

TIMBERLAKE RANCH LANDOWNERS' ASSOCIATION

SEPTEMBER 21, 2024

Pledge of Allegiance: President Mary Ann Armijo asked Joe Martinez to lead the assembly in the Pledge.

Call to Order: President Mary Ann called the meeting to order at 1004am.

Introductions:

Landowners Present: Robyn Cox, Duke Armijo, Richard & Roxanna Hollabaugh, Tom Abbott, Greg Brooks, Gaya O'Neill Deak and Lou Deak, Julie Farrell, Rosemary Carlson, Melissa Lane, Tracy Lange, Ron Schali, Killarney Martinez, Pamela Adams, Shelia Craig, Karin & Pete Reinhardt, Mike Rebb, Andy Ramm, John Schleuder, Jim Craig.

Zoom Attendees: Susan Ackerman, Ben Burkland, Stephen Hunt, Trish Anderson, Wayne Ramm, Maria Mendez-Young, Julian Schleuder, Teresa & Marv Springer, Laurie Gurley, John & Karen?

Approval of June Minutes: Motion was made to approve the July minutes with a unanimous approval by the board.

REPORTS:

Commons:

- 3 toilets were purchased for the bath house.
- 3 large tissue dispensers were purchased and installed in the bath house restrooms.
- Water filters were changed out on the 1st of the month.
- Performed ant control around ranch house.
- Tom Abbott and Don Parry repaired the bath house door handles.
- Thanked the volunteers for the pressure wash on the maintenance barn floors before the dance.
- Hauled all trash from the event and thanked Steve Railsback for his continuous trash pick-up on all roads.
- Pressure washed the ranch house porch.

- Received two applications from Landowners for use of the ranch house.
- Repaired the leach field berm at the ranch house and thanked Wally Jackson for his support.
- Bug bombed the ranch house.
- Received bid from Ron Schali for fire mitigation.
- Trail update was presented by Greg Brooks.

Question from Gaya Deak: Is it ok to use the current trail completed to date. Yes.

- Fire department will conduct future rescue training for trail emergencies.
- Reminded the trail volunteers and trail users to be respectful to Landowners while enjoying the trail.

Question: Should the future trail continuation be outlined and presented to the Landowners and board before any work commences? A: Discussion will follow.

Question: Will the new website contain maps of the trail system? A: Work in progress.

Treasurers:

| | INCOME | |
|---|----------|--------------|
| Assessment fees collected current month | | \$13,734.06 |
| Assessment fees collected YTD | | \$120,610.30 |
| Assessment fees outstanding | | \$60,569.74 |
| | EXPENSES | |
| August expenses | | \$28,751.54 |
| YTD expenses | | \$32,893.44 |
| | | |
| Wells Fargo - Deposit | | 220,910.80 |
| Wells Fargo - Checking | | 19,685.05 |
| Wells Fargo - Well Contingence Fund | | 6,536.92 |
| Wells Fargo - Road Repair/Contingency | | 44,660.04 |
| | | 291,792.81 |

Roxanne Hollabaugh requested brief description of any unusual expenses.

Treasure Judi Murphy will provide. President Mary Ann mentioned that there were 743 Landowners currently. Insurance was biggest expense. Craig Johnson

made the motion to approve and was seconded by Joe Martinez with a unanimous approval.

Communications:

- Frank Beissel asked for feedback from the Zoom attendees for the enhanced additional audio/video equipment.
- Reporting CC&R violations was now available. Frank reminded the Landowners that their submitted form would only be seen by the board of directors and assured the person would remain anonymous to the public.
- Rosie Alerts are now available to report on the new website.
- Vendor/Expert list was now posted. Please feel free to add for future consideration.
- The Trail section is now available on the website.

Liens & Foreclosures:

- Vice President Dianna Ramm was not present, so President Mary Ann reported that we released 8 liens. 7 new liens were filed. Mary Ann reminded those in attendance that a \$345.00 balance in arrears from Landowners dues would constitute a lien being placed on their property.

Architecture Committee:

- It was reported that an application was received and approved for a new house to be constructed on Road Runner.
- Inquired about an open carport and informed Landowner NO.

Question: Has the board received any CC&R violations? No.

Roads and Grounds:

- Continue to push up burn pile 2x per week.
- Continue dragging TRLA roads.
- Dragged ranch house parking lot for gravel and weed control.
- Repaired rain runoff on several roads.
- Dragged Lake View, grade and dragged No Mans Land.

- Cleaned the bar ditch, checked and shoveled culverts on Monte Vista and Sunrise.
- Graveled several roads 8/19, 21 belly dumps and 9/17 20 belly dumps.
- Graded Cliffside Rd. for storm damage repair.
- Cibola swept and sealed portions of Timberlake Road.
- 1000 tons of gravel was delivered and spread throughout the back roads.
- Another 700 tons will be delivered soon.
- McKinley County has graded Timberlake Road to the Box S entrance 3 times since July.

Equipment Report:

- Repaired Hydraulic leak Kubota in house.
- Dump truck going in for service, oil and grease scheduled between September and November.
- Winter prep work is starting – install snow blade on tractor and dump truck, install chains on all vehicles for snow removal.

Question: What roads are scheduled to be graded next and what roads have been graded? A: Elk and Culebra, Bobcat, Pinetree, Foxtail, Sunrise, Shore Cliff, Cottonwood Dr, Pinon, Timberlake to Black Bear, Halcon – all have or are going to be – depending on the weather.

Fire Department:

Captain Julie Farrell gave an update on the emergency evacuation siren project and thanked all who contributed. A plaque will be placed in the fire station with the names of all who contributed through the Go Fund Me account generated by Roxanne Hollabaugh. Also, a thank you plaque will be placed with the names of the companies who installed the siren. Miss Farrell mentioned Emergency Evacuation Zone signs would be installed at the airstrip and the ranch house. Capt. Farrell mentioned when you hear the siren you should already be in the GO MODE so don't make this the only means of evacuation.

Q: Will the siren be tested often? A: Yes, the first Saturday of the month at high noon during fire season. Tom Abbott mentioned that if you have the ability to go out of the community don't wait. Go the highway 53. Should emergency vehicles be utilizing Timberlake Road do not impede their response. Go to the Emergency

Zones. Don Parry mentioned to respect the emergency helicopter landing zone and use the go around route. The zone is located just to the west of the cattle guard past Ramah Falls turnoff on the orphan road. Q: How far did the siren reach? A: As far as Black Bear to the north

Old Business:

President Mary Ann mentioned that the committees were being finalized to begin work during the winter months and beyond. The By Laws committee is still looking for members. Q: Robyn Cox asked if Zoom could be used to generate more committee volunteers. A: Pres. Mary Ann said that could cause more than needed to complete the vetting process but a good question to consider in the future.

New Business:

President Mary Ann welcomed Sherriff Larry Diaz from Cibola County Sherriff's Department to discuss law enforcement within Cibola County. Sherriff Diaz gave a brief bio of his law enforcement career and then began to discuss what enhancements were now available in Cibola County. Sherriff Diaz mentioned they now have 21 officers consisting of deputies, admin, K9, Lieutenants and detectives. Sherriff Diaz mentioned that Cibola County consists of 4500 square miles of range. He mentioned that they now have 5 districts in the south county with officers stationed at each: 1 Zuni, 2 Pinehill, 1 Fence Lake and 1 Candy Kitchen. He relies on the Ramah PD for this area. Sherriff Diaz mentioned Cibola County has a good relationship with tribal agencies, Ramah PD and McKinley County. Q: Should we need to call 911 do we tell them we are in Cibola County? A: Yes. Even though Sherriff Diaz has a good relationship with McKinley please tell them what county you are calling from. Q: What is the validity of the recent reports about break-ins in Timberlake. A: None reported but will investigate. Q: When in the middle of the night, should you need assistance, Sherriff Diaz referred to the districts he mentioned above. Q: Has there been any discussion of a Search & Rescue division within the department? A: YES, with more info to come. President Mary Ann thanked Sherriff Diaz and mentioned we will have McKinley County Sheriff's Department at the next meeting.

Comments and Questions:

- A prepared statement for Landowner Pamela Adams was read before the board and Landowners in attendance and on Zoom which reads:
- **TRLA Board Revision:"Article III Section 15 has never existed so therefore, until confirmed, the board will accept Pam Adam's protest with unverified information"**

Statement to the TRLA Board on September 21, 2024

Pursuant to the Restated Declaration of Covenants, Conditions, and Restrictions for Timberlake Ranch Landowners Association in Cibola and McKinley County, New Mexico, TRLA and those elected to the board to represent said landowners are delegated and assigned the powers of maintaining, administering, and enforcing the covenants, conditions, and restrictions and collecting and disbursing funds pursuant to the assessments and charges of those funds. The Board, in general, does not have the power to arbitrarily add to the designated CCRs without the express majority of consent of the landowners. The current Bylaws and CCRs in regard to the Common Areas provides for access by landowners and several equestrian easements but does not mention or refer to any trail system. Article III Section 15 states “No building upon, alteration, or addition to the natural bluffs and cliffs is allowed nor shall any structure of any kind be allowed to be constructed within 100 feet of the bluffs or cliffs. Because the Common Area belongs to TRLA and all the landowners, only those CCRs relating to the Common Area come under the purview of the Board. If it is not covered in the CCRs, then any project relating to the Common Area must be presented to the landowners for review and majority approval in order to be added to the current CCRs. It is incumbent upon the Board to provide public meetings and forums for landowner input with a follow-up vote by all the landowners and a subsequent 51% majority before any trail project can be permitted.

I therefore submit that the current trail project is a violation of the Covenants, Conditions, and Restrictions and that until such time as meetings and forums have been held and a vote by all landowners with a 51% majority in favor is taken, all work and progress needs to cease.

Pamela Adams

The board will research and present to the Landowners their findings. Until then work has ceased on the remainder of the trail system.

- It was brought to the attention of the board by a landowner that a

statement was made and included in the July 21, 2024 minutes that was an

inaccurate statement. At this time the board would like to strike the existing statement and amend the statement with the landowner's remarks:

September 19, 2024

To: TRLA Board of Directors

From: Gaya O'Neill Deák, Landowner

**A Written Statement to be Submitted on Sep. 21, 2024
at the TRLA Landowners' Meeting**

Respectfully, this is a formal request that the Board

- 1) Include this Statement in the minutes for this September Landowners' Meeting
- 2) Amend the minutes for the Landowners' Meeting on June 15th to remove the following passage: "Gaya had sent an email to the previous board asking about committee information and she never received a reply for over eight months without a response."

Background

I have recently discovered that at the June Landowners' Meeting I misspoke. My misstatement was then recorded as part of the official minutes of that Meeting. And, though at the time I believed what I described from memory to have been correct, I have come to realize I was sorely mistaken.

One regrettable consequence of that error, once published, is that for some readers what I said reflected badly on others, specifically, on those who served on what some call "the old Board." This was absolutely not my intention nor was it the focus of my remarks in that meeting.

At this time I am grateful that what I related at that meeting in the course of my remarks, which was repeated in the minutes, was brought to my attention privately and challenged.

This led to my researching the matter thoroughly, to be sure what I said was correct, which was no small feat. Ultimately that research led to several realizations: firstly, that I was absolutely and substantially incorrect; secondly, that there were many factors that contributed to how that unwitting error came about; and, finally, that I need to set it right.

I have personally made amends to the landowner who brought this to my attention. And now I consider it necessary and right to make amends publicly by the submission of this Statement.

Declaration

Please allow this to serve as:

- 1) a formal correction of a misstatement that I made during a comment section of the June meeting; and,
- 2) a formal correction of the characterization of my comments in the minutes from that meeting.

The subject under discussion was Board committees and Landowner participation - moving forward.

- 1) In the course of making suggestions for future increase of landowner participation on Board committees, at the June Landowners' meeting: I happened to relate that I had submitted months earlier a request to the Board to explore serving on a committee and was disappointed that I had never heard back; and, that I had heard, unsolicited, other landowners' referencing similar experiences.

Much to my chagrin, I now know that in what I related about my own experience, I was not accurate - not even close.

The facts are these: It turns out that there were irregular circumstances that delayed the receipt of my email inquiry;

Due to a string of technological errors and misdirections, the details of which are not important at this time, my email inquiry, addressed to the Board Secretary and bundled in a single email with comments/suggestions for the Board pursuant to filling out the Landowner Questionnaire/Survey, ultimately was received, but almost a month later;

I now know that by the time it was received, in full and in tact, I was already serving on the Nominating/Election Committee;

And, further, the Board Secretary did indeed Reply to my email (!) - though I did not register that fact. I have recently unearthed that Reply, in acknowledgment of receipt, a reply which in the stream of urgent events related to the election I unfortunately overlooked as it was in a train of linked emails in my overstuffed Inbox.

- 2) In the other regard, the way that my remarks were characterized in the minutes for that June meeting, seems to have implied to some that my emphasis was on disparaging the practices of the 'old Board.' I hereby want to correct that impression as that was absolutely not my focus.

My emphasis was not intended to be on anything specific about the previous Board and I regret that it may have been taken that way. The past is the past. And I believe I have alluded several times in my remarks in more than one meeting to my sense that we newcomers may find in future very relatable reasons for how some things have been done in the past, which we are questioning now, and that personally I am far more interested in our responding constructively and creatively as a community to the challenges of the present and the future.

My emphasis at the June meeting was intended to be forward-looking. That as we move forward with visions of greater participation by landowners in the business of the Association in my opinion we would do well to make it a priority to increase the number of landowners serving on committees as soon as possible, for a host of good reasons. Not least of which would be to spread the

weight of responsibility, time and effort, and, the same time increase the number of landowners gaining first-hand experience of what it takes to preserve and protect the Ranch and keep the Association going. This I believe may help improve community wellbeing. On a very pragmatic level, more landowners by earnestly serving on committees are essentially getting some pre-training, hopefully, as good candidates well-prepared for Board service in the future.

That was my focus, and that was the point I had intended to make.

Rozanne Hollabaugh acknowledged Teresa and Marv Springer for their effort on the volunteer committee.

Q: ZOOM – Wayne Ramm asked about who to report road issues to. A: Email Joe Martinez if you have any concerns.

Melissa Lane mentioned that the June 2023 minutes were missing from the website. Judi Murphy will look into this as she was the Secretary at that time.

No further comments or questions and Don Parry made the motion to adjourn and was seconded by Joe Martinez at 1148 am.