

EPCSA Board of Directors
Meeting Minutes
January 12, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, William Schiller, Mary Walta, Virginia Brewer and Bennett Hirsch.

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

1. **Approval of Minutes:** Upon motion by Ginny Brewer, seconded by Rex Wilmore, the minutes of the Board Meeting of 12/8/09 were approved by all as submitted.
2. **Election of New Board member:** Pennington Way has resigned from the Board. Upon motion by Errol Levine, seconded by Rex Wilmore, Bennett Hirsch of Los Altos Norte was elected unanimously to fill the unexpired portion of Pennington Way's term. The term expires in August 2010.
3. **Treasurer's Report:** Rex Wilmore reported we are about \$20,000 ahead of where we expected to be according to the budget (reports attached). We have about \$145,000 in the bank of which about \$33,000 is in the Operating Account and we have two CDs at Century Bank. One of the CDs will mature soon. Upon motion by Errol Levine seconded by Mary Walta, it was agreed unanimously that Rex Wilmore be authorized to shop around to get a better return on the maturing CD than is currently offered by Century Bank. Rex will contact about 4 local banks and will also investigate whether it is worthwhile to extend the maturity of the CD from 6 months to one year. Future expenditures that have already been provisionally approved by the Board include tile replacement in the pool and stucco repair at the Clubhouse.
4. **Grounds and Clubhouse Report:** Frank Jackunas is out of town and has had nothing to report. The Clubhouse interior needs a thorough cleaning. Ginny Brewer will provide the names of potential cleaners to Michael Cross.
5. **ARB Report:** Pat Jackunas is out of town and had nothing to report. The Freeman rooftop structure problem in Los Altos has not yet been resolved, although work on it was stopped after the Freemans received a letter from Pat Jackunas. The Board agreed that the structure might have to be removed. Pat Jackunas will be asked to pursue the matter on her return. The problem of the white roof in Altamira (Benoit residence) also awaits resolution. Michael Cross reported that he had written to the City about an 8-foot fence erected adjacent to Cumbre Vista by Sonny Otero. Fences of that height are not permitted in the ridge top area. It was agreed that this is not an ARB problem. However, Mary Walta offered to draft a letter to the City Attorney asking him to address the problem.
6. **Annual Meeting for 2010:** The Annual Financial and Budget meeting will be held on Monday, August 16 and the Annual General meeting will be held on Tuesday, August 17 at 7:00 pm.
7. **New Business:** Rex Wilmore reported that at the recent annual Kachina Hills Association meeting it had been resolved to request that EPCSA be asked to share the cost of installing hand rails on the steps leading from Kachina Hills into the adjacent arroyo. KH Association also wishes to improve access to the arroyo using additional railroad ties. They believe that the cost should be shared by EP since the stairs are used by many EP residents in other neighborhood subdivisions. The approximate cost will be \$500 - \$1,000. The Board noted that the stairs are on Kachina Hills' common property and they were required by the City during the development of KH. The Board therefore agreed that this proposed project is not an EPCSA responsibility. Mary Walta will re-examine the Settlement Agreement between EPCSA and Kachina Hills to determine what responsibilities EPCSA has regarding Kachina Hills.

Michael Cross reported that we needed to dispose of redundant and obsolete records in the backroom of the Clubhouse. These include old bills and duplicate architectural and construction documents. Michael Cross, Ginny Brewer and Rex Wilmore will meet one afternoon at the Clubhouse to do this. Mary Walta indicated that the boxes of documents are clearly marked as to their contents.

8. **Pending Matters:**
 - a) Concrete repairs on Avenida Primera (Board meeting 10/14/08)
9. **Adjournment:** The meeting adjourned at 8:40 am.

EPCSA Board of Directors
Meeting Minutes
February 9, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, William Schiller, Mary Walta, Virginia Brewer and Bennett Hirsch.

Guests Present: Suzie O'Neill, Mary Lawton, Ann Bailus and Frank Jackunas.

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

1. **Approval of Minutes:** Upon motion by Rex Wilmore, seconded by Bennett Hirsch, the minutes of the Board Meeting of 1/12/10 were approved by all as submitted.
2. **Treasurer's Report:** Rex Wilmore reported we now have a budget for the financial year. This does not have to be approved by the Board now, but the budget for next year will need to be approved at the Annual Members Meeting. Five thousand dollars have been allocated for snow removal in the budget. Rex reported that we are in good financial shape. EPCSA has about \$180,000 in reserve funds, a cash account, CDs and recently-paid dues. About 36 homeowners have not yet paid their annual dues. Payments are due by February 15. Those not paid by the latter date will receive a statement with the penalty added within days. After 30 days, non-payers will then receive a notice that we're applying a lien if payment is not received within 10 days of our mailing the notice. No phone calls will be made to non-payers. If a lien is applied, curing of the lien will require full payment of the dues, the late charge, any administrative and legal fees and interest. In unusual circumstances, EPCSA might be required to foreclose on a home to collect money owed. Rex reported that in order to comply with IRS requirements, he will require taxpayer identification numbers or social security numbers for all independent contractors employed by EPCSA and to whom a payment of more than \$600 has been made. This does not include Corporations. Frank Jackunas will provide Rex with the relevant information. It was agreed that we'll not hire any independent contractors in the future unless they provide social security numbers or taxpayer identification numbers.
3. **Grounds and Clubhouse Report:** Frank Jackunas presented the following written report:
 - *Have missed Lois Callaghan's cleaning team, will contact this week. However, I need to meet with interested party at clubhouse to review situation first hand, and determine what exactly has to be addressed.*
 - *Chem-Dry cleaned both area carpets Thursday, Jan 21st.*
 - *Chimney Sweep was at the clubhouse on Tuesday Jan 26th, checked fireplace and chimney, and found no restrictions. Suggested that we may need wind cap, \$299, or flue extension, \$150, on roof to alleviate backup problem. Both Rex and Mike suggest that the flue be "pre-heated" prior to adding logs. No specific action taken at this time i.e. sign posted on kiva?*
 - *Two aluminum "No Overnight Parking" signs were installed last week, to replace the plastic signs that apparently were being damaged by high winds, and not vandalism as I had first surmised.*

Mary Lawton inquired about what would be done about tiles falling off in the pool before the swimming season. Frank informed her that the Board had approved the necessary repair work at a cost of \$5,500 - \$6,000. Frank will, however, rebid the project before a final decision is taken.

4. **ARB Report:** Pat Jackunas submitted a written report indicating that there had been no activity since the last Board meeting. Michael Cross reported that the builder of the rooftop structure at the Freeman residence in Los Altos had contacted him. The builder has architectural plans that he will submit to the Los Altos ARB and the EP ARB before proceeding with any work. The builder

has already obtained a City permit to perform the work. Michael Cross also reported that the City Chief of Inspections had informed him that he would withhold final approval for the Otero home and lot on which the 8-foot fence adjacent to Cumbre Vista is located until the fence has been reduced in height to 6 feet. It was noted that dirt had been piled on the other side of the fence in an apparent attempt to produce an appearance of height reduction. The exact location of the fence is in question. It is not known whether it is located in the adjacent neighborhood, Cumbre Vista or on the property line. Michael Cross indicated that he would visit the City Inspections Department and try to determine the location of the fence from any survey contained in the relevant file. Mary Walta may still need to draft a letter to the City Attorney asking him to address the problem.

5. **Old Business:**

- a. **Tree Committee Report:** Bill Schiller and Mary Walta reported that they were gradually meeting with the Boards of Directors of the different neighborhood subdivisions. Meetings with Cumbre Vista, Kachina Hills, Los Nidos and Aspen Compound had been scheduled. The purpose of these meetings is to solicit ideas as to how to have an enforceable Covenant regarding tree heights and view obstructions and to ascertain the concerns and ideas of each neighborhood subdivision.
- b. **Snow Removal:** Michael Cross reported that he had had many complaints about snow and ice problems. The existing contract with Advantage Asphalt calls for plowing of Avenida Primera separately for \$800 each time, plowing of Avenida Primera and all the neighborhoods (except Cresta, La Viveza and Aspen Compound) for \$1,700 and calling out a truck that would spread scoria as required.

Errol Levine indicated that Los Nidos (and other neighborhoods with City streets) had long been told by EPCSA that their streets would be plowed by EPCSA if there were snow accumulations amounting to 4 inches or more. However, during the period January – February 2010, there had been at least 6 snow falls exceeding the 4” limit and often reaching 6-7 inches. Yet, plowing had either not been done or had been done too late after extensive ice formation had already occurred. This placed neighborhood subdivisions like Los Nidos in a very difficult situation. They received many calls from homeowners asking whether EPCSA would plow the street. During the past few weeks parts of Los Nidos Drive had become exceedingly dangerous due to ice buildup. Since with any given snowfall Los Nidos does not know whether or not the street will be plowed, the Association cannot make alternative plans to treat Los Nidos Drive in a timely manner. By the time it has become evident that the street will not be plowed, the snow has become compacted or has turned to ice. The only alternative then is to apply salt and scoria. Scoria is very strongly disliked by homeowners because it tracks into homes and garages. It is also significantly costlier than plowing and further expense is incurred because it has to be cleaned up at a later stage. Errol indicated that he thought that the Board had to address whether our stated snow removal policy is still in effect or not. If it is in effect, people who deal with snow removal in a neighborhood like Los Nidos need to know whether Advantage Asphalt will plow the street or not after any given snow fall. We also need to know this early in the day so that we can make alternative arrangements if a decision has been taken **NOT** to plow. Errol felt that adequate plowing of streets is very important since it affects the welfare of every EP resident.

Ann Bailus reported that at a recent Women’s Group meeting there had been much consternation about the icy condition of the streets in EP. The Clubhouse parking lot had been found to be in a dangerous condition. Most homeowners present at the meeting had understood that EPCSA was responsible for street and Clubhouse parking lot maintenance. She felt that there was a need to clarify the situation so that homeowners would know what to expect.

Some Board members noted that several streets like those in Los Altos, Kachina Hills and Los Nidos had been deeded to the City and that it was the City's responsibility to plow after snowfalls. They felt that it would be best that EPCSA clear snow and ice only from Avenida Primera and that the nine neighborhood subdivisions should be responsible for the maintenance of their own streets. It was generally agreed, however, that since there had been an understanding that EPCSA would plow the neighborhood subdivision streets this current winter that no change in policy be made now. The Board will then reconsider this matter in May or June. A new more flexible contract will probably have to be negotiated with Advantage Asphalt. Although no formal decision was taken there was general agreement that Avenida Primera be plowed when there are snow accumulations of 4" or more and when temperatures remain low and there is little sunshine. It was emphasized that should a change in policy be decided upon that every Homeowners Association and every individual EP resident be notified of the change so that plans could be made in advance for next winter. It was appreciated that some Homeowner Associations might have to increase their annual dues to cover this additional expense. This would be taken into account if future increases in EP dues are being considered.

Michael Cross indicated that snow removal from the Clubhouse parking area was not included in the contract with Advantage Asphalt. All Board members agreed that if the Clubhouse were to remain available for meetings and functions in snowy weather that it was essential that snow be cleared from the parking lot, Clubhouse steps and the adjacent sidewalk. Failure to do so would expose EPCSA to significant liability in the event of visitors sustaining snow and ice-related injuries. Mary Walta will provide Michael Cross with the name of a contractor who can be hired to do this work relatively cheaply. The Board agreed that snow removal from concrete sidewalks (other than community sidewalks like the one adjacent to the Clubhouse) was the responsibility of individual adjacent homeowners. This is stated in a City Ordinance. It was agreed that EPCSA should not undertake snow removal and ice clearance from concrete sidewalks adjacent to homes along Avenida Primera since this might result in an assumption of liability. There was some discussion as to how to enforce snow and ice clearance from concrete sidewalks particularly those adjacent to homes belonging to seasonal residents. It was agreed that including a reminder about this in a future letter to all homeowners would help. In cases where homeowners do not comply, the City can be called out and will write a ticket for a violation of the City Ordinance.

Suzie O'Neill repeated her complaint that Advantage Asphalt was piling up snow in front of her home. Michael Cross promised to address the problem.

6. **New Business:** Michael Cross indicated that there is a room adjacent to the Clubhouse meeting room that was originally intended as a library. It currently contains some storage items but is not much used. He and Rex Wilmore had considered having an access created from the main meeting room into this room by opening the wall where the mirror is currently located. This would provide additional space when the meeting room is used for functions. John LeMaster and Bob Lockwood will be consulted about whether the wall in question has a supporting function and to what extent it contains plumbing and electrical wires.
7. **Pending Matters:**
 - a) Concrete repairs on Avenida Primera (Board meeting 10/14/08)
8. **Adjournment:** The meeting adjourned at 9:45 am.

EPCSA Board of Directors
Meeting Minutes
March 9, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, William Schiller, Mary Walta and Virginia Brewer.

Guests Present: Charles and Ann Bailus.

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

1. **Approval of Minutes:** Upon motion by Ginny Brewer, seconded by Bill Schiller, the minutes of the Board Meeting of 2/9/10 were approved by all as submitted.
2. **Treasurer's Report:** Rex Wilmore reported that the Association's 2009 State and Federal tax returns had been filed. He had also moved \$15,000 from the operating account to the savings account because the latter has a better interest yield. Rex distributed the Balance sheet as of March 8, 2010 and the Profit and Loss Budget versus Actual statement for January 1 through March 8, 2010. He had moved a CD (Certificate 2) for \$58,218.23 to Ironstone Bank since this bank offered the best interest return. Of thirteen homeowners who have not fully paid their 2010 dues, there are seven who had paid the original amount (\$360), but had failed to pay the late charge (\$36). Six homeowners have paid neither the original amount nor the late charge. The total amount owed to EPCSA is \$2,278.80. Six homeowners paid the original amount plus the late penalty charge. All homeowners who were not paid up by the due date (February 15) had received a second invoice indicating that they had not paid their annual dues and that a late charge had been applied. After discussion, the Board agreed that if full payments (including late charges) are not received by March 15, Rex should send certified letters to the homeowners involved indicating that if full payment is not made within 10 days (i.e. by March 25) of the mailing of the notice that the Association will take steps to file a lien against the properties involved. A possible exception to this is Joanna McGuire who may have overpaid her dues in the past. An attempt will be made to contact her directly.

Rex indicated that he had not had the time to keep the EPCSA web site up to date. The Board felt that it was important that the site be updated regularly since homeowners in neighborhood subdivisions need current information to contact specific individuals about architectural and other matters. Michael Cross indicated that he would try to find a volunteer with computer expertise in Estancia Primera that could take over the web site and keep it updated.

3. **Grounds and Clubhouse Report:** Michael Cross reported that Frank Jackunas had not been well and that he would need assistance in performing some of his duties for a brief period. Frank had submitted a written report (attached). Frank and Michael Cross had met with Kris from KC Landscaping to review our landscaping needs for the current season. Her estimate and program for 2010 (attached) were approved by the Board. Errol Levine asked that greater attention be paid to the strip between the sidewalk and the curb along Avenida Primera. He felt that dead leaves should be removed there during the spring cleanup and again in the fall. The Board noted that the total annual budget for landscape maintenance for 2010 was \$2,700. It was felt that this was an eminently reasonable charge. However, the Board agreed that the budgeted amount should be exceeded if extra work becomes necessary during the course of the year to maintain an excellent appearance in the neighborhood. The Board also requested that chamisas on both sides of Avenida Primera be trimmed back as needed when they impinge on the sidewalk or on the street itself. Michael Cross reported that he will replace the dead light bulbs on the islands at the north and south entries to EP. Rex Wilmore requested that KC Landscaping be asked to provide a taxpayer identification number. Another Board member asked that KC Landscaping also provide a certificate of insurance indicating that they were insured and bonded and that they were paying Worker's Compensation Insurance on behalf of their employees for 2010. The Board agreed that Annabelle Ibarra be hired to do cleaning in the clubhouse during 2010 at the costs indicated in Frank's report. Michael Cross indicated that he is working on a new plan for snow

removal in EP. The matter will be discussed at a later Board meeting when all nine Board members can be present. Michael will send out a letter later in the year to all homeowners dealing with 5-6 major items and one of these will be snow removal.

4. **ARB Report:** Pat Jackunas reported in writing (attached) that the ARB has approved an addition to the David Cross home in La Viveza. Plans for the unauthorized rooftop structure at the Freeman residence in Los Altos residence are currently being reviewed by the Los Altos ARB. After that, the matter will be considered by the EPARB. Most Board members felt that even if the structure complied with height and other requirements, that it was still not aesthetically acceptable.

5. **Old Business:**

- a. **Tree Committee Report:** Bill Schiller reported that he had resigned from the Tree Committee but did not specify reasons for his resignation. The Committee now consists only of Mary Walta. She reported that she had met with the Boards of Directors for Kachina Hills, Los Nidos and Cumbre Vista and is planning a meeting with the Board for Aspen Compound in the near future. Bill Schiller had felt that the main issues in this matter were who will decide when a particular tree needs to be lowered and who will pay for the work. Mary Walta reported that most neighborhood Boards had felt that the Tree Covenant be retained and should be enforced where necessary by the EPARB. The Board again noted that section 6.18 of the EP Covenants dealt solely with the trimming of trees and not the cutting down of trees. The latter was not an available remedy. Errol Levine asked about the proposed removal of a Russian olive tree behind the Clubhouse. Michael Cross indicated that the tree was being removed because it had grown too close to the Clubhouse and was considered a potential fire hazard.
- b. **Proposed enlargement of Clubhouse meeting and function room.** Rex Wilmore reported that he had obtained an estimate from Ted Chagaris for removing the wall separating the meeting room from the largely unused adjacent library. The estimate was for \$7,000. The plan included laying new tile in the library to replace the existing carpet, installing a skylight and leaving a storage area at the one end of the library. Bill Schiller expressed concern about the difficulty in matching the tile in the proposed extension with that in the existing meeting room. He is also concerned that installation of a skylight would increase the risk of roof leaks. There is also concern about existing wires and conduits in the wall that will need to be removed. Rex Wilmore indicated that Mr. Chagaris had recommended applying a tile finish remover to the tile in the existing meeting room, replacing any damaged tiles and cleaning the grout between the tiles. Errol Levine expressed concern that the project was likely to cost far more than \$7,000 and questioned how often the extended facility would be needed for functions as opposed to meetings. He felt that Association funds should not be used to facilitate meetings and functions held by private groups that have only tenuous connections with EP. Ann Bailus, however, indicated that the proposed extension would greatly facilitate meetings of the EP women's group when luncheon meetings were held. Errol felt also that a suggestion that the entry to the meeting room from the foyer be extensively modified might result in a bad aesthetic outcome. After further discussion, the Board agreed that further estimates be obtained and that Bob Lockwood and John LeMaster be consulted about the matter. Consultation with an architect may become necessary to ensure a satisfactory aesthetic outcome if the project goes forward.

6. **Pending Matters:**

- a) Concrete repairs on Avenida Primera (Board meeting 10/14/08)

7. **Adjournment:** The meeting adjourned at 8:50 am.

Clubhouse Manager's Report

Tuesday, March 9, 2010

- Feb 18th, met with Kris, KC Landscapes, and Mike Cross, to review landscaping needs for the coming season. Her report....

ESTIMATE for LANDSCAPE MAINTENANCE, EPCSA

Spring clean-up - mid-March 2010

36	hr	Man hours, including supervision	@	25.00	900.00
tasks		Prune 4 deciduous trees, island			
		Prune & cut back shrubs, entire common property			
		Remove Russian Olive behind clubhouse			
		Remove pinon at clubhouse entry, prune juniper			
		Cut to ground selected chamisa - Ave. Primera			
		Weed eat grass along Ave. Primera			
		Clean up entry island, group rocks			
1		Allowance - character boulders			200.00

Mid - April or whenever clover starts growing

6	hr	Man hours, including supervision	@	25.00	150.00
tasks		Weed clover, chamisa, cottonwood suckers			
		Fertilize perennials w/ Gro Power			
		Weeds in cracks in asphalt at clubhouse			

Mid-summer

4	hr	Clean-up and fertilize	@	25.00	100.00
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Late-summer

4	hr	Clean-up and fertilize	@	25.00	100.00
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Chamisa cut back, late fall

50	hr		@	25.00	1,250.00
		Cut chamisa and prune shrubs			
		Leaf clean-up			
		Prune Pinons infringing on sidewalks			
		Fertilize with superphosphate			

TOTAL		Annual budget for landscape maintenance			\$2,700.00
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- On Feb. 19th, met with Lois Callaghan and her cleaning lady, Annabelle Ibarra, SS# 585-09-9778, at the clubhouse. Annabelle will do thorough one-time cleaning of all areas for \$300. Subsequent cleanings will be \$75-\$100. She indicates that she will be able to clean the top edges of the tiles around the perimeter of the rooms.
- We have been using Advanced Cleaning Systems (licensed & insured).

- 6/5/2008: major 1st time cleanup, machine scrub floors, windows, carpets, etc. \$675.00.
- 7/20/08: general cleaning, \$64.76
- 8/19/08: general cleaning, \$70.16
- 12/19/08: general cleaning, \$80.95
- 8/20/2009: general cleaning in clubhouse, as well as cleanup around pool area, \$135.08

Frank Jackunas

ARB Report, submitted by Pat Jackunas:

- David Cross addition approved by email vote.
- Still pending...Freeman unauthorized roof construction.

Pat Jackunas

EPCSA Board of Directors
Meeting Minutes
April 12, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, William Schiller, Mary Walta, Virginia Brewer, Carol Seghers and Bennett Hirsch.

Guest Present: Pat Jackunas.

The meeting was called to order at 8:00 am by Michael Cross.

1. **Approval of Minutes:** Upon motion by Ginny Brewer, seconded by Rex Wilmore, the minutes of the Board Meeting of 3/9/10 were approved by all as submitted subject to corrections being made in respect of documents required from KC Landscaping and a reference to replacing the grout in the Clubhouse meeting room. A revised version of the 3/9/10 minutes will be distributed.
2. **Treasurer's Report:** Rex Wilmore reported that everyone had paid their dues or late fees with the exceptions of Bill Buchsbaum (755 Paseo Crest) and Joan Replogle (752 Calle Altamira). Mr. Buchsbaum owes \$39.60 and Ms. Replogle owes \$36. The matter has been handed over to Carla Skeen for the filing of liens. Rex submitted written reports (attached) and indicated that EPCSA is in good financial shape. The EP web site has been almost completely updated.
3. **Clubhouse and Grounds Report:** Frank Jackunas submitted the following report: *"On November 10, 2009, the BOD approved the retiling of the pool this coming spring, for a cost of approximately \$5,000. Two bids have been obtained to date, Lee-Sure Pools, \$4,964 plus tax, and Kokopelli Pool and Spa, \$12,000 plus tax. I will be contacting another source, Genesis Spas & Pool Supply, this week for another bid. In discussion with Mike, it has been decided to hold up with the Annabelle Ibarra clean-up of the clubhouse, pending enlargement of clubhouse. KC Landscaping has started spring clean-up, but some issues have to be resolved regarding stone work at the two entrances."*
4. **ARB Report:** Michael Cross reported that the rooftop structure at the Freeman residence in Los Altos remains in limbo. The Los Altos ARB had written to the Freemans. Mary Walta moved and Errol Levine seconded that Carla Skeen be asked to write a letter to the Freemans requiring that the structure be removed. The motion was approved unanimously. Pat Jackunas indicated her support for the motion. Pat Jackunas also reminded the Board that the stucco at the Clubhouse requires attention and that there is a need to repair the concrete sidewalk outside the Clubhouse.
5. **Memorial for Beverlee Anderson:** Pat Jackunas reminded the Board that we had agreed some time ago that an appropriate memorial be set up at the Clubhouse for Beverlee. After discussion, it was decided that Pat should select a piece of artwork for the Clubhouse in consultation with Bill Schiller. A motion by Rex Wilmore seconded by Ginny Brewer that \$300 be allocated for this purpose was approved unanimously.
6. **Proposed Clubhouse Remodeling Project:** Rex Wilmore distributed documents describing the proposed renovation of the EPCSA Community Room as well as summaries of estimates for the renovation project (attached). The main components of the proposed project are the creation of an opening in the wall between the community room and the side room and removal of the existing wall between the foyer area and the main meeting room. The proposed remodeling was discussed in detail. Some Board members felt that the remodeling would facilitate the holding of functions in the community room. Other Board members were concerned about the creation of a large space that might be architecturally and aesthetically unacceptable. Some Board members were concerned about matching of tile in the various areas. Some Board members felt that an Architect should be consulted and that drawings and a floor plan be provided. The matter was tabled pending further investigation.
7. **Pending Matters:**
 - a) Concrete repairs on Avenida Primera (Board meeting 10/14/08)
 - b) Snow removal plan (Board meeting 3/9/2010)
8. **Adjournment:** The meeting adjourned at 9:15 am.

EPCSA Board of Directors
Meeting Minutes
May 11, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, Mary Walta, Virginia Brewer, Carol Seghers and Bennett Hirsch.

Guest Present: Pat Jackunas.

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

1. **Approval of Minutes:** Upon motion by Ginny Brewer, seconded by Rex Wilmore, the minutes of the Board Meeting of 4/12/10 were approved by all as submitted.
2. **Treasurer's Report:** Rex Wilmore submitted current financial reports (attached) and indicated that our finances are in good order. A deposit of 50% had been paid for the new tiles around the pool.
3. **Clubhouse and Grounds Report:** Frank Jackunas submitted the following report: *"Pat Haueter has made our tile selection, and Lee-Sure Pools has been kicked off to re-tile the pool, per their bid last fall of \$4,964 plus tax. Carver Busch, our Pool Manager, will have the pool drained by Friday May 21st, and Lee-sure will begin their work on Monday, May 24th. They are scheduled to be done on Wednesday evening May 26th, and then refilling and heating can begin. If all goes well, we should be good to go sometime Friday, May 27th, in time for the Memorial Day Weekend. I've asked Lee Poper, the owner, to expedite, but he is booked solid. KC Landscaping has started spring clean-up, but some issues have to be resolved regarding stone work at the two entrances. Any ideas? Repair work has been completed on the front steps of the clubhouse, initiated by ???? I saw nothing in the minutes initiating that project, nor do I recall seeing anything in the annual budget. I had presumed that any building issues would be addressed when and if it was decided to re-stucco the building, and would be open to discussion. Point being, I have been queried by more than one person as to what was going on, and I should have been kept in the loop."*

Bill Buchsbaum (755 Paseo Crest) and Joan Replogle (752 Calle Altamira) had not at the time of the meeting paid their late charges for dues for 2010 and the matter has been handed over to Carla Skeen for the filing of liens against them. Michael Cross will check with Carla Skeen to determine if the liens have been filed. The Board agreed unanimously that in accordance with the EPCSA CC & Rs these homeowners will lose their Clubhouse privileges until they are fully paid up. Michael Cross will contact Frank Jackunas and ask him to inactivate their Clubhouse access cards. Michael Cross and Rex Wilmore authorized repairs for the front steps of the Clubhouse. The flagstone there had become loose and posed a safety hazard requiring immediate attention. The cost was \$600. Pat Jackunas reported that KC Landscaping will plant perennials in the planters at the front of the Clubhouse. After discussion it was agreed that that planters in the pool area not be planted to minimize debris getting into the pool. Pat will arrange for some of the current planters around the pool to be moved to the Clubhouse entry and they will be planted also. Any excess planters may be sold. Pat will obtain an estimate from KC landscaping for planting the new planter groups at the Clubhouse entry and for moving planters from the pool area to the Clubhouse entry. The Board agreed that the rocks on the entry islands to EP should be returned to their original positions and that no new rocks should be purchased. Michael Cross reported that about ten squares of colored concrete in the sidewalk outside the Clubhouse need to be replaced. Michael will ask Frank Jackunas to obtain estimates for this work and then submit them for Board approval. John LeMaster will ask a company specializing in stucco to give an opinion regarding what needs to be done at the Clubhouse regarding the stucco repair. Pat

Jackunas reported that she and Bill Schiller had selected three ceramic pieces as a memorial for Beverlee Anderson. These will be mounted on the Meeting room wall near the fireplace after the proposed renovation of the Meeting room has been completed.

4. **ARB Report:** Pat Jackunas reported that the Los Altos ARB had arranged for the rooftop structure at the Freeman residence to be removed. The Los Altos ARB is currently considering an application from the Freemans for the addition of a guesthouse. The window air-conditioner in Kachina Hills has been removed at the request of the EP ARB and the EP ARB approved a sidewalk repair in La Viveza. Michael Cross will contact Anne Benoit in Altamira (774 Calle Altamira) about the need to correct the color of her white roof.
5. **EP Board and ARB vacancies:** Michael Cross reported that John LeMaster had resigned from the EP Board of Directors and that Susan LeMaster had resigned from the ARB. The Board noted that both John and Susan had given many years of dedicated service to the community and expressed its deep gratitude for their many contributions. The Board requested Michael Cross to write to John and Susan expressing the appreciation of the Board for their significant contributions extending over a long period.
6. **Clubhouse Remodeling Project:** Rex Wilmore showed floor tile samples that were acceptable to the Board. After discussion, Bennett Hirsch moved that the project should be undertaken with Ginny Brewer seconding the motion. The motion was approved by a vote of six in favor and one opposed with the contract for the work being awarded to the lowest bidder Ted Chagaris of Western Sunrise (\$10,644). Michael Cross will sign the contract with Western Sunrise on behalf of the Board. A motion by Ginny Brewer seconded by Mary Walta that Rex Wilmore be granted permission to sell excess Clubhouse furniture (including bookcases, wicker chairs and some planters) on Craig's list was approved unanimously. The renovation project will probably be done in late June and will take about 2 weeks to complete. An additional cost will be incurred for stripping and refinishing of the existing tile. Other additional costs will include those for purchasing extra folding chairs and card tables and for replacing the bars on the locker room entry with a wooden door.
7. **Pending Matters:**
 - a) Concrete repairs on Avenida Primera (Board meeting 10/14/08)
 - b) Snow removal plan (Board meeting 3/9/2010)
8. **Adjournment:** The meeting adjourned at 8:50 am.

Advantage Asphalt & Seal Coating, LLC

License# 83485

Date: May 29, 2010
Job Number: 05290901

Joe Anthony Montoya, Owner
Advantage Asphalt & Seal Coating, LLC
55 Canada Del Rancho Suite D
Santa Fe, New Mexico 87505
(505) 473-0402 Telephone
(505) 424-0599 Fax

TO:

Frank Jackunas
400 Calle Kokopelli
Santa Fe, New Mexico 87501
505-983-4219
313-516-3507- mobile
broach-maker@msn.com
Bid Submitted By:
Miguel Sanchez 780-1168

We are pleased to submit the following bid for:

Job Description:

Remove & Replace Colored Concrete Sidewalk & Drivepad

SERVICE

Item #	DESCRIPTION	CHARGES	TOTAL
1	Remove Concrete Sidewalk 430 430 sq. ft.	\$4.25	\$1,827.50
2	4" Colored Concrete Sidewalk 430 430 sq. ft.	\$7.85	\$3,375.50
3	Remove Concrete Drivepad 48 48 sq. ft.	\$5.25	\$252.00
4	6" Concrete Drivepad 48 48 sq. ft.	\$9.95	\$477.60
5	Traffic Control / Permit Fees	\$950.00	\$950.00
6	Labor and material included in bid price	included in bid price	included in bid price
7	One (1) years warranty	included in bid price	included in bid price
		Sub Total	\$6,882.60
		*NM State Sales Tax	8.0625%
			\$554.91
*****If Tax Exempt	Please Provide NM Sales Tax Exemption Certificate		
		Total	\$7,437.51
		Price valid until:	6/15/2010

PAYMENT TO BE AS FOLLOWS:

1/2 payment of \$3,718.75 to be paid upon acceptance of bid. Final payment of \$3,718.75 to be paid upon completion.

Total: Seven Thousand Four Hundred Thirty Seven Dollars & 51/100's-----\$7,437.51

Payment to be Made to: Advantage Asphalt & Seal Coating, LLC Federal Tax ID 85-0469990

EPCSA Board of Directors
Meeting Minutes
June 8, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, Virginia Brewer, Carol Seghers, Bennett Hirsch, William Schiller and Peter Bolton.

The meeting was called to order at 8:01 am by Michael Cross.

1. **Approval of Minutes:** Upon motion by Ginny Brewer, seconded by Rex Wilmore, the minutes of the Board Meeting of 5/11/10 were approved by all as submitted.
2. **New Board Member:** Upon motion by Rex Wilmore, seconded by Errol Levine, Peter Bolton of Los Altos was unanimously elected as a Board member effective immediately to replace John LeMaster who had resigned. Pete will serve out the unexpired portion of John LeMaster's term (the term expires in August 2011).
3. **Treasurer's Report:** Rex Wilmore submitted current financial reports (attached) and indicated that our finances are in good order. Since the last Board meeting, the cost of the new pool tiles had been fully paid and additional expenses had been incurred relating to the pool cleaning and opening and cabinet work in the locker rooms. Some redundant Clubhouse equipment had been sold. Installation of annuals and perennials in the containers at the Clubhouse entry had cost \$614. The Board agreed that at some point an inventory would be needed of all items in the Clubhouse. Homeowners sometimes borrow items such as tables and chairs for use in their homes. Frank Jackunas will be asked to keep track of any items that are borrowed. Some Board members felt that all items should be labeled as belonging to EPCSA. Michael Cross asked Rex Wilmore to provide hardcopies of the EPCSA Homeowner Address list to all Board members at the next meeting.

Bennett Hirsch and other Board members inquired whether there was any likelihood that the annual dues would have to be increased in the near future because of the unusually large non-routine expenditures that would be incurred during 2010 for the Clubhouse remodeling project, the stucco replacement at the Clubhouse, the concrete repairs on the sidewalk outside the Clubhouse, the pool tile replacement and new furniture. In reply, Rex Wilmore indicated that our current checking and savings accounts contain a total of \$176,294.13. It would be likely that this amount would decrease to about \$120,000 by the end of 2010 as a result of both routine maintenance costs and one-time expenditures. However, both Rex and Michael Cross assured the Board that this was an adequate amount to keep EPCSA in a sound financial position and that there would be no need for an increase in annual dues in the near future.

4. **Clubhouse and Grounds Report:** Frank Jackunas submitted a written report (attached). Bill Buchsbaum (755 Paseo Crest) had paid the late charges owing and his Clubhouse privileges had been reinstated. Joan Replogle (752 Calle Altamira) had not paid her late charges for dues for 2010 and her Clubhouse access card had been deactivated. Michael Cross indicated that Carla Skeen had advised against applying liens for unpaid late charges as small as \$35 and a lien had not therefore been applied against the Replogle residence. The Board agreed that in general loss of Clubhouse privileges would be an adequate penalty for unpaid late charges for annual dues. The Board noted that the Replogle residence is now for sale. Rex Wilmore or Michael Cross will inform the Title Company that late charges are owed to EPCSA and should be withheld from the sale proceeds for the home at the closing and paid to EPCSA. Frank Jackunas had obtained two bids for concrete sidewalk repairs outside the Clubhouse (attached). About 14 concrete squares need to be replaced with colored concrete. About 430 sq. ft. of sidewalk are involved (requiring 4" thick concrete) and 48 sq. ft. of drive pad (requiring 6" concrete). The two bids are for \$7,024.07 and \$7,437.51. Michael Cross felt that these two bids are too high and will ask Frank to obtain additional bids from Albuquerque companies. Some Board members, however, warned that it might be undesirable to accept low bids since these might result in the use of low-quality concrete that might rapidly deteriorate. Also, the Board agreed that an alternative should be found to using salt on the

sidewalk for snow and ice treatments in the future. Michael Cross reported that he had investigated the alleged abuse of tennis court reservations and did not think these were a significant problem.

5. **ARB Report:** Pat Jackunas submitted a written report. It was noted that the unapproved rooftop structure at the Freeman residence had been partly removed. The EP ARB will require complete removal of the structure before it will approve the new application for a guesthouse at the Freeman residence. The ARB is also considering an application for a new wall and gate at the Cool residence. Michael Cross will again contact Anne Benoit (774 Calle Altamira) about the need to correct the color of her white roof. Kurt Sommer is also dealing with this matter.
6. **Clubhouse Stucco project:** Bob Lockwood and John LeMaster had asked Dave Schmitz of El Ray Stucco to make recommendations for the stucco repair or replacement at the Clubhouse. El Ray is a stucco manufacturing company. Mr. Schmitz had submitted a detailed report (on file). He had also recommended that the work be deferred until August or September. Subcontractors will need to be selected to perform the work. It was noted that the Clubhouse stucco is about 25 years old and is due for complete replacement. However, no formal decision was made and the Board will consider this matter at a later meeting.
7. **Clubhouse Remodeling Project:** Rex Wilmore reported that he had obtained two estimates for the refinishing of existing Clubhouse interior tile. The two companies had estimated that about 1,200 sq. ft. of tile need to be refinished. One company wants \$1.50/sq.ft and the other \$2/sq.ft. The higher estimate is from Tiles of Santa Fe and Rex feels that they might do a better job. He also believes, however, that we can save on the cost of the work by eliminating infrequently used tiled areas from the project. These include the rear hall and stairway. Rex and Ginny Brewer will make an attempt to more accurately assess the tiled area that needs refinishing and may ask John LeMaster for his assistance in this matter. The tile work will follow the construction project and will require about 3-5 days to complete. Rex believes that the maximum cost would be \$2,500 but that this amount can be reduced significantly if the square footage is more accurately determined. After discussion, a motion by Errol Levine seconded by Carol Seghers that an amount not exceeding \$2,500 be allocated by the Board for tile refinishing was approved unanimously.

Bill Schiller expressed concern that the Board had not been given an opportunity to scrutinize the contract for the Clubhouse remodeling project. He felt that this did not give the Board an adequate opportunity to exercise its oversight function on behalf of homeowners in EP. Michael Cross indicated that Mary Walta had examined the contract and had made various changes that had been accepted by the contractor. He also indicated that Board members, who wished to do so, may examine the contract at any time. Bill Schiller was also concerned about how the Board would supervise the project and ensure that the work done was of adequate quality and that no unnecessary cost overruns would be involved. The Board agreed with Bill that oversight of the project was essential. Board members felt that a Sub-Committee was necessary for the control of the project and that the members of this Sub-Committee should frequently visit the Clubhouse during the project for quality control purposes. A motion by Carol Seghers seconded by Errol Levine that a Project Sub-Committee consisting of Rex Wilmore, Bill Schiller, Bennett Hirsch and Ginny Brewer be appointed was approved unanimously. Other Board members will also be welcome to stop by the Clubhouse at any time during the course of the project to inspect the progress of the project. In addition, Michael Cross will ask both John LeMaster and Bob Lockwood to inspect the project while it is in progress.

8. **Pending Matters:**
 - a) Concrete repairs on sidewalk outside Clubhouse (Board meeting 10/14/08)
 - b) Snow removal plan (Board meeting 3/9/2010)
 - c) White roof – Anne Benoit residence (Board meeting 5/11/10)
 - d) Stucco replacement at Clubhouse (Board meeting 6/8/10)
9. **Adjournment:** The meeting adjourned at 8:50 am.

Clubhouse Manager's Report

For Tuesday, June 8, 2010

- Per BOD request, contacted Buchsbaum and Replogle regarding delinquent dues. Buchsbaum paid immediately. Unable to reach Replogle, deactivated access card 5-27-10.
- Received one bid so far on sidewalk repair, \$7,024.07, from Tres Batitos Concrete. Bids from Advantage and SW Pavement pending. They have been contacted at least three times! Four other contractors were contacted as well, with no responses.
- Fire and Safety completed annual inspection 5-24-10 (exit lights, extinguishers).
- Lee-Sure arrives 5-24-10 to begin re-tiling of pool.
- Due to apparent rat damage to pool cover over the winter, Critter Control was contacted and installed bait stations around pool shed and tennis court areas 5-25-10.
- Complaint by Barbara Burnett that people were abusing tennis court reservations. Referred to Mike Cross.
- Pool opened officially Sat a.m., 5-29-10. Lee-Sure had completed re-tiling Wed 5-26-10.
- Mossman Pool Cover arrived 6-1-10, repaired damaged pool cover.
- SF Environmental inspected and approved pool 6-2-10.
- Replaced damaged umbrella, purchased 3 spares 6-6-10 at Albertsons.

PROPOSAL - 5-20-2010 – TRES BATITOS CONCRETE

DOMINGO ORNELAS , 3229 JEMEZ RD, SANTA FE, NM 87507

TO: FRANK JACKUNAS, 400 CALLE KOKOPELLI, SANTA FE, NM 87501

500 SQ.FT. OF SIDEWALK (REMOVE AND REPLACE) \$ 6,500.00

TOTAL: \$6,500.00+NMGR TAX + 524.07= \$ 7,024.07

CONCRETE REINFORCING STEEL AND LABOR INCLUDED.

TRACTOR WORK FOR DIGGING FOOTINGS AND LEVELING

FLOOR ONLY. ANY OTHER TRACTOR WORK IS EXTRA. BACKFILL

OR PUMPING CONCRETE BACKCHARGE TO THE GENERAL

CONTRACTOR OR OWNER.

(*SUBJECT TO CHANGE ON THIS BID WILL BE CHARGED EXTRA*)

RESPECTFULLY SUBMITTED: DOMINGO ORNELAS ON 5-20-2010

EPCSA Board of Directors
Meeting Minutes
July 13, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, Virginia Brewer, Carol Seghers, Bennett Hirsch, William Schiller, Peter Bolton and Mary Walta.

Guests Attending: Paulette Cross, Barbara Cerino, Jill Meyer, Charles and Ann Bailus, Suzie O'Neill and Herman and Shirley Morris.

The meeting was called to order at 7:59 am by Michael Cross.

1. **Approval of Minutes:** Upon motion by Ginny Brewer, seconded by Bill Schiller, the minutes of the Board Meeting of 6/8/10 were approved by all as submitted.
2. **Treasurer's Report:** Rex Wilmore submitted a Profit and Loss statement for the period January 1 through July 11, 2010 (attached). He indicated that our finances are in good order. There have been no unusual or unexpected expenses since the last meeting. Rex also presented a provisional budget for 2011 with data for the 2009 actual budget and the 2010 budget (attached). These documents do not include the projected unusual expenditures for the stucco replacement at the Clubhouse or the concrete sidewalk replacement outside the Clubhouse. There was some discussion regarding whether outside groups using the Clubhouse meeting area should be charged a fee for this. The Board decided, however, that this should not be done. It was noted, however, that some outside organizations that use the Clubhouse make donations periodically to EPCSA.
3. **Annual Meeting Arrangements:** The annual Budget/Financial meeting will be held at the Clubhouse on August 16 at 7:00 pm. The Annual Meeting will be held on August 17 at 7:00 pm. In preparation for the meeting Rex Wilmore has posted various documents at the EP web site. These include the minutes of the Budget/Financial and Annual meetings of August 2009, a statement of income and expenditures for 2009, a Nomination/Petition form for candidates for the imminent vacancies on the Board and a Proxy form. The 2011 budget and the 2009 statement of revenues and expenditures will be presented for discussion at the Budget/ Financial meeting on August 16 and will be presented briefly at the Annual Meeting on the following evening. Copies of these documents will also be included with the mailed notice for the Annual Meeting. Rex will also present information at the meetings regarding proposed additional and unusual expenditures for 2010 such as those for the stucco replacement at the Clubhouse and the concrete sidewalk repairs outside the Clubhouse. Michael Cross asked Board members to attend a session at the Clubhouse this week to help Rex fill envelopes for the meeting announcements. The announcements and financial statements and will be mailed on July 16.
Michael Cross reported that four Board members' terms expire in August 2010. These are Errol Levine, Mary Walta, Bennett Hirsch and Virginia Brewer. All four Board members agreed to run for reelection for two-year terms and the Board agreed that they will be listed as candidates for election to the Board in the letter to homeowners announcing the Annual Meeting. Pete Bolton and Bill Schiller, who replaced Board members who left the Board, will complete the unexpired terms of the members they replaced. Errol Levine recommended that Michael Cross draw up a letter to all homeowners to be included in the mailing for the Annual Meeting. This document should draw the attention of homeowners to such important problems as trees causing view obstructions, dog issues, overnight parking on streets in EP, colors for new roofs and garbage cans left on the exteriors of homes. The Board agreed with this suggestion.
4. **Clubhouse and Grounds Report:** Frank Jackunas submitted a written report as follows:

- *Now have 4 bids for sidewalk repair:*
DBC Inc., \$6,024.48
Western Construction (our remodelers), \$8,950.00 + tax
Advantage Asphalt, \$7,437.51
Tres Batitos, \$7,024.07

Note: because of interpretation of scope of work to be done and communication problems, I suggest that 10-15% be added to each bid as a contingency. DBC Inc. (the low bidder) seemed to be the most knowledgeable about City of SF requirements.

- *Handicap parking curbs repainted (blue) 6-18-2010.*
- *Carver Busch provided estimates for potential pool maintenance problems in the future. (See attached). Some pool-deck repairs may be required next spring (\$1,000-\$1,500 ??).*
- *Security and Access, our access card provider, visited clubhouse and activated 10 new access cards for inventory, 7-6-2010.*

Frank provided a copy of the Clubhouse concrete sidewalk repair proposal from DBI Inc. (attached). The only proposal not yet seen by the Board is the one from Western Construction and Frank is asked to send a copy to the Secretary for distribution to the Board members. Bill Schiller pointed out that the bid from DBI Inc. was lacking in important details. Additional details considered necessary in the proposal are the responsibility of the contractor to obtain a City permit, the approximate square footage of concrete sidewalk to be removed, the square footage and thickness of new colored concrete sidewalk required and the square footage of the concrete drive pad that needs to be removed and traffic control and permit fees. Frank is requested to obtain a revised proposal from DBC Inc. that includes more detailed information. This should be presented at the next ordinary Board meeting in September. Further consideration of the concrete sidewalk repair was therefore pended until the September meeting. Michael Cross reported that Bob Lockwood and John LeMaster will obtain four bids for the stucco replacement at the Clubhouse for evaluation at the September Board meeting. Michael Cross reported that Frank and Bill Schiller had arranged for the replacement of the pool cushions. These had been purchased at Wal-Mart. Some homeowners had complained to Michael that the cushions were too thin. Frank and Bill will investigate getting thicker cushions for 2011.

The snow removal plan for the 2010/2011 winter season was discussed briefly. The Board agreed unanimously that Advantage Asphalt should not be awarded the contract for the coming winter. Michael and Frank will investigate companies that provide snow removal services and have some information about these with approximate costs for the Board at the September meeting. Snow and ice removal on Avenida Primera and on neighborhood subdivision streets had been discussed in some detail at the Board meeting of February 9, 2010. No final decisions were taken at that meeting, however, and the matter will be discussed again and finalized at the September Board meeting. The Board noted that the enlargement of the Clubhouse meeting/entertainment room had resulted in a need for additional furniture. It was felt that 20 folding chairs and four card tables would be sufficient to meet the new needs. These can be obtained for about \$750. Rex Wilmore made a motion that \$750 be allocated by the Board for these purchases and Bill Schiller seconded the motion which was approved unanimously. After the motion Barbara Cerino stated that she felt that we needed 30 folding chairs. The Board agreed with this proposal.

5. **ARB Report:** Pat Jackunas submitted a written report. The unapproved rooftop structure at the Freeman residence in Los Altos has been successfully removed although some work remains to be performed on the rooftop. The ARB will meet soon to evaluate amended plans for the proposed studio/guesthouse at the Freeman residence.
6. **Tree/view problem:** Peter Bolton and Barbara Cerino (412 Los Altos Way) had complained in writing to the Los Altos Architectural Control Committee and to the EP ARB about three cottonwood trees planted by their neighbors Herman and Shirley Morris at their home at 413 Los Altos Way. Peter alleges that the trees have grown to such proportions as to obstruct the views from his home of the Sangre de Christo Mountains. These views were a prime reason for buying his lot. He stated that the trees were planted by Herman and Shirley Morris after he and Barbara had moved into their home. Herman had had the trees trimmed over one year ago at Peter's request. However, Peter stated that the trees have now grown back larger than ever. He has spoken to Herman and Peter alleges that Herman is unwilling to trim the trees again. Peter indicated that in his opinion the trees violate Article 6.18 of the EP CC&Rs and Section 4.02DD of the Los Altos CC&Rs. He requests that the two architectural committees view the trees from the perspective of the Bolton residence and provide a decision regarding whether the trees are in violation of the CC&Rs. He also requests a ruling as to what should be done if the two architectural committees agree that a violation of the CC&Rs exists. Peter indicated that his goal is to have the trees trimmed annually, or better yet, removed. Herman Morris replied that he had had the three trees trimmed by Coates Tree Service in the spring of 2009 at a cost of \$600. Herman denied that he had been unwilling to trim the trees and indicated that he had simply requested that the Mr. and Mrs. Bolton ask the EP ARB for an opinion first. Herman believes that the trees are beautiful and enhance his home and the neighborhood and expressed doubt about the degree of obstruction the trees caused to the view from the Bolton residence. He expressed a willingness to work with Barbara and Peter, but felt that annual trimming of the trees would be too costly. After discussion, the EP Board came to the following conclusions:
 - It is not an appropriate for the Board to review this complaint at this time. The Board will only consider this complaint if the EP ARB provides a ruling and one of parties in the dispute appeals the ARB ruling to the EP Board.
 - The Board agreed with Peter Bolton that the EP ARB owes him a formal review of his complaint.
 - A couple of Board members suggested that Barbara and Peter Bolton share the cost of the proposed tree trimming with Herman and Shirley Morris although it was noted that the EP CC&Rs place the financial onus for trimming "offending" trees on the homeowners on whose lots such trees are located.
 - Michael Cross informed the Board that he knows an individual who can trim the three trees adequately for about \$350. The Board agreed that it would be helpful if Michael could broker a private agreement that would be acceptable to the two parties in the dispute. The EP Board would not have any role in such a private arrangement.

Errol Levine pointed out that this type of dispute could be minimized in frequency if there were tighter ARB controls on the planting of trees in EP. Many EP homeowners plant trees such as cottonwoods and aspens that will eventually grow to 70 feet or more in height and will therefore inevitably obstruct views from adjacent homes or subdivisions. Errol recommended that homeowners be reminded of the need to get ARB permission before planting individual trees or groups of trees and that the ARB should disapprove potentially tall trees when they review landscape applications.

7. **Women's Group and EPCSA Parties:** Suzie O'Neill and Ann Bailus made a presentation to the Board on behalf of the Women's group. They also submitted a written document (attached). They outlined in detail the activities in which the Women's Group engages and pointed out that the Group makes important contributions to the welfare of EP and of its residents. They would like to expand their functions to include orienting new homeowners regarding pool use, garbage collection, dogs and other neighborhood basic activities. The group currently helps arrange holiday functions at the Clubhouse and sets up interior Christmas decorations at the Clubhouse. It has 62 members. It incurs expenses for food for open houses, prizes for contests, special event flyers for mailboxes, thank you gifts for invited lecturers and lecturers' lunches. Suzie and Ann indicated that about 8-10 years ago the group was given an annual budget of \$500 by EPCSA. However, their 2010 budget had been lowered to \$100 without asking for their input or notifying them about the change. Their 2010 expenses to date are \$94. They requested that the Board raise their 2011 budget to \$250-\$300. After discussion, Mary Walta moved that the matter be deferred pending submission by the Women's Group of a detailed budget and list of proposed expenses for 2011. Bill Schiller seconded the motion.

Bill then offered an amendment to the motion to the effect that the Women's Group be allocated a budget of \$250 for the remainder of 2010 to cover further expenses for the year. Rex Wilmore seconded the amendment. Both the original motion and the amendment were approved unanimously. The Board also discussed annual Clubhouse parties. Rex Wilmore noted that in 2000 we held five Clubhouse parties at a total cost of about \$5,000. We now hold two parties each year on Memorial Day and Labor Day. One thousand dollars had been allocated in the 2010 budget for both parties. Rex indicated that he had lowered the budget to that amount because the total expenditure by the Association (Women's Group) for EP functions in 2009 was \$450. Rex Wilmore moved that the Board provide an additional \$1,000 for the Labor Day party to cover the costs of food, liquor and live music. Errol Levine seconded the motion and the motion was approved unanimously. The Board requested that the Treasurer provide it with a detailed list of expenditures after the Labor Day party.

8. **Pending Matters:**
- a) Concrete repairs on sidewalk outside Clubhouse (Board meeting 10/14/08)
 - b) Snow removal plan (Board meeting 3/9/2010)
 - c) White roof – Anne Benoit residence (Board meeting 5/11/10)
 - d) Stucco replacement at Clubhouse (Board meeting 6/8/10)
9. **Adjournment:** The meeting adjourned at 9:30 am.

Kokopelli Pool and Spa, LLC
PO Box 22384
Santa Fe, NM 87502

All pool equipment is currently in very good to excellent working condition and I expect no problems beyond routine small parts Replacement. However should any components have a catastrophic failure the costs to replace are listed below:

The Following List are the Approx. costs of equipment replacement at the EPCSA Pool.

Heater: Raypak/ Rheem 399,000 Btu Heater \$2300
Labor to Complete Installation 4 Hrs \$320
Total Costs: \$2620

Pump: Hayward Tristar Energy Efficient Pool Pump 2HP \$625
Labor to complete installation 2 Hrs 1.5hrs \$120
Some Plumbing Needed Parts \$30
Total Costs: \$775

Filter: Pentair Triton TR 140 7.01 Sq Ft Sand Filter \$1200
Sand and Aggregate \$100
Labor Costs to Remove Sand and Filter and Install New Filter 7 Hrs \$560
Total Costs: \$1860

Chlorinator: Rainbow 300X Chlorinator \$225
Labor 1 Hr \$80
Total Costs: \$305

Multiport Valve: Pentair Triton 2 Multiport Valve \$200
Parts \$30
Labor 2 Hrs
Total Costs: \$390

There are currently no leaks in the pool but should one occur the costs are hard to estimate as the location of an underground leak can vary widely. The process involves a leak detection for \$800 to \$1500 then excavation and repair. Followed by deck repair and pool start up. From my experience the costs for all these repairs is between \$3000 and \$8000 depending on the leaks location.

Thanks Carver Busch

EPCSA Board of Directors
Special Board Meeting Minutes
August 5, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, Virginia Brewer, Carol Seghers, Bennett Hirsch, Peter Bolton and Mary Walta.

Guests Attending: Paulette Cross and Carla Skeen (Legal Counsel)

The meeting was called to order at 8:36 am by Michael Cross.

1. **Board Member Resignation:** Dr. William Schiller has resigned from the Board.
2. **Letter to Carla Skeen:** The Board noted that Ms. Skeen had received a letter from an attorney requesting information about the CC&Rs and the Bylaws and access to Association documents. She did not know whom the attorney was representing. She had referred the attorney to the County Clerk's office where the CC&Rs and the Bylaws are recorded.
3. **Annual Meeting Arrangements:** The Board reviewed the requirements of the Bylaws regarding the election of Board members. It was noted that the provisions of the NM Nonprofit Corporation Act apply to EPCSA. If articles of the Bylaws and CC&Rs are contrary to State law, State law governs. The NM Nonprofit Corporation Act requires that the Board act in accordance with the Bylaws and CC&Rs. The Board noted therefore that in the event of a Board vacancy the position may be filled by appointment only until the next General election. State law does not, however, permit appointment of Board members to positions that have not previously been filled by an election. The Board discussed the election scheduled for August 17. It was noted that only two candidates had complied with Article VI, Section 4 of the Amended Bylaws insofar as they had filed their petitions of candidacy at least 30 days before the date of the annual meeting. Of the nine current Board members, six Board members' terms will expire at the end of August. Existing Board members whose terms are due to expire have to follow the same nomination procedure as anyone else from the general EPCSA membership.

There was discussion that the Annual meeting be postponed until September 2010 and that a letter should be sent to the membership announcing a new closing date for receipt of petitions of candidacy for vacant Board positions. It was noted that Article IV, Section 1 of the Bylaws requires that annual meetings be held in the month of August. Errol Levine therefore made a motion that the annual election meeting be held on August 17 with only the two candidates who had complied with all of the nomination requirements running for reelection. He further moved that a Special election meeting be held later to fill the remaining four Board vacancies. The motion was seconded by Carol Seghers. Three members voted in favor of the motion and five voted against it and the motion was therefore not adopted. Rex Wilmore made a motion that the annual meeting should be postponed until September 8 or 9 to give additional potential Board candidates the time to comply with the 30-day requirement for submitting petitions of candidacy. Ginny Brewer seconded the motion. The motion was adopted with five members voting in favor and 3 voting against the motion.

4. **Adjournment:** The meeting adjourned at 9:50 am.

EPCSA Board of Directors (Special Meeting)
Meeting Minutes
August 16, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, Virginia Brewer, Carol Seghers, Bennett Hirsch and Peter Bolton.

Guests Attending: Paulette Cross, Barbara Cerino, Jill Meyer, Charles and Ann Bailus, Mary Lawton, Kerry Brock, Jacob Waltz, Jim Kissock, Jill Dillon, Jim Fassett, Sarah Fassett, Clive Levine, Gregory Klos and Bob Lockwood.

The meeting was called to order at 7:45 pm by Michael Cross.

1. **Annual Meeting Agenda:** The Board approved the first draft of the agenda for the September 10 meeting. A discussion of snow removal will be added to the agenda.
2. **Annual Meeting Arrangements:** A motion by Errol Levine seconded by Ginny Brewer that a quorum for the Annual meeting would be 25% of the membership (48 eligible lot owners) was approved unanimously (Article 3.3. (b) of the Amended Declaration of Covenants). The Board agreed that the members be asked to file proxy forms with the Secretary no later than September 3. Michael Cross moved and Ginny Brewer seconded a motion that Errol Levine and Rex Wilmore write a letter to homeowners requesting that they file proxies by this date. The letter will indicate that if they have already filed proxies they need take no further action. A proxy form will be enclosed with the letter. Jill Dillon, a Paseo Cresta resident, informed the Board that she had had several years of experience as an election worker and volunteer in Santa Fe. She offered her services as an impartial overall assistant for the election. The Board accepted her offer. The Board agreed that a subcommittee consisting of Errol Levine, Carol Seghers and Jill Dillon would be assigned the task of validating proxies prior to the election. The Board agreed that a subcommittee consisting of Errol Levine, Carol Seghers and Ginny Brewer would distribute ballots to members when they check in at the Meeting room. The Board further agreed that each candidate for election would be allowed 3-4 minutes to introduce him or herself to the audience. The vote count will be performed by Errol Levine, Carol Seghers and Jill Dillon. Michael Cross reported that if the Board approves voting by neighborhood Ann Bailus would withdraw her nomination. The Board discussed whether voting should take place by neighborhood (with a maximum of one individual per neighborhood that could receive an affirmative vote on each ballot) or on an at large basis. After a detailed discussion of the relevant articles of the Amended Declaration of Covenants and of the Bylaws, Peter Bolton made a motion that the candidates for election should be listed with their neighborhood of residence indicated in parentheses after their names. Members may then vote for no more than six candidates, but they may vote for anyone on the candidate list regardless of the candidate's neighborhood of residence. Errol Levine seconded the motion. The motion passed with five Board members in favor and two voting against it.
3. **Adjournment:** The meeting adjourned at 10:00 pm.

Estancia Primera Board of Directors Minutes August 30th, 2010

BOD Members Present: Bolton, Brewer, Cross, Hirsch, Levine, Seghers, Walta, Wilmore

The following motions were proposed and passed (vote count indicated):

1. The neighborhood ballot will be used at the annual meeting (4-2-2).
2. The ARB will be given six weeks to resolve the Lawton tree/view dispute (6-2).

Other actions:

1. The BOD agreed that, for the annual meeting: 220 ballots will be printed; the entire meeting will be recorded on digital audio; Carol Seghers, Ginny Brewer, and Errol Levine will check proxy forms and assign ballots; and Carol Seghers, Jill Dillon, and Rex Wilmore will count ballots.
2. Rex Wilmore was authorized to sign a contract for the stucco replacement with an Albuquerque-based company that bid \$35,000.
3. Ginny Brewer will be given approximately \$410 to frame pictures for the clubhouse.

EPCSA Board of Directors (Special Meeting)
Meeting Minutes
August 30, 2010

Members Attending: Michael Cross, Errol Levine, Rex Wilmore, Virginia Brewer, Carol Seghers, Bennett Hirsch, Mary Walta and Peter Bolton.

Guests Attending: Pat Jackunas (ARB Chair), Paulette Cross, Charles and Ann Bailus, Mary Lawton, Kerry Brock, Jim and Lucille Kisson, Harry Dreicer, Jim and Sarah Fassett, Clive Levine, Cynthia Drennon, William Glickman, Frank Bugg, Tom Eakes and Bob Lockwood.

The meeting was called to order at 8: 02 pm by Michael Cross.

1. Annual Meeting Arrangements:

- a. **Proxy forms, ballots and minutes:** The Board agreed that all proxy forms that are signed and dated and that show the name of the assignee' will be accepted as valid. No other information would be required. If a homeowner assigns two or more proxies, the one with the most recent date would be the one accepted. The Board decided that proxy forms may be accepted up until the time of voting. The Board agreed that 220 ballots would be printed for the election meeting and that the September 10 meeting will be recorded with an audio device. Carol Seghers, Ginny Brewer and Errol Levine will check proxy forms and assign ballots. Carol Seghers, Jill Dillon and Rex Wilmore will serve as ballot counters
- b. **Voting Methods for annual Meeting scheduled for September 10:** Mary Walta opined that the "at large" method of voting adopted at the Special Board meeting of August 16 was not in keeping with the Association's intent to have each of the neighborhood subdivisions represented on the Board. She read from a document that was apparently a neighborhood newsletter that indicated that the Board had expanded its membership so that newer neighborhoods could be represented. (The document was not made available to Board members and its date and authorship were not indicated. Accordingly, the document is not attached to the minutes). Mary indicated that she wanted the ballot form adopted by the Board on August 16 changed so that voting would occur by neighborhood. All EP members would vote, but could not vote for more than one candidate per neighborhood. Mary Walta then made a motion that the ballot be changed so that voting by neighborhood would take place and that a neighborhood voting ballot be substituted for the "at large" ballot adopted by the Board on August 16. The motion was seconded by Bennett Hirsch.

Errol Levine stated that the phrase "if possible" in Article 3.4 (a) of the Amended Declaration was a "soft" phrase that did not impose a mandatory requirement. He pointed out that if an "at large" election were held with the 11 candidates' neighborhoods shown in parentheses after their names (in accordance with the Board-adopted ballot of August 16), the membership could vote for a Board with one person from each of the six neighborhoods where Board vacancies existed. So with the "at large" ballot, a Board consisting of 9 members, one from each of the neighborhood subdivisions was perfectly possible and this would fulfill the requirement of Article 3.4 (a). He further indicated that the next sentence of Article 3.4 (a) of the CC&Rs stated that Directors **shall** be elected "at large" according to Article VI of the Bylaws. The word **shall** imposed, in his opinion, a mandatory requirement for "at large" voting. Errol further pointed out that "at large" means not limited to any particular place, person, matter, or question such as in an at large election (Black's Law Dictionary, ed. 9, 2009).

Errol indicated that Article VI, Section 2 of the Amended Bylaws states that Board members **shall** be elected “at large” from the membership and that Article VI, Section 5 of the Bylaws indicates that obtaining a simple majority of all votes cast entitles a candidate to serve on the Board. There is no mention of neighborhoods or obtaining a majority of votes in a particular neighborhood. He therefore believed that the weight of the language and the frequent use of the word **shall** in the CC&Rs and Bylaws is strongly in favor of an “at large” election being held. Errol indicated that he had consulted voting experts at the Santa Fe County Bureau of Elections and at the NM Secretary of State’s office. They had felt that the type of voting proposed in which the entire neighborhood would vote by subdivision was a form of hybrid voting that had no equivalent in any kind of modern western democracy. Errol pointed out further that the “at large” ballot adopted at the meeting of August 16 had been approved by a 5-2 vote of the Board and he saw no reason to reverse that decision. He noted further that if the Board were to make that change it would be in violation of Article V, Section 1 of the amended Bylaws that requires that EP members need to be notified of the method of voting by written notice at least 15 days ahead of a meeting. He pointed out that there was no way in which the Board could fulfill that requirement now since we are 12 days away from the election.

After further discussion the Walta/Hirsch motion was adopted with four members voting in favor (Mary Walta, Bennett Hirsch, Ginny Brewer and Michael Cross), two members against (Carol Seghers and Errol Levine) and two members abstaining (Peter Bolton and Rex Wilmore).

2. **Stucco Project at Clubhouse:** Bob Lockwood reported that he had obtained five bids for the stucco replacement at the Clubhouse. Four were in the \$65,000 range and one from an Albuquerque company (Kenyon) was for about \$35,000. Bob wondered whether the low bid resulted from an error and asked for further time to investigate the bid. He informed the Board, however, that if the work was to be done it should start not later than September 15 to produce the best possible result. After discussion the Board agreed to authorize Rex Wilmore to sign a contract for the stucco replacement after receiving the final recommendation from Bob Lockwood. The work will be supervised by John LeMaster.
3. **Board of Director Appeal:** Michael Cross produced a letter dated August 29 from Mary Lawton of Cumbre Vista appealing an ARB “decision” regarding her complaint about cottonwood trees along Avenida Primera that she alleged were interfering with her view of the Jemez Mountains. Mary Lawton distributed a letter to the Board dated August 22, 2010 indicating that she wished to appeal the ARB “decision” to the Board. Errol Levine made a motion that the appeal should not be before the Board and Carol Seghers seconded the motion. Errol read from Article 3.7 (e) of Amended Declaration of Covenants that states that “***All decisions** of the ARB may be appealed to the Board of Directors, which will make final and binding determination in the event of such an appeal.*” (Emphasis added) He pointed out that the ARB had not made any decision in the matter and that the matter was therefore not appealable. He had understood that the ARB had pended the matter until further information could be obtained. This was confirmed by Pat Jackunas, the ARB Chair, who informed the meeting that she had called Michael Cross one hour prior to the meeting to ascertain whether the Board would be considering any ARB matters and had been told no. Ms. Jackunas stated that if she had known that an Appeal on the Lawton matter was to be heard that she would have brought ARB minutes and other documents to the special Board meeting and that she would

have invited other ARB members to attend to help inform the Board. Errol Levine pointed out that to his knowledge none of the homeowners listed in the Lawton complaint had been invited to the meeting and that they had therefore been deprived of the opportunity to present their side of the issue to the Board.

Errol Levine pointed out further that Richard and Jane Schwartz were listed in the Lawton letter of Appeal to the Board. He stated that the Schwartz's had not been mentioned in any Lawton complaint to the ARB in 2010. Accordingly, there could not be an appeal in the case of a non-existent ARB complaint and of a non-existent ARB decision. Some Board members agreed with this. Errol Levine stated that if there was a complaint against the Schwartz's, it should be filed in the normal manner with the ARB and could not be considered by the Board at this meeting. Bob Lockwood indicated that he had not been given access to any letters of appeal to the Board. Peter Bolton asked where the trees mentioned in the appeal were located and stated that he could not vote on a matter in which the necessary paperwork had not been made available to the Board in a timely manner. Errol Levine and Carol Seghers indicated also that they had not had time to study the documents that had been distributed. There was no vote taken in respect of the Levine/Seghers motion.

After further discussion Mary Walta made a motion to give the homeowners accused of blocking Mary Lawton's views ten days to comply by cutting back their trees failing which their trees would be cut back by agents hired by the Association. The motion was not seconded. After further discussion Rex Wilmore moved that the ARB be given six weeks to come up with a decision in the Lawton complaint. The motion was seconded by Ginny Brewer. Five Board members voted in favor of the motion, two voted against the motion and one abstained. Errol Levine objected to the Board motion on the grounds that the matter was not appealable. Michael Cross noted the objection. Rex Wilmore then made a motion that the President write a letter to the homeowners listed in the complaint asking them to work with the ARB and Mary Lawton to resolve the issue and Ginny Brewer seconded the motion. The motion passed with six votes in favor and two votes against. Errol Levine made another objection to this motion on the grounds that the homeowners named in the complaint had had their trees trimmed within the previous 4-8 months either voluntarily or at the request of Michael Cross despite the absence of any ARB or Board decision requiring the homeowners to do this. Michael Cross noted the objection.

4. **Picture Framing:** Ginny Brewer requested funds (about \$410) to have four pictures framed for the Clubhouse. The Board approved the request with five members voting in favor of the requested fund allocation, one voting against and two abstaining.
5. **Audience Participation:** Frank Bugg indicated that he was a retired attorney living in Los Altos. He stated that in his view the Bylaws and CC&Rs clearly called for "at large" voting. He felt that if the matter went to Court or if the election were contested, the Board could find itself in difficulties as a result of its decision. Jim Fassett of Los Nidos expressed the same view. He also pointed out that the trees specified in the Lawton appeal should first have been dealt with by the Los Nidos and Kachina Hills ARBs before the matter was addressed by the EP ARB. He pointed out that the language in the CC&Rs encouraged that and that the entire process of dealing with the Lawton complaint was seriously deficient.
6. **Adjournment:** The meeting adjourned at 10:15 am.

Treasurer's Report

As of Sept. 17, 2010

While the P&L shows just \$1,900 left for 2010 expenses;, that includes the \$13,397 spent for renovation of the clubhouse. Since that expense was actually covered by funds transferred from the Century Bank Savings account, the actual cash picture is much better. The transfer does not show as income, since the income in the reserve accounts was actually received in previous years. When the stucco repair is paid, it will also be paid out of reserve funds, but in the P&L will create a significant negative balance. When depreciation is "expensed" at the end of 2010, our income statement will likely show around a \$50,000 loss.

That should not be alarming, considering that depreciation is not a cash expense. And that we will have used \$53,500 from reserve funds for two significant enhancements to our Rec Center. And, in fact, will have on a cash flow basis a surplus of \$8,000 to \$9,000.

As you can see on the Balance Sheet, we have \$19,183 in the checking account, which is what we will actually be operating on the rest of the year. Expected expenses for the balance of 2010 should be about \$10,000 to \$11,000 based on previous years' expenses. So, barring any significant unexpected expenses, we should be able to begin rebuilding our reserve accounts with a surplus from 2010.

Actual operating expenses might be a bit lower than in past years, since the pool is being closed a little earlier than usual. That could save a significant portion of this month's pool expenses for electricity, gas for heating water, and the pool management service.

The Reserve Accounts will be smaller, of course. I would expect that the stucco repair will be paid out of funds in Certificate 1, which is a 90 day certificate at Century Bank. That matures on 10/14/10, and I would hope that those funds will be transferred to the Savings Account for those payments.

Estancia Primera Board of Directors Minutes September 20th, 2010

BOD Members Present: Bolton, Brewer, Cross, Fassett, Hirsch, Seghers, Walta, Waltz

The following motions were proposed and passed (vote count indicated):

1. The meeting minutes will now contain only the motions discussed at the meeting and any other actions taken by the BOD. The entire meeting will be recorded by digital audio, and the recordings will be archived electronically by the Secretary (8-0).
2. The ARB will be given the full six weeks allotted to it at the August 30th BOD meeting to handle the current Lawton view dispute. If no agreement is reached after six weeks, a mediation process will be proposed. The EPSCA will provide up to \$3500 for the procedure only if the parties agree to be bound by any consensus that is reached. The BOD will refrain from any action on this issue until the arbitration process is completed (8-0).

Other actions:

1. The following officers were elected (all 8-0):
 - a. Jacob Waltz, Secretary
 - b. Jim Fassett, Vice President
 - c. Mary Walta, President
2. The board chose not to act at this time to fill the roles vacated by the resignation of Rex Wilmore.
3. Jim Fasset agreed to research a neighborhood newsletter.
4. Jim Fasset and Mary Walta agreed to research a mediation process for the Lawton view issue.
5. The BOD requested that Frank Jackunas research bids from Albuquerque companies on concrete repair work.

Estancia Primera Board of Directors Minutes October 12th, 2010

BOD Members Present: Bolton, Brewer, Cross, Fassett, Hirsch, Seghers, Walta, Waltz, Wilmore

The following motions were proposed and passed (vote count indicated):

1. The minutes from the August 30 and September 21 meetings were accepted with minor revisions (8-0).
2. Rex Wilmore was elected to the office of treasurer (8-0) and will be paid \$25 per hour for this work and managing the EPCSA web site (8-0).
3. EPCSA will not pay for plowing of individual neighborhoods (9-0).
4. Rex Wilmore will obtain an estimate for two lateral file cabinets, to be used for records storage (9-0).
5. Mary Walta will serve as the official point of contact for the EPCSA attorney, and the EPCSA attorney will work only on issues referred to her by the BOD (9-0).
6. 10 additional clubhouse chairs will be purchased (9-0).

Other actions:

1. The BOD agreed to table concrete repair work along sidewalks until Spring.
2. A committee, consisting of Ginny Brewer, Bennett Hirsch, and Michael Cross was formed to deal with the "hobo hill" issue.
3. Michael Cross and Peter Bolton agreed to assume oversight of grounds maintenance.
4. Any snowplow bids will include estimates for plowing of individual neighborhoods.
5. Jim Fassett put forth a motion to accept the Sommer amendment. The BOD unanimously agreed to table further discussion of the Sommer amendment until the November meeting.

Estancia Primera Board of Directors Minutes November 16th, 2010

BOD Members Present: Bolton, Brewer, Cross, Fassett, Hirsch, Seghers, Walta, Waltz, Wilmore

The following motions were proposed and passed (vote count indicated):

1. The minutes from the October 12 meeting were accepted with minor revisions (9-0).
2. Jonathon Ballew will be contracted to plow Avenida Primera and the EPCSA clubhouse parking lot for \$225 per plowing (9-0).
3. Mary Walta and Kurt Sommer will select an attorney, from Albuquerque, to review the Sommer amendment, and will submit the name of the attorney to the board for approval (9-0).

Other actions:

1. Bennett Hirsch continues to be in contact with local police and council persons regarding Hobo Hill.
2. Ginny Brewer agreed to look into any action that could be done on behalf of Penn Way, who recently passed.
3. Kurt Sommer presented material and gave statements regarding his proposed amendment to Article 6.18 of the EPCSA by-laws. The ballots received by Kurt were accepted as part of EPCSA corporate records.
4. Mary Walta and Kurt Sommer will co-author a letter to the attorney assigned to review the Sommer amendment outlining the scope of the review and the associated issues.

Estancia Primera Board of Directors Minutes December 14th, 2010

BOD Members Present: Bolton, Brewer, Cross, Fassett, Hirsch, Seghers, Walta, Waltz, Wilmore

The following motions were proposed and passed (vote count indicated):

1. The minutes from the November 16 meeting were accepted with minor revisions (9-0).
2. Annual dues were set at \$360; invoices will be mailed the first week of January (9-0).
3. EPCSA will provide snow removal services for sidewalks adjacent to common property. A letter describing responsibilities regarding sidewalk maintenance will be included in the annual dues notice (9-0).
4. Leslie Walker Hirsch was appointed as the ARB representative from Los Altos Norte (9-0).
5. A donation of \$100 to Presbyterian Medical Services will be made in the name of Penn Way (9-0).

Other actions:

1. Mary Walta reported on the outcome of the Lawton mediation. No settlement was reached during the arbitration and the matter was referred back to the ARB. \$2100 of the approved \$3500 mediation allocation had been spent.
2. Jim Fassett put forth a motion requesting that Mary Walta resign as the EPCSA BOD President. The board agreed to table discussion to a later meeting.