

## **TICONDEROGA:**

### **MINUTES OF TICONDEROGA OWNERS' ASSOCIATION, INC. BOARD OF DIRECTOR'S MEETING OCTOBER 13th, 2018, 8:00 A.M.**

Pursuant to the Bylaws, notice was provided to Board Members that a meeting would take place October 13th, 2018, 10 A.M. at Carol More's house.

#### **Board of Directors Present Were:**

Mike Brogdon, President  
Carol More, Vice President/Treasurer  
David Pace, new Director  
Sam (Butch) DeFillippo, Director  
James Garcia, Director

Ticonderoga HOA Administrator, Paul Edwards, present  
Ticonderoga Hoa Manager, Herman Candelaria, present

Joe Carrillo, a past BOD member, attended as well as other Owners in Ticonderoga.

#### **Directors' Handouts:**

Proposed Agenda BOD Meeting, Saturday October 13th, 2018  
Minutes to Annual Owners' Meeting, August 4, 2018  
TOA 2018 and 2019 Budget  
Balance of TOA Accounts  
Proposed Changes to Bylaws of TOA, Status of Votes

The Board of Directors' Meeting was led by Mike Brogdon, President, who opened for discussion each Agenda item and led voting on issues when needed.

The Meeting was called to order at 10:01 A.M. A quorum was present.

#### **Welcome to new Director, David Pace.**

David Pace was elected unanimously by Owners present and by proxy to be a Director on TOA's Board of Directors at the HOA Annual Meeting August 4, 2018. In this Meeting of 10/13/18, the Board of Directors unanimously approved that David Pace be Secretary of the BOD.

#### **Approval of Agenda.**

#### **Approval of Previous Annual Owners' Association Meeting Minutes.**

#### **Overview and Discussion:**

##### **Ticonderoga Administrator's Report:**

P&L Balance Sheet, Expense Report of TOA  
Accounts Receivable and Payables  
Status of Property Sales Within Ticonderoga  
Property Taxes Due December on the four Greenbelts owned by Ticonderoga  
Discussion of Remaining Budget for 2018, Budget & Goals for 2019

## **Ticonderoga Manager's Report:**

**Change to Gate/Dumpster Codes**

**Status of Streams, Ponds & Lakes**

**Fish Stocking**

**Dumpster Status, Cost of Upgrade to Larger Dumpster if needed**

**Condition of Common Roads**

**Condition of Culverts and Bar Ditches**

### **Ticonderoga Drive Upgrade, a five-year Project:**

#### **Background information:**

All of the existing roads in Ticonderoga when it was first being developed were dirt logging roads.

Exhibit B of the Amended and Restated Declaration of Protective Covenants 03/31/05 entitled "Common Road Easements" clearly shows Ticonderoga Drive as a Common Road as is Brass Cap Road. That Exhibit is also in The Second Amended and Restated Declaration of Protective Covenants filed 04/29/2016 with the County Clerk's Office.

Ticonderoga Drive Upgrades were discussed by the BOD and relayed in the Minutes of:

August 4, 2018 Annual Meeting, page 4  
May 5, 2018, BOD Meeting, page 4  
November 4, 2017, BOD Meeting, page 3  
August 5, 2017, Annual Meeting, page 6  
July 15, 2017, BOD Meeting, page 5

In other words, beginning the upgrade of Ticonderoga Drive was not "out of the ordinary." In fact, in the BOD Meeting of May 5, 2018, the BOD discussed specifics of the estimated cost of materials and equipment. No Special Assessment was necessary. Further, the BOD has not raised Annual Assessments for four years.

In contrast, the cost of \$76,139.87 for improving Brass Cap Road in 2007 could only be covered by a Special Assessment 09/07/07 of \$1,115 for each Owner's Lot. This led to a costly lawsuit, on the part of one Owner, which lasted several years.

The State of New Mexico Homeowner Association Act Senate Bill 497, 07/01/13, page 9, Section 7. Board Members and Officers-Duties-Budget specifies that Directors exercise "ordinary and reasonable care." The BOD has always tried to do that.

### **Trespassing and Poaching:**

In every BOD Meeting and reflected in the Minutes of May 5, 2018 is a discussion about

trespassing.

Trespassing is illegal under **New Mexico Statutes-Section 30-14-1 Criminal Trespass.**

Of particular problems are Owners who think they have a right to go on another Owner's land without that Owner's permission. "Trespassing" is a word that may have lost the impact of its meaning over time. Think of it, instead, as a form of stealing. Someone has paid a great deal to purchase that land. The trespasser and/or poacher has not.

**Trespassing and poaching create a danger.**

Know the boundaries of your own land. Get permission to go on another Owner's land.

**Bridge Upgrade, Benches and Tables**

**Architectural Review Committee Discussions**

**Mapping Discussion**

**Hunting Discussion**

**Next Meeting of BOD to be Announced**

**Meeting Adjourned at 12:22**