

MINUTES OF THE BOARD OF DIRECTORS MEETING OF THE ESTANCIA  
PRIMERA COMMUNITY SERVICES ASSOCIATION

January 9, 2001

The regular monthly meeting of the Estancia Primera Community Services Association was called to order at 8:08 AM at the Community Association Building. Board members present were Bob Lockwood, Cheryl Sommer, Maryellen Sherman, Walter Ford, John Amos, Don Willingham and Sandra Brinck.. Absent was Stan Schriber.

MINUTES: John Amos circulated copies of the December meeting and on motion made and duly seconded, the minutes were approved.

OLD BUSINESS: President Willingham advised that Sandra Brinck has agreed to replace John Amos as Secretary to the Board and will assume those responsibilities effective the February, 2001 meeting. President Willingham further advised that Mike Cross of Cumbre Vista has agreed to fill the unexpired term of John Amos and on motion duly made and seconded, Mike Cross was approved as a Board member effective the March, 2001 meeting.

Bob Lockwood reported that the clubhouse decoration proposal would be submitted to the Board at the February meeting.

RECREATION CENTER REPORT: Connie Burke, Chairperson of the recreation center committee, was present and reported that the Christmas party was a big success. The Board expressed appreciation to Ms. Burke for her good work as Chairperson of the committee and for the fine party.

TREASURER'S REPORT: Cheryl Sommer presented the Treasurer's report. Ms. Sommer stated that she will examine the clubhouse maintenance estimate report at President Willingham's request and will also meet with Judy Wilson (accountant) and report to the Board at the next meeting concerning the appraised value of the clubhouse and the sufficiency of the reserve account established to assure proper maintenance.

Ms. Sommer advised that the amount in the budget set for landscape improvement and maintenance is \$11,000. Actual amount estimated at the December meeting as an estimate of this cost was \$15,000. Ms. Sommer suggested leaving the figure as presently stated in the report and adjusting as required in the future. The Board agreed.

Ms. Sommer advised that she has established a new account for "capital funds" at Century Bank in Santa Fe.

GROUNDS REPORT: No formal report in the absence of the Chairman.

NEW BUSINESS: On its own motion, the Board changed the date of the February meeting to February 9, 2001

There being no further business to be considered by the Board at this time, the meeting was adjourned at 8:56 AM.

Attested:

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Secretary

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President

**Estancia Primera Community Services Association  
Board Meeting  
March 6, 2001**

The regular monthly meeting of the Estancia Primera Community Services Association was called to order at 8:05 AM at the EPCSA Recreation Center; Board members present were Walter Ford, Bob Lockwood, Stan Schriber, Cheryl Sommer, Mary Ellen Sherman and Sandra J. Brinck. Absent was Don Willingham, Mike Cross, and Connie Burke.

1. Minutes. Sandra Brinck circulated copies of the February 12, 2001 meeting minutes. One correction was noted on page two under the "New Business" heading. The last sentence is amended to read: "The Board suggested that Mr. Baca prepare a written request to Mary Ellen Sherman," rather than "Mary Walta." With that correction, and on motion made by Bob Lockwood and seconded by Stan Schriber, the Minutes were approved.

2. Treasurer's Report. Cheryl Sommer circulated her Treasurer's Report, which was discussed. Cheryl informed the Board that she had provided information to the tax accountant, Judy Wilson, in connection with preparation of annual tax returns. Cheryl also reported that she would try to find a New Mexico company to perform a reserve analysis for EPCSA. On motion made by Sandra Brinck, seconded by Bob Lockwood, the Treasurer's Reports were approved.

3. Old Business. Mary Ellen Sherman reported that she had received nothing further from Sam Baca. Stan Schriber noted that Jim Hays had complained about the lights around the Clubhouse being too bright. Regarding snow removal, Stan reported that the snow plowing arrangements were that the snow had to reach a depth of four to six inches prior to the snow plower being called; if the depth is less than four inches, homeowners can call the City to sand the entryways. Stan also reported that Jeffrey Rowe had commenced the landscaping under his agreement with EPCSA. It was noted that there were a number of garbage bags filled with yard waste as a result of the commencement of the landscaping and there was some concern regarding the City picking up those garbage bags. Stan reported that the total cost of the landscaping this year may be less than last year. In two weeks, Scotts Irrigation should be called to turn on the water for irrigating the common areas. Stan then reported that due to work related travel, he would be unable to attend meetings for most of the rest of the year. In view of the fact that if a Board member misses three meetings in a row, such member is removed from the Board, Stan felt that it was best to resign from the Board; he will make suggestions for his replacement and e-mail those suggestions to Don Willingham.

4. Recreation Center Report. Mary Ellen reported for Connie Burke that the new carpet is in place, the chairs have been recovered, the banquo has been recovered as well as a cushion placed on it. It was noted at the meeting that there apparently is a leak in the ceiling of the main meeting room; and Mary Ellen will send Connie an e-mail regarding it.

5. New Business. The annual drainage study was discussed. In view of the Gonzales and O'Reilly firm withdrawing from business, it is necessary to retain another engineering firm to complete the study. Bob Lockwood volunteered to contact Morrie Walker, Walker Engineering, and Joe Chato, Red Mountain Engineers, for quotes. Cheryl Sommer volunteered to follow up with Quail Run and inquire as to which firm prepares their reserve analysis. Cheryl also noted that no property tax had been paid on the Clubhouse and the common areas and that she would check with the title company to see if taxes were ever assessed since recording of the deed to the Clubhouse and common areas in 1993. Bob Lockwood noted that in similar situations he was aware of, the City did not tax common areas, as such tax was allocated among the individual homeowners. It was suggested that meetings be held at 7:00 PM rather than 8:00 AM on the second Tuesday of each month.

6. Adjournment. There being no further business to be considered by the Board at this time, on motion by Cheryl Sommer, seconded by Stan Schriber, the meeting was adjourned.

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**Estancia Primera Community Services Association  
Board Meeting  
April 10, 2001**

The regular monthly meeting of the Estancia Primera Community Services Association was called to order at 8:05 AM at the EPCSA Recreation Center; Board members present were Don Willingham, Cheryl Sommer, Mike Cross, Walter Ford, Connie Burke, Mary Ellen Sherman, Bob Lockwood and Sandra Brinck.

1. Minutes. Sandra Brinck circulated copies of the March 6, 2001 meeting minutes. Upon motion made by Bob Lockwood, seconded by Don Willingham, the minutes were approved.

2. Treasurer's Report. Cheryl Sommer circulated her Treasurer's Report, which was discussed. Cheryl noted that the annual income tax return does not need to be filed until January, 2002, due to the automatic extension for the Cerro Grande fire victims. Cheryl reported that Bob Lockwood had completed the landscaping (planting of trees), in lieu of payment of construction fines. Cheryl Sommer also recommended that an accountant be hired to assist with bookkeeping duties. Don Willingham so moved, Walter Ford seconded, and the motion was unanimously approved.

3. Architectural Review Board Report. Mary Walta, the EPCSA attorney, reported that the ARB was still experiencing difficulty with one of the Los Altos builders, Phil Coombs. The ARB is concerned that Coombs has not complied with the ARB Rules and Regulations and still has three lots to build on. Bob Lockwood reported that Coombs was not cooperating regarding City requirements for the Los Altos subdivision. Mary Walta will write a letter to the City and inform the City officials that Coombs is not in compliance with the Estancia Primera covenants and guidelines, and suggest that a Certificate of Occupancy not be issued unless and until Coombs' projects comply with the EPCSA covenants, etc. Mary will send a copy to the purchasers of these properties, and record a Notice of Non-Compliance with the Santa Fe County Clerk. Bob Lockwood reported that the Los Altos Homeowners were requesting that the street lights in Los Altos be omitted, and that request was discussed.

Next, the Baca letter of 3/21/01 was discussed regarding the request for a variance from the City to reduce the setback requirements. The concern regarding this variance is that it would impact City Ordinance 1981-3. It was felt that the Board had an obligation to insure compliance with the 1981-3 Ordinance. Accordingly, Bob Lockwood moved that the Board authorize Mary Walta to attend all City meetings regarding the Baca request and monitor those proceedings, express the concerns of the Board, and report to the Board the results of those meetings; Sandra Brinck seconded the motion and it was unanimously approved.

The next item discussed was the Kaplan dispute. Mary Walta reported that she prepared a lien for the road damage and a Notice of Non-Compliance to file with the Santa Fe County Clerk, and so informed the realtor handling the sale of the property. She also sent copies to Dr. and Mrs. Kaplan and requested their cooperation; if not, they were notified that a lien would be filed. Subsequently, Dr. Kaplan called Mary and agreed to pay \$2100 to repair the road and agreed to get together with Stan Schriber and Bill Iseley regarding drainage issues. Dr. Kaplan also told Mary that he would apply to the ARB for the final approval of the building project. The house is on the market for \$825,000.

4. Grounds Report. Don Willingham reported that Mike Cross will take over for Stan Schriber. A landscaper (Thundercloud) has been hired and Mike will meet with him.

5. Meeting Times. It was agreed that we will leave the meeting time at 8:00 AM on the second Tuesday of each month for the months of May and June. Commencing in July, the meeting date may be changed to accommodate Board members' work schedules.

6. Old Business. Bob Lockwood reported that he talked to Walker Engineering and they are willing to do the drainage study and report. Don Willingham moved that Walker Engineering be hired, which was seconded by Mary Walta, and unanimously approved.

7. Clubhouse Report. Connie Burke thanked Bob Lockwood for doing some minor repairs to the clubhouse. Connie reported that the credenza was now in place (it was delivered during the meeting) and looks very attractive in the entryway. She will now arrange for the fireplace to be painted and the cabinet to be built to cover the security panels to the left of the fireplace. She reported that the swimming pool maintenance still needs to be accomplished, prior to pool opening day which is Monday, May 28 (Memorial Day). A pot luck party is being planned in connection with the pool opening.

Connie Burke reported that some children had been rollerblading and riding their dirt bikes on the tennis court. Connie Burke asked them to stop and was confronted by the children's mother. Don Willingham agreed to write a letter to the mother explaining that rollerblading and dirt biking was not allowed on the tennis courts.

8. New Business. The annual meeting date was set for August 15, 2001, at 7:00 PM at the EPCSA Recreation Center. The Finance Meeting will be held the night before, August 14, 2001, at 7:00 PM, also at the EPCSA Recreation Center. Mary Ellen Sherman agreed to send to the residents prior to June 15, 2001, minutes from the last Annual Meeting (August, 2000). It was noted that several terms will be expiring in August, 2001: Cheryl Sommer, Don Willingham, Sandra Brinck and Mike Cross; and, Mary Ellen Sherman will be moving.

Connie Burke proposed putting together an informational packet for new residents, which would contain covenants, the names and phone numbers of Board members, and information on the proper person to call for various questions. Connie volunteered to contact realtors who had homes listed for sale in the area and ask that the

realtors let her know the names of the new owners (after the property was sold) so that an information packet could be provided to them. Connie will have a sample of the packet available for review at the May, 2001 Board meeting.

9. Adjournment. There being no further business to be considered by the Board at this time, upon motion by Don Willingham, seconded by Walter Ford, the meeting was adjourned by Don Willingham at 10:05 AM.

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**Estancia Primera Community Services Association  
Board Meeting  
May 8, 2001**

The regular monthly meeting of the Estancia Primera Community Services Association was called to order by Mary Ellen Sherman at 8:05 AM at the EPCSA Recreation Center; Board members present were Mary Ellen Sherman, Cheryl Sommer, Bob Lockwood, Walter Ford, Mike Cross, Connie Burke and Sandra Brinck. Also present was Mary Lawton, former Chairman of the ARB.

1. Minutes. Sandra Brinck circulated copies of the April 10, 2001 meeting minutes. Upon motion made by Bob Lockwood, seconded by Connie Burke, the minutes were approved as written.

2. Treasurer's Report. Cheryl Sommer circulated the Treasurer's Report. Cheryl noted that dues are due and owing from twelve homeowners. The self assessment system for Santa Fe County real property taxes was discussed.

3. Architectural Review Board Report. Mike Cross reported several items that the ARB has dealt with: At the last ARB meeting, Mr. Coombs was confronted regarding his non-compliance with the Los Altos and ESPCA covenants; Coombs reported that he was "a tough cookie" and hard to get along with, but he felt he was in compliance and denied he was not in compliance with the Estancia Primera Covenants and Guidelines; Mike Cross reported that Mary Walta will take action against Coombs regarding the non-compliance. Apparently, Coombs is refusing to recognize the authority of the Board relative to enforcement of the Covenants and Guidelines. (Mary Lawton reported that when she headed the ARB, she had met with Coombs, who stated that he understood the rules; he tried to negotiate a lower construction deposit, but on the whole was not cooperative. The ARB had questioned the tin roofs proposed by Coombs. They took a field trip to see another Midyette plan including tin roofs; Coombs provided samples (not red) and also indicated that the slope on the tin roofs would be nominal and would not be visible from the road.) Apparently, Coombs does not intend to ask for final approval from the ARB; he is leasing the property and will thus avoid lien problems. The ARB will meet again this evening to determine how to deal with Coombs.

TV antennas were discussed. Also, the Baca early neighborhood meeting has occurred; the next meeting will take place following the notification period. It was reported that the Jette Real Estate sign indicated that utilities were available.

4. Clubhouse Report. Connie Burke reported that the swimming pool heater had been replaced at a cost of \$1,440, and the thermostat was replaced at a cost of \$240. The pool is to be inspected on May 14th, David will get into the pool to scrub the tiles. Three new umbrellas were purchased to replace two that were destroyed last season in a wind storm, and two umbrellas were repaired. The pool will open Monday, May 28, 2001, and a pool opening party (potluck) will be held. On August 25th, a luau party will be held.



Finally, Connie suggested that a letter of thanks be sent to Elaine Willingham, thanking her for recovering the clubhouse furniture and repainting the twig inserts in various pieces of furniture and the mirror.

5. Grounds Report. Mike Cross reported that lights were out at the entry sign. He will replace them, but needs information on how to do so; he will contact Stan Schriber. Mike will also meet with the landscaping service, Thundercloud. Discussion ensued regarding concern with motorists speeding down the ESPCA south entrance; it was suggested that speed bumps, also known as “calming devices,” be installed.

6. New Business. Nominations for expiring Board members’ terms were discussed. Also discussed was the draft letter prepared by Connie Burke to be presented to new homeowners.

Mary Lawton suggested an addition to the Agenda for the Annual Meeting: The formation of a Homeowners Association for Aspen Compound.

7. Adjournment. There being no further business to be considered by the Board at this time, upon motion by Cheryl Sommer, seconded by Walter Ford, the meeting was adjourned by Mary Ellen Sherman at 9:05 AM.

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**ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION**  
**Board Meeting**  
**June 5, 2001**

The regular monthly meeting of the Estancia Primera Community Services Association was called to order by Don Willingham at 8:05 a.m. at the EPCSA Recreation Center. Board members present were: Cheryl Sommer, Connie Burke, Bob Lockwood, Mary Ellen Sherman, Don Willingham, Mike Cross and Sandra Brinck. Also present was John LeMaster and Mary E. Walta, attorney for EPCSA.

1. Minutes. Sandra Brinck circulated copies of the May 8, 2001 meeting minutes. Upon motion made by Cheryl Sommer, seconded by Mike Cross, the minutes were approved as written.

2. Treasurer's Report. Cheryl Sommer circulated the Treasurer's Report. She recommended that the EPCSA hire Ellie Dehen, a bookkeeper with thirty years experience, to take over the bookkeeping duties. Her charge is \$35/hr. and it is estimated that she will spend 30-40 hours per year maintaining the EPCSA financial records. Judy, the accountant who has prepared the tax returns in the past, would continue to prepare tax returns and financial statements. Sandra Brinck moved that Ellie Dehen be hired, subject to Cheryl Sommer meeting with her and obtaining at least one reference from an existing client, both of which are satisfactory to Cheryl Sommer. The motion was seconded by Mary Ellen Sherman and unanimously approved.

Cheryl reported that seven homeowners still owed dues, and that two situations may be due to incorrect addresses. Cheryl reported that there were surplus funds in the budget, and it was discussed that the reserve should be increased to \$100,000 and that a return of dues to the homeowners should be considered, which would result in a rebate of next year's EPCSA dues. Don Willingham asked that the account at Dean Witter, in the amount of \$2.39, be closed out.

3. Unfinished Business. Mary Ellen Sherman presented several resolutions for the Board's consideration. The resolutions were approved as written, with the exception of the resolution regarding the payment of fees and expenses from the construction deposit (which was revised to include the following language: "Additionally, the applicant will be responsible for the payment of all other fees and expenses incurred by the ARB in processing the application and approving construction, including all attorneys' fees and expenses.") Upon motion by Sandra Brinck, which was seconded by Connie Burke, the resolutions were unanimously approved.

Mary Walta reported that the Delfina Baca hearing would take place at the City offices on June 7, 2001; she will attend that hearing and report to the Board. Mary Walta also reported on the TV antenna issue. EPCSA takes the position that our covenants control what is placed on a homeowner's roof. However, one homeowner in Aspen Compound has both a TV antenna and a satellite dish placed on her roof in a way that is not visually attractive. This homeowner has involved the FCC, claiming that the Open Air Communications Act prohibits prevention of people receiving transmissions through the air; thus, she is entitled to maintain her TV antenna and satellite dish in their present locations. Mary Walta recommended taking a stand on this, and sending a

letter to Ms. Drennan, advising her to remove the apparatus or the EPCSA will petition the Court for a restraining order. Mary Ellen Sherman moved that Mary Walta's recommendation be implemented, Cheryl Sommer seconded, and the motion was unanimously approved.

4. Annual Meeting. The 2001 annual meeting was discussed as well as replacements for departing members of the Board. It was agreed to put John LeMaster on the Board effective immediately to serve until September, 2002. The annual meeting will take place on August 15, 2001, at 7:00 p.m. preceded by the financial meeting on August 14, 2001, at 7:00 p.m. Both meetings will be held at the EPCSA Recreation Center.

5. Club House Report. Connie Burke reported that a pool party would be held on August 25, 2001. She also noted some unruly activity at the pool, as well as damage to the pool floats. In addition, she reported that she will buy a bucket to put all of the articles left at the pool for everyone's use.

6. Grounds Report. Mike Cross reported that bulbs needed to be replaced in the lighting system, and work needs to be done on the sprinkler system.

7. Adjournment. There being no further business to be considered by the Board at this time, the meeting was adjourned by Don Willingham.

**ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION**  
**Board Meeting**  
**July 10, 2001**

The regular meeting of the Estancia Primera Community Services Association was called to order by Don Willingham at 8:00 a.m. at the EPCSA Recreation Center. Board members present were: Don Willingham, Cheryl Sommer, Mike Cross, Bob Lockwood, John LeMaster, Sandra Brinck, Connie Burke and Mary Ellen Sherman. Also present was Judith A. Wilson, CPA, accountant for the EPCSA.

1. Minutes. Sandra Brinck circulated copies of the June 5, 2001 meeting minutes. Upon motion made by Connie Burke, seconded by Mike Cross, the minutes were approved as written.

2. Accountant's Report. Judith A. Wilson presented financial statements prepared by her as of December 31, 2000, and explained the format and the figures reported thereon. A discussion was held regarding the reserve fund, Don Willingham suggested that the insurance carrier be contacted regarding updating coverage for replacement cost. A discussion was also held regarding whether to file the income tax returns for the year 2000 as a Homeowner's Association or as a corporation. It was decided that it was more beneficial to file as a corporation and upon a motion made by Bob Lockwood, seconded by Connie Burke, Judith A. Wilson was authorized to file a corporate return on behalf of the EPCSA.

3. Unfinished Business. A discussion was held regarding the dead piñon trees which were planted near the entrance to Los Nidos. Apparently, there was miscommunication regarding how these trees were to be watered, which resulted in their death. John LeMaster agreed to remove the dead trees. It was recommended that a second meter be installed on the Clegg property to assure that trees planted in that area in the future would have a water source.

Don Willingham reported that the Delfine Baca property owners hearing before the City Planning Commission resulted in the approval of the variance requested by them. This hearing occurred on July 5, 2001, and the minutes are not yet available.

4. Grounds Report. Mike Cross reported that the street light bulbs at the entryway had been replaced, the sprinkler system had been repaired, and that the landscaping services were not yet complete. Mike Cross will call the landscaping service, Thundercloud, and make arrangements to walk the grounds to determine which items still need to be done. Mike Cross also reported that Joe Lynch, an Alta Mira homeowner, wanted to remove a tree, which was obstructing his view. Mike Cross will investigate this request.

5. Club House Report. Connie Burke reported that the clubhouse facility, including the pool and tennis courts, was getting lots of use. A discussion was held regarding moving the board meeting room to the small room, currently being used as a storage facility, and refurbishing the large room where the board currently meets.

6. Treasurer's Report. Cheryl Sommer reported that she had interviewed Ellie Dehen and received three satisfactory references. Cheryl will start working with Ellie in connection with the bookkeeping duties for EPCSA. Cheryl also presented a proposed policy for treasurer management of independent bookkeeper, to assist in the transition of turning over previously carried out by the Treasurer to the independent bookkeeper. Such policy was discussed and one change was suggested. Upon motion by Bob Lockwood, seconded by Mary Ellen Sherman, the proposed policy, as revised, copy of which is attached to these minutes, was unanimously approved.

7. New Business. It was noted that the annual meeting will be held August 15, 2001, and the nomination of one Director is still needed. It was noted that Sandra Brinck, Don Willingham and Mike Cross will run for reelection, and several names were suggested for the additional Director: Polly Parrot (Los Altos - John LeMaster will contact her), Dick Anderson (Aspen Compound - Mike Cross will contact him) and Lee and/or Anne Warren (Aspen Compound).

A rebate of Homeowners Association fees, due to the current surplus, was discussed and approved. The rebate (the amount of which is to be determined by Cheryl Sommer), will be announced at the annual meeting. The rebate will be prorated based upon the annual dues paid by each homeowner.

Sandra Brinck will write a letter to Elaine Willingham, thanking her for her time and effort in redecorating the clubhouse.

It was noted that there will be no regular board meeting in August, due to the EPCSA financial meeting on August 14, 2001 and the EPCSA annual meeting, on August 15, 2001.

The installation of speed restraints (calming devices) on Avenida Primera was discussed. Don Willingham will request the City to install 25 mile per hour signs along Avenida Primera. The Walker Engineering report regarding drainage in Estancia Primera was sent by Don Willingham to L. Ortiz of the City of Santa Fe.

8. Adjournment. There being no further business to be considered by the Board, the meeting was adjourned by Don Willingham at 9:40 a.m.

## Proposed Policy for Treasurer Management of Independent Bookkeeper

1. Treasurer retrieves mail from EPCSA mail box
2. Treasurer opens all mail
3. Treasurer endorses all check received for deposit only
4. Treasurer reviews bank statements
5. Treasurer obtains approvals, if necessary for payment of bills received
6. Treasurer signs all checks and mails bills

1. Bookkeeper retrieves relevant mail from Treasurer on regular basis
2. Bookkeeper makes all deposits
3. Bookkeeper reconciles all bank accounts
4. Bookkeeper prepares checks for bill payment and presents to Treasurer for review and signature
5. Bookkeeper produces monthly financial statement for Board meetings
6. Bookkeeper sends annual statements
7. Bookkeeper follows up on uncollected accounts
8. Bookkeeper fields calls from title companies

Bookkeeper and treasurer coordinate preparation of tax return and annual compilations with accountant.

**ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION**  
**Annual Meeting**  
**August 15, 2001**

The Annual Meeting of the Estancia Primera Community Services Association was called to order at 7:05 p.m. at the EPCSA Clubhouse. Don Willingham, President of the Association, welcomed those in attendance (53 persons representing 24 properties).

Don Willingham introduced the Board members present, including Mary Ellen Sherman, Sandra Brinck, Bob Lockwood, Cheryl Sommer, Walter Ford, Mike Cross, John LeMaster, and Connie Burke. Mary Walta was also introduced as attorney for the Association.

Minutes

The Minutes of the 2000 Annual Meeting were discussed and, upon Motion by Bob Lockwood, seconded by Rex Wilmore, the Minutes were approved as written.

Treasurer's Report

Cheryl Sommer then presented the Treasurer's Report, copy of which is attached, and requested approval of the 2001 Annual Budget. Upon Motion by Bob Lockwood, seconded by Kathy Zahn, the Treasurer's Report, including the 2001 Annual Budget, was approved. Cheryl Sommer also informed the membership that due to a surplus in the EPCSA account, there would be a credit against next year's Association dues, based on the payment of 2001 Association dues, as follows: \$110 for a fully developed lot; \$27.50 for a house under construction; and \$11.00 for a vacant lot.

Architectural Review Board Report

Mary Walta, Chairperson of the Architectural Review Board, reported on the activities of the Architectural Review Board ("ARB"). She informed the membership that the ARB had been very busy with the approval process for new construction in Kachina Hills and Los Altos, and that some problems have occurred in connection with the construction of new homes. She also noted that there were a lot of remodeling projects currently going on, primarily in Aspen Compound. The re-occurring issues which come before the ARB have to do with failure of homeowners to follow the ARB approval process. Mary reminded the membership that any exterior change must be approved prior to the commencement of construction, and that the homeowner needs to first obtain local Homeowners Association approval, which then is presented to the ARB. This can take 30 days or more and it is wise to plan ahead. Some of the items which require prior approval are: installation of equipment on roofs, fences, substantial landscaping projects, change of exterior color, and paving gravel driveways. Also, the amount of the construction deposit has been raised to \$1500, part of which is paid to the local Homeowners Association. Mary thanked all her committee members (Mike Cross, Tom Thiel, Jim Hays and Bob Lockwood) for their hard work.

Recreation Center Report

Connie Burke then presented her Recreation Center report, copy of which is attached. She informed the membership that the doors to the Clubhouse had been rekeyed, which is cutting

down on the pest (mice and fire ants) problem. If a member would like to use the Clubhouse, they should contact Connie for a key. Connie noted that the Clubhouse had been getting lots of use by the EPCSA women's group, local homeowners associations, and private groups. She also informed the membership that she and Elaine Willingham were working on the Clubhouse redecoration project and that the pending items should be completed shortly. Connie also informed the membership that the pool cover mechanism had broken, was in the process of being replaced, and that replacement should be completed in three weeks' time. In the meantime, the pool is uncovered and therefore the pool temperature was somewhat lower than the normal 82°. Connie also mentioned that the plastic card keys which allow access to the swimming pool area are still operational.

#### Grounds Report

Michael Cross presented his Grounds Report, copy of which is attached, and mentioned that due to the recent rains the grounds were looking quite well. He also reported that Bob Lockwood had contacted the City and gotten them to fill in the cracks on Avenida Primera.

#### President's Report

Next, Don Willingham presented his President's Report, a copy of which is attached. In addition to the information set forth on his Report, with respect to road maintenance, a La Viveza homeowner requested that speed limit signs indicating speed limits at less than 25 miles per hour be installed within La Viveza. Also, with respect to the minimum rental period, Rex Wilmore stated that there had been a further amendment to the Amended Declaration of Covenants, indicating that the minimum rental period is one month. That amendment was recorded with the Santa Fe County Clerk and Recorder on January 27, 1999. Finally, Don asked for comments regarding the installation of exercise equipment in the "Board Room." The homeowners present voiced the following concerns: liability/insurance issues; preventing children from using the equipment without supervision; key access to the building, and preventing other uses of the Board Room. Don Willingham indicated that he planned to appoint a committee to look into this matter.

#### Election of Directors

In lieu of passing out ballots for the election of Directors (Sandra Brinck, Michael Cross and Don Willingham), on Motion of Bob Lockwood, seconded by Walter Ford, the slate of Directors as proposed by the Board of Directors to fill the three Director positions was elected by acclamation. It was noted that it will be necessary to fill the position of Board member Mary Ellen Sherman, who will be moving in October, 2001.

#### New Business

One of the homeowners suggested installing "No Littering" signs between the north and south entrances of Estancia Primera. Don Willingham agreed to contact the City of Santa Fe and request the installation of such signs.

#### Adjournment

There being no further business to come before the membership, on Motion made and duly seconded, the meeting was adjourned at 7:55 p.m.



**ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION**  
**Board Meeting**  
**September 11, 2001**

The regular monthly meeting of the Estancia Primera Community Services Association was called to order by Don Willingham at 8:05 a.m. at the EPCSA Recreation Center. Board members present were: Don Willingham, Robert Lockwood, Mike Cross, John LeMaster, Sandra Brinck, Mary Ellen Sherman, Connie Burke, and Cheryl Sommer.

1. Minutes. Sandra Brinck circulated copies of the July 10, 2001 meeting Minutes. Following a discussion, one change was made (changing "her" to "him"). Upon motion made by Mary Ellen Sherman, seconded by Bob Lockwood, the Minutes were approved as revised.

2. Appointment of Board Member to Replace Cheryl Sommer. John LeMaster proposed that Dick Anderson, of Aspen Compound, be elected to replace Cheryl Sommer. John pointed out that it would be good to have a representative from Aspen Compound, and Dick is a CPA and willing to serve as Treasurer. Upon Motion made by John LeMaster, seconded by Connie Burke, Dick Anderson was unanimously elected to replace Cheryl Sommer.

3. Election of Officers. Upon Motion made by Mary Ellen Sherman, seconded by Sandra Brinck, Don Willingham was elected President. Upon Motion by Sandra Brinck, seconded by Connie Burke, Mary Ellen Sherman was elected Vice President. Upon Motion made by Mike Cross, seconded by Mary Ellen Sherman, Dick Anderson was elected Treasurer. Upon Motion by Don Willingham, seconded by Mike Cross, Sandra Brinck was elected Secretary.

4. Old Business. There was a discussion regarding the minimum rental period for homes in Estancia Primera. It was confirmed that the minimum rental period is one month. It was noted that many new homeowners do not have this information. Upon Motion by John LeMaster, seconded by Mary Ellen Sherman, Mary Walta, attorney for ESPCA, is authorized to compile a master set of current documents to be furnished to all homeowners. Don Willingham will speak to Mary Walta regarding this.

5. Newsletter. The Board discussed the advisability of a newsletter being periodically sent to homeowners; it was suggested that this be outsourced, since the ESPCA has sufficient funds to pay for such a project. Connie Burke and Mary Ellen Sherman will work on putting together articles for the newsletter. Board members are encouraged to e-mail information to Mary Ellen Sherman to be placed in the newsletter.

6. New Business. Mary Walta has announced that she may step down as Chairperson of the ARB; with a tentative date of January 1, 2002. A discussion ensued regarding how she could be replaced. It might be possible to persuade Mary to continue indefinitely as chairperson. However, this should not be considered a position in perpetuity. Don Willingham gave a report of the last ARB meeting. There are still problems with Phil Coombs and his projects in Los Altos. Coombs' projects were considered and approved one by one: five lots were approved, the orange roofs were approved, the changed roof was approved and fence height

was approved. However, with respect to Lot 21, two Board members refused to approve the red roof. Bob Lockwood proposed that Phil Coombs take two weeks and come back with an alternate proposal. On September 24, 2001, Phil Coombs was notified by Mary Walta that the ARB would not complete processing of final approval on Lots 13, 14, 18, 19, 20 and 21 until some resolution is made concerning the red metal roof on Lot 21. A copy of Mary Walta's September 24 letter to Phil Coombs is attached. In addition, the TV antenna problem involving Cynthia Drennan continues: Mary Walta wrote to her, explaining the alternatives available. Rex Wilmore reported that the plans for two houses in Kachina Hills have been approved. Finally, with respect to the blue gate on the house facing Avenida Primera, the owners have agreed to change the color.

Sandra Brinck passed out copies of Minutes from the Annual Meeting held in August, 2001, and asked that Board members review them for accuracy. If changes need to be made, Sandra Brinck should be contacted so that the changes can be incorporated into these Annual Minutes, which will be furnished to all homeowners at the next Annual Meeting (August, 2002).

Dick Anderson was introduced to the Board and the Board welcomed him.

7. Grounds Report. Mike Cross reported that he has met with Thundercloud Landscaping and that Thundercloud is responding quickly whenever he calls. No complaints have been received for the last thirty to forty-five days. He has requested Thundercloud to remove elm trees and spray weeds in the crack between the road and the curb. Mike Cross was authorized to use his judgment in authorizing Thundercloud to do additional work. He will also speak to Thundercloud regarding hauling the yard waste away immediately after completing work. It was noted that the Delfine Baca project needed landscaping work. Don Willingham volunteered to draft a letter to Sam Baca requesting revegetation of that development and he will have Bob Lockwood review it prior to its being sent.

8. Clubhouse Report. Connie Burke reported that a new pool cover mechanism had been installed, but it was flooded by mistake. Therefore, the pool will remain open until a new pool cover can be installed. It was suggested that in addition to installing a new pool cover mechanism, a float device be added which will shut the water off automatically when it reaches a certain level. Connie reported that the Hawaiian party was a big success and well attended. She also reported on upcoming events: a garage sale to be held in the parking lot on September 22nd, and the New Year's Eve party to be held December 31, 2001. Finally, Connie will arrange to have the handicapped parking areas repainted.

9. Adjournment. There being no further business to be considered by the Board at this time, upon Motion by John LeMaster, seconded by Connie Burke, the meeting was adjourned by Don Willingham at 9:10 a.m.

**ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION**  
**Board Meeting**  
**October 9, 2001**

The regular monthly meeting of the Estancia Primera Community Services Association was called to order by Don Willingham at 8:00 a.m. at the EPCSA Recreation Center. Board members present were: Don Willingham, Robert Lockwood, Mike Cross, Walter Ford, Connie Burke, Sandra Brinck, Dick Anderson, Mary Ellen Sherman, and John LeMaster.

1. Minutes. Sandra Brinck circulated copies of the September 11, 2001 meeting Minutes. Upon motion made by Robert Lockwood, seconded by Mike Cross, the Minutes were approved as submitted.

2. Old Business. Mary Ellen Sherman reported that information was still needed for the newsletter; she requested that Board members e-mail her this week. Connie Burke and Mike Cross indicated they would send information to Mary Ellen Sherman. Mary Ellen Sherman reported that she will not be moving until November and that she will chair the meeting on November 13, 2001 in Don Willingham's absence.

3. New Business. The appointment of the EPCSA Architectural Review Board members was discussed: the Neighborhood Associations appoint members, then the EPCSA Board approves them (except for Los Altos, in which case the EPCSA Board appoints one member to the Los Altos Architectural Review Board). Rex Wilmore has been appointed to the Los Altos Architectural Review Board.

With regard to garage sales, Walter Ford requested that in the newsletter a reminder be included that persons attending garage sales in Estancia Primera cannot block fire hydrants.

The Board noted that Cheryl Sommer had done an excellent job as Treasurer for the Board and a letter will be prepared and signed at the next meeting, thanking Cheryl for her past services.

With respect to the Architectural Review Board, Connie Burke reported that she had received a letter from Jerry Cain complaining about construction noise caused by one of Jim Hays' subcontractors. It was noted that Jim Hays had apologized to Mr. Cain. A discussion ensued regarding the Architectural Review Board guidelines and means to prevent complaints from escalating and continuing. It was noted that these complaints need to be dealt with and disposed of in a timely fashion. If it is not possible to negotiate and resolve the issues absent legal action, the EPCSA Board must approve expenditure of funds in order to take legal action.

4. Clubhouse Report. Connie Burke reported that the pool was closed effective today and it is being winterized. The alarm is now on when a person enters the clubhouse and must be disarmed upon entry (Code No. 1492). John LeMaster reported that the dead trees had been removed and will be replanted within the next month. He will then contact Connie Burke and she will contact Daniel to arrange for watering of the newly planted trees. The cracks on the

clubhouse wall were discussed and John LeMaster and Robert Lockwood will arrange for repatching and restuccoing the clubhouse walls.

5. Grounds Report. Mike Cross reported that the sprinklers have now been turned off, that the entry signs are in good condition. He also reported that the Thundercloud Landscaping Service crew works well the owner is present, but they have a tendency to “goof off” when the owner is not present. He noted that homeowners who have property which borders a common area must control the weeds, etc. to the street. Mike will continue to work with the owner of Thundercloud and will be requesting an increasing amount of work to be done by Thundercloud.

6. Treasurer’s Report. Dick Anderson circulated the Treasurer’s Report and that Report was discussed. Upon motion by Robert Lockwood, seconded by Mary Ellen Sherman, the Treasurer’s Report was unanimously approved. A discussion ensued regarding the format of the report; Dick Anderson will discuss this with the accountant, Judy Wilson.

7. Adjournment. There being no further business to be considered by the Board at this time, upon Motion by John LeMaster, seconded by Walter Ford, the meeting was adjourned by Don Willingham at 9:00 a.m.

**ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION**  
**Board Meeting**  
**November 13, 2001**

The regular monthly meeting of the Estancia Primera Community Services Association was called to order by Mary Ellen Sherman, as Chair of the meeting in Don Willingham's absence, at 8:05 AM at the EPCSA Recreation Center. Board members present were: Mary Ellen Sherman, Dick Anderson, Mike Cross, Bob Lockwood, Walter Ford, Sandra Brinck, Connie Burke and John LeMaster.

1. Minutes. Sandra Brinck circulated copies of the October 9, 2001 meeting Minutes. Bob Lockwood noted that he and John LeMaster were to examine the clubhouse walls; it is too late in the year to do any repair work, and needed repairs will be considered next spring. He noted that there is no structural damage on the tennis court wall. Connie Burke moved that the Minutes be approved as amended. Bob Lockwood seconded the Motion and the Minutes were approved as amended.

2. Treasurer's Report. Dick Anderson circulated the Treasurer's Report, and noted that he has changed the format to include monthly expenditures. He also noted that Phil Coombs was to be refunded \$675 per lot for four lots (Lots 13, 14, 18 and 20) in Los Altos, on the advice of Mary Walta, the Association's attorney. Also, he noted that the lot containing the home with the red roof is still at issue. Finally, Dick noted that the Architectural Review Board account needs to be reconciled.

3. Grounds Report. Mike Cross noted that Thundercloud Landscaping Service had informed him that they were likely to go over their estimate for maintaining the common area grounds; Mike has approved up to an additional \$200. Mike will examine the current contract with Thundercloud for purposes of putting together a new contract for 2002. John Amos will assist in this endeavor. Mike noted that some light bulbs need replacing, and reported that there has been no graffiti lately. Mike is working with building a relationship with Thundercloud and he will require in the future that the owner, Jeffrey Rowe, be present so that his workers don't "goof off" in his absence. After discussion, the Board authorized hiring New Mexico Pest Control to eradicate the gophers around Avenida Primera.

4. Clubhouse Report. Connie Burke is following up on the construction of the cabinet to cover the utility box adjacent to the fireplace in the EPCSA Recreation Center; she was promised it would be installed by December 31, 2001. She reported that Daniel has been watering the newly planted trees. She also reported that a New Year's Eve party has been scheduled for December 31, 2001, from 9:00 PM to 1:00 AM. The party will have a "fun and games" theme. Those attending will be asked to bring hors d'oeuvres; EPCSA will provide the beverages. Connie has also hired a disk jockey to provide music. She will look into the possibility of closing in the portal area with plastic and outdoor heaters in order to provide more space for the planned games. Connie will send flyers/invitations for the New Year's Eve party (the invitations will be mailed to out-of-state homeowners). She also noted that a Thanksgiving pot luck is being held at the Clubhouse on Thursday, November 22, 2001; Suzan McNeil and Ann Bayless are chairing that event.

5. Old Business. A discussion regarding the ARB procedures and ways to speed up the resolution of issues coming before the ARB was held; this will be discussed further at the next meeting. It was noted that Mary Walta will be resigning as Chair of the ARB; Rex Wilmore has agreed to take over as Chairman of the ARB.

6. New Business. It was noted that Connie Burke, Mike Cross and Don Willingham have the 800 number to call if the alarm system is triggered.

Dogs running loose in the neighborhood. The problem of dogs running loose in the neighborhood was discussed. It was noted that homeowners should call the Santa Fe Animal Control. Homeowner Charles Bayless had his pant leg nipped by a loose dog. Mike Cross suggested carrying mace if homeowners are walking in the neighborhood.

7. Adjournment. There being no further business to be considered by the Board at this time, upon Motion by John LeMaster, seconded by Bob Lockwood, the meeting was adjourned by Mary Ellen Sherman at 8:45 AM.

**ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION**  
**Board Meeting**  
**December 11, 2001**

The regular monthly meeting of the Estancia Primera Community Services Association was called to order by Don Willingham at 8:10 AM at the EPCSA Recreation Center. Board members present were: Mary Ellen Sherman, Dick Anderson, Mike Cross, Bob Lockwood, Walter Ford, Sandra Brinck, Connie Burke and John LeMaster.

1. Minutes. Sandra Brinck circulated copies of the November 13, 2001 meeting Minutes. After discussion, it was noted that the last sentence of paragraph 3 of the Minutes should be amended to read as follows: "After discussion, the Board authorized hiring Eloy Romero (Eloy's Pest Control) to eradicate the gophers along Avenida Primera." Mary Ellen Sherman moved that the Minutes be approved as amended; Bob Lockwood seconded and the Minutes were approved as amended.

2. Treasurer's Report. Dick Anderson circulated the Treasurer's Report, and noted that as of November 30, 2001, there is a \$13,000 profit. Dick reported that the ARB account still needs to be reconciled and inquired as to the location of historical records. Also, in connection with the obtaining of a refund on construction deposits made to the ARB, it was noted that the homeowner should first request a refund from the ARB and the ARB then directs Dick Anderson to send a refund check to the homeowner. Next, the compilation report and footnotes prepared by Judy Wilson in connection with Annual Reports were discussed. Dick recommended that for the future, only a tax return and financial statements (without footnotes) be prepared. On motion by Sandra Brinck, seconded by Don Willingham, Dick Anderson is authorized to contact Judy Wilson and request her to prepare only a tax return and financial statement without footnotes for the year 2001.

3. Grounds Report. Eloy's Pest Control has eradicated the gophers (eight to nine active sites) with the use of pellets; four to five ant piles were also eliminated. Eloy's Pest Control will come back if the gophers return.

Thundercloud Landscaping Service has given a bid of \$4,950 plus gross receipts tax for landscaping services in the year 2002. It was noted that the contract amount for 2001 was \$4,700. Mary Ellen Sherman moved that the Thundercloud bid for 2002 of \$4,950 plus gross receipts tax be approved, with the understanding that Mike Cross will monitor the work. The motion was seconded by John LeMaster and carried unanimously.

Bob Lockwood reported that the City had money available to spend for "calming devices" (otherwise known as "speed bumps"). A discussion was held and the Board decided not to contact the City to install calming devices on Avenida Primera.

4. Old Business. With respect to stray dogs, it was noted that homeowners should contact Animal Control at 955-2700 to report dogs running loose.

Mary Ellen Sherman circulated a draft of a proposed EPCSA Newsletter and requested Board members to review and make any necessary corrections.

Don Willingham reported that he is now dealing with the Phil Coombs issue and that Phil would like to receive a refund of his construction deposit. Apparently Phil now lives in the home with the red metal roof.

5. New Business. The Board was asked to review a proposed City rezoning of a .2 acre lot (part of Lot 2 of Los Altos) to R-8 (eight dwellings per acre). After discussion, John LeMaster moved and Mary Ellen Sherman seconded that the Board approve the removal of such .2 acre lot from the Declaration of Covenants of the EPCSA.

6. Adjournment. There being no further business to be considered by the Board at this time, upon Motion by Mary Ellen Sherman, seconded by John LeMaster, the meeting was adjourned by Don Willingham at 9:00 AM.