needs to be completed again, even if it was completed last time.
- k. Contact officers by email, phone or text if you have questions about scheduled meetings. Officers' information is as follows:
 - i. Tony Benavidez, President 505-652-5346.
 - ii. Margaret Lucero, Treasurer 505-525-1572.
 - iii. Bobby Padilla, Collector 505-615-1595

IX. Old Business.

- a. Update on road work Bids

Bobby Padilla informed that member Tolo Montano took Rocky Mountain Forestry up to the LGLG to let them and wanted to start at about 100 acres.

 - i. Ron Duran – when will this project get started? Bobby Padilla said the LGLG needs one more bid.
 - ii. Andrew Ortega – comment on masticating is no longer viable because the trees are breaking/snapping too easily.
 - iii. Bobby Padilla, if the work is suitable then will continue with more acres.
- b. Update on member compensation
 - i. Share information regarding the meeting with the DOJ

Margaret Lucero informed that the board discussed that it would be nice to give members compensation. The NMLGC had concerns about it violating the anti-donation clause, they suggested that the LGLG consult with the DOJ. The LGLG met with the NMLGC on 4/14/25 and they asked the board to come up with a compensation process. Margaret drafted a process for compensation and the board will meet with the NMLGC on 4/22/25 to present that process. The state taxation and revenue department will be

present and will inform if the compensation will be taxed to the member or not.

- ii. Chairman explained to the NMLGC that the LGLG was not tied back to the Las Vegas Land grant and no longer under the district judge.
- iii. Bobby Padilla informed that the board is trying to fight for all members to get compensation.
- iv. Share information regarding the meeting with Arturo and members of the NM land association.
 - i. Creating a plan on how to proceed to give members compensation. Discussion item.
 - ii. Discuss with the members the next steps that need to be addressed
 - iii. Beneficiary designation form Bobby Padilla shared that it would protect the member in the event something happened to them if a member passes away before getting the money. It can be turned into any board member.
 - iv. Melvin Ortega asked if there can be more than one beneficiary. Clarification was given that more than one beneficiary can be named but the percentage must be clearly stated for each beneficiary.
 - v. Andrew Ortega wanted clarification about meeting with the Las Vegas board. He informed that the LGLG was separated from the Las Vegas land grant in 1985. HB 268 separated the LGLG from the Las Vegas Land Grant. The NMLGC partnership was supposed to be short lived. Our bylaws will be our governance.
 - vi. Next steps
 - a. LGLG Member Tree. The chairman said they would like that from members to update our history. Margaret would like the members to submit their family tree to the LGLG board. Each member to list who they are related to in the LGLG. Bobby Padilla explained that on the family tree it is important to indicate who is adopted.
- c. Bylaw update. – move to update bylaws to be compliant with state statute
- d. Revisit Grazing and Leasing arrangement with Ron Ortega—Mr. Ortega would like to move his cows to the land grant, The LGLG had already approved for Mr. Ortega to have cows on the land grant.
 - i. Recommendation from the lawyer asked us to wait until the lawsuit was complete.
 - ii. **MOTION** – Table the item until all FEMA monies are received
DISCUSSION:
 - iii. Andrew Ortega, he is opposed to that motion. The reason being that there is fire danger increased without getting it grazed.
 - iv. Margaret Lucero was told by the NMGC that we could not lease but could graze. We need to come up with some guidelines for grazing.

- v. Bobby Padilla, in the past we have let the animals go up there and graze the land. He wants to let members graze their cattle because members are here that depend on the grazing.
- vi. Andrew Padilla, NM is classified as a "fence out state" and it is up to the landowner to build the fences. Andrew says we are allowed to lease may want to consult with the Anton Chico land grant.
- vii. Melvin Ortega, it is time sensitive.
- viii. **AMMENDED MOTION** – by Margaret Lucero, Ron Ortega should be allowed to graze the cows.
- ix. **AMMENDED MOTION** – by Tony Benavidez to allow member to graze their cows without restrictions for 2025 and 2026. By 6/30/2026 the board should have a process in place.
- x. **SECOND** – to allow member to graze their cows without restrictions for 2025 and 2026. By 6/30/2026 the board should have a process in place.
by Bobby Padilla **VOTE** – all board members in favor. **MOTION PASSED**

X. Heir Comments.

- Kathy Archuleta – declined her sign up time.
- Andrew Ortega – address the road ASAP.
- Bobby Padilla – Someone came up with the idea of the idea of zoom meetings. Bobby stated he would not be in favor of zoom meetings.

XI. Adjourn

MOTION to adjourn by Marget Lucero **SECOND** – to adjourn by Bobby Padilla **VOTE** all in favor **MOTION PASSED**. Meeting adjourned at 2:55pm