

**EPCSA Board Meeting Minutes
January 11, 2005**

Attending: Board members Mike Cross, Catherine Beck, Pat Haueter, Eileen Street, John LeMaster, Paula Burdelski, Bob Lockwood, and Barbara Platz. Also attending: Rex Wilmore

- I. Upon motion by John, seconded by Eileen, the minutes of the December 14th meeting were approved as submitted.
- II. Treasurer's Report
 - A. Beverlee was unable to attend the meeting, but sent word that notices of dues payable would go out within the next few weeks.
 - B. Due date is March 15, with a 30-day grace period before penalties will apply.
- III. Clubhouse Report by Paula
 - A. The Clubhouse was used for some holiday parties
 - B. Daniel took care of putting away holiday decorations.
- IV. Grounds Report
 - A. Scoria was done after the recent ice storm after Mike called to request road maintenance.
 - B. Two entrance lights are out: the South entrance outage is due to an electrical problem and the North entrance outage is due to vandalism.
- V. ARB Report by Rex Wilmore
 - A. Modifications are pending on a request by Hays construction.
 - B. William Schindler, who owns property at 648 La Viveza, has filed a complaint with the ARB and the Board concerning 548 La Viveza.
 1. He maintains that architectural guidelines dictate that the cross fence on the property is illegal and must be removed.
 2. He states that the coyote fence approved two years ago is illegal because he did not have an opportunity to provide input about the structure.
 3. He requests that the Board declare the owner's dogs a nuisance and ban dogs from being owned at the residence in the future.

- C. The Board discussed the concern but determined that because the house has been sold that many of the issues are moot.
 - 1. The cross fence has been reviewed by the ARB and has been determined to be out of compliance. A letter has been sent to the owners stating that the fence must be removed and a statement of non-compliance will cloud the title if it is not removed.
 - 2. The approval of the coyote fence went through all necessary steps and is within ARB guidelines.
 - 3. The new owners will be renting the property and it is anticipated that dogs will not be allowed. However, if there are dogs that create a nuisance the issue will be addressed.

VI. Old Business

- A. Mike is working on the Rich Culpin plaque.
- B. Neighborhood watch signs are available from Mike.
- C. The "No Trespassing" signs remain posted along Hyde Park Road, despite some efforts at vandalism. The President of 800 Hyde Park Road reports that transient tents appear to have been removed.
- D. There is no change of the status of landscaping, etc. at the Alexander house.

VII. New Business

- A. Newcomers should receive a list of the home owners.
- B. An updated list goes out along with the dues to all home owners.
- C. The idea of a "neighborhood welcome packet" was mentioned, but no action was taken.

There being no further business, the meeting was adjourned at 8:35A.M.

Respectfully submitted,

Barbara Platz
Secretary

EPCSA Board Meeting Minutes
February 8, 2005

Attending: Board members Mike Cross, Catherine Beck, Pat Haueter, John LeMaster, Paula Burdelski, and Beverly Anderson. The meeting was called to order at 8:10am.

- I. Upon motion by John, seconded by Pat, the minutes of the January 11th meeting were approved as submitted.
- II. Treasurer's Report
 - A. Beverlee reported that she has updated all accounts and sent this information to our accountant in order to prepare 2004 Income Tax Return.
 - B. Beverly presented a balance sheet as of 12/31/2004, a Revenue And Expenditure YTD comparison, January – December 2004 and Revenues and Expenditures by Class YTD.
 - C. On behalf of the board, Mike Cross acknowledged Beverlee and Bill's Efforts in mailing out the 2005 dues request.
- III. Clubhouse Report
 - A. Paula reported that there were no problems and very little activity at The clubhouse.
- IV. Grounds Report
 - A. No activity for the month.
- V. ARB Report
 - A. Rex Wilmore sent a report from the February 1, 2005 ARB meeting With the following items:
 1. Approved new home on lot 18, Kachina Hills, subject to Approving stain and stucco colors.
 2. Gave final approval to two new berms in Los Altos.
 3. Approved color change, Lot 5, Los Altos Del Norte.
 4. Discussed rooftop screening requirement at some length again. No conclusion was reached.

- B. The Board discussed the rooftop screening requirement and after much discussion, Catherine moved and Paula seconded a motion for Mike Cross to discuss this issue with Mary Walta and for the Board to try to come to a consensus at the next meeting. All Approved

VI. Old Business

- A. Rich Culpin memorial. Mike Cross presented two different bids for the bronze plaque. The Board chose the internet bid for \$295.00. John moved and Paula seconded a motion for Mike Cross to make the purchase.
- B. Mike Cross noted that one of the, "No Trespassing" signs across Hyde Park Road had been ripped down, but was still visible. Mr. Chilcot of 800 East has seen no activity on the vacant land. Pat Haueter of LaViveza reported that she has seen a person leaving the property early one morning.
- C. Mike Cross reported no new activity concerning the Alexander House situation.
- D. Mike Cross presented two different bids for crowning the tall Cottonwood Trees along Avienda Primera that have grown too tall. No action was taken on these bids and Mike will discuss this issue with the Los Nidos Association.

VII. New Business

- A. Upon recommendation by Beverlee, the Board chose August 16th and August 17th as the dates for our annual meeting of 2005. August 16th will be designated as the Financial Meeting and August 17th will be the General Meeting.

There being no further business, the meeting was adjourned at 8:47am.

Respectfully submitted,

Mike Cross
President

Minutes of the EPCSA Meeting
March 8, 2005

President Mike Cross called the meeting to order at 8:02 AM. Attending were Mike, Bob Lockwood, Catherine Beck, Beverlee Anderson, Pat Hauter, Eileen Street, and Barbara Platz.

- I. The minutes of the previous meeting were approved as submitted.
- II. Treasurer's Report by Beverlee Anderson
 - A. Dues update
 1. A significant number of dues have been paid.
 2. Fewer notices have been returned because of incorrect addresses than in the past.
 3. Next year the Board wants to make March 15th the due date.
 - B. The tax information has been sent to Judy Wilson. The only requested change has been that attorney expenses be designated as a professional service so that a 1099 will be generated.
- III. Clubhouse report by Mike for Paula Burdelski
 - A. There is no significant activity to report.
 - B. Both Paula, who handles maintenance, and Nikki Marachnek, who handles keys and reservations, are moving. The board discussed the advisability of making Clubhouse manager a paid position.
 1. After discussion, it was determined that Beverlee would compose a Request for Proposal for the job.
 2. The RFP could be sent to management companies and posted on the EPCSA web site.
- IV. Grounds report by Mike Cross for John Amos
 - A. Front entrance lights are still out and will be repaired when the weather improves.
 - B. Trees will be sprayed on the common property on March 23rd by Eloy's.
- V. ARB report by Mike Cross for Rex Wilmore
 - A. Contractors have been asked to have their crew park on only one side of the street to facilitate traffic flow.
 - B. Mr. Alexander died, and his son Lee Alexander is the executor of the estate.
 1. The trustee has said the bars will come off the windows if the notice of non compliance is removed. The Board agreed.
 2. The landscaping will be completed, and it is anticipated the house will be put on the market.

The next meeting will be April 12th at 8:00 AM. There being no further business, the meeting was adjourned at 8:40 Am.

Respectfully submitted,

Barbara Platz
EPCSA secretary

EPCSA Board Meeting Minutes
April 12, 2005

President Mike Cross called the meeting to order at 8:01 am. Attending were Board members Mike Cross, Beverlee Anderson, Pat Hauter, Eileen Street, Bob Lockwood, Catherine Beck, Paula Burdelski, and Barbara Platz. Ginny Brewer also attended.

- I. Upon motion by Bob Lockwood, seconded by Pat Hauter, the minutes of the previous meeting were approved as submitted.
- II. Beverlee Anderson distributed balance sheets and a list of unpaid dues.
 - A. Mike asked members to contact neighbors who had not paid or to notify him if they wished him to do the contacting.
 - B. Due date is April 15th, and a reminder letter will be sent the first week in May. Penalties begin accruing after April 15th.
 - C. Plowing costs of \$2,000 and distributing scoria were expenses born by the association this year due to unusually heavy snow.
- III. Clubhouse report by Paula Burdelski
 - A. The health department inspection for the pool is scheduled for May 16th and the pool will open shortly afterward.
 - B. The state environmental department now charges for its report, which it has not done heretofore.
 - C. The pool doctor will treat the pool approximately two weeks before the state health inspection.
- IV. There was no major report on the grounds/maintenance.
- V. ARB Report
 - A. Frequently Asked Questions are posted on the Web Site
 - B. There is some confusion about whether swamp coolers need to be painted or screened, and directions from the ARB have been ambiguous.
 - C. The Board will treat complaints on a case-by-case basis.
 - D. A letter went out to all homeowners reminding them about ARB rules and listing Estancia Primera community events.
 - E. The notice of non-compliance on the Anderson house was removed.
- VI. Old Business
 - A. Culpin Memorial Update
 1. The plaque has been completed and installed. The Board thanks John LeMaster for his assistance.
 2. After the May 10th Board Meeting there will be a ceremony to dedicate the clubhouse. Beverlee and Ginny will assist in plans for the event.

- B. Clubhouse Management will now be contracted
 - 1. Pat Hauter moved and Catherine Beck seconded that the Board hire the company managed by resident Frank Jackunus as an independent contractor to manage the clubhouse from May 1 through December 31 of 2005.
 - 2. The pay will be \$25/hour and duties will include all necessary oversight of the Clubhouse as described in his contract. The motion passed unanimously.
- C. Bob Lockwood will proceed with generating ideas for replacing or covering the existing Clubhouse bars at the entrance with more attractive doors.

VII. New Business

- A. ARB Board membership
 - 1. Lee Warren has resigned.
 - 2. Upon motion by Beverlee Anderson, seconded by Pat Hauter, the EPCSA Board voted unanimously to accept Pat Jackunus to be his replacement on the ARB Board.
 - 3. Upon motion by Pat Hauter, seconded by Catherine Beck, the Board voted unanimously accepted George Funds as the new ARB member from La Viveza.
- B. Upon motion by Beverlee Anderson, seconded by Catherine Beck, the Board voted for Ginny Brewer to fill the EPCSA Board position being vacated by Paula Burdelski, who is moving.

Respectfully submitted,

Barbara Platz, Secretary

Minutes of the EPCSA Board
May 10, 2005

Attending: Board members Mike Cross, Beverlee Anderson, Bob Lockwood, Ginny Brewer, John LeMaster, Catherine Beck, Eileen Street, Pat Haueter, and Barbara Platz. Also attending: Rex Wilmore, Pat Jackunus.

Mike Cross called the meeting to order at 8:02 AM.

- I. John LeMaster moved and Bob Lockwood seconded that the minutes of the April meeting be approved. Motion passed.
- II. Beverlee made a Treasurer's Report.
 - A. The water bill is down because of change of the size of the pipe to the clubhouse and because of reduced watering.
 - B. Grounds expenses went up because of spraying and increased snow removal costs.
 - C. Legal fees are now separated out as a line item expense.
 - D. Numerous fees for frequent calls to Mary Walta. The Board wants to discuss with Mary how to distinguish neighborly calls from professional expense.
 - E. Legal expenses should decrease next year because there will not be expenses related to the Alexander property, and other difficulties are not anticipated.
 - F. Lenny Katz expressed his thanks for solving the Alexander problem.
 - G. Unpaid dues pending amount to less than \$6,000. All have received second notices.
 - H. Blue Chip insurance has been coverage for the Board will be paid unless the Board wants to request bid from another company. There was no objection to keeping them as the provider.
- III. Keys to Clubhouse
 - A. Policy on clubhouse keys
 1. Recommend internal key locks be changed (not gate keys).
 2. List distributed of who would receive what keys.
 3. Cost to change will be about \$200 per lock.
 4. Catherine Beck moved and Barbara Platz seconded that the Board have the internal locks re-keyed. The motion passed unanimously.
 - B. It was noted that the door to tennis court tends to be left open. The Board will ask the new maintenance manager to prepare a sign requesting that users be sure the door is closed.

- IV. Grounds report
 - A. Mike has worked on lights and more needs to be done.
 - B. Mike will call City to sweep Estancia Primera
 - C. Dead trees and shrubs, mostly chamisa, will be reported to John Amos for pruning out.
 - D. John LeMaster and John Amos will meet to determine who is responsible for cleaning up the dead pinons between the clubhouse and Los Altos Norte.

- V. ARB Report by Rex Wilmore
 - A. Approved Alta Mira changes
 - B. Lot 12 approved for construction to begin
 - C. Retaining wall on Lot 8 approved.
 - D. There is \$1200 left from the deposit by Mr. Alexander, and legal fees were around \$3500. The ARB wishes to retain the \$1200 to partially compensate for these fees, but will not seek reimbursement of the remaining fees.
 - E. ARB approved change in guidelines for screening requirements for roof-mounted equipment.
 - 1. "TV or ham radio antennas, or other antennas of any kind are not permitted. All vents, stacks, swamp coolers, air conditioners and other roof protrusions or roof-mounted items must be match painted to stucco color. All exterior wall pipes, electrical conduits, and other metal objects on sidewalls must be painted to match the stucco color."
 - 2. Pat wondered why only metal is addressed.
 - 3. FCC prevents homeowner's associations from requiring satellite dishes from being painted.
 - 4. Beverlee Anderson moved to accept the new language. Eileen Street seconded. The motion passed with five yeas. Nay votes were cast by John LeMaster, Barbara Platz, and Bob Lockwood. Catherine Beck abstained.
 - 5. Beverlee recommended Board identify sources of coverings and color paint.

- VI. Gates at Clubhouse
 - A. Design presented with proposals
 - B. Beverlee moved to accept proposal to include painting white fence. Pat seconded. Passed unanimously.
 - C. The fence will be painted an adobe color at additional cost to the bid presented for the gate design.
 - D. The Board recommended that the tops of panels on the gates as well as the side mounts should be open.
 - E. The bid, not including painting of the fence, is \$5,900.

- VII. A backboard in the tennis area has been proposed.
 - A. Ginny Brewer will get cost estimates.
 - B. A sun and wind screen on west side of tennis court was also recommended, and a cost estimate will be determined.

John LeMaster moved for adjournment at 8:55 AM.

Respectfully submitted,

Barbara Platz, secretary

Minutes of the EPCSA Board
June 14, 2005

Attending: Mike Cross, Beverlee Anderson, Eileen Street, Catherine Beck, Pat Haueter, Bob Lockwood, and Barbara Platz

Mike Cross called the meeting to order at 8:12 A.M.

- I. Minutes of the May meeting were approved as submitted.
- II. Treasurer's Report by Beverlee Anderson.
 - A. Beverlee submitted an unpaid-to-date list of homeowner's dues.
 - B. Notices will be sent reflecting dues owed plus penalties. Cards will be cancelled and notice of non-compliance will be filed for homeowners who are seriously out of compliance. Mike will notify those who have past due bills.
- III. Clubhouse Report
 - A. Proposed lock changes were submitted
 - B. All keys to be serialized and not copy-able.
 - C. Keys will be distributed to designated persons.
 - D. Doors to the Clubhouse are being installed, and the Board noted that they are very attractive. The Board gave a special thank-you to Mr. Lockwood for his efforts. Hardware is still to be installed and fence painting will be completed.
- IV. Grounds Report
 - A. John Amos will be gone for a few weeks, so communication should be through e-mail.
 - B. Dead trees on Los Altos Norte and Los Altos continue to be an eyesore. Mike will talk to owners.
- V. ARB Report
 - A. Neighborhoods are dealing with ARB issues within their communities and there are no major areas of disagreement
 - B. The berm was approved with conditions
 - C. The mail box on the Alexander house will be removed as a condition of sale of the property.
- VI. Old Business
 - A. Reynolds Insurance has approached Mike with a bid to solve the problem of overlapping insurance coverage among neighborhoods.
 1. He will need by-laws from each neighborhood
 2. He will look into consolidating bills and making coverage efficient.

- B. A tennis back board was discussed. Catherine moved and Eileen seconded a motion that the Board ask Frank Jackunas to find the most cost effective way of painting a backboard on the existing west wall that meets standard backboard requirements. The motion passed unanimously.
- C. A screen on tennis court can be accomplished by training plants for a natural barrier, which will look more attractive than a wind screen and prevent the destruction of existing plants.

VII. New Business

- A. Regarding the annual meeting in August, the notification of annual meeting letter will be modified from last year and distributed to homeowners by Beverlee.
- B. The budget meeting will be Tuesday, August 16th and the annual meeting will be Wednesday, August 17th.

Meeting adjourned at 8:49 AM. Next meeting will be July 12th at 8 AM.

EPCSA Board Minutes
July 12, 2005

President Mike Cross called the meeting to order at 8:00 AM. Board members attending were Mike Cross, Eileen Street, Beverlee Anderson, Pat Hauter, Catherine Beck, Ginny Brewer, Bob Lockwood and Barbara Platz. Also attending were Rex Wilmore, Frank Jackunas, Mary Walta, and Paulette Cross.

- I. Upon motion by Pat Hauter, seconded by Catherine Beck, the minutes of the previous meeting were approved as submitted.

- II. ARB report by Rex Wilmore
 - A. A full written report was distributed to Board members
 - B. Regarding the difficulties of non compliance to ARB guidelines by Tatiana Andreeva, the Board decided to allow her to respond to our concerns before any steps are taken.
 - C. Regarding changing the guidelines, Beverlee Anderson moved and Ginny Brewer seconded that(1) the words "performance deposit" replace "damage deposit," (2) all projects must be completed within 12 months unless extension has been sought and granted and (3) the homeowner is automatically deemed non compliant and the performance deposit will be forfeited if the deadline and extensions are exceeded. The motion passed unanimously.
 - D. Regarding the post lights near the Clubhouse, Beverlee Anderson moved and Catherine Beck seconded that the ARB will change the lights to meet the community standards while also being adequate to protect the property. The motion passed unanimously.

- III. Mary Walta presented proposed changes to the Bylaws and CCRs of ESPCA.
 - E. Under Bylaws, Article VI, Section 7, adding to the first sentence: "and all other powers implicit in performing the duties imposed upon the Board of Directors by the Governing Documents."
 - F. Under Covenants and Restrictions
 1. The EPCSA eliminate the classes of ownership for general and special assessments.
 2. The method of determining assessments will add: "The General Assessment shall be approved by a two-thirds vote of a Quorum of Owners at the Annual Meeting."
 3. Under the Nuisances Section, the following language be added: Owners or Occupants who use a Lot, Living Unit, or the Property in any manner which unreasonably embarrasses, disturbs or annoys any other Owner or Occupant shall be deemed to carry on a nuisance including activities in the nature of loud or excessive noise parties and traffic or activities which violate any City ordinance or state or federal law. Upon written demand by the

Board, Owners and Occupants must cease and desist from any activity constituting a nuisance. In the event the Board is required to commence any legal proceeding to abate a nuisance, the Owner will be liable for payment of EPCSA's reasonable attorney's fees and costs."

4. Also under Nuisances, the following language is proposed:
"Owners are responsible for the prompt removal of dead trees, shrubs, hedges and landscaping from their Lots and Living Units. Failure to do so increases the risks of infecting nearby healthy vegetation. Any Owner who fails to remove dead trees, shrubs hedges or landscaping within three days following written notice from the Board will likewise be subject to the provisions of subsections 6.18 (a)-(c) above."
5. With respect to the "height" of trees, language could be added to Section 6.18 that in addition to trees not interfering with views, they also should not interfere with the "value, desirability or attractiveness of the Property."
6. The Board will determine recourse if guidelines are violated.
7. Under Section 6.34, add: "Any swamp cooler or air-conditioning unit placed on a Living Unit must be located and maintained so as to minimize the visual and noise impact on the Property, including those units located on rooftops. The installation of any swamp cooler or air-conditioning unit subsequent to construction of a residence must be pre-approved by the ARB. Existing swamp coolers and air-conditioning units must be maintained in accordance with this provision. Upon written notification from EPCSA, the Owner must take action within ten days to abate any adverse visual or noise impact identified by EPCSA."

G. Ginny Brewer moved and Pat Hauter seconded that CCR changes submitted by Mary Walta will be submitted at the annual meeting for approval by the membership. The motion passed unanimously.

IV. Clubhouse Report by Frank Jackunas

H. Frank requests the following:

1. Authorization to finish painting fence.
2. \$500 to re-key the entire membership.
3. Fire inspection to bring up to code; anticipated expenses \$1200.00.
4. \$1000 to get motion detectors around pool.

I. Once repairs are done, we will have a final inspection done by the City.

J. Annual inspections should be done by Fire and Safety Inc. or a similar commercial firm.

K. We should consolidate monthly monitoring to Security and Access from PSI so that all monitoring is under one company.

L. Catherine Beck moved and Ginny Brewer seconded that the Board approve the requests. The motion passed unanimously.

- V. Treasurer's Report by Beverlee Anderson
- M. Several dues are still outstanding.
 - N. The new budget proposal at the annual budget meeting has no significant changes. It will be mailed to the membership.
 - O. Pat Hauter moved and Bob Lockwood seconded that the Board approve the proposed budget. The motion passed unanimously.
- VI. Old business: Mike Cross will continue to consult with Tom Eecks to see if we need an appraisal to break out valuations (i.e., pool, dwellings, fixtures, etc.)

The meeting was adjourned at 9:25 AM.

Respectfully submitted,

Barbara Platz
Secretary

EPCSA Board Meeting Minutes
September 9, 2005

President Mike Cross called the meeting to order at 8:03 A.M. Board members in attendance were Mike Cross, Catherine Beck, Beverlee Anderson, Eileen Street, Ginny Brewer, John LeMaster, Bob Lockwood, and Barbara Platz. Also attending were Rex Wilmore, Frank Jackunas, and Carol Seghers.

- I. Upon motion by Beverlee, seconded by Catherine, the minutes of the July 12th meeting were approved as submitted.

- II. Carol Seghers was introduced to the Board as a candidate for a new Board position to replace Pat Haueter, who retired in August.
 - A. Ginny moved and John seconded to elect Carol to the Board.
 - B. The motion passed unanimously, and Mike welcomed her as a new Board member representing Alta Mira.

- III. Clubhouse report by Frank Jackunas
 - A. Frank has overseen changes to the building and land required by the Fire Marshall, and is ready to apply for final inspection now that all requested changes have been made.
 - B. The damaged lights in the parking lot have been repaired.
 - C. He is investigation improving pool area security since there was a break-in this summer. He is investigation motion detectors and looking for an economical and effective solution.
 - D. He would like to schedule a facility maintenance inspection by an outside specialist at an approximate cost of \$375.00
 - E. Daniel King will schedule a pool closing for the season when cold weather sets in. The Board requested a posting of the anticipated date of closing when it is known.
 - F. Estancia Primera sign at the front door needs some restoration work, and the Board approved his obtaining bids for the project.
 - G. There have been a few minor problems since the doors have been re-keyed and fewer master keys have been distributed.
 - H. Outdoor pole lights in the parking lot will cost about \$2,000 to have light re-directed downward instead of upward.
 1. The Board has previously approved the change because of neighbors affected by the light pollution.
 2. Eileen pointed out that it is difficult for the Board to ask home owners not to install lights that disturb neighbors if the Clubhouse is out of compliance.
 3. Frank will investigate an approach that does not compromise security but will still decrease the light pollution.

- IV. ARB report by Rex Wilmore

- A. Rex has written Tatiana Andreeva, 799 Avenida Primera, regarding the driveway cut into Estancia Primera in violation of EPCSA ARB guidelines and after her landscaping plans was rejected by the Board.
 - B. He requested Board action if she has not agreed to comply by September 12, 2005, as requested in his letter.
 - C. Beverlee moved and Ginny seconded that the issue be sent to Mary Walta to address if the homeowner has not agreed by September 12th to return the property to its original, approved condition. Failure to comply will result in a Notice of Non-compliance on the property. The motion passed unanimously.
- V. Treasurer's Report by Beverlee Anderson
- A. Dues have been paid on all but two lots. Beverlee is following up on those.
 - B. She does not anticipate any major maintenance expenses in 2006.
 - C. Update on CCRs and By-laws: not enough votes have yet been cast to determine the outcome. She and Mike will follow up on gathering votes on those still outstanding.
 - D. The deadline for voting is September 30th.
- VI. Grounds Report by Mike Cross for John Amos
- A. One resident has asked the EPCSA take charge of cleaning the arroyo to the south of the Clubhouse.
 - 1. Rex pointed out that the arroyo is drainage easement of the City and is not the responsibility of the Association.
 - 2. Fearing that the City might not maintain the vegetation, the Board decided to encourage individual home owners to clean up litter they see, but not contact the City to request clean up.
 - B. John and other volunteers will meet at 9 AM Saturday, September 10th to clean up along Hyde Park road litter left by revelers from the Zozobra event.
- VII. Old Business: Mike will contact neighborhood associations and work on coordinating insurance coverage, then find a cost-effective policy to meet the Association needs.
- VIII. New Business
- A. Barbara pointed out that if the Board wishes to create a backboard on the tennis court, it should be made of wood rather than paint the stucco because the stucco surface will ruin tennis balls.
 - B. Concerned that the noise resonating from the ball hitting wood would be an annoyance to nearby home owners, the Board decided to make no changes to the tennis court area.
 - C. The wood benches in the tennis court need to be treated.

- D. The area around the "Exit" sign on the north wall of the Board room needs to be painted.
- E. Eileen brought up two concerns of the Alta Mira neighborhood.
 - 1. Trash in the arroyo from construction on Los Altos Norte is a problem. John said he would send some of his crew to clean up any debris that was left over from construction, but pointed out that sometimes people try to use construction site dumpsters rather than haul trash to the dump. If the dumpsters are overflowing, the trash spills into the area and creates the nuisance.
 - 2. The Alta Mira neighborhood wondered if EPCSA could hire a security patrol for Estancia Primera. The Board rejected the idea in favor of the Neighborhood Watch currently in place.

There being no further business, the meeting was adjourned at 8:50 A.M.

Respectfully submitted,

Barbara Platz, Secretary

EPCSA Board Meeting
October 11, 2005

Board members attending: Mike Cross, Carol Seghurs, Beverlee Anderson, Ginny Brewer, John LeMaster, Bob Lockwood, Eileen Street, and Barbara Platz.

Also attending: Tatiana Andreeva, Mariana Geer, Bill Eisele, Polly Parrot, Ida Vorum, Andy Cordova, Simohn Spearitt, Kelly Lyon, Rex Wilmore, Mary Walta, and Frank Jackunas.

Mike Cross called the meeting to order at 8:05 A.M.

- I. Upon motion by Beverlee Anderson, seconded by John LeMaster, the minutes of the previous meeting were approved as submitted.

- II. Frank Jackunas gave the Clubhouse report.
 - A. The fire department gave full approval to our facility on Sept. 30. Next review will be spring of 2006, and annual reviews will be scheduled.
 - B. One defective ground lamp and one bollard (upright post) have been replaced.
 - C. John Amos will clear ground brush near two landscaping lights in front of the Clubhouse so that more repairs can be done.
 - D. Replacing bollards to shade lights from nearby houses will cost about \$900 each, for a total cost of \$7500 to \$10,000.
 - E. For about \$1,000, he can develop shades for all the lights to direct the light downward.
 - F. He will put one shade by South corner for Board to see what they look like.
 - G. Frank suggests a thorough building inspection to look at potential short and long-term problems. (tile, stucco, roof, faucets, etc). Cost: \$350.
 1. Beverlee recommends that we do so because building is over 20 years old and previous maintenance has been on as problem presented itself basis.
 2. Mike will look up previous inspection.
 3. John pointed out that some problems will not show up in an inspection, such as electrical and plumbing problems.
 4. No decision was made at this time.
 - H. Last summer there was some vandalism on the pool switch. Frank has been looking at setting up a photoelectric beam for movement detection tied to alarm system
 1. For a strobe light and horn to go off if the beam is triggered, the cost would be \$1,000; \$1,500 if the system is monitored.
 2. The system could instead be a silent alarm, as Board members expressed concern about alarms disturbing the neighbors.
 3. No final decision was made.

- I. Pool is closed due to cold weather. Pool and spa doctor will be here this week.

- II. Treasurer's Report by Beverlee Anderson
 - A. Beverlee reported results of the annual vote.
 1. 105 votes were cast, many on the web site. Each provision needed 98 votes to pass.
 2. The By-law change passed.
 3. Covenant 5.5 to allocate assessments did not pass.
 4. Covenant 6.3, nuisance, did pass.
 5. Covenant 6.18, shrubs and landscaping, did not pass.
 6. Covenant 6.34, swamp cooler issue, did not pass.
 - B. Ginny moved and Eileen seconded that the Board accept the vote. Passed unanimously.
 - C. Because proposed dues structure did not pass, the Board could decide to charge developed lots full price and undeveloped lots the lower price. By-laws allow for partially completed construction to have an additional fee. In the past, this third way of assessing dues has been ignored. After discussion, The Board consensus was to keep the assessments the same as has been the practice: one fee for undeveloped lots and lots with construction started; one fee for lots with completed construction.
 - D. The Board requests Mary Walta to provide us updated clean copies of CC and Rs and they need to be recorded so that owners purchasing lots will have current documents.
 - E. Ginny moved and John seconded that the Board have only two categories for dues assessments and that we receive updated copies of the CC and Rs..

- III. Grounds Report
 - A. John will take care of clearing around two more lights in front of the Clubhouse so that repair work can be done.
 - B. Dead trees need to be cut down and individual neighborhoods will be contacted. Will determine if any on the common property.
 - C. Ginny oiled benches on tennis court.
 - D. Main arroyo is city's responsibility, not that of the EPCSA.
 - E. Trash has been cleaned in arroyo.
 - F. John pointed out that a rock border along the landscaping in front of the Clubhouse could stop draining of dirt and gravel across Estancia Primera. Mike asked John to submit a proposal for the work.
 - G. If owners see roaming dogs, they are asked to call animal control ASAP. It is requested that they get a description of the dog(s) and, if the animals are seen regularly, the likely time they roam the neighborhood.
 - H. The new snow removal contract sent to Mike is for \$600.
 1. Mike calls if there is over 4" of snow and plowing is done on all streets except Aspen Compound and La Viveza.
 2. If snowfall is under 4", only Avenida Primera is plowed.

3. John moved and Ginny seconded to accept contract, the contract, but adding Los Altos Norte to streets to be plowed if snowfall is over 4". The motion passed unanimously

IV. Old Business: Appeal by Tatiana Andreeva

A. Tatiana presented her case to the board. Her points were:

1. She believes her case was not presented fairly by the ARB to the Board.
2. She agrees that there were problems in communication and that she failed to follow the correct procedure.
3. She believes her changes did not destroy natural terrain.
4. She believes there were rumors about how property would be used that predisposed the Board to sanction the changes.
5. She had asked contractor to handle the improvements while she was traveling, which contributed to miscommunication

B. Mariana Geer, attorney, spoke on behalf of Ms. Andreeva.

1. She said that Ms. Andreeva is sorry that she did not follow procedure for some of the improvements to property.
2. Builder leveled ground and retention for erosion
3. Builder believed that because it was a public street, he could cut a new driveway with City approval.
4. ARB didn't talk about merits of driveway because process had not been followed.
5. She wants to do what she is supposed to do, but asks for the merits of the case to be considered.
6. Off street guest parking is provided by the new access.
7. Retention pond will prevent run-off with railroad ties.
8. ARB letters instructed her to restore the property to its original condition. She felt these instructions were unclear. The builder covered gravel with dirt, which now runs off onto road
9. There is no formal record of the ARB's decision.
10. She takes issue that her appeal can be only whether ARB acted arbitrarily and capriciously.
11. The purpose of the ARB rules should be to make nice sub division and not to be punitive.
12. Pictures of the property were shown.
13. There are other properties with two driveways onto Estancia Primera, so she feels if the project had been properly submitted it would have been approved.
14. Property is for family and guests and there is no intention of a business.

C. Several neighbors spoke in favor of Ms. Andreeva's appeal.

1. Bill Eisele, president of Cresta: if plans had been submitted with house, would have been approved. Driveway is an improvement visually; beneficial to provide off-street parking

2. Polly Parrot, of Los Altos, said the issue is not what she has done but that proper procedure was not followed.
3. Ida Vorum pointed out that poor communications had caused the problems.
4. Simohn Spearitt pointed out that off-street parking is safer for other drivers and that the property improvement has raised all property values of the neighborhood.
5. Kelly Lyon noted that the neighborhood is very supportive of Tatiana.
6. Andy Cordova added that the home improvement is an asset to the neighborhood.

D. Rex presented the ARB's point of view.

1. Previous work on the property had gone through correct procedures and had been efficiently handled by the ARB and the contractor.
2. The driveway had not been approved.
3. A letter pointing out that approval need to be requested was sent, but there was no response.
4. A similar problem occurred in the past when Ms. Andreeva built a coyote fence. What was submitted was not what was built. No request for a final inspection has ever been submitted.
5. Guidelines require off street parking for two cars for every home in EP.
6. Now has room for four-five cars.
7. Because it was not submitted, ARB voted not to approve because landscaping was not approved.
8. What ARB requested, to return the property to its original condition, should not be hard to figure out.
9. Board can overturn ruling, but driveway is in violation of CC and Rs and requirements. The ARB has asked for a new submission of plans.

E. Mary Walta spoke to the Board about the issues.

1. She said the job of the Board is to enforce covenants and restrictions. Any construction, etc. must be submitted in writing and be approved before construction begins. Board does not have authority to fail to enforce and has no authority to modify.
2. Construction is in violation and therefore cannot be approved.
3. Another submission of project for approval would be an alternative approach.

F. Ms. Geer disagreed, saying that Board does have authority to overrule the ARB.

G. Tatiana denies coyote fence is in violation.

H. Rex says records show no final inspection was requested after she had been notified that changes needed to be made.

I. Trucks to make deliveries was reason given to make additional cut and provide additional parking.

J. Refusing to correct mistakes has happened before and Board has in past made sure rules are followed.

V. Board comments

- A. Beverlee wondered if the initial design considered accessing downstairs from original driveway.
- B. Ginny agreed that the problem is that Ms Andreeva didn't seek approval for curb cut and driveway
- C. John said the property improvements are not a detriment but she needs to get proper approvals
- D. Bob stressed that the contractor knew better than to do the curb cut without approval. He said there was adequate parking on property without additional cut and parking. Doesn't look good with dirt on it. Request a submittal of what they want and ask ARB to review and act accordingly.
- E. Eileen said they did a fine job; there was rule violation but the homeowner had learned that the ARB and Board want procedures followed.
- F. Barbara said that we should concentrate on building a neighborhood and we should find a way to avoid being at loggerheads. If a new request for approval were submitted, would the ARB accept the project as is?
- G. Mike agreed that builder knew better than to do the curb cut without going through procedure. At the September 9th Board meeting, Rex had pointed out that he had had no response to his letters to Ms Andreeva. He believes the issue is whether or not the Board will enforce existing rules. Mike encourages people to think about it and then decide what to do at another time.
- H. Bob wanted to know if the red stain on garage door of Tatiana's house had been approved.

Mike proposed adjournment, and Ginny seconded. The meeting adjourned at 9:35 AM.

Respectfully submitted,

Barbara Platz
Secretary

EPCSA Board Meeting
November 8th, 2005

Attending: Mike Cross, Carol Seghurs, Ginny Brewer, Beverlee Anderson, Eileen Street, Bob Lockwood, John LeMaster, and Barbara Platz

Also attending: Frank Jackunas, Tatiana Andreeva

President Mike Cross called the meeting to order at 8:05 AM.

- I. Mike Cross proposed a change to the minutes of the previous to remove Bill Eisele's identification as president of Cresta. His remarks were personal and not representative of the neighborhood association. Upon motion by Beverlee, seconded by John, the minutes were approved as corrected.

- II. Clubhouse report by Frank Jackunas
 - A. Bollard options were presented.
 1. John moved that we do nothing.
 2. Carol seconded
 - B. Motion passed. Barbara voted nay; everyone else voted aye.
 - C. John Amos completed work around ground lights; defective circuit was repaired; defective ground lights were replaced. Numerous burnt out bulbs were replaced.
 - D. Ginny recommended bidding for maintenance.
 - E. Pool and Spa Doctor repaired the leaking pump seals and completed the pool shutdown for the winter.
 - F. John suggested repairing the sidewalk in front of the Clubhouse parking lot where it is buckling. Ginny moved and Mike seconded approval of \$200 for the repair. The motion passed unanimously.

- III. Treasurer's Report by Beverlee
 - A. Two dues still not paid
 - B. Mike and Beverlee will contact the owners and deal with the issue.
 - C. Beverlee will prepare dues bill reflecting penalties and Mike will prepare a letter to present to the owners.

- II. John Amos grounds report via Mike Cross
 - A. Sidewalk area has been trimmed
 - B. Dead trees between Clubhouse and Los Altos Norte have been taken care of.
 - C. Dead trees remain below Los Altos which still need to be taken care of.
 - D. Ginny pointed out that there are some dead trees in the Commons area of La Viveza and will identify them for the Board in the Spring.

- E. Surges of water after heavy rains cause run-off onto the street off of the Clubhouse.
- F. John proposed a rock retaining wall and will get a bid for having it done.
- G. Mike will have drainage in Estancia Primera inspected as required by the City. Bob suggested Matt O'Reilly to do the inspection.

III. ARB Report by Mike Cross

- A. Rita Meek is a newly appointed ARB member from La Viveza to replace George Funds
- B. Ginny moved and Eileen seconded that the Board approve her. The motion passed unanimously.
- C. Small landscaping projects have been submitted.
- D. Freeman house failed inspection. John suggested Rex and the builder meet to explain what needs to be done.
- E. Rex will resign as president of ARB in January, and ARB will need to find a new chairman.
- F. Pat Jackunas has moved from Aspen Compound to Kachina Hills, which already has a representative. Mike will look at new representatives so that each neighborhood will have a voice on the Board.

IV. Old Business

- A. Request for clean copies of CC&Rs have been made. Mike Cross as president and Barbara Platz as secretary have signed new copies.
- B. Trash in arroyo by Alta Mira apparently has been taken care of.
- C. Tatiana Andreeva's appeal to Board to overrule the ARB.
 - 1. Bob moved and John seconded that Ms Andreeva submit revised plans to the Board of Directors all of the problems that have arisen. The revised plans should include: any changes to the building from the original approved plans. The revised site plan shall include the coyote
 - 2. After discussion, the Board voted unanimously to approve the motion.
 - 3. Tatiana joined the meeting and received a written copy of the motion.

There being no further business the meeting was adjourned at 9:08 AM.

**EPCSA Board of Directors Meeting
Minutes, December 13, 2005**

Board members attending: Mike Cross, John LeMaster, Carol Seghers, Ginny Brewer, Eileen Street, Beverlee Anderson, Catherine Beck, Bob Lockwood and Barbara Platz.

Also attending: David Smith, architect of the Andreeva project; Jane and Bill Buschbaumb and Carla Skein, neighbors; Hal and Carole Eitzen, friends of the property owner; Mariana Geer, the property owner's attorney, and Tatiana Andreeva property owner.

Mike Cross called the meeting to order at 8:14 A.M.

- I. Upon motion by John, seconded by Ginny, minutes of the previous meeting were approved as submitted.
- II. There was no Clubhouse report because no maintenance activities have occurred. Mike did point out that the Clubhouse has been used for many parties.
- III. Grounds Report
 - A. John LeMaster and John Amos met with a subcontractor about runoff onto Avenida Primera in front of the Clubhouse. John LeMaster expects the estimate of costs for a permanent fix will be available in January. The plan proposed is to build a rock wall about four inches higher than the curb cut to hinder the rapid flow of the water on to the street.
 - B. John LeMaster has replaced part of the sidewalk which had been uplifted by tree roots.
 - C. John Amos collected trash that had been left in the arroyo by the Clubhouse.
- IV. Neighborhood watch should be active because burglaries and burglary attempts are increasing in the community. Mike advised that use of the term "close patrol" is the most effective way to ask for increased police activity in the neighborhood.

- V. **Treasurer's Report:** all records are at the bookkeeper's, who is preparing for a timely mailing of dues notices shortly after the first of the year.

VI. Old Business: Andreeva's appeal

- A. The Board has had an opportunity to look at revised plans for the changes to the property.
- B. Changes to landscaping, coyote fence, curb cut, and addition to the home are before the Board.
- C. Beverlee moved that the Board approve in retrospect the fence, the building changes, the landscape including the new wall and patio and reject the curb cut and request the owner to replace the curb and place planting to restore the land to its original condition.
- D. Ginny seconded.
- E. John LeMaster said that in previous discussions about the driveway and curb cut included concerns were voiced that the additional entrance and parking should not be allowed because plans might be in the works for the residence to be used for business. He felt concerns about business use of the property should not be a consideration. The conjecture over business use was superfluous to the approval or lack of approval. Likewise, punitive action should be considered separately, but he did not think it was appropriate.
- F. Catherine pointed out that two driveways gave the impression that it was a multi-use structure and could be used for both residential and business purposes.
- G. Bob says he can't find covenants against a second parking lot, nor could he find a limit to one curb cut per residence. Therefore, he questioned the Board's basis for denying the second curb cut and the secondary parking area.
- H. Beverlee said decisions should be made based on the esthetics of the property as well as on covenants.
- I. Carla spoke up regarding the situation of esthetics. In her previous experience, the position of the ARB has been to make certain that opinions of the neighbors were taken into consideration. She said the neighbors liked the improvements and found them pleasing.

- J. The question was called. The motion failed: Yea votes: 2; Nay votes 7. The yea votes were Mike and Beverlee. The nay votes were Carol, Eileen, Barbara, Bob, John, Ginny and Catherine.

- K. Eileen Street moved to approve all changes in retrospect. Carol seconded. The motion passed seven to two. Mike and Beverlee voted against the motion. Eileen, Carol, Barbara, John, Bob, Ginny, and Catherine voted in favor.

There being no further business, the meeting adjourned at 8:50 AM.

Respectfully submitted,

Barbara Platz
Secretary