

Deer Lake Association Fall Meeting
Tuesday, October 19, 2021
La Mesa Presbyterian Church
7401 Copper Ave NE, Albuquerque, NM 87108

Attendees: Glen Flanders (President), Robert Starkey (Vice-President), Krystal Rodriguez (Secretary), Kevin Tracey (Treasurer), John Bailey (Member at Large), Steve Coleman (Bookkeeper), Eduardo Rodriguez, Rosie Starkey, Julia Starkey, Ken/Lou Long, Silas Suazo, Victoria Hines, James Hines, Bill Hines, Barbara Buxton, Albert Montoya, Larry/Kathy Tafoya, Elizabeth Holbrook, Larry Wiles, Dave Kelly, Sara Money, Patrick Trujillo, Dianne Dragoo, Randy Wiest, Joe/Nadyne Bicknell, Steve/Lisa Berniklav

Meeting called to order at 7:01pm.

Opening Remarks: Board President, Glen Flanders, made opening remarks. Explanation was provided regarding meeting location, La Mesa Presbyterian Church, and the limitation for meeting space due to the COVID pandemic. Requested that all attendees wear a mask while in the building. Reminded everyone that Robert's Rules will be followed to facilitate the meeting.

Association Meeting Minutes Approval: Reviewed DLA Spring Meeting Minutes from March 30, 2021. **Steve Coleman motioned to approve minutes, seconded by Eduardo Rodriguez, all were in favor of approving, none were opposed.**

Treasurer's Report: Treasurer, Kevin Tracey, provided an overview of the Financials provided at meeting (Profit & Loss Statement [April 2020-March 2021], Profit & Loss [April 2021 – September 2021]). Highlighted that all lots had paid annual dues in full which had not happened in a long time. Explained that the Association had not been paying property taxes for the lake for the past 41 years and a bill of \$113 per year would be assessed. After discussing with Sandoval County, they agreed to charge the association for only 10-years of back taxes in the amount of \$1,132.55 which was paid in full by the association. This will now be an annual bill going forward. IN addition, the board is currently working with Association Member, Randy Wiest, to obtain cheaper liability insurance, details have not been finalized. Highlighted that the fish was stocked one time this year and the fish stocking cost slightly less than what the association received for fishing licenses this year. **Sara Money motioned to approve financials, seconded by Steve Coleman, all were in favor of approving, none were opposed.**

Continuation of the Treasurer's Report, the following topics were addressed:

- Dues Increase: President, Glen Flanders, expressed that the only reason the board was considering increasing the dues was to cover the expenses related to the lake maintenance contract. Since the association is no longer in this agreement, there is no need to increase dues. All attendees were in favor of leaving the annual dues at \$50 for 2022.
- Annual Financial Audit: Member at Large, John Bailey, informed the association that he and Larry Wiles audited the financials for last fiscal year (April 2020 – March 2021). There were no audit findings; however, a letter to the board is needed documenting the audit. John made a verbal statement "As auditor of the books, the were found to be acceptable." **Krystal Rodriguez motioned to approve audit, seconded by Sara Money, all were in favor of approving, none were opposed.**

Lake/Fishing Report: Lake is in bad shape because of the drought. It was noted recently that the pump had stopped working and was being investigated by the board in coordination with Association Member, Dave Robertson. The pump should run as long as possible for aeration and the health the lake. A significant amount of discussion took place regarding the spring as a potential water source to feed the lake and if this had been

relooked at to assist with the current condition of the lake. It was cited that in 2006, a significant amount of work was completed by the association to install piping from the spring to the lake. Many members confirmed that the piping was now damaged (due to cows, road construction etc.) and would require a significant amount of effort to repair which was not worth the small amount of water the lake would receive from this water source. It was stated that Gerald Gauna owned the water rights to the spring. Past President, Sara Money, stated that for two-years on the board a lot of research was conducted with the assistance of Association Member, Silas Suazo, to have a Geologist come speak to the association to offer options in aiding with the lake's water level. Due to the pandemic this never came to fruition. Treasurer, Kevin Tracy, took the action to speak with Association Member, Gerald Gauna, and obtain the latest information on use of the spring. President, Glen Flanders, asked all association members to keep an eye on the lake and think of any ideas for the March 2022 on how to manage and maintain the lake going forward.

Lake/Fence Cattle: Vice-President, Robert Starkey, explained the situation on how cattle have caused significant amount of damage to the lake's fence. Pictures were submitted to the Cattle Inspector to see if the association could be compensated for the damages by the cattle owner. Association was informed that the landowners are responsible for keeping the cows out of their property. Unfortunately, the fence around our lake is not "cattle approved." It was recommended that the association members contact the Cattle Association (Ben Gonzales) to report any damages on their property caused by the cattle. It was stated that New Mexico is a "fence out" state, and that we shouldn't expect to receive much help from the Cattle Association. Also, many association members voiced the need to build a better fence that was "cattle approved" and recommended that the board obtain quotes to see if this upgrade could be afforded. Currently, the association is out of rails to repair the fence. Extra poles are at Sara Money's cabin but without rails these are not useful. Association Member, Steve Coleman, removed sections of the railing to allow the cows access to the lake and avoid further damage.

Roads/Culverts: Vice-President, Robert Starkey, informed the association that two remaining culverts that resided on Sara Money's property had been installed near the lake by Association Member, Tim Chavez. These culverts are expected to help direct runoff to the lake. The board acknowledged Tim for the outstanding work performed for a reasonable price.

Association Member, Tim Chavez, has previously helped the association clean out a large section of cat tails growing around the lake with his backhoe. Cat tails consume a large amount of water and are an eye sore. Tim volunteered his time, equipment, and gas to perform this job and never sought compensation. **Dave Kelly motioned to reimburse Tim Chavez \$250 for this effort, seconded by Randy Wiest, all were in favor of reimbursement, none were opposed.**

Discussion occurred regarding road maintenance. It was stated by Association Member, Eduardo Rodriguez, that DLA used to have a Memorandum of Understanding (MOU) with Rio Arriba County and Sandoval County for road maintenance. Association would like to revisit this MOU and see if it can be reinstated. In recent years, millings had been put down but there is still part of Old Hwy 126 that does not have these millings which makes for dangerous driving conditions when trying to leave Deer Lake during inclement weather. President, Glen Flanders, informed the association that he was informed that Sandoval County works in phases and this project had simply just run out of funds. It was stated that a project could take up to 7-years to restart. Guidance was given that a work order needed to be submitted to restart the milling project for Deer Lake roads which was done by the President. In addition, a letter was submitted to Sandoval County Commissioner, Kenneth Eichwald, requesting his assistance to get this project restarted as soon as possible. As of October 19th, a response had not been received from the Commissioner. It was requested, if anyone knows Commissioner Eichwald or other points-of-contact in

the county, if they could be contacted on the association's behalf. Association Member, Eduardo Rodriguez, confirmed he knew Commissioner Eichwald and will reach out to him.

Fuel Reduction: President, Glen Flanders, informed the association that the U.S. Forest Service fuel reduction project scheduled for this past summer, which was discussed at the March 2021 association meeting, has been delayed due to funding issues. Funding for this project is currently being solidified in the Government's FY2022 budget and there is probability that the fuel reduction project could start in the spring/summer of 2022.

Rental Properties: President, Glen Flanders, opened the floor to the attendees regarding the use of private Deer Lake properties for rental (both short-term and long-term) purposes due to the ongoing concern (topic was tabled in the March 2021 association meeting to the October 2021 association meeting). **Larry Wiles made a motion to discuss the use of rental properties in Deer Lake, seconded by Eduardo Rodriguez.**

Attendees expressed that the concern lies when a property owner rents out their property and is not present at the property while it is being rented. If property owner is on-site while renters are present it was expressed that risks (i.e., fire danger, property damage etc.) are reduced as they can keep an eye on the activities of their renters. Association Member, Victoria Hines, expressed the view that short and long term residential rentals are not an issue, because land owners have rented their cabins out to family and friends for years. The concern is regarding short and long term commercial rentals which represents potential risks to the Deer Lake Estates community. To proceed with any revision, it was recommended that the board try and obtain more input from the association members regarding their concerns. Changing the By-Laws is a complex process and 100% of the members shall be given an opportunity to review/approve the suggested changes. **Silas Suazo made a motion to send out a "Feedback Request" form with the annual dues mailing to obtain feedback regarding critical issues concerning Deer Lake, seconded by Victoria Hines, all were in favor of including an annual feedback request form, none were opposed.** Obtaining the association members concerns would be beneficial for any improvements to Deer Lake and help provide the board direction on the association's priorities. Feedback forms would be required to be submitted with annual due payments. Board could then summarize the concerns and present them to the association (either on website or some other form of communication). Board could pick from these concerns to help outline their priorities for the year. **A motion to keep short-term rentals on the agenda for the March 2022 meeting was made, seconded by Joe Bicknell, all were in favor, none were opposed.** It was noted that there is urgency from association members to address the rental property issue. Board asked that those present, that wanted to pursue the rental property discussion, should form a committee, and develop a suggested path forward and/or suggested changes to the By-Laws, if any, and present it to the board/association. Association Member, Silas Suazo, agreed to head this committee which will be composed of both members in-favor and against rental properties in Deer Lake.

Other Business:

- Question was raised if any lot owners were having issues with wells. A few attendees stated "yes" and indicated with time wells had cleared up without issue.
- **Motion was made by Elizabeth Holbrook for the meeting agenda to be included with the meeting notification (mailing) so that association members can be informed at time of meeting notification what will be discussed, seconded by Dave Kelly, all were in favor, none were opposed.** It was thought that such advanced notification of agenda topics would help increase attendance at the semi-annual meetings and get more members involved in Deer Lake business. Per the motion, the board agreed to include the agenda at time of meeting notification.

Motion to adjourn made by Larry Wiles, seconded by Eduardo Rodriguez, meeting ended at 8:50pm.