

EPCSA Board Meeting Minutes
January 9, 2007

Attending: Board members Mike Cross, Ginny Brewer, Beverlee Anderson, Bob Delorme, John LeMaster, Bob Lockwood, Carol Seghers. Also in attendance were Errol Levine, Paulette Cross and Bill Buchsbaum. The meeting was called to order at 8:03am by Mike Cross.

- I. Upon motion by Bob Lockwood, seconded by John LeMaster, the minutes of the December 12, 2006 meeting were approved by all as submitted.
- II. New Board Member
 - A. Bob Delorme from Kachina Hills is replacing Mel Pitman. A motion was made by Beverlee Anderson and seconded by Carol Seghers. All approved.
- III. Clubhouse Report – No Report
- IV. Treasure's Report
 - A. Beverlee reported that financial records have been turned over to the bookkeeper for processing. She will also be processing the annual association dues invoices and mailing them out.
- V. Ground's Report
 - A. John Amos did not have a ground's report presentation.
 - B. A discussion was held concerning snow removal from our recent major snowstorm. Mike reported that the storm not only overwhelmed the City of Santa Fe, but also proved very difficult for our contractor, Advantage Ashpalt. Advantage responded well for the first three days, but did not have enough help to continue to respond due to the overwhelming nature of the storm. They did plow La Viveza and Aspen Compound, which was out of the scope of the contract. They also plowed and re-plowed Avienida Primera to ensure that it was passable. Overall, Mike graded AA as a B+ and welcomed specific criticisms. Dr. Levine discussed the complaints that he received from his fellow neighbors and made these suggestions: Should make everyone aware of the call list for snow removal. He questioned why AA did not come out during the storm. He also noted that when you drive on the snow, it turns to ice. Bill Buchsbaum, from Paseo Cresta, noted that his street is very tough to negotiate, especially it is reduced to one lane traffic. He feels like Scoria might be helpful. Bob Lockwood noted that scoria does not work well on dirt roads.

VI. ARB Report – No Business to report

VII. Old Business

- A. New Legal representation**
- B. The board decided to retain Carla Skeen to represent E.P. A motion was made by Beverlee Anderson and seconded by Bob Lockwood to retain Carla Skeen as counsel. All Approved. Beverlee also noted that we needed a contract with a conflict of interest clause noted. The storage of approximately 15 boxes of legal records that are presently held by White, Koch, & Kelly will need to be moved and the board will decide where to store these documents.**

VIII. New Business

- A. Garbage Removal was discussed and the difficulties of the City Solid Waste Division were noted, especially in light of the recent major storm. It was noted that the large garbage container that John LeMaster uses for his new house construction was used heavily by the local residents. Therefore, Beverlee moved and Bob seconded to approve the reimbursement to John LeMaster for removal of one dumpster. All Approved.**

The meeting was adjourned at 8:43a.m..

EPCSA Board Meeting Minutes

February 13, 2007

Attending: Mike Cross, Beverlee Anderson, Bob Delorme, John LeMaster and Errol Levine. Bob Lockwood and Catherine Beck had assigned their proxies to Mike Cross. The meeting was called to order at 8:05 am by Mike Cross.

1. **Approval of Minutes:** Upon motion by Beverlee Anderson, seconded by Bob Delorme, the minutes of the January 9, 2007 meeting were approved by all as submitted.
2. **New Board Member:** Errol Levine from Los Nidos has been invited to join the Board and will serve as Board Secretary. A motion to approve this made by John LeMaster and seconded by Bob Delorme was approved by all.
3. **Clubhouse Report:** There has been a significant water leak from the line extending from the street to the Clubhouse. The site of the leak is about 10 feet underground. John LeMaster reported that a new galvanized steel pipe and fittings were being installed. Forty-five degree angles were being used instead of the 90 degree angles in the original line to limit future wear and tear. He does not know the exact cost of the repair, but thinks that it will be around \$3,000.
4. **Treasurer's Report:** Beverlee Anderson reported that the annual statements for 2007 had been mailed out. Some had been returned to her because of changes in homeowners' addresses. She is pursuing these through the Property Tax Office and through the subdivision Homeowner Associations. To date about 50% of homeowners have made payments. There was some discussion about what procedure should be followed in the event of non-payment of dues. EPCSA dues should be paid this year by March 1. Mike Cross noted that after that there is a grace period of 30 days before the late charge of 10% per month starts being assessed. He usually obtains a list of homeowners that have not paid from Beverlee Anderson about midway through the grace period and calls the homeowners to ask for payment.

Beverlee Anderson indicated that in the rare event that the above procedure fails, the attorney for EPCSA files a lien against the home. In answer to a question from Errol Levine, Beverlee indicated that if the homeowner has also not paid the subdivision dues, those dues could probably be included in the same lien filing to minimize legal costs.
5. **Homes for Sale:** Mike Cross reported that he believes we should be proactive when we become aware of a home for sale. He generally contacts the listing realtors and guides them through the requirements and information listed on the EPCSA web site. He draws their attention to the dues for EPCSA and the

relevant subdivision and to the relevant Covenants. Beverlee Anderson reported that she has sent a document about EPCSA to all the Title companies in Santa Fe. The document includes information about dues and Covenants. She now also informs them that the Clubhouse entry card should be transferred to the new homeowner as part of the sale as would be done, for example, with a garage door opener. Otherwise, the new homeowner might have to pay a fee to obtain a new access card.

6. **Grounds Report:** John Amos had reported to Mike Cross that he is having some of the larger Chamisas along Avenida Primera trimmed back or removed. He had also engaged Thundercloud Gardening to clear the sidewalks along Avenida Primera after the recent heavy snowfalls. This had cost the Association about \$2,000. Beverlee Anderson reported that vehicle access from Aspen Compound onto Avenida Primera had become dangerous due to speeding vehicles and poor visibility. The city had inspected the intersection and recommended the removal of some trees. This will be done by the Aspen Compound Homeowners Association. A road warning sign about the dangerous intersection will also probably be erected by the City on Avenida Primera near Aspen Compound.
7. **ARB Report:** Mike Cross reported that a large addition to a home had been approved in Kachina Hills. Care had been taken by the ARB to ensure that all new wires and pipes would be installed in an aesthetically acceptable and concealed manner. There was some general discussion about major home additions in Estancia Primera. John LeMaster indicated that these are always disruptive for other homeowners because of the resultant traffic, parking problems, noise and mess. He often tries to discourage such additions when homeowners consult him about them particularly in high-density subdivisions like Los Nidos. Mike Cross agreed that extensive additions in high-density neighborhoods should be discouraged but believes that each application would have to be evaluated on its own merits.
8. **Adjournment:** The meeting adjourned at 8:45 am.

EPCSA Board Meeting Minutes

March 13, 2007

Attending: Mike Cross, Bob Delorme, John LeMaster, Errol Levine, Ginny Brewer, Bob Lockwood and Catherine Beck. The meeting was called to order at 8:06 am by Mike Cross.

1. **Approval of Minutes:** Upon motion by John LeMaster, seconded by Bob Lockwood, the minutes of the February 13, 2007 meeting were approved by all as submitted.
2. **Clubhouse Report:** Frank Jackunas is currently out of town and there is nothing new to report. Mike Cross thanked John LeMaster and Bob Lockwood for their help in getting a repair done on the leaking water line extending from the street to the Clubhouse.
3. **Treasurer's Report:** Beverlee Anderson is currently out of town and no report is available. Mike Cross reported that there is a homeowner in Altamira who had failed to pay both his EPCSA and Altamira annual dues despite multiple reminders. A lien had been filed against the home by both EPCSA and the Altamira Homeowners Association. The realtor listing the home had recently called Mike Cross to inform him that the home had been sold. The outstanding dues, legal costs, cost of curing the lien and other expenses will all be deducted from the sale proceeds at the closing. The Altamira Homeowners Association is aware of this development. Mike Cross asked that anyone becoming aware of a home for sale in Estancia Primera should send him an e-mail giving him the names of the listing realtors. He will then contact the latter to make sure that the buyers are informed about the Covenants, dues, Clubhouse access key and the existence of the subdivision's Homeowners Association and its requirements prior to and at the closing.
4. **Grounds Report:** John Amos had not reported anything new regarding grounds maintenance.
5. **ARB Report:** Mike Cross reported that the ARB will meet soon to review some applications.
6. **Old Business:** Mike Cross reported that he had interviewed Carla Skeen for the position of EPCSA attorney. The interview had been entirely satisfactory. At his request, she had submitted a written contract indicating her rates and other details. The contract also indicates that she will not legally represent any Estancia Primera homeowner in a situation where there might be a conflict of interest with her representation of EPCSA. EPCSA may terminate the contract at any time. The

Board agreed with the appointment of Carla Skeen and authorized Mike Cross to sign the contract. Mike indicated that he would invite Carla Skeen to attend a future Board Meeting so that Board members would have an opportunity to meet her. Mike also reported that the EPSCA records currently stored at the offices of White, Koch and Kelly would be transferred to the Clubhouse. Unessential items such as old bills will be discarded, but important records will be stored in the Clubhouse.

7. **New Business:** Mike Cross recommended that all subdivision Homeowners Associations in Estancia Primera should check their bank accounts to ensure that all banking authorizations have been updated. Anyone with access to an account that has since moved or ceased to be an officer should be removed from the list of individuals authorized to deal with the bank on behalf of the Homeowner's Association.

Mike Cross reported that he had approached the Post Office about replacing the unlocked mailboxes in Paseo Cresta with a cluster mailbox with lockable boxes for homeowners there. He had been informed that this could only be done if all homeowners in the subdivision signed a document requesting this. Also, it appeared that the homeowners would have to pay for the cost of the installation. John LeMaster indicated that cluster mailboxes had been installed in Los Nidos and Los Altos without cost to the homeowners, but it is not clear whether this applies also to established subdivisions. John recommended that a representative of Paseo Cresta should meet the Post Office employee sent out to look at the site. This will help ensure that the cluster is placed in a location most convenient to the homeowners. Mike Cross and Catherine Beck will follow up on this matter.

No recent reports have been received of any criminal activities in Estancia Primera. John LeMaster reported, however, that there has been recent significant criminal activity in Los Cerros Colorados. It was generally agreed that the best protection against crime in Estancia Primera is for residents to keep a watchful eye on people that enter the neighborhood without good reason. Mike Cross will send e-mails to the Subdivision presidents advising them accordingly.

8. **Adjournment:** The meeting adjourned at 8:20 am.

EPCSA Board Meeting Minutes

April 10, 2007

Members Attending: Mike Cross, Bob Delorme, Beverlee Anderson, John LeMaster, Errol Levine, Ginny Brewer, Bob Lockwood, Catherine Beck and Carroll Seghers.

Guests Present: John Amos and Frank Jackunas.

The meeting was called to order at 8:02 am by Mike Cross.

1. **Approval of Minutes:** Upon motion by Beverlee Anderson, seconded by Bob Lockwood, the minutes of the March 13, 2007 meeting were approved by all as submitted.
2. **Clubhouse Report:** Frank Jackunas reported that the Recreation Center pool is expected to open on Memorial Day. New pool management requirements from the City include an automatic feeder (called a Digital Controller) for pool chemicals. The Digital Controller will cost about \$4,500 - \$5,000 installed. The City also requires that this equipment to be monitored by individuals certified to do it. Both Frank Jackunas and Daniel King are signed up for the necessary course work. In the interim, the Company that maintains the pool is certified by the City for monitoring the equipment. The pool will be formally inspected in late May prior to the opening. Frank also reported that a new stove and microwave oven had been installed in the Recreation Center kitchen at a cost of about \$1,200. The Clubhouse roof (installed May 16, 2003) had developed a leak last December. Lopez roofing, who did the installation, have come out twice to work on the roof and it has apparently been repaired. There was no charge for this since the roof is still under warranty.
3. **Grounds Report:** Mike Cross reported that both the North and South Estancia Primera entry signs had been vandalized with graffiti. The signs are made of poured concrete. Both signs had been power washed and this had partially removed the graffiti. It is now necessary to get the tagged areas sandblasted for definitive removal. Bob Lockwood indicated that he has an employee who has mobile sandblasting equipment in a truck. This individual could also apply a clear anti-graffiti spray to the signs after the sandblasting. This lasts about 3 years after which time the signs will need to be sprayed again. A motion by Beverlee Anderson, seconded by Ginny Brewer, to have this work done was approved. Bob Lockwood will contact Mike Cross about getting the work scheduled.

Mike Cross also reported that there was an erosion problem related to the Kemper home in Los Altos Norte. There is an access road on the east side of the home that leads to a retention pond. Dirt from this area washes down Avenida Primera to the front of the Recreation Center after rain. John LeMaster had been in contact with Mrs. Kemper and had recommended various remedies. These include the placement of Santa Fe brown gravel along the road and a rock wall that will be installed by Rafael Ortiz. The Kemper property adjoins a common area belonging to Estancia Primera. Rafael Ortiz had recommended extending the rock wall onto the common area to prevent run off of dirt. He had provided a bid for \$1,500. Beverlee Anderson requested that the cost should be limited to this amount. John LeMaster felt that the cost would not exceed the bid since the measurement of 85 linear feet at \$18/foot seemed to be correct. A motion by Bob Lockwood to approve the work, seconded by Beverlee Anderson, was approved. Beverlee Anderson will notify Pat Jackunas of the ARB about the project.

John Amos reported that Thundercloud Gardening has done a satisfactory job of the grounds maintenance. He has an agreement with the Company that they will not exceed the previous year's budget without his approval. One problem encountered is that some homeowners along Avenida Primera are not being diligent about trimming back shrubs, especially Chamisas, between their homes and the sidewalk. The shrubs then impede pedestrians walking along the sidewalks. Some homeowners then complain when Thundercloud Gardening trims back the shrubs on their properties. Mike Cross asked that any requests about landscaping and maintenance be transmitted to John Amos. No one else should try to convey instructions to the workers from Thundercloud Gardening. Mike Cross indicated that he will ask the City to clean up and repair Avenida Primera and remove the scoria deposited after the recent snow falls.

4. **Treasurer's Report:** Beverlee Anderson presented a Balance Sheet as of April 9, 2007. She reported that 11 homeowners had not yet paid their annual dues. One of these will be paid up after the closing on the home when the lien filed against the property is cured. Mike Cross has contacted some of the other non paid-up homeowners, but Ginny Brewer and Carroll Seghers will contact individuals that have not paid in their respective subdivisions. Beverlee reported that the repair of the main line water leak near the Recreation Center had cost about \$7,000. She had received a water bill from the City for \$1,500 but had not yet paid it pending her request for a credit by the City because of the leak. The total cost for snow removal had been about \$10,200. Bob Lockwood recommended that some of these costs should be paid for out of the reserve fund. Beverlee will investigate purchasing additional chaises and umbrellas for the pool.
5. **ARB Report:** Pat Jackunas had submitted her report. The ARB had approved an addition to a home in Aspen Compound. Additions require proper concealment of gas and utility lines. Kurt Sommer, who is an ARB Board member, is currently revising the language in the architectural guidelines to provide for additions and concealment of electrical and other lines. Mike reported also that the ARB had approved the installation of sunshades for the portale at the Kemper home as well as the exterior brick work currently being done. The same owner had applied for exterior window awnings and shades but some of these had not been approved. There had been an application from La Viveza for the installation of rooftop solar panels. This is still under consideration. They will be black in color if approved.
6. **Old Business:** Mike Cross reported that there were still problems with short-term rentals. The minimum rental period is one month and he asked that anyone becoming aware of homeowners or Management Companies renting for shorter periods should notify him. The Covenants had previously required a minimum rental period of 3 months but this had been decreased to one month a few years ago. The City currently has a one month minimum rental requirement, but the Ordinance is rarely enforced. The city is currently considering reducing the minimum rental period to one week. If this should happen it would not affect Estancia Primera rentals since the one-month minimum is a formal requirement of the Covenants.
7. **Adjournment:** The meeting adjourned at 8:50 am.

EPCSA Board Meeting Minutes

May 8, 2007

Members Attending: Mike Cross, Bob Delorme, John LeMaster, Errol Levine and Carroll Seghers.

Guest Present: Frank Jackunas.

The meeting was called to order at 8:02 am by Mike Cross.

1. **Approval of Minutes:** Upon motion by Carroll Seghers, seconded by John LeMaster, the minutes of the April 10, 2007 meeting were approved by all as submitted.

2. **Clubhouse Report:**

a. **New Pool Requirements for 2007:** Frank Jackunas reported that the State of New Mexico Environmental Department has developed new regulations for pools. These were originally mandated to be in effect by March 31, 2007, but an extension has been granted to October 31, 2007. A public meeting will be held in Albuquerque on June 19, 2007 to discuss the new regulations and Frank will attend the meeting on behalf of Estancia Primera. Our pool fencing does *not* comply with the new requirements. To discourage access to the pool by unsupervised children or animals the following barriers are required:

- *The top of the enclosure or barrier shall be not less than six feet high above grade as measured from the exterior side.* At the east end of the pool area, we measure about 4 ½ feet.
- *The separation between vertical sections and bars shall be no wider than 4 inches.* All the bars in the fence surrounding our pool area are 5 inches apart.
- *Chain link enclosures or barrier's mesh size shall not exceed one and one fourth inches square.* Our chain link fence openings measure 1 15/16 inches square.

The regulations also indicate that variances from the barrier requirements shall not be granted. However, pools not meeting the barrier requirements will have two years from the effective date of the regulation to come into compliance. Other requirements include:

- *Spas and wading pools must install ORP automatic disinfection and pH controllers.* We are not a spa or wading pool so this does not apply to us as yet. It will, however, probably be a requirement for our type of pool in the next year or so. The cost will be about \$3,500 to \$5,000.
- *A certified pool operator on staff or by contract has to be available on a daily basis.* Daniel King has taken the certification course on April 26-27 and does qualify.

The Board discussed the matter. The proposed changes would require considerable expenditure to bring us into compliance. The Board agreed that *no* changes will be made in the pool barriers until the outcome of the public meeting in June 2007 is known. Also, we will not purchase an automatic chemical dispenser until it is a mandated requirement. Daniel King currently does the necessary water tests daily and this is felt to be adequate. John LeMaster suggested contacting our Insurance Company to determine whether our current situation would affect our liability in the event of a pool accident. The Board agreed that the pool should be inspected in late May and we would then take any needed action based on the Inspector's comments and report.

- b. **Pool Opening:** Some miscellaneous work is being done on the swimming pool equipment by Pool & Spa Doctor, Inc. The cost will be about \$500-\$700. The work will be completed before pool opening at the end of May. The sand in the filter will have to be replaced soon. Typically it is good for 5 to 7 years and according to Daniel King it has not been changed for about 5 years. Frank Jackunas will arrange for this to be done by Pool and Spa Doctor, Inc. The cost of this service will be \$702.90.
- c. **Pool furniture:** Frank Jackunas reported that replacing the "pink" outdoor furniture in the barbecue area varies in cost depending on the supplier and depending on whether we wish to match the other furniture in the pool area. The cost from American Home, the original supplier, would be \$7,054.63. If we do not use American Home and do not attempt to match the furniture in the pool area, the cost would be in the \$1,500-\$2,000 range from some suppliers. Another alternative would be to purchase a couple of picnic tables, some extra chairs and a couple of umbrellas, all from Home Depot, at a cost of about \$750. The Board discussed the options and decided to pend any decisions until the June meeting.
- d. **Graffiti Removal:** Frank Jackunas reported that he had obtained two bids for sandblasting and anti-graffiti sealing on the north and south EP entry signs. One was for \$1,800 and the other for \$1,260. The latter bid was from Dunn-Edwards/Wellborn Paints of Santa Fe. The Board approved a motion made by John LeMaster and seconded by Carroll Seghers to accept the lower bid. Frank Jackunas was requested by the Board to ensure that the paint would be removed from the lettering on the signs and that at least four applications of the anti-graffiti seal be applied. The work will be deferred until after June 1st or whenever local High School graduations occur.
3. **Grounds Report:** John Amos is currently out of town. John LeMaster reported that Rafael Ortiz will start the rock and gravel work near the Kemper Residence in Los Altos Norte within the next two weeks. Mike Cross thanked John LeMaster for arranging and supervising the installation of matching colored concrete on the sidewalk at the site of the repaired Recreation Center water leak.
4. **Treasurer's Report:** Beverlee Anderson is currently out of town. Mike Cross reported that of the 11 homeowners that had not paid their annual dues by the due date, some had since paid. Full details will, however, be provided at the June Board meeting.
5. **ARB Report:** Pat Jackunas had submitted her report. The ARB will meet on May 9th. Applications received include a combined coyote fence/stucco wall at a Los Altos residence, an addition in Cresta and exterior changes to a home in Altamira. There is also an application for rooftop solar panels at a home in La Viveza. The solar panels have to be black in color and have to be angled. The Board of Directors discussed the matter. It was noted that some homes in Altamira have solar panels, but these are invisible to other homeowners in Estancia Primera because of the high location of Altamira. Board members felt that solar panels should not be discouraged. They should, however, only be approved if they can be installed in a manner that is not offensive to homeowners in other subdivisions that have to look down on the affected rooftop. Adequate screening of such installations is also essential and they should not impinge on the views of neighbors. The Board agreed that the application should not be approved until the applying homeowner comes up with a plan that meets the aesthetic and other requirements of the neighborhood.

6. **Old Business:** Mike Cross reported that there were still problems with short-term rentals. The minimum rental period is one month and he asked that anyone becoming aware of homeowners or Management Companies renting for shorter periods should notify him. The Covenants had previously required a minimum rental period of 3 months but this had been decreased to one month a few years ago. The City currently has a one month minimum rental requirement, but the Ordinance is rarely enforced. The city is currently considering reducing the minimum rental period to one week. If this should happen it would not affect Estancia Primera rentals since the one-month minimum is a formal requirement of the Covenants. If the City reduces the one month minimum requirement, it is expected that Management and Renting companies would try to create difficulties in the future.
7. **New Business:** There was no new business.
8. **Adjournment:** The meeting adjourned at 8:43 am.

EPCSA Board Meeting Minutes

June 12, 2007

Members Attending: Mike Cross, Bob Delorme, John LeMaster, Errol Levine, Carroll Seghers, Beverlee Anderson and Ginny Brewer.

The meeting was called to order at 8:05 am by Mike Cross.

1. **Approval of Minutes:** Upon motion by Bob Delorme, seconded by Beverlee Anderson, the minutes of the May 8, 2007 meeting were approved by all as submitted.
2. **Clubhouse Report:** Frank Jackunas had submitted a report. He has placed a call to the sand-blasting contractor and the graffiti on the Estancia Primera entry signs will be removed this week and the signs sealed. Most of the maintenance work on the swimming pool has been completed and the pool was opened on Memorial Day. The annual inspection of the pool by the State of NM has not yet been completed and we are awaiting an appointment with them. Daniel King has received his "Pool/Spa Certification" and is now officially qualified to operate and maintain the pool. A copy of Daniel King's certificate was submitted with the report. Beverlee Anderson reported that replacements for the pink furniture in the barbecue area have been ordered directly from the manufacturer with a 20% discount being obtained. The barbecue grill is currently adequate for the needs of the Recreation Center.
3. **Grounds Report:** John Amos has arranged to meet with Geoff Rowe of Thundercloud Gardening to review work that needs to be done. He asks that any Board member with concerns should contact him. Mike Cross requested that in the future copies of bills received from Thundercloud Gardening should be sent to John Amos so that he can check that the billed amount matches the work done.
4. **Treasurer's Report:** Beverlee Anderson reported that the accountant is currently out of town and that a full report is therefore not available. She also indicated that only two homeowners have not paid their annual dues. Letters have been sent to them indicating that if payment is not received by July 1, the matter will be handed over to the Association's attorney. Beverlee also informed the meeting that she had collected \$2,500 from the closing on the Vince Darley residence in Altamira. This covers outstanding dues, legal expenses and the costs of applying and then curing the lien filed against the property. Beverlee also reported that the City had given EPCSA a rebate of \$1,400 on the \$1,500 bill received after the water leak at the Recreation Center. She also informed the meeting that EPCSA's annual tax returns had been filed in a timely manner.
5. **ARB Report:** The ARB had met on 5/9/07. Bids for an addition at the Cool residence (793 Avenida Primera South) had come in over budget so that a new plan will be submitted to the ARB at a later stage. Landscaping and exterior changes were approved at the Sullivan residence (776 Altamira). Landscaping and a fence were approved at the Varkain residence (540 Camino Los Altos). Pat Jackunas and Mike Cross had inspected a new Hayes home in Kachina hills. D. Cross in La Viveza will be submitting an addendum to the topography plan and the matter is pending. An application for rooftop solar panels in La Viveza has been pended to the next ARB meeting. The Board discussed the issue. It was agreed that solar panels should not be discouraged. They

should, however, be installed with appropriate screening so that they do not have an adverse impact on the overall community. The ARB will be developing criteria for solar panel installations.

6. **Old Business:** John LeMaster reported that there had been a delay in having the rock work done at the Kemper residence in Los Altos Norte and in the adjoining common area of Estancia Primera. The contractor has been very busy but John will remain in contact with him to ensure that the work gets done. It is, however, unlikely that the work will be completed before the rainy season. Mike Cross asked that Board members should inform him when properties in their neighborhood are for sale. He will then contact the realtors to ensure that they know about the Covenants, dues, clubhouse access card and other matters so that the new homeowners will be fully informed before they move here.
7. **New Business:** A motion made by Beverlee Anderson and seconded by Carroll Seghers that the EP Annual General Meeting will occur on Tuesday, August 14th, 2007 was approved. The presentation of the annual Financial Report will occur on Monday, August 13th. Beverlee Anderson will send out notices to all homeowners no later than July 13th. Mike Cross reported that five Board members' terms of office expire in 2007. These are Beverlee Anderson, John LeMaster, Carroll Seghers, Bob Delorme and himself. All five Board members agreed to run for election to another term on the Board.

Carroll Seghers mentioned that some homeowners in her neighborhood were stringing Tibetan prayer flags across their property and inquired about the legality of doing this. The Board agreed that flags are not mentioned in the Covenants and there is no desire to limit the display of national flags provided that they are flown in a discreet manner. It was felt, however, that Tibetan prayer flags were in a different category to national flags and could probably be dealt with under the Covenants as decorative items for which there are rules. It was agreed, however, that the flag issue is somewhat delicate and that it would best be approached in an informal manner. Mike Cross will contact the homeowners to discuss the matter.
8. **Adjournment:** The meeting adjourned at 8:40 am.

EPCSA Board Meeting Minutes

July 10, 2007

Members Attending: Mike Cross, Bob Delorme, John LeMaster, Errol Levine, Carroll Seghers, Beverlee Anderson, Ginny Brewer and Catherine Beck.
The meeting was called to order at 8:03 am by Mike Cross.

1. **Approval of Minutes:** Upon motion by Beverlee Anderson, seconded by Bob Delorme, the minutes of the June 12, 2007 meeting were approved by all as submitted.
2. **Clubhouse Report:** Beverly Anderson submitted a report on behalf of Frank Jackunas. The graffiti removal on the Estancia Primera entry signs has been completed. John LeMaster recommended that the signs be resealed at least every two years to minimize damage when tagging inevitably occurs again in the future. The annual inspection of the pool by the State of NM has been completed and we have passed the inspection. We are awaiting a formal inspector's report, but it appears likely that we will have to purchase an automatic chemical dispenser next year. It is possible that our pool might be grandfathered for the new State fencing requirements. Beverlee explained that the fee for a clubhouse access card has been increased from \$25 to \$50. Each card costs EPCSA \$35 and because of the labor involved in processing applications, we will add \$15 to this base price. Cards are provided free of charge to owners of newly-constructed homes. In all other cases, such as if a card is lost or if a card is not transferred when a home sells, the homeowner will be required to pay \$50 for a new card. Beverlee reported that the new pool furniture has been ordered and we are awaiting its delivery. Ginny Brewer reported that the annual Estancia Primera Garage Sale will be held on Saturday, July 21st between 9:00 am and noon. The two entries to the Recreation Center parking lot will be roped off. Residents wishing to use the Clubhouse facilities will need to park on the street. The main entry to the Recreation Center will remain closed and the Clubhouse facilities will only be accessible to cardholders. Homeowners are encouraged to participate in the event instead of holding individual garage sales that are likely to cause parking and noise problems in neighborhoods. EP will have its own table to sell items such as the old pool furniture. The proceeds will go to Estancia Primera. Anyone wishing to donate items to Estancia Primera for the sale should contact Ginny Brewer.
3. **Grounds Report:** There was no report available. Thundercloud Gardening has, however, been active in maintaining the common areas. Mike Cross mentioned that the asphalt in the Recreation Center parking lot shows several cracks. John LeMaster indicated that these will only progress in the future particularly in the winter when water from melting snow enters the cracks and then freezes during the night. It was agreed that Mike Cross should investigate having some maintenance work performed on the asphalt in the parking lot. John LeMaster reported that the rock sidewall border along the access road on the east side of the Kemper residence has been completed. Gravel will soon be laid on the road surface. It is hoped that this will prevent dirt from washing onto Avenida Primera South during rain storms.

4. **Treasurer's Report:** Beverlee Anderson reported that the book keeper is currently out of town and that a definitive report is therefore not available. Only one homeowner has not paid her annual dues. Mike Cross had called the homeowner about the matter. If full payment is not received within the next 2-3 days, the Association's attorney will be instructed to send a letter to the homeowner before a lien is filed on the property. Beverlee presented a provisional budget for the period 1/1/08 through 12/31/08. A definitive budget will be available for the financial meeting on August 14. The provisional budget shows the total income for 2008 as \$65,700 and a total expenditure of \$65,195. Upon motion by Ginny Brewer, seconded by Bob Delorme, the provisional budget was approved by all. It was agreed that there would be no need to increase the annual dues for 2008. Beverlee explained that 12 vacant lots remain in Estancia Primera. Owners have to pay annual dues of \$36 for these lots. Lots with completed homes on them are subject to annual dues of \$360. Semi-completed but unoccupied homes are subject to dues of \$90 per annum, but this fee is rarely applied. The main expenses for EPCSA relate to Clubhouse maintenance and management, grounds maintenance and liability insurance.
5. **ARB Report:** There was no special activity reported by the ARB. Some Board members expressed concerns about recent exterior modifications at the Varkain residence (540 Camino Los Altos). These modifications include installation of a stucco wall, an extensive coyote fence (that encloses about 60-70% of the lot perimeter) and new exterior lights. The exterior lights are not considered appropriate for the neighborhood by the Los Altos ARB. It also appears that these lights were installed without any preliminary discussion with either the Los Altos ARB or the EPARB. Both ARBs had received applications for the stucco wall/coyote fence and had approved the applications. It appears, however, that the final installation has far exceeded what was permitted by the two ARBs. Most Board members felt that a coyote fence that almost totally encloses the perimeter of a lot, as in this case, creates a "stockade" effect and such an effect is contrary to both the letter and spirit of the EP Architectural Guidelines. In addition, it appeared that the fence exceeds the maximum permissible height in some places. Board members also felt that if the fence is allowed in its present form, it would create a most undesirable precedent for Estancia Primera. It might encourage other homeowners to totally fence in their lots changing the open character of the neighborhood. John LeMaster reported that he, Pat Jackunas and Tee Romero had met with the Varkains at one stage and that he believed that the Varkains might accept the need for modifications. John felt that there are various ways in which the coyote fence could be made more acceptable to both Los Altos and Estancia Primera. The fence could, for example, be reduced in height in some places, segments could be removed and several 8 foot pinon trees could be installed on the east and west sides to soften the effect of the fence as seen from Los Altos and from elsewhere in Estancia Primera. The fence could also be varied in height to reduce the "stockade" effect and alternating stucco wall and coyote fence segments can be used.

After discussion, the Board agreed that the following steps should be taken:

- a. The Los Altos ARB is directed to evaluate the new exterior lighting and to determine whether it complies with the architectural guidelines for the subdivision.

- b. Both the Los Altos ARB and the EPARB should simultaneously evaluate the coyote fence and determine whether the Varkains have exceeded what was permitted by the two ARBs. If the fence exceeds what was permitted, the homeowner should be informed of this in writing.
 - c. The Los Altos ARB and EPARB should attempt to come up with a solution to this problem. If the Varkains agree to modify the fence in accordance with the proposed solution, a new application should be submitted to the EPARB.
 - d. The Estancia Primera Board of Directors should be kept informed about the matter. The Board might intervene should negotiations with the Varkains fail.
6. **Old Business**: Mike Cross indicated that the date of the EP Annual General Meeting has been changed to Wednesday, August 15th at 7:00 pm. The presentation of the annual Financial Report will occur on Tuesday, August 14th. Notices have been distributed to all homeowners by Beverlee Anderson.
7. **New Business**: There was no new business.
8. **Adjournment**: The meeting adjourned at 9:05 am.

ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION

ANNUAL MEETING MINUTES

August 15, 2007

The Annual Meeting of the Estancia Primera Community Services Association was called to order by Michael Cross (President) at 7:05 PM at the Culpin Recreation center. Other Board members present were Beverlee Anderson, Bob Lockwood, Errol Levine, John LeMaster, Catherine Beck, Carroll Seghers, Bob Delorme and Ginny Brewer.

1. **President's Welcome:** Mike Cross welcomed everyone to the 19th annual meeting. He indicated that the Board of Directors is composed of representatives from each of the nine neighborhoods in Estancia Primera. The Board meets at 8:00 AM on the second Tuesday of every month and all homeowners are welcome to attend the meetings as guests.
2. **Approval of 2006 Meeting Minutes:** Upon motion by Beverlee Anderson, seconded by Ginny Brewer, the 2006 annual meeting minutes were approved as submitted.
3. **Introduction of Current Board Members:** Mike Cross (Cumbre Vista) introduced Ginny Brewer from La Viveza (Vice-President), Beverlee Anderson from Aspen Compound (Treasurer), Errol Levine from Los Nidos (Secretary), and members at large Bob Lockwood (Los Nidos), Jon LeMaster (Los Altos and Los Altos Norte), Catherine Beck (Cresta), Bob Delorme (Kachina Hills) and Carroll Seghers (Altamira).
4. **Election of New Board of Directors:** The following board members' terms expire in August 2007: Michael Cross, Beverlee Anderson, John LeMaster, Carroll Seghers and Robert Delorme. All have agreed to serve another term. Bonnie Kohl moved and Pat Jackunas seconded that these individuals be re-elected for another two-year term. The motion passed unanimously.
5. **President's Report (Michael Cross):** Mike Cross reported that it had been a busy and challenging year for EPCSA. We had had a record snowfall during the winter. This required intensive snow clearing from Avenida Primera and neighborhood side streets. Also there was a major water leak from a frozen water line extending from the street to the Clubhouse during January. A pipe about 10 feet underground ruptured and had to be repaired. Recent heavy rains caused a water leakage into the Clubhouse that damaged the floor of the racquetball court. Both Estancia Primera entry signs were vandalized last spring. A new Legal Counsel has been appointed for Estancia Primera (Carla Skeen). The Board continues to deal with problems associated with rentals. The City Council is considering new ways of dealing with short-term rentals in the City. In Estancia Primera, however, the minimum rental period (as stated in the Covenants – Article 6, paragraph 21) remains one month. The Board will continue to enforce this regardless of the position taken by the City in this matter.
6. **Neighborhood Watch Report (Michael Cross):** The past year has seen a decrease in criminal activity but we are still being targeted. We have many houses vacant for long periods and thieves know that Estancia Primera is an affluent neighborhood. The following steps should be taken to prevent burglaries:

- Use your monitored security system and have a small exterior sign indicating that the property is being monitored.
- Create an atmosphere of activity around the home during your absence by stopping your newspapers and using lights and radios on timers.
- Report any suspicious activity by calling Police dispatch at 428-3710 for **Non-Emergency** issues and 911 in the case of an emergency.
- Use the Neighborhood Watch List to spread word of problems occurring around the neighborhood. Names and numbers can be found at www.estanciaprimer.org.
- If you will be out of town for a prolonged period, you can contact Police dispatch and request a "Close Patrol" for your property.
- The large vacant property across Hyde Park Road from EP remains a camping site for vagrants with the risk of criminal activity and fire that could spread to our neighborhood. "No Trespassing" signs have been posted there. Any resident observing vagrants entering or leaving the property should alert Mike Cross so that he can contact the Police Department.

Benita Vassallo (Kachina Hills) expressed concern about noise problems caused by false alarms in the neighborhood. The sirens often continue to sound for prolonged periods in the case of absent homeowners. It was felt that when these events occur, neighbors should make an attempt to determine the exact address at which the alarm system was triggered and report the problem to a Board member who lives in the neighborhood. When this is a recurrent problem, it is a simple matter to permanently disconnect the **exterior** siren and replace it with a strobe light that flashes when the alarm is triggered. Most new homes do not have exterior sirens and in cases in which multiple false alarms originate from any one home, the Association will discuss with the homeowners the need for disconnecting the exterior siren.

7. **Treasurer's Report (Beverlee Anderson):** Beverlee reported that the formal annual Budget/Financial meeting had been held on August 14th.

- **Revenues and Expenditures for 2007:** EPCSA is in good shape and we have a balanced Budget. All dues have been collected for 2007. Major expenses for 2007 to date have included snow removal (\$10,200), the clubhouse water leak repair (\$7,294), grounds maintenance (\$7,200 YTD) and clubhouse management (\$8,000). Anticipated additional expenses for 2007 include additional pool furniture (\$6,000), new pool maintenance equipment (\$5,000) and repair of the racquet ball court floor (cost to be determined). Our annual insurance cost is about \$8,000. This covers us against liability for events in the common areas and the Clubhouse and provides insurance for Directors and Officers in the event of tort claims.
- **Budget for 2008:** The annual dues for 2008 will remain \$360 per home and \$36 per vacant lot. There are 189 properties in Estancia Primera consisting of 177 homes and 12 vacant lots. We therefore will have an income from dues for 2008 of about \$64,000. When other smaller sources of income are included the projected income for 2008 is \$65,700. Of this income, some proceeds go into a General Operations fund and the remainder is allocated to a Reserve fund. The projected total expenses for 2008 are \$65,195. John Liebman (Los Nidos) inquired whether bids are solicited for Liability Insurance. Beverlee replied that this has not been done until now, but that she will seek bids before the annual renewal date of the policy in 2008.

8. **ARB Report (Pat Jackunas):** Pat thanked the members of the Architectural Review Board for their service. She emphasized that any homeowner wishing to make exterior changes to a home (including installations on rooftops and landscaping) needs to discuss the matter with their neighborhood ARB and with the main ARB **prior to** commencement of any work. In many cases, a formal ARB application with payment of a deposit will be required before the work can proceed. Information as to how to proceed with ARB applications is outlined in detail on the Estancia Primera web site (www.estanciaprimer.org) under ARB.
 Pat reported that one new home (Los Altos) had been constructed during 2007, two are under construction (Los Altos and La Viveza) and plans for a fourth new home (Los Altos) have been submitted for ARB approval. There are three home additions in various stages of progress one in Kachina Hills; one is Aspen Compound and one on Avenida Primera. A wall, fence and gate erected at a home in Los Altos are currently being evaluated and plans for revisions are being considered.
9. **Grounds Report (John Amos):** John Amos was unable to attend the meeting and Mike Cross presented his report. Thundercloud Gardening continues to maintain the common areas of Estancia Primera. The common areas are the region around the clubhouse and the strips between the sidewalk and street along Avenida Primera. Thundercloud Gardening will trim chamisa and other shrubs and remove weeds and debris in these areas. Maintenance of the areas between the sidewalk and individual homes are the responsibility of each individual homeowner along Avenida Primera. Such homeowners are required to trim Chamisas and other shrubs so that they do not encroach on the sidewalk along Avenida Primera. Homeowners with complaints about grounds maintenance in the common areas of EP should direct these to John Amos directly (or to Frank Jackunas in his absence). Homeowners should refrain from giving any directions to workers from Thundercloud Gardening. It is also emphasized that grounds maintenance **within** each of the nine neighborhoods is the responsibility of the neighborhood Homeowners Association. Any complaints about maintenance along side streets should be directed to the local Association.
10. **Recreation Center Report (Frank Jackunas):** Frank presented a detailed report about repairs and future expenses for the Clubhouse. So far this year, a new oven/microwave were purchased for the community room, a roof leak was repaired under warranty, routine maintenance of pool equipment was performed and Daniel King, who is responsible for pool maintenance, became certified and registered as an Operator of Aquatic Facilities by the State. The State has also approved the pool facility for the 2007/2008 season. The vandalized EP entry signs were sandblasted and a special sealant applied to limit the effects of future tagging. There are several items that will be needed in the future including an automatic pool chemical feeder (cost \$4,000-\$5,000), new patio furniture now on order (\$5,500), cleaning and sealing of exterior tiles at the building entrance (\$2,000), a repair of the warped floor in the racquetball court (cost to be determined) and improving the exterior lighting (\$1,500). In the long term, stucco and tile repair of the building exterior will be required (\$25,000 - \$30,000).
11. **Women's Group Report (Benita Vassallo):** Benita provided a summary of the events for 2007. Anyone wishing to be placed on the announcement e-mail list should send a request to benitav@comcast.net. Flyers are also posted on mailboxes around the neighborhoods announcing forthcoming events. Events are usually held on the third Tuesday of each month. Volunteers are needed to help with activities such as planning and organizing the Labor Day barbecue.
12. **Acknowledgements (Mike Cross):** Mike thanked the following individuals:

- Mary Walta (previously the EPSCA attorney) for many years of service to our neighborhood
- Rex Wilmore (previously EPSCA President and ARB Chair) for his many years of service and continued input and advice about neighborhood matters
- Pat Haueter for all she does in Estancia Primera
- John Amos for taking care of the Grounds
- Daniel King for many years of service at our Clubhouse and pool.

13. **New Business:**

- John Liebman (Los Nidos) mentioned the excessive dog waste left along the sidewalk on Avenida Primera. He suggested placing plastic bag-containing receptacles mounted on posts at intervals as a possible solution. His Los Angeles condominium complex uses a system in which cylindrical containers with lids are embedded in the ground inconspicuously at intervals in areas where residents walk their dogs. Dog waste in plastic bags is left in these containers and removed periodically by maintenance people. Many homeowners felt that the latter approach would be more aesthetically acceptable. John will get details of the cost and technical specifications of the buried container system and send them to Mike Cross. The matter will then be considered at a future EPCSA Board meeting. It was generally felt that there is no permanent solution to the problem of inconsiderate dog owners, but that some attempt needs to be made to minimize the problem. In the meantime, Beverlee Anderson will print up signs about the problem and have them placed on each of the neighborhood mail box clusters.
- Kerry Brock (Cumbre Vista) raised the issue of cottonwood and other trees within EP that grow to large heights and obstruct homeowners' views. It was acknowledged that this is a longstanding issue in EP for which there has been no easy solution. It was agreed, however, that the following is the correct procedure to follow when a homeowner encounters a tree problem:
 - a. If there is a problem with a tree belonging to an immediate neighbor in the same neighborhood, an attempt should be made to settle the matter amicably by direct discussion with the neighbor.
 - b. If direct discussion fails, the matter should be referred to the neighborhood Homeowners Association.
 - c. If there is a problem with tree/trees in a remote neighborhood, the problem should be referred to the EPCSA Board of Directors by letter.
 - d. The Board will then evaluate the problem and decide whether any further action is needed. Each case will be treated on its merits.

Kerry Brock will send Mike Cross a list of recommendations as to how he believes that tree problems in EP should be handled. The matter will then be considered at a forthcoming EPCSA Board meeting.

14. **Adjournment:** Upon motion by Beverlee Anderson, seconded by Ginny Brewer, the meeting was adjourned at 8:05 PM.

ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION**ANNUAL FINANCIAL MEETING MINUTES****August 14, 2007**

The Annual Financial Meeting of the Estancia Primera Community Services Association was called to order by Michael Cross (President) at 7:06 PM at the Culpin Recreation center. Other Board members present were, Bob Lockwood, John LeMaster, Catherine Beck and Ginny Brewer. Guests present were Pat Hauter, Pete Bolton, Barbara Cerrino and Elisa Allen.

1. **President's Welcome**: Mike Cross welcomed everyone to the annual meeting.
2. **Treasurer's Report (Mike Cross)**: A financial report for 2007 and a proposed budget for 2008 were presented. These had been prepared by Beverlee Anderson who was unable to be present at the meeting. After a review of the reports, Bob Lockwood asked that the reserve account be more clearly labeled and defined. John LeMaster moved and Catherine Beck seconded the motion that the 2007 and 2008 financial statements be approved with the changes that Bob Lockwood had recommended. The motion was unanimously approved.
3. **Adjournment**: The meeting adjourned at 7:20 PM.

EPCSA Board Meeting Minutes**September 11, 2007**

Members Attending: Mike Cross, Bob Delorme, John LeMaster, Errol Levine, Carroll Seghers, Beverlee Anderson, Ginny Brewer, Catherine Beck and Bob Lockwood.

The meeting was called to order at 8:03 am by Mike Cross.

1. **Approval of Minutes:** Upon motion by John LeMaster, seconded by Ginny Brewer, the minutes of the July 10, 2007 meeting were approved by all as submitted.
2. **Tree Problem:** Mike Cross introduced Carla Skeen, the attorney for Estancia Primera, to all Board members. Carla had, at Mike's request, studied the issue of tall Cottonwood and other trees and their effects on homeowners' views in Estancia Primera. The issue had arisen during the discussion period at the recent Annual Homeowners Association meeting. Carla reported that Article 6, paragraph 18 of the amended Covenants and Restrictions for Estancia Primera indicated that the Architectural Review Board could ask homeowners to cut back their trees if complaints are received about their impact on neighbors' views. She noted also, however, that two varieties of Cottonwood tree are on the current list of acceptable trees for the neighborhood as stated in Section D (Landscape Design Considerations) of the EP Architectural Guidelines. Section D also indicates that "Street trees should not hinder views from within the village cluster or from adjacent tracts" and that "Great care must be taken that any plantings protect or enhance views from adjacent sites." She therefore made the following recommendations based on the Covenants and Architectural Guidelines:
 - a. The Estancia Primera ARB has the responsibility for dealing with any complaints about trees and their impact on a homeowner's views.
 - b. In dealing with such a complaint, the ARB should visit the site and determine whether the complaint is reasonable.
 - c. If a homeowner purchases a home in a neighborhood with established trees, he or she is considered to have purchased the home "as is." In such cases, the ARB cannot be expected to create a view corridor for the new homeowner.
 - d. If the ARB believes that a complaint is justified, they can request that a homeowner trim back a tree or trees to an acceptable height.
 - e. If the homeowner does not comply with such a request the ARB has the right (but not the obligation) upon 10 days' prior notice to enter the lot and cut back the offending tree or trees. The homeowner can then be assessed for the cost of the work.

The Board generally agreed with the above guidelines. It was felt that actually entering a lot and cutting back a tree was an extreme step and should be avoided unless all other options had been exhausted. It was also recognized that many homeowners bought their homes with established trees already existing on the lots. It is not unreasonable to expect such homeowners to trim back such trees intermittently. It would, however, be unreasonable to ask that they trim back the trees excessively or remove

them. Carla recommended that if the ARB found the existing guidelines to be inadequate, they should develop new guidelines that would have to be approved by the Association as a whole.

3. **Clubhouse Report:** Beverly Anderson submitted a report on behalf of Frank Jackunas. A new timer and valves were recently installed by Thundercloud Gardening for the irrigation system at the Clubhouse. After installation it was discovered that the system would not function because of a possible short circuit in the line to the valves. A full repair will cost about \$2,000 extra. Beverlee expressed the view that since the Clubhouse plantings are mainly xeric, it would be cheaper for Thundercloud Gardening to water them by hand once monthly than to attempt to repair the electrical problem. The lines are probably located under the asphalt in the Clubhouse driveway. Beverlee felt that our contract with Thundercloud Gardening needed to be reviewed to determine what exactly our expectations of them are. Any irrigation system repair will therefore be pended.

Mike Cross discussed the damage that had occurred to the floor of the racquetball court during the recent heavy rains. Before a repair can be undertaken it will be necessary to improve the drainage outside the Clubhouse where the leak through the door had occurred. John LeMaster submitted a bid that he had obtained for this work with a total cost of \$1,975. A combination of railroad ties and rock will be used to divert water away from the door. Upon motion made by Bob Lockwood, seconded by Carroll Seghers, the Board approved the expenditure. In addition the concrete block outside the door will be raised and a drainage grate installed.

Mike Cross reported that the Clubhouse and pool had recently been used illegally at night by people from outside the neighborhood. He will investigate the possibility of installing surveillance cameras there at some time in the future.

4. **Treasurer's Report:** Beverlee Anderson indicated that there was nothing new to report.
5. **Grounds Report:** There was no report available. Mike Cross reported that he intended to contact Advantage Asphalt regarding the contract for snow removal for the winter. He will review with them the areas that need to be included in the contract. Aspen Compound and La Viveza also want to be included in the snow removal program.

Signs have been placed on the mailboxes indicating that homeowners need to clean up after their dogs. The Board is not in favor of installing in-ground systems for the deposit of dog waste or of providing dispensers containing bags for the collection of dog waste.
6. **ARB Report:** There was no special activity reported by the ARB.
7. **New Business:** Mike Cross reported that even if the city of Santa Fe changes its policies regarding short-term rentals, Estancia Primera would continue to require a minimum rental period of one month. The next Board meeting will occur on October 10th (Wednesday) since several Board members will be out of town on the Tuesday.
8. **Adjournment:** The meeting adjourned at 9:05 am.

EPCSA Board Meeting Minutes**October 10, 2007**

Members Attending: Mike Cross, Bob Delorme, John LeMaster, Errol Levine, Carroll Seghers, Beverlee Anderson, Ginny Brewer, Catherine Beck and Bob Lockwood.

Guest Present: Frank Jackunas

The meeting was called to order at 8:10 AM by Mike Cross.

1. **Approval of Minutes:** Upon motion by Bob Delorme, seconded by Beverlee Anderson, the minutes of the September 11, 2007 meeting were approved by all as submitted.
2. **Clubhouse Report:** Frank Jackunas presented a detailed report (copy attached to the original set of minutes). The work on the racquetball court storm damage is pending completion of a shoring up exterior wall by Rafael Ortiz and repair of the back door arranged through Bob Lockwood. The Board considered it advisable that automatic chemical dispensing equipment should be obtained for the pool for 2008 at a cost of \$3,000-\$5,000. Daniel King had indicated that he might not be able to continue maintaining the pool in 2008. After discussion, the Board authorized that his reimbursement be increased from \$15 per hour to \$25 per hour and that this should be communicated to him by Frank. Most Board members felt that it would be difficult to get a replacement for Daniel (who has pool maintenance certification) and that we should make a determined effort to retain his services. The Board also asked Frank to determine whether any other pool company employees were available to moonlight in the event that Daniel resigns.

All new pool furniture ordered has been delivered with a final cost of \$5,010.76. Nothing new will be required for some years other than replacements of soiled cushions. Of four Clubhouse electrical repairs recommended by Frank, the Board agreed to two. These are repair/ replacement of motion sensor wiring on the roof with reattachment of a loose light fixture in the pool area (about \$1,200) and bringing the interior electrical panel to code (about \$200) for a total cost of about \$1,500. A motion made by Beverlee Anderson and seconded by John LeMaster to perform these repairs was approved unanimously. Frank had obtained three bids for the work, but will obtain a fourth bid from John LeMaster's electrician. The Board felt that it was not worth changing the timer-operated exterior lights to photo timer operation since the timers could be manually adjusted for daylight saving time. The light fixtures at the north and south EP entrances will be retained for the time being. Mike Cross will help Frank with the changing of the light bulbs there.

3. **Grounds Report:** John Amos has resigned as Grounds Manager. The Board expressed its sincere appreciation to him for his many years of service to the community. The Estancia Primera grounds look better than ever currently and this is mostly due to John's efforts.

Bob Lockwood and Beverlee Anderson both presented documents making recommendations as to how grounds maintenance and landscaping should be done in the future (copies attached to the original set of minutes). There was not sufficient time to discuss all the details in the two documents and further discussion of the documents will be deferred until the next Board meeting in November. However, after a lengthy discussion, the Board agreed on the following *interim* broad guidelines until the details can all be agreed upon:

- a. Frank Jackunas will be in charge of grounds maintenance.
- b. All nine neighborhood subdivisions (Los Nidos, Los Altos, Los Altos Norte, Aspen Compound, Altamira, La Viveza, Cresta, Cumbre Vista and Kachina Hills) will be

responsible for their own grounds maintenance extending from their entry signs to within the neighborhoods. A motion to this effect made by Beverlee Anderson and seconded by John LeMaster was approved unanimously.

- c. EPCSA will be responsible for grounds maintenance along Avenida Primera only. This involves mainly the area between the sidewalk and the curb. Maintenance of the area between the sidewalk and any residence is the responsibility of the adjoining homeowner. Where no sidewalk exists, the area behind the curb shall be maintained by the adjoining homeowner.
- d. When shrubs and trees (other than pinon trees) on private property encroach on the sidewalk on Avenida Primera or encroach on the street on the side of Avenida Primera where no sidewalk exists, EPCSA will have the projecting portions (extending 4" or more) cut back to the level of the inside edge of the concrete sidewalk or to the curb so that pedestrians and motorists are not impeded. The projecting components will simply be lopped off to save costs. Homeowners wishing for a more sculptured appearance to their Chamisas and other shrubs will need to do the trimming themselves or through their landscaping companies. The cut back will be done in the spring and at such other times of the year as deemed necessary.
- e. EPCSA will be responsible for the maintenance of the North and South entry sign areas and all rock walls installed by Estancia Primera.
- f. EPCSA will be responsible for maintaining both sides of the street in areas that abut bridges, arroyos or public land.
- g. EPCSA will be responsible for maintaining the grounds of the Clubhouse. This will include trimming of evergreen bushes, trimming of overhanging branches in the pool or tennis court areas, pinning up of long branches on the tennis court wire fence, removal of debris from the tennis court drainage area, mulching of the beds on the street front and in the tennis court area and checking the rock walls. Watering of shrubs and perennials will need to be done by hand until such time that a decision can be made regarding the repair of the Clubhouse irrigation system.
- h. Frank Jackunas will draw up a detailed list of maintenance items and discuss these with Geoff Rowe of Thundercloud Gardening. It was generally agreed that Thundercloud Gardening had done a good job for us, but that there needed to be a closer liaison with them. Frank is requested to present the list of items at the next Board meeting.
- i. Thundercloud Gardening will be requested to draw up a Landscape Maintenance Proposal for Estancia Primera for 2008 based on the list of items given to Geoff Rowe by Frank. The proposal should indicate the approximate cost of the work for 2008 and should be approved by the Board of Directors and signed by the President. A proposal should be obtained annually and be subject to annual approval and renewal.
- j. The proposal should indicate that if the annual budgeted amount for maintenance is likely to be exceeded, then no further work should be done without authorization from Frank Jackunas. It is understood that unforeseen bad weather may cause problems that require additional expenditures.
- k. Frank Jackunas should contact Geoff Rowe regarding the remainder of 2007 pending the development of a Landscape Maintenance Proposal. He should inform Geoff that **NO** EPCSA-subsidized work should be performed in any of the neighborhood subdivisions.
- l. Work crews should only come out to do maintenance after Frank (or his designated deputy if he is away) has communicated a particular need to Geoff Rowe by telephone or fax until an appropriate work schedule can be developed by mutual agreement.

4. **Treasurer's Report:** Beverlee Anderson presented a report showing revenues and expenditures for January through December 2007 as compared with the period January through December 2006. In answer to questions, Beverlee reported that EPCSA is a Non-Profit Corporation and is registered as such with the State. As such EPCSA is not tax exempt and a tax return is filed annually by our accountant. We have not, however, had to pay taxes. Our accountant (Judy Wilson) is responsible only for tax return preparation and we also employ a book keeper. A question arose about the effect of taking an annual depreciation on the Clubhouse for tax purposes would be should we eventually decide to sell it. Although it is deemed unlikely that the Clubhouse would ever be sold, Mike Cross will raise the matter with the accountant and report back to the Board on this matter.

Beverlee reported that she had received a bill for \$1,683 from Thundercloud Gardening for grounds maintenance performed in Los Altos and Los Altos Norte. It is unknown who instigated the work or instructed Thundercloud Gardening to do it. Beverlee requested guidance from the Board as to whether EPCSA should pay the bill or whether it should be paid by the Los Altos Homeowners Association. Some Board members felt that Los Altos should pay for this unauthorized expenditure. Others felt that EPCSA should pay the bill. After discussion, Beverlee was requested to pay the bill out of EPCSA funds. The Board, however, asked John LeMaster to correct the misconception among Los Altos and Los Altos Norte homeowners that EPCSA is responsible for their grounds maintenance. Such maintenance is the responsibility of the Los Altos Homeowners Association and should be paid for from their annual dues.

5. **Snow Removal Contract:** Mike Cross indicated that he is working on the winter contract with Advantage Asphalt and will report back on the details at the next Board Meeting.
6. **Resignation of Bob Lockwood:** Mike Cross read a letter from Bob Lockwood announcing his resignation from the Board. On behalf of the Board, Mike expressed his sincere appreciation to Bob for his many years of dedicated service on the Board and for his help with the administration of EPCSA.
7. **ARB Report:** There was no special activity reported by the ARB.
8. **Tennis Court Repair:** Some areas of the tennis court require patching and Frank Jackunas will hire someone to take care of this.
9. **Adjournment:** The meeting adjourned at 9:15 AM.

EPCSA Board of Directors
Meeting Minutes

December 11, 2007

Members Attending: Mike Cross, Rex Wilmore, John LeMaster, Errol Levine, Carroll Seghers, Beverlee Anderson, Ginny Brewer and Pennington Way.
Guest Present: Frank Jackunas and Susan Wells (Los Nidos)

The meeting was called to order at 8:05 AM by Mike Cross.

1. **Approval of Minutes:** Upon motion by Beverlee Anderson, seconded by Ginny Brewer, the minutes of the October 9, 2007 meeting were approved by all as submitted.
2. **New Board Members:** Mike Cross indicated that after many years of service, Bob Lockwood had resigned from the Board. Also, Bob Delorme had sold his home in Kachina Hills and moved out of the neighborhood. This had resulted in two vacancies on the Board. After consultation with other Board members, Mike had invited Rex Wilmore and Pennington Way to join the Board. Rex was President of EPCSA for several years. Mr. Way is a full-year resident of Los Altos, has extensive business experience and is a member of other Boards in Santa Fe. A motion made by Errol Levine and seconded by Ginny Brewer to appoint both to the Board was unanimously approved.
3. **Clubhouse and Grounds Report:** Frank Jackunas presented a detailed report (copy attached to the original set of minutes). Daniel King had been given a raise of \$5/hour to \$20/hour this summer. As decided by the Board, he will be offered a further increase from \$20 to \$25 per hour for 2008 and will be informed about this next spring when Frank finalizes and discusses his duties with him. Beverlee Anderson had also paid Daniel an annual bonus of \$200. AllTech Electric will perform electrical repairs at the Clubhouse for \$2,540 and began work last week. Thundercloud Gardening has been asked by Frank to stop all grounds maintenance until Frank and the Board can finalize a list of items that need maintenance and negotiate a contract with them. Companies other than Thundercloud will also be offered an opportunity to bid for the contract. The McClain Company has started repair work on the racquetball court. The cost will be \$5,426. The latter cost will be covered by our Insurance Policy.
4. **Insurance:** The Insurance Policy for the Clubhouse and common areas of EPCSA has not been reviewed for several years. We also have a Directors and Officers Policy for EPCSA. Pennington Way was asked by the Board to review both policies and investigate whether we could get a better deal from other companies. John LeMaster noted that most of the nine subdivisions in Estancia Primera were covered by separate liability and Directors and Officers policies. He wondered whether the entire neighborhood could not be covered by one umbrella policy. This would eliminate the need for multiple policies and might result in cost savings. Pennington Way thought that this might be possible and

will look into this aspect also. If an overall umbrella policy is feasible, its adoption would need to be subject to approval by the Boards of all nine subdivisions. Such approval would likely be contingent on the umbrella policy providing an equivalent degree of coverage at a lower cost than each individual subdivision policy.

5. **Treasurer's Report:** Beverlee Anderson presented a report (copy attached to original version of minutes) showing revenues and expenditures for the period January 1 through December 10, 2007. She indicated that EPCSA had spent about \$8,000 more than had been received in revenues during 2007. We had had several unusual expenses including the repair of the water leak at the Clubhouse, the repair of the racquetball court and the high costs for snow removal (\$10,200) last winter. Grounds maintenance had cost about \$16,000 but it is hoped that this can be reduced with a new contract. The statements for the annual dues will be mailed out during January 2008 with a penalty of 10% per month being applicable for late payments. Beverlee reported that she had obtained a newer version of needed financial software (Quick Book) for maintaining the EPCSA finances. New software has also been obtained to maintain the EPCSA web site. Beverlee will undertake an update of the site during February 2008. She will update the lists of Directors and Officers for EPCSA and the various subdivisions, post new information about the subdivisions requested by them and post the minutes of the August 15, 2007 Annual Meeting of EPCSA.
6. **ARB Report:** Pat Jackunas indicated in a written report indicated that the ARB would meet on December 12, 2007 at 5:30 PM to review the proposed addition at the Vassallo home in Kachina Hills.
7. **Old Business:**
 - a. **Bob Lockwood:** Mike Cross asked for suggestions about how to recognize Bob Lockwood's long and exceptional service to EPCSA. After discussion it was decided that the Clubhouse Community Room would be named for him. A bronze plaque similar in design to that for the Pat Hauter Pool will be constructed and placed in the room. It will be inscribed simply "Bob Lockwood Community Room." Mike Cross and John LeMaster will organize this. The plaque will be unveiled at a suitable ceremony held in Bob's honor. Rex Wilmore suggested that an Honor roll be created for the Clubhouse. It would contain the names of individual volunteers who have made exceptional contributions to the welfare of the neighborhood. The Board agreed to this suggestion. Rex and Beverlee Anderson will create a document outlining criteria for individuals to be listed on the roll and will present these for further comments at a future Board meeting.
 - b. **Short-Term Rental update:** According to a City Ordinance no homes in residentially zoned areas are supposed to be rented for periods shorter than 30 days. The City, however, does not enforce this Ordinance and is currently looking into liberalizing the Ordinance to permit short-term rentals. The governing documents of EPCSA, however, do not permit rentals for periods

shorter than one month. These policies will continue to prevail even if the City changes the Ordinance. Beverlee Anderson noted that there has been an increase in house swapping in Estancia Primera. This program permits homeowners in Estancia Primera to swap homes with other homeowners elsewhere in the USA or abroad for different periods often of two weeks or less. Beverlee believes that this is a method that might be used to circumvent the one-month minimum rental requirement of the governing documents for Estancia Primera. She asked whether, since there is a value that exchanges hands in these cases, the one-month minimum rule should apply to house swapping also. The Board discussed the matter. It was agreed that Mike Cross should obtain a legal opinion from Carla Skeen before any further action is taken.

c. **Mail Delivery Problems:** Up until 2-3 years ago, all mail deliveries in Estancia Primera were performed by a single permanent mail carrier. These included at different times such excellent carriers as Joanna Ortiz and Mike Siegel. Without any explanation, the permanent carriers were suddenly withdrawn and replaced by 4 private contractors. Mike Siegel, however, continues to deliver mail to Kachina Hills. The private contractors have proven to be highly unreliable. Mail is delivered late (often after 8:00 PM) or is not delivered at all on some days, some mail is never delivered and is permanently lost and mail is placed in incorrect boxes. Also, mail from previous homeowners, who have long since moved, continues to be delivered to current homeowners. In the case of businesses such as L & L Development, the failure of checks and bills to be delivered has a devastating effect. Mike Cross had previously been in contact by letter and phone with the Postmaster, Reuben Romero, about this problem in August 2007. Mr. Romero had promised to assign Mike Siegel as the permanent mail carrier for the entire Estancia Primera, but he has not done so. John LeMaster recommended that Mike Cross seek a formal appointment with Mr. Romero to request the assignment of a permanent mail carrier such as Mike Siegel or Joanna Ortiz for Estancia Primera. The Board believes that the private contractor system is broken and can never be repaired and agreed with John LeMaster's recommendation. John LeMaster also recommended that if a formal interview is obtained that Mike Cross ask the Presidents of the various EP subdivisions to accompany him to the meeting.

d. **Grounds Maintenance:** There was insufficient time to discuss the Grounds Maintenance program for 2008. The development of a Landscaping/Exterior Maintenance plan will be assigned a high priority at the next Board meeting. Beverlee Anderson and Frank Jackunas will provide recommendations for the Board's consideration.

8. **Adjournment:** The meeting adjourned at 9:20 AM.