

**Minutes of the Stagecoach Hills Neighborhood Association (SNA) Board of Directors' Meeting
Tuesday, January 17, 2023
Via Zoom
3:00 P.M. (Mountain Standard Time)**

President Doug Daubert called the meeting to order at 3:10 PM.

Agenda January 17 Board Meeting

Roll Call
Approval of Agenda
Approval 11-15-22 Board Meeting Minutes
Treasurer's Report
Website Update
Firewise Update
Asphalt Plant Update
Committee Reports
Neighborhood Clean Up May 6, 2023
Board Members' Concerns/Ideas
Adjournment

Vice President Sherry Popham made a motion to approve the Agenda; Director Massimo Bardetti seconded. The motion was approved.

Roll Call

Present: Doug Daubert (President), Sherry Popham (Vice President), Charles Morris (Treasurer), Bonnie Taylor (Secretary), Melvin Allen (Director), Massimo Bardetti (Director), Mary Lane Leslie (Director), Kim Stevens (Director), Terry Thompson (Director), and Rhonda Vanderhoff (Director)

Absent: Vern Miller (Director)

SNA Members Present: Randy and Diane Carlson, Ben Casarez, Trish Guckien, Carrie Kahn, Andreas Kolshorn (Website), Martin Gutoski, and Janet Wright.

Approval 11-15-22 Board Meeting Minutes

Rhonda Vanderhoff made a motion to approve the November minutes; Kim Stevens seconded. The minutes were approved.

Treasurer's Report

Sherry Popham made a motion to defer the report until the next meeting; Terry Thompson seconded. The motion was approved. Although Treasurer Charles Morris had no financials for the January meeting, he reported that the Hillcrest bank accounts have been transferred with the appropriate signatures and a copy of the bylaws. Rhonda Vanderhoff included that she and Doug Daubert had signed paperwork the bank requires so that Charles could be added to the

SNA bank account as the new Treasurer. Because Charles is not always present for time-sensitive actions, Doug and Rhonda will go to the bank to inquire about online banking and the Hillcrest Banking App, which may assist Charles as he travels from Texas to New Mexico. They will notify Charles of transactions when he is not present. Terry Thompson affirmed the process. A recent deposit of \$600 was made and earmarked as reimbursement for the Asphalt Plant appeal activities. The annual dues notices will be mailed out shortly. Sherry Popham will give an update on PayPal. At a recent SHRMA meeting, a number of residents requested that Zelle also be added as a payment option.

Website Update

Terry Thompson proceeded to review each page of the SNA website. The Home page includes the SNA Vision Statement together with useful links. News & Communications follows with neighborhood updates, including Firewise certification, water conservation, annual dues, and a notice to dog owners. Next, the Calendar of SNA events. The fourth page, Resources, offers information and includes links to the SNA Board, its Bylaws, and an area map. Next, Roads (Tune and Calle Feliberto) with downloads and contact information. The sixth page contains information on the SNA Land Use Zoning Overlay with content and downloads. The seventh contains contact information, and the last, Board minutes and Board information including Standing Committees, their Sub Committees, and Ad Hoc Committees. Terry and SNA member Andreas Kolshorn are continuing to work on the website. SNA member Dania Es has agreed to phase in, eventually replacing Terry. Doug Daubert asked if it would be helpful to get feedback on the website's ease of access and usability from a nonpartial party. Andreas added questions: How easy it is to find answers to questions? Are there redundancies or additions? Is the website updated with sufficient frequency, etc.? Doug thanked Terry and Andreas for their efforts and invited all people attending the meeting to share their feedback on the website.

Firewise Update

Terry Thompson reported there had been a slow roll out of the process. He sent an email, with a form attached that requests homeowners' fire prevention activities in 2022, to the Listserve and Mail Chimp list. This information is needed to be certified as a Firewise neighborhood. In a week, he will send out another reminder with a second request to send back the completed form. In a month, Doug Daubert, Vern Miller, and Terry will finish the paperwork for SNA's request for certification. Terry reported that residents are working to clean up their properties to make them more resistant to wildfire.

Asphalt Plant Update

Sherry Popham began her report with a history of the appeal process that objects to the decision to locate an Asphalt Plant .8 miles from the SNA neighborhood and ¼ mile from the Rio Grande. NMED, the state environmental department, granted a permit without transparency and due process, according to the appeal. The appeal was lost, as well as the second appeal to Taos County. It appeared that the Board of Adjustment's decision was a *fait accompli*; it ignored all the requirements for the permit. For example, Sherry had directed the attorney to the footprint statement on Perovich's application, asking: [if operations will] "increase in usable space," and made the point that increasing from 70 to 190 trucks clearly will increase usable

space. Perovich himself had included two maps showing an increased footprint. Instead, the response was to focus on the footprint of the asphalt-making machine, which seemed to divert attention from the real issue. Additionally, one of the commissioners, who earlier had recused himself, spoke on behalf of Perovich. There is a 30-day window to appeal; Sherry and Kim Stevens plan to make their next appeal to the Taos Board of Commissioners. They hope to have an in-person meeting and feel positive about the reception of their cause, especially by Anjanette Brush. The meeting may include other affected parties, such as the Greater World and Double D Ranch, both of whom are downwind of the facility. Sherry and Kim will underscore the environmental dangers such a facility presents to the National Monument and wildlife corridor as well as to neighborhoods.

There are funds available (\$850) to cover expenses for the filings. Hiring an environmental lawyer, which would seem a good strategy, is not feasible as the wait period is three years. If Perovich, owner of the Asphalt Plant, is made to apply for a special use permit by the Commissioners, he will have to cease operations, thereby extending the time for the appeal process. Perovich is set to pave Highway 285 North; the only factor interrupting his operations now is weather. Doug Daubert asked: Do we start documenting violations and submitting them to the New Mexico Court of Appeals? Sherry responded that Perovich's failure to mitigate dust particulate from operations at the Crusher Plant suggests he may also fail to mitigate noxious gasses from the Asphalt Plant. Perovich has lacked oversight. Sherry encouraged residents to record video and audio evidence and send it to NM's Complaint Line (see NMED website). She advised that the more complaints the state receives, the more the state will have cause to send out investigators. Doug asked: Does the Greater World test catchment water to show particulate matter? He suggested contacting developer Mike Reynolds. Sherry responded there was no organized assistance or participation from Mr. Reynolds or any representative from the Greater World.

Rhonda Vanderhoff asked what the follow up should be. Terry Thompson offered to upload information and links on the SNA website for the NM Complaint Line. Several complaints each week, accompanied by photos of the Plant, would likely bring an inspector to the site; for example, every morning at 6:30, there is noise from the Crusher Plant. Perovich is only allowed certain hours, 7:00 AM-7:00 PM. Sherry reminded members that SNA did not appeal the Crusher Plant, because it is grandfathered and meets the requirements of continuous and primary use. The most noxious and detrimental fumes are from the Asphalt Plant; thus, SNA's decision to focus on it. Doug reminded the Board that Perovich's application is for a permanent facility; the permit is lifetime, unless operations are moved. If Perovich continues to establish primary and continuous use of the Asphalt Plant, then it makes it impossible to argue against his permit. Massimo Bardetti inquired about the public's participation in the complaint. Sherry replied that *Taos News* says it is following activities but not doing anything publicly. Taos Alliance, a group that focuses on the dangers of 5G and Chemtrails, are partners as well as the Taos Roundtable. Taos Pueblo and the BLM have been involved. Unfortunately, the BLM found that the Plant met the criteria for distance from the Monument. The Pueblo may speak at County Commissioners' meeting, but it is not publicly involved. Janet Wright expressed she is impressed with all that Sherry and Kim have accomplished but wonders if hiring an attorney

now would make a difference. Mary Lane Leslie advised that an appellate lawyer would be necessary if the matter goes to the NM Court of Appeals; the cost could be up to \$10,000. She mentioned the lawyer (Pete Domenici, Jr.), who represented Mr. Steve Rael of S&R Septic in the dispute over a discharge permit, as a potential appellate lawyer with expertise in environmental law. Another avenue may be an injunction, but that requires documentation of pollution-producing fumes and dust. The complaint could rise to the Federal level with harsher consequences for Perovich. Sherry thanked Mary Lane for her comments and concluded her report by saying that the meeting with the Taos County Commissioners is the next step in the process to appeal; it's the "Peoples' Court" as opposed to less interested bureaucratic bodies.

Continuing with follow up strategies, Terry Thompson agreed to post the Complaint Line on the SNA website, and Sherry will write content to accompany the link. Doug Daubert will notify SNA when the Commissioners meets to review the appeal. Terry added that showing up to the meeting will make a difference. Melvin Allen asked about letters to Editor (Geoffrey Plant) at *Taos News*. Kim agreed to supply talking points for letters. Sherry and Kim will also write something for "My Turn." Andreas suggested using the SNA website to document violations at the Plant, perhaps flying drones to photograph and provide a chronology of violations. He suggested this could be used as leverage with Perovich and as information to share with *Taos News*, but wondered if checking with an attorney would be necessary before using the SNA website as a documenting tool. Doug and Rhonda offered to coordinate the best times to photograph. Adjacent property owners might be approached to allow access for better photos, including BLM land.

Committee Report Updates

Welcome Committee - Rhonda Vanderhoff reported that 61 Calle Feliberto has been purchased by 2 LLCs: Bitches Brew LLC (Miles and Terra Chan) and Taos Little Bighorn LLC (James Idol and Alexa Montefiore). Ben Casarez bought a parcel from Roland Jacobs on Calle Feliberto. Bonnie Golden welcomed Angela Lambert and Josh Aragon who bought the Tilghman Evans' property on Bad Dog. Lastly, Mary Lane Leslie welcomed Austin and Heather Hill who bought the Susan Larsen property on Tune Drive. More information will be needed for Julie LeBlanc for SHRMA.

Scenic Easement – Sherry Popham explained that the committee developed out of Tune Drive residents' concerns about access to Manby Hot Springs; 75% of the traffic on Tune Drive was due to the Springs. Cameras were installed; people discovered them and parked above the camera and were going down at night. Manby is totally closed until the John Dunn Bridge is re-opened in the Spring. Thanks to Doug Daubert and Rhonda Vanderhoff for the additional signage, costing \$240, which include penalty signs warning of \$250 fines for ignoring closures. Massimo Bardetti owns property and has been helpful monitoring in concert with the BLM. Charles Morris asked about the trail from John Dunn Bridge to Manby. Although it is the legal route, the trail needs work. There is no management plan to date, but one is anticipated this Spring. It is important for our neighborhood to be involved and work with the BLM.

Neighborhood Roads and Highways Clean Up - May 6, 9:00 AM. Meet at the Tune Drive mailbox cluster.

Board Member Concerns/Ideas

Doug Daubert is in discussion with Taos Mesa Brewing about a weekend art show that would feature SNA artists and musicians at the Brew Pub. Not only would the Brew Pub benefit, but also the neighborhood. He maintains the event would be a goodwill gesture from our neighborhood and for our neighborhood. So much negative publicity was generated about Tune Drive and Manby Hot Springs that an art event would be a positive way of showing our neighborhood is doing good things in the larger community. Once plans begin to materialize, Terry Thompson will post information on the SNA website.

Kim Stevens is putting together a map of Stagecoach Hills with names and addresses of residents, including their pets. Sherry thanked Kim.

Sherry Popham said that Stagecoach Hills Road Maintenance Association (SHRMA) is constantly being confused with SNA. Now that other RMAs exist (Calle Feliberto RMA), it makes sense to distinguish the organization by calling it Tune Drive RMA. Since the founding docs say SHRMA, any new documents will probably incorporate as such and then do a DBA as Tune RMA.

Doug Daubert made a motion to adjourn the Board meeting at 4:15 PM; Sherry Popham seconded. The meeting was adjourned.

Respectfully submitted,
Bonnie Taylor,
Secretary

Future Meetings 2023 (9:00 AM)

Mar 21	Board
Apr 22	General Membership
May 16	Board
Jul 18	Board
Sep 19	Board
Oct 14	General Membership: Election of New Directors