

The Ridges Landowners Association Newsletter

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www.ridgesla.org

Roads 2006

In an effort to keep all landowners in The Ridges informed of the status of the development of the community and issues that may affect you, we are distributing this special edition. We hope that you find it useful.

Special Edition: Roads, 2006

From the President's desk

In my first Newsletter article (Winter, '06) I told you of the Board's desire to enhance communication with the residents. With this Roads Newsletter we introduce an innovative tool we can use in the future if you find it informative in sharing background and information about the creation and maintenance of our Ridges roadways, both paved and gravel. All the material in this inaugural Roads Newsletter comes from the hands-on members of The Ridges Roads Committee who volunteer their time to monitor the condition of our roads, locate economical and reliable service and materials providers, and accomplish future planning—all efforts designed to maintain safe, quality roads for our residents and their visitors.

Our roads consume approximately 80 per cent of our Association's finances over time, which includes the paving projects that were funded through a special assessment to landowners and depletion of our financial reserves. Because of this financial commitment, it is important for all of us to understand what is required to maintain functional, safe and attractive roads.

During August when members of the Board met with legal counsel to review the Covenant revisions, one of the most noteworthy issues the lawyer presented to our Board was a lecture on the heavy responsibility entrusted to Boards of Directors of non-profit organizations to fully provide for all future known and unknown financial needs of said organization which includes roads maintenance. He was astonished when he learned of the historically low amount of The Ridges Landowners Association annual assessment and he cautioned that in recent years there were cases of lawsuits directed to Boards for failure to set aside adequate money for even

unforeseen needs. After this discussion we began to question whether we were living up to our responsibilities in this area. The Ridges has a clear history of "getting by" with the minimum: 1) a minimum assessment that has NEVER been increased since 1991 at the inception of the organization; and, 2) road maintenance restricted by budget limitations which has kept our nostrils above water but not warded off the concerns and complaints of the lot owners.

If you have any questions or suggestions after reviewing the enclosed information, please contact a member of the Roads Committee by phone or through The Ridges website, <http://www.ridgesla.org>, where you will find a connection to the Roads Committee. We'd like to hear from you.

Judy Whiteley, President

The Legal Obligation to Maintain Our Roads

This is an overview of legal issues pertaining to our roads. The Landowners Association maintains the roads in The Ridges and there is a legal duty to maintain these roads in a reasonably safe condition. A failure to repair or maintain may constitute negligence, exposing the Association to liability for damages to anyone injured as a result of this negligence.

The duty to maintain generally includes road surfaces, shoulders, drainage and timely attention to any condition constituting a roadway hazard. Negligence is usually defined as the failure to act reasonably, as a reasonable man would act under the circumstances.

In practice, this means that if an unsafe condition arises (say snow or ice in the winter, potholes, flooding, obstructions to visibility, etc.) then failure to take

corrective action may result in liability for any injuries caused by the condition. What constitutes an unsafe condition will vary with the season, time of day, terrain, weather conditions and other factors. The Association is not required or expected to keep our roadways absolutely free of hazards. Rather, there is a duty to exercise reasonable care and diligence.

The Association does not insure the safety of travelers on our roadways. Drivers and pedestrians must also exercise reasonable care. Unsafe speed and inattention (did I say cell phones?) are the usual culprits here. As for homeowners in The Ridges, there is generally no legal responsibility for a road over which the homeowner has no control, and no duty to repair or maintain. But if a homeowner creates or allows a dangerous condition to exist on his or her property, resulting in a roadway hazard (for example, vegetation obstructing roadway visibility, blocked driveway culverts resulting in roadway flooding) then liability may follow.

Report road hazards to the Association. Pay attention to road conditions, drive carefully and sleep peacefully.

Roads forecasting, planning and funding

With cooperation between the Board and the Roads Committee, the planning and funding for maintenance and improvement of our roads is moving to a current year plus six year forecast with the required money to be assessed in advance. This plan will be used by the Board to:

- Approve the actions to be planned for and eventually taken regarding the roads.
- Help set the following year's assessment.
- Consider funding needs for future projects (Repair and Replacement Fund).

A spreadsheet summary of the first such proposal follows. It forecasts next year's work and projects needs through the 2013 budget year.

Preliminary Proposed Roads Budget 2007-2013

This roads plan shows what we think is a reasonable level of investment to maintain our roads through the anticipated resurfacing of Alma in 2013.

Road	Length	Job	2007	2008	2009	2010	2011	2012	2013	totals
Alma to Hijo	1850	patch		\$10,000						
		coat				\$7,000				
		resurface							\$41,000	
Principe W	4860	coat	\$15,000				\$15,000			
Principe E	1750	coat			\$7,000			\$7,000		
all pavement	8460	crack fill	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$3,000	
pavemt total	8460		\$19,000	\$14,000	\$11,000	\$11,000	\$19,000	\$11,000	\$44,000	\$129,000
gravel rds		basecrs		\$2,000	\$2,000	\$2,000		\$2,000	\$2,000	
		grading	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	
gravel total	10900		\$2,000	\$4,000	\$4,000	\$4,000	\$2,000	\$4,000	\$4,000	\$24,000
plowing, 12-yr average			\$400	\$400	\$400	\$400	\$400	\$400	\$400	
purchase mower			\$2,000							
yearly total, no tax, no inflation			\$21,400	\$18,400	\$15,400	\$15,400	\$21,400	\$15,400	\$48,400	\$155,800
yearly total, 6.3% tax, 4% infl			\$23,658	\$21,124	\$18,335	\$18,989	\$27,298	\$20,299	\$65,855	\$195,558
avg per year per lot			\$282	\$251	\$218	\$226	\$325	\$242	\$784	\$333

Please note that this is advice to the Board who will evaluate it and may adjust it and then determine to include it as the roads portion of the annual assessment.

In addition, very soon, thanks to a great deal of work by Olin and the Committee, the Association web site will

add a new roads page that will contain a vast amount of information and background material that went into the preparation of this table. It is planned that this page will be updated as needed but not less than annually to reflect the current planning period. It is envisioned as a planning tool, budgetary backup material and

institutional memory. This will be a work in progress for some time since several of us who have seen it have felt this is valuable information for all of us.

The most visible effect of this on the individual owners is that the assessment process for roads will move from an annual cash basis, previously about \$169 out of our most recent assessment of \$350, to a larger amount to fund 1/7th of the total seven year forecast. This includes a prorated portion of funds to cover future years' projects as well as those of the current year. Given that there are major repair and replacement projects required within the seven-year period, the required funds in any given year increase. The alternative to this is a massive special assessment down the road.

The proposed approximate roads portion of the 2007 assessment appears in the lower right corner of the table. Per our historical practice the budget will be voted on by the membership at the annual meeting.

A quick summary of the issues here includes:

- We must maintain our roads in a safe condition or risk expensive legal action. This basically means, "to County code standards."
- To do this, we can pay in smaller increments as we go or really large increments when the shoe drops.

The question and answer section that follows will give some of the background to this issue. We hope that greater detail and explanation will be on the web site in advance of the annual meeting. You will be advised when this happens.

Questions and answers

Q: What is the life expectancy of our dirt roads with and without preventive maintenance?

A: The life expectancy of dirt/gravel roads is a function of several variables including adherence to initial road construction engineering standards and county codes, climate conditions, overall traffic patterns and degree of maintenance performed. The construction of our gravel roads does not appear to be in compliance with current Land Development Code requirements (Article Appendix 5.B.3); however, with the historical level of maintenance performed, they have remained in relative good condition. Recent attempts to re-grade the roads and reestablish the crowns reveal that the base course layer is all but gone and we are grading the native earth in many areas. The County Land Development Code requires a 6-inch layer of crushed gravel base course for local roads servicing 0 to 99 lots. Considering the present condition of our roads and the increasing level of traffic, it will be more difficult to maintain them in their present state under our present road budget

assumptions. Properly constructed roads properly maintained will last indefinitely.

Q: What is the recommended frequency and cost per linear foot of preventive maintenance for the dirt roads?

A: The required maintenance is again a function of the variables above. In this geographic area, a properly constructed road should only require annual grading and periodic addition of additional surface base course. The cost to grade our roads has most recently been about \$.26 cents per linear foot. or \$2,860 for our 11,000 feet of dirt roads. The cost of new surface material is extremely variable based on type of material and local market conditions. Our most recent quotes reveal that Santa Fe Brown base course runs \$6.11/ft., gray base course at \$2.85/ft. and the mixed blend we have experimented with at \$4.85 /ft. On top of material costs, you must factor in delivery costs at \$90 per ten cu. yd. and local taxes.

Q: Why have only short sections of the gravel roads had additional gravel added during the past year?

A: The amount of material added to roads is primarily a function of the amount of budget available. With the limited budget in recent years we have only been able to add material to problem areas. Additionally, last December we purchased two grades of gravel and distributed it on Rey de Reyes and Pan de Vida to gain input from lot owners regarding color and function.

Q: Recent road grading doesn't appear to have improved road quality much. Why is this?

A: Grading in the past several years has helped to maintain the crown and bar ditches. It has partially and temporarily improved the washboarding in some places. Due to budget limitations adequate material has not been added to our roads over time. Increased road traffic and weather conditions have eroded the gravel road surfaces to the point that annual grading has reached the native earth, hindering our ability to re-establish the road crown.

Q: What is the per linear foot replacement cost of a dirt road when preventive maintenance will no longer suffice?

A: The expense to rebuild our gravel roads would have to be established by a competitive bid process. Bringing them up to County Land Development Code standards would be extremely expensive. All our cost forecasts have assumed that we continue to maintain these roads avoiding the need to completely rebuild.

Q: Assuming we were ever to do proper dirt road (ours are not gravel) maintenance and repair, how

would the paving and maintenance costs of asphalt compare to repeated scrapings and gravel/base course additions to the dirt over long periods of time?

A: By our present estimates, asphalt roads are about 7 times higher per linear foot to maintain than gravel roads. Maintenance of the paved road presently accounts for 83% of our road maintenance budget.

Q: Why doesn't the gravel/base course added last December match the current "Santa Fe Brown" material?

A: Gravel/base course in the Santa Fe area ranges from gray (least expensive) to the traditional Santa Fe Brown (most expensive). The material added last December to Rey de Reyes and Pan de Vida represents two different grades of blended gray and brown material and was intended as a test to determine if either would be acceptable to lot owners. Our current roads budget will not support use of Santa Fe Brown and we have learned that the State of New Mexico no longer purchases Santa Fe Brown due to both the increased expense and lack of performance and durability.

Q: Why haven't we added new gravel/base course to all unpaved roads on a more routine basis over the past years?

A: This is purely a matter of budget constraints.

Q: Why do we have washboard surfaces on some of the gravel roads?

A: This subject was covered in a recent Ridges Newsletter. Washboarding in general is a result of vehicle speed. The slower a vehicle travels (a recommended less than 20 mph on gravel surfaces) the less tires bounce and create washboarding.

Q: Does anyone really believe that dumping new (and expensive) gravel on top of the wash boarding is going to fix it? So long as the ridges are not broken up and damp rolled flat, they will remain.

A: Covering up washboarding with new surface material does not correct the problem. Washboarded road surfaces can only be repaired by excavating the surface down several inches (grading) and then re-compacting the surface to 95% maximum density. We have attempted to mitigate the washboard problem through regrading the surface but as you can see, the results have been marginal. When moisture content and equipment are available, we plan to rework some areas. In the interim, if we all SLOW DOWN, the washboarding will be minimized.

Q: What are the pros and cons of using dust-suppressing chemicals on the gravel roads?

A: The Roads Committee will investigate this and report its findings.

Q: What is the life expectancy of the paved portion of Principe de Paz with and without preventive maintenance?

A: A difficult question to answer again since there are many variables to consider. We have assumed a life expectancy of twenty years with adequate maintenance. With no maintenance, the life expectancy will decrease exponentially as cracks appear, edge erosion increases and freezing and heat expansion work to break up the surface.

Q: What is the recommended frequency and cost of preventive maintenance for Principe de Paz?

A: The recommended frequency of maintenance varies based on the process performed. Our present maintenance plans require annual crack filling at \$0.47/linear ft. and spray coating on a three-year frequency at \$3.74/linear ft. The 2006 expense for this work was approximately \$12,000 (\$145/lot). Other maintenance requirements to forestall repaving may include patching at \$6.42/linear ft. or chip sealing at \$6.14/linear ft.

Q: What do the terms "crack filling," "spray coating," "chip sealing," etc., mean?

A: Crack filling is simply the process of cleaning loose material from road surface cracks and refilling the crack with tar to seal out moisture and arrest surface deterioration resulting from the crack. This maintenance should be performed annually.

Spray coating entails spraying the entire road surface with a petroleum-based sealer again to seal out moisture. This maintenance is required on older asphalt surfaces as they begin to deteriorate.

Chip sealing is a more aggressive form of spray coating where aggregate material is added to the sealing material creating a new road surface and forestalling the more expensive repaving.

Q: Why was only the first section of Alma spray coated this spring?

A: Our paved roads (Principe de Paz) were established over three separate time frames beginning in 1992. The maintenance schedule proposed calls for annual crack sealing of the entire paved surface and spray coating on a three-year cycle. The middle section of Principe will be spray coated in 2007 and the east end in 2008.

Q: Why do some gravel roads feeding off Principe de Paz have asphalt aprons and some don't?

A: The asphalt aprons were added when the initial paving was performed. The west end of Principe did not initially receive this treatment. The aprons are necessary to prevent edge erosion along the primary road intersection and also serve to keep gravel and other material from being tracked onto the primary road. Budget limitations have precluded going back and adding aprons to those roads. When the budget allows, this project will be completed.

Q: What is the cost of replacement of Principe de Paz when preventive maintenance will no longer suffice?

A: Based on present bids at \$26.40 per linear ft. we estimate the total repaving expense at \$232,000 based on 2006 economics. We have forecast repaving projects for 2013, 2023 and 2028, based on a 20-year life expectancy for each section of road. Factor in economics and the expense will increase as we schedule work. The Repair/Replacement Fund is forecast to have a balance of \$18,872 at the end of 2006 and the annual \$1,500 contribution to the fund will not be adequate to meet these expected expenses. The Board of Directors will have to address the need to fund these future projects.

Q: Why do we mow at all? I prefer the natural state with wild flowers, chamisa, etc.

A: For the past several years we have had an extremely difficult time procuring mowing services. The lack of on-going road shoulder mowing has allowed the proliferation of undesirable weeds and other vegetation to become established too close to the road edge. Additionally, a traffic safety issue occurs when visibility is obstructed. Also, tall or woody vegetation, such as chamisa, tamarisk and Siberian elm, too close to the road edge contributes to surface deterioration and increases maintenance expense and decreases road surface life. In addition, we need to keep the pavement edge that is eroding in many places accessible for maintenance.

Q: What happens to the unused portion of the annual snow removal budget for periods, such as this past winter, when so little snow falls?

A: All budget surpluses are cleared to the General Fund at the end of the operating period.

Q: Snow plowing seems to be a difficult item to budget for due to the uncertainty of weather conditions. Shouldn't we eliminate it as a budgeted line item and authorize the Board to allocate funds from the general fund as needed?

A: This is a good idea and the Board of Directors will consider it when establishing the 2007 budget.

Q: Is any effort being spent on maintaining the ditches?

A: The Roads Committee worked on this issue some last year and again late this summer. Maintaining proper road shoulders and drainage ditches is important in prolonging the life of our roads. It has become obvious that in order to accomplish this, we will have to begin removing some vegetation infringing in the shoulder/drainage zone to allow access of equipment and hand labor work.

Q: I noticed that some shoulder grading was done along Principe (south side) just east of Hijo. Why was this done?

A: With the remaining unspent funds in our 2006 Roads budget, we are attempting to rebuild the road shoulder in those areas experiencing pavement edge erosion. This work will continue through the fall as funds permit. Additionally, we are experimenting with reseeded the shoulder with grass seed as we perform this maintenance.

Q: Should our annual assessment include an amount earmarked toward saving for future repaving expenses?

A: Historically, road-paving projects have been funded either through special assessments to each lot owner or from accumulated funds. The special assessment in 1998 was \$600 per lot. For the recent past, our annual assessment has supported adding \$1500 to the Roads Repair and Replacement Fund annually. The Board of Directors is considering an increase to the annual assessment.

Q: If the Board approves a larger assessment to provide adequate funding for road maintenance, can we go to a semi-annual payment arrangement?

A: The Board of Directors is working on its recommendation for the annual assessment and will consider this suggestion.

Q: What portion of each dollar we pay in the annual assessment goes to road maintenance?

A: For the 2006 budget period, 48% of the annual assessment of \$350 or about \$168 per lot was allocated to road maintenance. Actual road maintenance expenditures as a percent of budget have ranged from a low of 3% to a high of 57% over the past ten years, which may reflect some inattention to road maintenance or the absence of a structured maintenance program.

Q: Why should I pay more now when I may be planning to sell and move?

A: The truth is that all lot improvements including the roads, water and electric lines were inherent in the cost of the lots. Since then, the roads have depreciated and deteriorated as the development was built up and traffic increased. With the exception of the paving of Principe de Paz (new capital investment), the maintenance done may have added to the useful life of the roads but has not made them “new” again. In the meantime, while it is difficult or impossible to calculate, deteriorated roads will detract from the selling price of our properties.

What we are actually proposing to do is pay for the depreciated portion of the road we are consuming each year, plus some “catch-up” because we have not been doing this all along. By the end of its useful life, when it has to be replaced, the remaining value of the road is \$0 and the Association, presumably, will have collected each owner's share of what they consumed. If a homeowner sells and moves out 50% of the way through the life of the road, their assessments to-date should have paid for the 50% of the road value that has been depreciated. If they stay until the end of the useful life, they will enjoy a new road whose total value is once again available to them and for which they will be assessed an amount each coming year to pay for what they consume that year.

Q: Do Eldorado residents also pay to maintain their roads or is this a “Ridges only” issue?

A: The County maintains some of the Eldorado roads and the Home Owners Association maintains some. Transferring our roads to the County would require title transfers from each lot owner to erase their easement ownership and upgrading the roads to meet County road construction code. Doesn't seem to be a viable alternative at this time.

Q: Are there any options for applying for state money/assistance to maintain our roads? How about PNM since they have power lines across many of our properties?

A: We are unaware of any opportunities to obtain government funding, however, perhaps this should be looked into...any volunteers?

Q: How can we avoid a special assessment for road maintenance to handle the large replacement costs when roads have to be replaced?

A: Assuming current replacement cost forecasts are correct, the contribution to the Repair/ Replacement

Fund should to be increased to approximately \$333 per lot annually.

Q: What can we do to enforce the speed limit on our roads?

A: As previously noted, excessive speed (over the 25 mph speed limit) contributes to road deterioration and safety concerns for drivers and pedestrians. All we can do is post more signs (like that will work), install more speed humps/bumps, appeal to our lot owners' individual responsibility and recognition that a few extra seconds gained in arriving at their destination isn't worth the risk.

Q: Who oversees the signs (street signs, warning signs, etc.) on our roads?

A: There has not been much activity on this subject for the past several years. Signage within The Ridges is a covenant issue and under the control of the Board of Directors. Concerns regarding traffic control signs, etc., should be directed to the Board.

Q: Who is the Mystery Mower?

A: The identity of the Mystery Mower is...a mystery. There have been several sightings, the most recent producing an actual photo. The intrepid Newsletter staff will publish this photo as space allows in an upcoming Newsletter.

Q: Does global warming have anything to do with our road conditions?

A: Google this subject on your computer and spend the next twelve months answering this for yourself.

Your Roads Committee:

Olin van Dyck, Chairman; Tim Ames; Dave Kingston; Charlie Whiteley and John Brown. Dick Carlson serves as oversight from the Board of Directors to the Roads Committee. Anyone interested in joining this committee should contact Olin.

From the editor

A huge thank you to Olin van Dyck for spearheading the creation of this Special Edition. Olin's very detailed article will be available on our web site soon; look for how to access it in the Fall Newsletter due out the first week in October.

And thank you to all our Roads Committee volunteers who work to make our roads safe, attractive and an asset to each and every home.

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