

TIMBERLAKE RANCH LANDOWNERS' ASSOCIATION

FEBRUARY 15, 2025

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 1005am.

Agenda Addition: Mike Rebb to give a briefing on Fire Mitigation in New Business

Introductions: All board members introduced themselves.

Board Members Present: Mary Ann Armijo, Diana Ramm, Don Parry, Joe Martinez, Frank Beissel, Craig Johnson

Landowners Present: Robyn Cox, Duke Armijo, Tom Abbott, Rosemary Carlson, Tracy Lange, Laurie Gurley, James Hensen, Jim Craig, Mike Rebb, Shaun Bowler, Katharine Teleki, Killarney Martinez, Tony & Rebecca ??, Kerry & Joe Kane, Cecil Lane.

Zoom Attendees: Susan Ackerman, Ben Burkland, Trish Anderson, Adam Pehrson, Paul Moffit, Carren Kangas, Marv & Teresa Springer, Roxanne Hollabaugh, Tiffany Forsyth, Ken Norton, Rhett Renoud, Gaya Deak, Sheila Craig, Joshua Kane, Joshua States, Don Auger, Wayne Ramm, Shirl Henderson, Gunner Reinhardt, Shelia Craig, Pam Adams, John & Karen?, Lisa Daley, Milissa Lane, Julie & Rick Farrell.

Approval of Minutes: A motion was made by Judi Murphy and second by Don Perry to approve the October 19, 2024, meeting minutes. A unanimous approval was made by the board.

REPORTS:

Treasurers: The treasury report was presented by Ms. Judi Murphy. Ms. Murphy also informed the Landowners of the over and under balances of the budget. A motion for approval was asked by Don Parry and second by Diana Ramm and all approved by the board.

	INCOME	
Starting Ballance		\$174,947.03
Over Budget	\$4,000.00	

	EXPENSES	
OCT, NOV, DEC, JAN expenses		\$70,888.67
	Under Budget	\$115,252.33
Radio Equipment for Roads		\$1,750.00
Audio Video Equipment		\$4,600.00
Safe for A/V Equipment		\$540.00
Budget for 2025 Gravel	\$58,500.00	
Actual Expense for Gravel		\$16,482.00

Commons: Director Don Perry reported the following:

- Ranch House was shut down and winterized, November 1st.
- Ranch House was re-keyed by Joe Martinez and Don Parry due to previously installed re-keyable lock sets on all doors.
- The following groups will be assigned keys and will need to sign an agreement: Library, Activities, Church and Sticher's Group.
- Bath House will open April the 1st and the Ranch House will open in late March, weather permitting.

Communications: Director Frank Beissel reported the following:

- Purchased all necessary audio/video equipment for ZOOM meetings. Frank Biesel was using his personal equipment during the monthly meetings to be presented on ZOOM. Total equipment charge was \$5,476.45.
- Communications director was informed that not all meeting minutes were posted from the old website to the new site.
- Old website will be shut down in the near future.
- Emails will be sent out to all Landowners concerning the up in coming trail phase two construction informing the Landowners to voice their concerns and support. An April date will be posted.

Liens & Foreclosures:

- Vice President Diana Ramm reported that we have 19 liens on file and 1 release.

Architecture Committee: Director Don Parry reported the following:

- One house plan was approved on Fox.
- One house query on Bobcat.
- One shed query on Cottonwood.
- Construction Industry Committees has changed back to 200ft and above for permit.
- A submittal of plans for solar panels on an approved garage and approved.

Roads and Grounds: Director Joe Martinez reported the following:

- Continue to push up burn pile 2x per week through the winter for burn time. The pile will be burnt when favorable conditions allow.
- Graded bar ditches on several TRLA roads.
- Prepared several roads to receive new gravel.
- Gravel was ordered for 6 trailer loads to be delivered on October 28th.
- October 30, 2024, 21 belly dump trailers of 1" gravel delivered and spread.
- November 1, 2024, 21l belly dump trailers of 1" gravel was delivered and spread.
- December 4, 2024, McKinley County delivered and spread millings on Timberlake Road in several locations.
- Placed an order of 240 gallons of treated diesel fuel for the winter.
- Received first significant snow on November 6 & 7th. No snow plowing required.

Equipment Report:

- October 22, 2024, brought the grader to JRL for annual maintenance.
- November 4, 2024, the snow chains and snow blade were installed on the F550 dump truck.
- November 5, 2024, snow chains and snow blade were installed on the Kubota tractor.
- November 12, 2024, grade crew performed maintenance on the "No Man's Land".
- November 19, 2024, graded Sagebrush Road.
- December 2024, snow chains were installed on the grader. With no snow plowing needed the chains were removed in February 2025.

Q: Cecile Lane – Bar ditches – are they going to be cleaned? A: YES, based on depth of ditch. Q: any word on the BIA maintenance? A: Mary Ann has spoken to our New Mexico senator and the owner of the property. We are waiting to hear back from the Navajo Nation but in the meantime TRLA has and will continue to perform minor road grading.

- Acknowledged road crew consisting of Don Parry, Tom Abbott and Jack Mansperger.

Fire Department: Communications Director and Member of the Fire Department Frank Beissel reported the following:

- Last three fires have been caused by smoldering ash left unattended (Timberlake Ranch, Ramah – 3 acre and ZUNI – 10+ acres).
- Fire danger is now set to HIGH for McKinley and Cibola counties.
- NO outdoor burning if wind is above 10 miles per hour.
- Brush Pile will not be burned until significant moisture is received.
- Fire Station Siren testing will begin on April 1st at 12 noon and run for approximately 10 minutes.
- Fire Station is currently staffed by 10 personnel.
- Wellness checks are now being offered to check for Glucose, Oxygen Levels and Blood Pressure.

Secretary Craig Johnson reminded the Landowners that the siren was not the first defense in notifying the community. This is for a “GO” mode notification.

Landowner and Fire Department member Laurie Gurley remarked that the Air EVAC information is posted on the website under the Fire Department section.

Old Business:

Landowner Rose Carlson presented the Trail update on behalf of Greg Brooks who was out of town attending personal matters. Rose reported that continued maintenance of the existing section of the trail was performed during the down time before the next section will start. The board has stated a cease of trail work until all Landowners can meet to discuss the next phase. Several Landowners have expressed concerns of encroachment to their property. The trail is being exclusively built on Commons land, but hikers need education of where to enter and exit the trail and not on private property. A Landowners meeting is scheduled for April 12, 2025, commencing at 1pm to 4pm to voice pros and cons. Mike Rebb

asked if maps showing distances from property could be posted on the website. A question was asked if ZOOM was going to be active for this meeting. Frank stated to have your questions prepared beforehand as to minimize ZOOM delays. A question was asked if Landowners can hike anywhere on Common land. Answer – YES. President Mary Ann stated that the board preferred that you hike the trails exclusively.

A question was asked on ZOOM unrelated to the trails but in reference to Liens. If a home is in foreclosure, does TRLA put the property up for auction before the county? This was a practice in the past. Pres Mary Ann stated that we do not do this currently but will look into this in the future. We will work with the Landowner if they are behind in dues, but property taxes and county foreclosures are out of our control.

CC&R Committee Report: Secretary Craig Johnson reported that the committee met over the dark months several times to discuss changes that need to be made to the CC&Rs. Craig acknowledged his committee members **Josh States, Robyn Cox, Don Auger and James Henson**. All CC&Rs were reviewed and voted whether to make a proposed change or leave as is. 15 proposed changes were presented to the board and discussed. Approximately 5 will be presented to the TRLA lawyers for their review before being submitted to the Landowners for your review. These proposed changes will be posted on the website and voted on during the annual meeting in May. Some of the 15 will only need a grammar change but the context will stay the same. The current wording of the article and section will be posted with the proposed change and rational behind proposed change. Q: what is the ETA on seeing these? A: not until the lawyer's review and then posted on the website. Q: who is the TRLA lawyer that will be reviewing? A: our current lawyer on retainer.

New Business:

There is a lawsuit filed on the behalf of a Landowner suing the Timberlake Ranch Landowners Association and the Board of Directors. This suit was filed in Cibola County in December 2024. The current board did not receive the suit until January 9, 2025. Since there was a delay of 27 days in the 30-day time to respond, TRLA has asked for an extension which was filed on February 4, 2025. All parties agreed so both sides could have time to prepare all necessary documents to defend the case. President Mary Ann asked the secretary to read the complaint which states:

“The 13th Judicial District Court, County of Cibola, Adam Pehrson vs. Timberlake Ranch Landowners Association and Board of Directors for the Timberlake Ranch Landowners Association, verified complaint for Breach of Fiduciary Duties, Award for Attorney Fees, and Application for Injunction, Comes now, Plaintiff, Adam Pehrson, vying through his undersigned counsel, and for his verifying complaint for Breach of Fiduciary Duties, Award for Attorney Fees, and Application for Injunction.”

A question on ZOOM was asked why, if the summons was filed, did it take 27 days to notify the Landowners? A: Current board did not receive the summons until 3 days before the 30 day respond period. The board asked for an extension and was granted for both parties, lawyers and the judge. This will give time for both parties to gather all documentation to proceed.

The board was instructed to NOT discuss the case until a resolution was determined. Our lawyer handling this case is Gary Freeman. We will keep the Landowners up to date with any info pertaining to this lawsuit when it is made public. Landowners can request an actual copy from the Cibola County courts based on the Freedom of Information Act. President Mary Ann informed the Landowners that our liability insurance is covering this case.

A heated discussion among a Landowner and the board ensued about some of the reasons for the suit and was stopped by President Mary Ann after she had just informed the Landowners that we cannot discuss the terms of the suit.

Paul Moffitt asked about the statement in Section D, Page 20 on the legal requirements if it would be possible to discuss the pros and cons and vote to remove Section D and anywhere else in the TRLA documentation that statement may also occur. Pres Mary Ann asked Paul Moffit to contact her after the meeting to discuss.

Election Committee:

Secretary Craig Johnson spoke about the annual elections coming up during the annual meeting in May. There are three open positions for Board of Directors. A request for an election committee is open for members to oversee the elections.

We will post on the website that we are looking for candidates to submit a BIO with their application. Gaya Deak will oversee the new committee and share her experience from last year's election.

Question: Will there be an open forum for the new applicants to propose their reasons for running? A: That is up to the new candidates.

Fire Mitigation:

Mike Rebb spoke about Fire Mitigation around the community. The Forest Service has a grant program for landowners to clear their property of tree and brush for fire mitigation. Landowners will pay upfront for a contractor, or perform the work themselves, and will be rewarded 70% of the cost. A minimum of 10 acres is needed for the grant. Mike has offered his service to help clear your land. Mike was awarded a grant to purchase a woodchipper and any Landowners would need to coordinate with Mike personally for his assistance. We will post on the website where to find the applications for the grants.

Landowners Questions and Comments:

Gaya Deak asked for Mike Rebb's contact information. Paul Moffitt asked if the lawsuit documentation will be posted on the website. Pres. Mary Ann stated that after a decision is made all documentation will be posted.

No further questions or comments were asked, President Armijo made the motion to adjourn and was seconded by Joe Martinez at 1148 am. Next Landowners meeting will be **March 15, 2025**. ZOOM request can be made by emailing the TRLA Communications director.

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