

Minutes of the Meeting of the Board of Directors
Estancia Primera Community Services Association (EPCSA)
Friday, January 13, 2017

Call to Order: President Pat Jackunas called the meeting to order at 9:00 a.m.

The following members of the Board were in attendance: Pat Jackunas, President; Jim Fassett, Vice President; A. L. Bontrager, Treasurer; Barbara Chamberlin, Jill McIntosh, Terry Schultz, and William Schiller.

Approval of December 9, 2016 Board Meeting Minutes: A motion was made and seconded to approve the second draft of the Minutes of the meeting of the Board that previously had been circulated by email to all Board members. The motion was approved unanimously.

Treasurer's Report: Treasurer Bontrager reported that the EPCSA ended 2016 with an operating budget surplus of \$10,267 and that this amount would be transferred to the 2017 Reserve Fund. He reminded Board members that he had sent them a 2017 draft budget and noted that because the City of Santa Fe had failed until late 2016 to accurately invoice the Association's use of water, it would be difficult to project our water use for 2017.

Architectural Review Board (ARB) report: ARB Chairman Schiller indicated that the ARB had no requests for action during the preceding month.

Clubhouse report: EPCSA Clubhouse Manager Connie Burke told the Board that the clubhouse had not been used during the past month. She reported that strong wind had blown off the door of the swimming pool equipment building and that it had to be reattached. President Jackunas said that the cost of the repair was \$130.

Estancia Primera Women's Group: Ms. Burke said that the Women's Group would have its 2017 organizing meeting January 17 at which time it would plan its events for the year. Any women residents who would like to join should contact Barbara Chamberlin.

Anticipated Repairs and Maintenance: Treasurer Bontrager reported that the fence around the pool would be repainted and a diaper changing station would be installed in each of the two clubhouse restrooms before the pool opens in May.

Snowplowing: The Board briefly discussed the arrangements for snowplowing. President Jackunas said that the Association's snowplowing contractor charges a flat rate for plowing Avenida Primera, the clubhouse parking lot, and the two entrances to the neighborhood from Hyde Park Road. She indicated that when the snow and ice situation warrants she would contact the snow-plowing contractor as needed.

Homeowner General Questions or Comments: There were no homeowner comments.

Annual EPCSA Dues: President Jackunas reported that the list of EPCSA-homeowners' email addresses had been updated and that an email was sent to all homeowners on the list including an invoice for their 2017 Annual Dues Assessment of \$525. A letter and dues invoice was sent via the Postal Service to the few homeowners who do not have an email address. To date dues payments have been received from 20 homeowners. Vice President Jim Fassett noted that one property owner

has failed to pay the dues amount for a vacant lot for six years, and that the Association has placed a lien on that property.

Old Business – Replacing the Clubhouse Roof: President Jackunas asked Treasurer Bontrager, who is leading the EPSCA's efforts regarding repairing the Clubhouse roof, to report on the status of those efforts. Mr. Bontrager indicated that he has completed a rough draft of the Scope of Work for the specifications that will be used to obtain bids to complete the roof repair work. He distributed copies of that draft, dated 1/12/17, to the Board members (a copy of which is attached to these Minutes). He indicated that the original Clubhouse roof drawings dated 1986 had been found in the EPSCA records, and that the roof construction is somewhat different than originally thought. The drawings indicate that insulation was installed as a part of the original roof construction, but there are three important factors regarding the insulation that are unknown: 1) Whether batt or some other type of insulation was installed, and, if so, if the insulation is the same in all parts of the roof; 2) Whether the insulation used was proper and properly installed; and 3) Whether some or all the insulation is currently moist. Mr. Bontrager said he thinks it is probable that at least some of the insulation has moisture in it and would have to be replaced. In addition, the condition of the plywood decking below the roof surface is unknown and some portions of it too may have been infiltrated by moisture. In those locations where either the insulation or the decking is moist, wet mold is a real possibility. Further, when new stucco was applied to the Clubhouse, the stucco was applied over the roof flashing, and so it is unknown how the flashing was fastened to the parapets. If the flashing for a new roof is fastened to the stucco, it can leak. Determining the true nature of these circumstances is essential to ensure the roof repairs are done correctly and therefore will be long lasting, and only an experienced, qualified professional can reliably make those determinations. Mr. Bontrager said that, because the clubhouse is classified as a commercial building by the City of Santa Fe, a registered New Mexico architect must review and approve the plans for the roof repairs. He recommends that, instead of using an architect only to approve the repair plans and ensure they conform to code requirements, the Board select and employ an architect soon so the architect can be involved in assessing the condition of the insulation and decking, in finalizing the specifications, in selecting the roofing contractor that will do the best job, and in ensuring adherence to the specifications and acceptable work quality as the repairs are made.

After discussion, Vice President Fassett moved that "the Board take steps as soon as possible to obtain recommendations, from persons familiar and experienced with commercial roofing, for an architect to advise the Board on the Clubhouse roof repair project and to approve plans for that project, and that the Board then expeditiously select and hire the recommended architect believed to be best suited for this purpose." Dr. Schiller seconded the motion. After further discussion, Board Member Terry Schultz moved to amend the motion by inserting, following "experienced with commercial roofing," ", but not from persons associated with roofing companies that might be interested in doing the roof repair work for EPSCA,". Mr. Fassett accepted the amendment and so modified his motion. The motion, as modified, was approved unanimously.

Association Financial Situation After Roof Repairs Are Made: Vice President Fassett noted that, if the roof repairs are made during 2017, and especially if their cost exceeds \$60,000, the Association's financial situation will be vulnerable through the end of 2017, and the vulnerability will be satisfactorily resolved only if the Board approves the maximum permissible increase of 25 percent in annual homeowners dues for 2018 (following its approval of the maximum permissible increase for 2017). However, if the Board acts in this manner, in 2018 and thereafter the Association's reserve fund and operating budget should be in strong condition barring very large and currently wholly unforeseen expenditures. Treasurer Bontrager said that the two largest

anticipated capital costs during the period 2017 through 2019 in addition to the roof repairs are (1) replacing/repairing the tile outside the Clubhouse, but that it may be possible to delay that work for two or three years; and (2) replacing the furnace in the Clubhouse, the remaining service life of which is unknown. He said that, if either or both of those projects had to be done in 2017 the Board might conclude that the roof work would need to wait until 2018 in order to avoid the possibility of running out of cash during 2017.

Estancia Primera Real Estate Report: Board Member Jill McIntosh reported that during 2016, 18 homes and one lot were sold in Estancia Primera, and that currently there are five active listings, one of which is a pending sale.

February Board Meeting: Noting that she and several other members of the Board would be away on the normal date of the February Board meeting, President Jackunas said that a decision will be made about whether to conduct a Board meeting that month and that she would contact all Board members about this, and then would notify all homeowners.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting at 9:52 a.m.

Minutes of the Meeting of the BOARD OF DIRECTORS
Estancia Primera Community Services Association (EPCSA)
Friday, February 17, 2017

Call to Order: Pat Jackunas, President of the Board, called the meeting to order at 9:00 a.m.

The following members of the Board were in attendance: Pat Jackunas, President, Jim Fassett, Vice President, A. L. Bontrager, Treasurer, Barbara Chamberlin, Jill McIntosh, William Schiller, and Leslie Walker-Hirsch. Terry Schultz participated in the meeting by telephone.

Approval of Minutes of Previous Meeting: A motion was made and seconded to approve the revised draft of the Minutes of the January 13, 2017 Board meeting.

Treasurer's Report: Treasurer Bontrager reported that EPCSA ended 2016 with an operating budget surplus of \$10,267 and this amount was transferred to the Reserve Fund resulting in a Reserve Fund balance of \$52,157. He indicated that 17 Estancia Primera property owners had not yet submitted payment of the 2017 Association assessment and that those missing payments totaled \$7,815. President Pat Jackunas said that she would send a reminder message to those 17 owners.

Clubhouse report: Clubhouse Manager Connie Burke told the Board that when the handyman paints the swimming pool fence, he also will install a diaper changing station in each of the two pool restrooms (which are now required by law), before the pool opens in May. She encouraged Board members and property owners in attendance to contact the City of Santa Fe and PNM regarding several streetlights that were dark.

Homeowner General Questions or Comments: A question was raised about the replacement of existing solar-powered lights on the island at the entry to Los Nidos Drive from Avenida Primera. A Los Nidos homeowner said one of the lights was broken and expressed the opinion that the lights are too low to the ground and their intensity is insufficient to provide adequate illumination. ARB Chairman Schiller said that if one or more of the existing lights are not operating properly, they can be replaced without prior approval from either the Los Nidos Architectural Committee or the EPCSA ARB provided that the replacements are the same as the existing lights in both light intensity/illumination and in height from the ground. He noted that any proposal to replace the existing solar lights with brighter lights or lights that are a greater height from the ground would require a formal application by the Los Nidos HOA Board of Directors to the EPCSA ARB and added that it was unlikely such an application would be approved because of the longstanding EPCSA policy of avoiding unnecessary light pollution.

An owner asked about the legality of autos being parked almost every weekday on the west side of Avenida Primera South just south of the intersection with Camino Los Altos. President Jackunas said she would contact the owner of the adjacent home to encourage them to ask those parking there to park elsewhere, but that the street is a Santa Fe city street and that parking there is legal and cannot be prohibited by EPCSA. Other property owners in attendance had questions or comments concerning replacement of the Clubhouse roof (see next item).

Old Business – Replacing the Clubhouse Roof: President Jackunas asked Treasurer Bontrager, who is leading the EPCSA's efforts regarding repairing the Clubhouse roof, to report on the status of those efforts. Mr. Bontrager introduced registered architect Mr. Tom Easterson-Bond

who has offered to assist EPCSA as an unpaid advisor for the roofing project. Mr. Bontrager indicated that a roofer made three cuts in the roof earlier in the week to check for moisture infiltration. He showed the Board a cross section of the Clubhouse roof, including the batt insulation used in portions of the roof, and said that all three roof cuts found moisture below the roof surface, including in the insulation. He noted that he had supplied to all Board members a \$140,000 roof replacement estimate that Mr. Easterson-Bond obtained from a local roofing contractor. Seeing that estimate as considerably more expensive than EPCSA can afford, Mr. Bontrager obtained another estimate from a different local contractor of \$70,000 including tax, with a 10-year warranty. (A 20-year warranty is available for approximately an additional \$10,000.) In addition to the direct cost of the roof replacement, Mr. Bontrager estimates that there will be some additional expense, including charges for moving electrical and gas lines on the roof – perhaps in the range of \$2,000 to \$3,000 – as well as an architect's fee of \$4,000 to \$6,000.

Mr. Easterson-Bond indicated that he did not ever anticipate that the Association would or should accept and proceed with the \$140,000 estimate. He said obtaining an “outlier” or “Cadillac” estimate as a starting point is his usual practice. He noted that this estimate is for an expensive rubberized roof and includes paying a general contractor to manage the entire reroofing project. He noted that the Association can choose any of three basic routes to reroof the Clubhouse: (1) simply accepting a Cadillac proposal -- which he believes will be more expensive than necessary; (2) having an architect produce specifications and a scope of work and put them out for bids – which entails some risk because it can't be known which contractors will respond with bids, and the quality and dependability of those contractors may not be what the Association would want; and (3) taking a hybrid course in which the Association identifies one or more contractors with reputations for doing dependable work of high quality and ask those contractors to submit proposals. He noted that the third, hybrid, route was likely to result in installation of a better new roof, but also likely would be \$5,000 to \$7,000 more expensive, than soliciting bids from any and all contractors and choosing one of the lower priced bids.

Several Board members, as well as owners in the audience, said that in their views the preferable course is not to not necessarily accept the lowest cost bid submitted, but to select a contractor as a value decision. It also was suggested that it is important to have an objective expert, such as Roof Care, inspect the reroofing work while it is underway, and to make recommendations to the Association in “judgment situations.”

The suggestion was made that it might be wise to consider purchasing a roof maintenance contract - which might be available for as little as \$500 a year - because that would give the contractor a vested interest in keeping the roof in excellent condition. Mr. Easterson-Bond said he agreed fully and that a visual inspection of the roof should be made at least once every year. Several Board members and owners said that if the Board chooses to take the “hybrid” route (described above) it would be a mistake to consider only one contractor, no matter how highly regarded its work is. There appeared to be general agreement among Board members that a minimum of two or three contractors should be considered, and Mr. Bontrager was asked to identify two other roofing contractors with strong reputations for good work and obtain estimates from them. He agreed to try to do so.

Association Financial Situation After Roof Repairs Are Made: Vice President Fassett noted that if the roof repairs are made during 2017 at a cost of \$78,000, that would leave year-end reserves for 2017 of approximately \$15,000 (assuming average EPCSA expenditures for 2017). He noted that while that would not be a comfortable reserve amount, it would work if 2017 expenditures remained within the normal average range.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and President Jackunas adjourned it at 10:13 a.m.

Minutes of the Meeting of the BOARD OF DIRECTORS
Estancia Primera Community Services Association (EPCSA)
Friday, March 10, 2017

Call to Order: Pat Jackunas, President of the Board, called the meeting to order at 9:00 a.m.

The following members of the Board were in attendance: Pat Jackunas, President; Jim Fassett, Vice President; A. L. Bontrager, Treasurer; William Schiller; Secretary; and Barbara Chamberlin, Jill McIntosh, Terry Schultz, and Leslie Walker-Hirsch.

Approval of Minutes of Previous Meeting: A motion was made and seconded to approve the Minutes of the February 17, 2017 meeting of the Board. The motion was approved unanimously.

Treasurer's Report: Treasurer A.L. Bontrager reported that the EPCSA's bank account balance was as expected and that the Reserve Fund balance is \$52,157. He also indicated that 5 Estancia Primera property owners have not paid their 2017 assessment. President Jackunas said that each of those owners had been sent a minimum of three messages and reminders about the dues assessments and that liens would be filed against any of the properties for which the assessment remained unpaid at the end of March.

Architectural Review Board (ARB) Report: ARB Chairman Dr. William Schiller indicated that the ARB had made a site visit to and approved the plan for rebuilding a damaged home in Estancia Primera. He said the ARB will attempt to complete its assessments and actions on two or three other project proposals to clear the list awaiting ARB action.

Clubhouse Report: EPCSA Clubhouse Manager Connie Burke was unable to attend the meeting. President Jackunas said that, once the swimming pool has been opened for the season, she will open it each morning at 9:00 a.m. but needs a volunteer to open it on any day when she is out of town or otherwise unavailable.

Homeowner General Questions or Comments: President Jackunas asked homeowners in attendance if any of them wished to make any general comments or ask questions of the Board. Board member Barbara Chamberlin noted that piñon scale is again afflicting Estancia Primera piñon trees as it is trees throughout the Santa Fe area. She recommended that homeowners be vigilant, and arrange to have trees on their property sprayed if they find any with scale - and let their neighborhood association president know if they see trees in common areas that are developing scale.

Old Business - Replacing the Clubhouse Roof: President Jackunas asked Treasurer Bontrager, who is leading the EPCSA's efforts regarding repairing the Clubhouse roof, to report on the status of those efforts. Mr. Bontrager reported that he had obtained three bids for the roof replacement as the Board had requested at the February meeting. He said that he believes the lowest cost of the three from McPartlon Roofing for \$63,308 is also the highest value bid. That bid includes a 12-year warranty from the manufacturer that the roof will not leak, an extra ply of roofing, necessary permits, moving existing rooftop gas pipes and electric lines as necessary, replacing the existing skylights, and removing the existing roofing including pumice and plywood. The two other bids were for \$68,758 and \$90,000, and those did not include one or more of the special items listed above. Mr. Bontrager said that the only possible additional cost that he could foresee is the cost of replacing any 2" x 10" support beams that are found to be damaged by water when the roof is

removed and that he thinks it is unlikely that any such replacements will be necessary because he anticipates that those beams that are currently moist will dry out satisfactorily once the roof is removed. Mr. Bontrager said that no roof maintenance should be needed for the first four or five years after installation, and that a company representative and representatives of the EPCSA would walk the roof each year, and that if no leaks are found but other repairs are needed, the EPCSA will be billed for those. Mr. Bontrager said that McPartlon Roofing has reroofed the Hotel Santa Fe and Buffalo Thunder among other significant projects. He added that architect Tom Easterson-Bond, who has been providing advice and counsel on the roofing project, agreed that the EPCSA's best choice would be the McPartlon bid. Mr. Bontrager recommended that the firm Roof Care be retained to make two or three site visits while the work is underway to confirm it is being done properly in compliance with the contract and specifications; he anticipates that the cost to do this will be less than \$2,000.

After further discussion by the Board, during which Mr. Bontrager said he considered the McPartlon bid to be the highest value bid as well as the lowest cost bid, Mr. Bontrager made a motion, seconded by Dr. Schiller, that the Board accept the McPartlon Roofing bid for reroofing the Clubhouse at a cost of \$63,308.66, which price includes a 12-year manufacturer's warranty, and authorize the execution of a contract to that end. The motion was approved by a unanimous vote of the Board members.

Mr. Bontrager will circulate to all Board members the detailed contract that is prepared so that they can review it before it is signed. He said he will get a definite quote from Roof Care for three site visits during the reroofing process, will send it to all Board members, and will seek Board approval by email to enter a contract for that amount.

Board members expressed their great appreciation to Mr. Bontrager for the work he has invested in determining what remedial work is needed on the Clubhouse roof and what the best options are for the repairs including obtaining bids from several roofing firms and securing critical details about those bids and presenting the Board with a carefully crafted and affordable way to accomplish what needs to be accomplished to preserve and protect the Association's investment in the Clubhouse.

New Business – Memorial Day Party: The Board discussed the possibility of hosting a Memorial Day party for Estancia Primera homeowners. After discussion, the Board agreed with the suggestion of Board member Leslie Walker-Hirsch that the Association should host a potluck BYOB party. President Jackunas said she would finalize the arrangements at the April Board meeting.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and President Jackunas adjourned it at 9:32 a.m.

April - No Minutes

Minutes of the Meeting of the BOARD OF DIRECTORS
Estancia Primera Community Services Association (EPCSA)
Friday, May 5, 2017

Call to Order: Pat Jackunas, President of the Board, called the meeting to order at 9:00 a.m.

The following members of the Board were in attendance: Pat Jackunas, President, Jim Fassett, Vice President, Barbara Chamberlin, Carol Genebach, Jill McIntosh, and William Schiller.

Approval of Minutes of Previous Meeting: A motion was made and seconded to approve the Minutes of the March 10, 2017 meeting of the Board that previously had been circulated by email to all Board members. The motion was approved unanimously.

Treasurer's Report: President Jackunas, noting that Treasurer A.L. Bontrager was unable to attend this meeting because its date had been changed, relayed his report that the EPCSA's bank account balance at the end of April was as expected, and that the month's financial reports had been sent to all Board members. She also said that she had transferred \$35,000 from the Association's Reserve Fund to its operating account in order make the first installment of the payment due to McPartlon Roofing for the re-roofing work on the Clubhouse.

Replacing the Clubhouse Roof: President Jackunas reported that the materials for re-roofing the Clubhouse were scheduled to be delivered to the site by McPartlon Roofing on Monday, May 8, and that, if the weather permits, the work is scheduled to begin early Tuesday morning, May 9.

Actions Pertaining to Homeowner with Multiple Delinquent Annual Assessments: President Jackunas raised the matter of the Cresta homeowner, Ms. Joanna McGuire, who has not paid either the EPCSA or the Cresta Association annual assessments for seven years. After discussion, it was agreed by the Board that the President will send a letter to Ms. McGuire informing her that if the EPCSA assessments and associated incurred interest that she owes to the Association are not paid in full by June 15, 2017, at its next subsequent meeting the Board will consider requesting its attorney to commence an action at law to foreclose the lien on her lot. A draft letter will be circulated to all Board members for their review and comment.

Architectural Review Board (ARB) Report: EPCSA ARB Chairman Dr. William Schiller indicated that notices had been sent to homeowners with longstanding projects that have not been referred to the ARB for final approval. These notices requested that these homeowners submit requests for final review in order to clear the list awaiting ARB action.

Grounds Report: President Jackunas reported that she plans to plant succulents by the tennis courts, and, after the re-roofing of the Clubhouse has been completed (to avoid inadvertent damage during the re-roofing work), around the Clubhouse. She also said that the irrigation water for the Clubhouse grounds has been turned on for the season.

Clubhouse Report: EPCSA Clubhouse Manager Connie Burke told the Board that she has talked with the swimming pool maintenance contractor and that arrangements will be made to prepare the pool for opening and to have it inspected by the City of Santa Fe prior to the Memorial Day holiday at which time the pool is scheduled to open for the season. The pool cover will be inspected and cleaned. Ms. Burke has requested that the City deliver a new recycling bin for use by the Clubhouse since one was not delivered at the time they were delivered to all Estancia Primera homes.

Old Business – Memorial Day Party: President Jackunas reminded the Board that it had decided at the March Board meeting that the EPCSA will host a Memorial Day party for Estancia Primera homeowners, and that it would be a potluck BYOB party. After discussion, there was a Board consensus to order approximately half the meat ordered for the 2016 Memorial Day party (since there were two trays of leftover meat that were given to interested homeowners to take home) – so approximately \$200 of EPCSA funds will be expended to obtain meat – this year only chicken and brisket – from Cowgirl.

New Business—

- **Election of New EPCSA Board Members:** President Jackunas noted that six positions on the EPCSA Board of Directors will become vacant upon the expiration of the incumbents' terms at the Annual EPCSA Meeting in August and must be filled by election at that Meeting: these positions are President Jackunas (Kachina Hills), Treasurer Bontrager (Los Altos), and Members Barbara Chamberlin (Cresta), Carol Genebach (Altamira), Jill McIntosh (La Viveza), and Leslie Walker-Hirsch (Los Altos Norte). President Jackunas said that she and Treasurer Bontrager will not seek re-election in August. Other Board members who wish to seek re-election or any person not now on the Board who wishes to seek election to one of the vacant positions must submit a Petition of Candidacy to Board Secretary Dr. William Schiller no later than 30 days prior to the Annual Meeting at which the election will be held. The Annual Meeting this year will be on Wednesday, August 16.
- **Estancia Primera Garage Sale:** President Jackunas said that the annual EP Garage Sale this year will be Saturday, May 20. There is a fee of \$10.00 for authorization to sell items at the Sale. Estancia Primera homeowners may invite outsiders to participate as long as the fee is paid and the Estancia Primera homeowner sponsoring them stays with the seller for the entirety of the Sale. The Clubhouse will be open on the preceding day (Friday, May 19) from 1:00 to 4:00 pm for sellers to store the items they will be selling the next day.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and President Jackunas adjourned it at 9:31 a.m.

**Minutes of the Meeting of the BOARD OF DIRECTORS
Estancia Primera Community Services Association (EPCSA)
Friday June 9, 2017**

Call to Order: Pat Jackunas, President of the Board, called the meeting to order at 9:03 a.m.

The following members of the Board were in attendance: Pat Jackunas, President; Barbara Chamberlin; Jill McIntosh; Terry Schultz; and Leslie Walker-Hirsch. President Jackunas noted that a quorum was present.

Approval of Minutes of Previous Meeting: A motion was made by Ms. Walker-Hirsch and seconded by Ms. Schultz to approve the first draft of the Minutes of the May 5, 2017 meeting of the Board that previously had been circulated by email to all Board members, and to post on the Association's website the approved minutes. The motion was approved unanimously.

Treasurer's Report: President Jackunas, noting that Treasurer A.L. Bontrager was unable to attend this meeting because of a prior commitment. A.L. relayed his report that the EPCSA's bank account balance at the end of May was as expected, and that the month's financial reports had been sent to all Board members.

Ms. Walker-Hirsch noted for the record that the Association had spent approximately \$250 for the Association's Memorial Day party even though the large expenditure for replacing the Clubhouse roof reduced the Association's account balances to low levels. President Jackunas acknowledged Ms. Walker-Hirsch's point, but indicated that the Board had voted to make the expenditure for the party.

President Jackunas said that two large tree limbs had fallen – one from a tree by the Avenida Primera South bridge and the other from the large tree in front of the Clubhouse – and had to be cut into pieces and removed, and a bill for that work would be forthcoming.

Clubhouse Report: President Jackunas told the Board that the Clubhouse reroofing work had been completed for a total cost of \$63,308.66. In order to remove debris resulting from the roofing work, the pool servicing company had to drain and refill it, so the most recent water bill was for approximately \$1,100. Pat said the pool should not need to be drained again for some time. She also said that the pool cover has an electrical problem and that the servicing firm is waiting for the company's owner, who is an expert in the mechanics of this type of cover, to diagnose the problem before doing any repair work. President Jackunas said that Clubhouse manager Connie Burke was out of town and that she was not aware of other significant information about Clubhouse operations and maintenance.

Architectural Review Board (ARB) Report: EPCSA ARB Chairman Dr. William Schiller was ill and therefore did not attend the meeting. President Jackunas said that there had been no ARB action nor was there any other information related to the ARB on which to report.

Homeowner Comments and Questions:

- ❖ When President Jackunas invited homeowner comments and questions, a homeowner asked if Clubhouse roof repairs had been completed (President Jackunas said they had been completed) and whether funds for the repair costs had been or would be secured from owners by imposition of a special assessment. President Jackunas said that the Board had concluded that it would be best to use reserve funds and to replenish the reserves by increasing the regular annual assessments. An increase took effect for 2017, and, as planned, the depleted reserve fund was being replenished with some of the additional revenue from that regular assessment increase.
- ❖ Another homeowner asked if the Association would be spraying pinon trees in common areas for scale. President Jackunas responded that the Estancia Primera association does not have responsibility for tree maintenance and that the responsibility falls to individual homeowners for trees on their property. She said that some of the individual neighborhood associations have chosen to contract for some tree maintenance services for trees in those neighborhoods' common areas.
- ❖ There was a discussion about the particular roles of spraying and of persistent root treatment in treating scale and other tree problems and the desirable timing for and duration of those treatments. It was agreed that President Jackunas would send an email to all owners suggesting that they may wish to consider obtaining professional help to be sure their trees do not suffer damage from disease and pests.

Old Business:

- ◆ Actions Pertaining to Homeowner with Multiple Delinquent Annual Assessments: President Jackunas reported that, after consultation, she has concluded that the EPCSA's interests will be best served by not pursuing the matter of the Cresta property owner who has not paid either the EPCSA or the Cresta Association annual assessments for several years. After discussion, the Board agreed unanimously that no further action should be taken at this point except that Ms. Chamberlin will contact the owners of the property next to the delinquent property who previously had offered to purchase the lot for which assessment payments are delinquent to encourage them to again raise with the delinquent property owner the possibility of purchasing the lot as a natural buffer area for their home.
- ◆ Annual Meeting and Election of EPCSA Board Members: President Jackunas said that the 2017 EPCSA Annual Meeting will be at 7:00 pm on Wednesday, August 16. She noted that six positions on the EPCSA Board of Directors will become vacant upon the expiration of the incumbents' terms at that meeting and need to be filled by election at that meeting. Those positions are: President Jackunas (representing Kachina Hills), Treasurer Bontrager (representing Los Altos), and Members Barbara Chamberlin (representing Cresta), Carol Genebach (representing Altamira), Jill McIntosh (representing La Viveza), and Leslie Walker-Hirsch (representing Los Altos Norte). Neither President Jackunas nor Treasurer Bontrager will seek re-election. Any incumbent who wants to seek re-election or other homeowner who wants to seek election and meets EPCSA requirements to serve on the Board must deliver to Scott Bunton, 451 Avenida Primera South, no later than Monday, July 17, 2017, the required Petition of Candidacy form available on the EPCSA website, with the signatures and address/contact information of five other EP homeowners endorsing his/her candidacy.

New Business:

- ◆ “Nextdoor” Social Media Site: Ms. Chamberlin recommended that EPCSA’s information be inserted to replace the erroneous information about the Estancia Primera area currently available on the “Nextdoor” social media site. She noted that any homeowner can choose to make use of the site and determine how and the extent to which to use it, and Ms. Schultz said that it is similar to Facebook for neighborhoods, and typically provides information about lost pets, tree care, sanitation, city events, contractor/tradesmen information and recommendations, etc. Ms. Chamberlin said she would attempt to provide correct information about EPCSA on the site.
- ◆ Updated List of EP Homeowners: President Jackunas said she soon will send out to all owners the list of EP homeowners and their addresses and contact information and ask owners to make updates and corrections to their entries and return those to her.

Adjournment: A motion was made by Ms. Chamberlin, seconded by Ms. McIntosh, and approved unanimously to adjourn the meeting, and President Jackunas adjourned it at 9:22 a.m.

Minutes of the Meeting of the BOARD OF DIRECTORS
Estancia Primera Community Services Association (EPCSA)
Friday, July 14, 2017

Call to Order: President Pat Jackunas called the meeting to order at 9:00 a.m.

The following members of the Board were in attendance: Pat Jackunas, President; Jim Fassett, Vice President; A.L. Bontrager, Treasurer; Barbara Chamberlin, Jill McIntosh, and William Schiller. President Jackunas noted that a quorum was present.

Approval of Minutes of Previous Meeting: A motion was made by Ms. Chamberlin and seconded by Mr. Fassett to approve the Minutes of the June 9, 2017 meeting of the Board. The motion was approved unanimously.

Treasurer's Report: Treasurer A.L. Bontrager reported that recent operating expenditures have been generally in line with expectations based on previous experience except that the most recent water bill was approximately \$500; this was primarily because the pool had to be filled after the Clubhouse re-roofing work was completed. A.L. said that as of June, following payment of the costs of re-roofing the Clubhouse, the Capital Reserve Fund contains \$5,004, which is very low. He reminded the Board that the Association's accountant has recommended a minimum balance for the fund of approximately \$120,000. The operating account contains \$58,097. Mr. Bontrager noted that if expenditures for the remaining six months of the year are in line with those for the last six months of the year in prior years – which have averaged around \$54,000 – there will be little or no surplus funds to move into the Capital Reserve Fund. He is hopeful that it may be possible to reduce expenditures for the remainder of the year to around \$30,000, which would leave approximately a \$10,000 surplus to be transferred into the Capital Reserve Fund. That will mean the Fund will still be significantly underfunded. After taking account of depreciation, the Association's balance sheet for June shows the value of its fixed assets is \$663,685.

Treasurer Bontrager will provide a draft 2018 budget to the homeowners at the EPCSA Annual Meeting on August 16, 2017. He also will recommend that the Board approve an annual assessment for 2018 at or near the level that will reflect a maximum increase of 25 percent in dues that the Board is permitted to approve without obtaining formal approval of the full Association membership and use the additional income to increase the Capital Reserve Fund to a more appropriate level.

Clubhouse Report: In the absence of Clubhouse Manager Connie Burke, President Jackunas told the Board that the Association has run out of – and ordered more – Clubhouse key cards. For the remainder of the 2017 pool season, President Jackunas will open the pool every morning and Ms. Burke will close it every evening.

Architectural Review Board (ARB) Report: EPCSA ARB Chairman Dr. William Schiller reported that there have been a couple of new Appendix III projects submitted to the ARB, and that he anticipates two new Appendix IV projects. He anticipates transmitting to the EPCSA Board the amount of the deposit for a project the homeowners have not yet completed after significant delays, and will note in the message of transmittal that the transfer does not constitute final ARB approval of that project. Treasurer Bontrager noted that deposit amounts, separately identified, are included as offsetting assets and liabilities in the EPCSA balance sheet.

Homeowner Comments and Questions: A homeowner said that he does not have a key card permitting entry to the pool area and requested one. President Jackunas said she would arrange to

provide one as soon as the new cards are received and will work with the owner in the meantime to provide access to the pool to that owner and his family and guests.

Old Business:

- **Annual Meeting and Election of EPCSA Board Members:** President Jackunas said that she will send an email reminder to all property owners that the 2017 EPCSA Annual Meeting will be at 7:00 pm on Wednesday, August 16.

It was noted that only one candidate has submitted the required Petition for Candidacy signed by five other EP homeowners. If there are no competing candidates for any of the open positions, candidates will be elected by acclamation. It was noted that no candidate has submitted a valid petition to seek election for the Board position representing the Altamira neighborhood. President Jackunas said she will contact a representative of that neighborhood to encourage its owners to support a candidate and assist him/her to submit a valid Petition for Candidacy. (A completed petition form, available on the EPCSA website, must be delivered to Scott Bunton, 451 Avenida Primera South, no later than the end of the day Monday, July 17, 2017, with the signatures and contact information of five other EP homeowners endorsing his/her candidacy.)

- **“Nextdoor” Social Media Site:** Ms. Chamberlin reported that she had replaced the erroneous information about Estancia Primera on the “Nextdoor” social media site with accurate information. She noted that homeowners can decide how much to use the site and that it can be used to easily communicate with other E.P. owners about a range of matters such as lost pets, tree care, sanitation, city events, contractor/tradesmen information and recommendations, etc. President Jackunas said she will send an email to all E.P. owners to tell them about “Nextdoor.”

New Business:

- **Construction:** Ms. Chamberlin noted that construction has begun in the new development across Hyde Park Road from the south entrance to E.P. No Board member had authoritative information on the schedule for further work, but some thought an effort would be made to complete street construction soon so potential purchasers would have access to the lots for sale.
- **Bear in E.P.:** It was reported that at least one bear has been sighted in Estancia Primera during the previous week – Director McIntosh, among others, had seen it. Homeowners have reported it has climbed walls and fences in order to reach bird feeders and hummingbird feeders. It has heavily damaged a coyote fence. Most sightings have been in Altamira and the arroyos on either side of that neighborhood. President Jackunas will send an email to all homeowners cautioning them not to leave anything outside at night that smells like food, including bird feeders, hummingbird feeders, and garbage cans.

Adjournment: A motion was made by Mr. Schiller, seconded by Ms. Chamberlin, and approved unanimously to adjourn the meeting, and President Jackunas adjourned it at 9:40 a.m.

**Minutes of the Annual Meeting of the
Estancia Primera Community Services Association (EPCSA)
Wednesday, August 16, 2017**

Call to Order: In the absence of the President and Vice-President of the Board of Directors, Secretary William Schiller called the meeting to order at 7:00 p.m.

Dr. Schiller noted that a quorum was present.

Approval of Minutes of Previous Annual Meeting: A motion was made and seconded to approve the Minutes of the 2016 Annual Members' Meeting of the EPCSA that were posted on the EPCSA website as an unapproved draft. The motion was approved unanimously.

Treasurer's Report: Treasurer A.L. Bontrager reported that operating expenditures to date in 2017 have been generally in line with expectations. The most significant expenditure factor in 2017 was the replacement of the Clubhouse roof, which the Board undertook after major leakage problems were noticed and a consultant provided a report to the Board indicating the previous roof was failing. The project was initiated in March 2017 after Board approval of one of the submitted bids for the work and was completed in May at a cost of \$63,308. The work, by Brian McPartlon Roofing, is warranted for 12 years.

A package of four financial documents was distributed to owners in attendance, consisting of—

- “Profit & Loss Budget vs. Actual” for the period January through July 2017
- “Balance Sheet” as of July 31, 2017
- “Estancia Primera CSA Budget 2017 – Forecast 2018”
- “Estancia Primera Capital Budget as of January 2018”

Treasurer Bontrager went over the most significant aspects of each of those documents.

In reviewing the status of the 2017 budget, Treasurer Bontrager noted that, with the exception of the water bill, expenditures have been largely congruent with prior year expenditures. After the roof work was completed, the swimming pool had to be drained and refilled.

Treasurer Bontrager reported that, as of July 31, 2017, the EPCSA's operating account contained \$53,572.35, which should be sufficient to cover expenses for the remainder of the year. He computed the average expenditures for the period of August through December for the previous four years, and the operating account is sufficient to cover expenditures for that period this year if they are in the range of that average.

The EPCSA's reserve account contained \$5,005.11 on July 31. The amount in this account is much less than recommended by several authorities on homeowner association financial operations – a previous accountant for the EPCSA recommended the Association maintain a fund no less than \$110,000 and that was in 2012. But the amount in the fund is not a surprise to the Board of Directors, since it had to make a major expenditure last year for repairs in the swimming pool area and re-roof the Clubhouse this year. Treasurer Bontrager noted that the Board of Directors established a Finance Committee during the fall of 2016 to examine the EPCSA's financial situation and make recommendations to the Board. That Committee offered three options to put EPCSA finances on a solid footing. The Board concluded that two of those options, each requiring a one-time special assessment on all EP homeowners, were unworkable because of the difficulty, under the requirements for special assessments contained in the EP Declaration, of obtaining the approval of a sufficient number of homeowners. The Board opted instead to increase the annual homeowner dues to \$525 for

2017, on the assumption that the Board in 2017 would increase the 2018 dues to \$650, based on the Finance Committee's conclusion that those two increases in the annual dues would place the EPCSA's finances, including the amount in its reserve fund, in sound condition. Treasurer Bontrager said that it would be up to the Board of Directors later this year to determine whether to increase the dues for 2018 in accord with that plan.

Architectural Review Board Report: EP Architectural Review Board (ARB) Chairman Schiller reported that the ARB currently is nearing completion of the consideration of a major application, and that two others have been filed with the ARB: one of those for an addition to an existing home, and the other for building a new home. He told the owners present for the meeting that the ARB handles all Appendix III applications by email, since that is most rapid and convenient for all concerned. In a little over a year, Chairman Schiller said the ARB had considered 15 project applications, and that five – four Appendix III projects and one Appendix IV project – are under current consideration. Dr. Schiller reminded owners that ARB action/approval is not required for maintenance and repairs that do not alter exterior appearances, but that anything altering exterior appearances, including landscaping changes, does require formal ARB approval. He asked that owners send him a courtesy email to let him know about any maintenance work they anticipate doing to their homes' exteriors so that any questions or concerns from neighbors can be answered or resolved in advance. He also reminded owners that the architectural review boards of the EP component neighborhoods cannot give final approval to any project that requires formal approval; those neighborhood review boards only make recommendations to the EP ARB, and its approval is required.

Clubhouse Manager's Report: Clubhouse Manager Connie Burke made a report to the owners based on a written report that is attached to these minutes. She noted that it had been necessary to replace several outdoor umbrellas in the pool area, which cost approximately \$100 each. Her report included four recommendations for the Board's consideration.

Election of Members of the Board of Directors: Presiding officer Schiller noted that the terms of six of the nine positions on the EP Board of Directors ended on the date of the 2017 Annual Meeting, the positions representing the Altamira, Cresta, Kachina Hills, La Viveza, Los Altos, and Los Altos Norte neighborhoods. He said that, for each of the six positions to be filled by election, one homeowner had submitted the Petition of Candidacy signed by at least five EP property owners, as required by the EPCSA's Bylaws in order to be eligible for election to the Board. Those candidates are incumbents Carol Genebach of Altamira, Barbara Chamberlin of Cresta, Jill McIntosh of La Viveza, and Leslie Walker-Hirsch of Los Altos Norte, and new candidates Brenda Shears of Kachina Hills and Scott Bunton of Los Altos. Dr. Schiller said that, since none of the six positions was contested, it was permissible for the owners in attendance to elect the six by acclamation if that were their pleasure. A motion was made and seconded to elect all six candidates by acclamation. The motion prevailed by unanimous vote of those present and voting.

Old Business: No one had old business to consider.

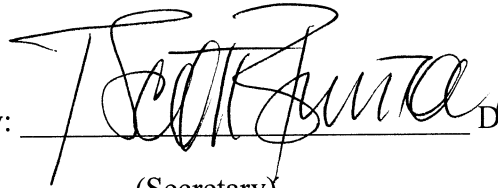
New Business:

- *Annual Food Depot food collection drive:* Board member Barbara Chamberlin announced that the annual Food Depot food collection drive would occur on September 16 of 2017. She noted that EPCSA had won third prize last year for its level of participation. She said that the Food Depot would gratefully receive both donations of food and financial contributions. Dr. Schiller said that approval of EPCSA's participation was a matter for consideration by the Board of Directors rather than the full EPCSA membership at an Annual Meeting.

- *Next meeting of the Board of Directors and election of Board officers:* Dr. Schiller said that, according to the usual schedule of the Board of Directors, its next meeting would be at 9:00 a.m. on Friday, September 8, at which time the Board's officers for the next 12 months would be elected.
- *New development across Hyde Park Road from the south entrance to Estancia Primera:* In response to a question about the development's status from a homeowner, Scott Bunton reported that he had been told by the real estate agent selling the lots in the Hacienda del Mirasol development that (1) the entire property being developed has been divided into and is being sold as only eight lots, thus minimizing the risk of traffic to/from the new development presenting problems to EP residents attempting to exit EP onto Hyde Park Road; (2) there is a building envelope for each lot that will mean the homes will not be on the highest ground, thus reducing the extent to which they will impede the view of the Jemez Mountains and the Rio Grande valley from the road, and there will be only eight homes at full build-out; (3) the initial asking price of the lowest priced lot is \$600,000 and the most expensive two lots are \$1.3 million each and, if the lots are sold at or near the asking prices, the effect on EP property values should not be negative and might be positive; and (4) there will be a landscaped and graveled trail the full length of the property running roughly parallel to Hyde Park Road (in a buffer zone between the road and the homes) that the new development must maintain but that will be open for all to use.

Adjournment: A motion was made and seconded to adjourn the meeting, and Dr. Schiller adjourned it at 7:40 p.m.

Minutes prepared and submitted by:


(Secretary)

Date: 7/13/2018

Scott Bunton

Signed on behalf of Board by:



Date: 8/15/2018

(Board President)

Brenda Shears

Minutes of the Meeting of the BOARD OF DIRECTORS
Estancia Primera Community Services Association (EPCSA)
Friday, September 15, 2017

Call to Order: Jim Fassett, Vice-President of the Board, called the meeting to order at 9:04 a.m.

Board members in attendance: Jim Fassett (Vice President), Scott Bunton, Barbara Chamberlin, Jill McIntosh, William Schiller, and Carol Genebach.

Others Present: Errol Levine

New and Re-elected Board members: The following individuals were either newly elected or re-elected to the Board for two-year terms at the annual Members meeting of August 16, 2017: Scott Bunton (Los Altos), Brenda Shears (Kachina Hills), Carol Genebach (Altamira), Barbara Chamberlin (Cresta), Jill McIntosh (La Viveza), and Leslie Walker-Hirsch (Los Altos Norte).

Election of Officers for 2017-2018: A motion was duly made and seconded that the following individuals be elected by acclamation as EPCSA officers for one-year terms ending in August 2018 and passed unanimously:

Brenda Shears (President)
Jim Fassett (Vice-President)
Scott Bunton (Treasurer)
Errol Levine (Secretary)

The Board noted that Article VII, Section 1 of the Amended Bylaws for the Estancia Primera Community Services Association requires that only the president and vice-president shall at all times be elected members of the Board of Directors. There is no requirement that the treasurer and secretary be Board members. A homeowner present at the meeting (Karla Harby – 417 Kachina Court) expressed concern that the Directors and Officers Endorsement of the EPCSA's Insurance Policy might not provide legal coverage for an officer who is not also an elected Board member. Most Board members were of the opinion that the policy covers all directors and officers of the Association in the event that they are sued because of alleged errors made during the course of their official duties. However, at the request of the Board, Vice-President Jim Fassett agreed to obtain written confirmation of this from our Insurance Agent. Jim Fassett will also attempt to locate a copy of our Insurance policy for the Board's information and review.

Approval of Draft Minutes of Annual Members Meeting of August 16, 2017

A motion was duly made and seconded to approve the draft minutes of the annual meeting for posting on the EPCSA website and passed unanimously. The minutes will be submitted for final approval at the annual Members meeting in August 2018.

Approval of Minutes of Previous Board Meeting: A motion was duly made and seconded to approve the final draft of the minutes of the July 14, 2017 Board meeting as submitted and was approved unanimously.

Archival Minutes on the EPCSA Website: Jim Fassett reported that he had collected old EPCSA Board minutes for the period 1991-2016 and had arranged for these to be posted on the

EPCSA website where they may be located under the Board of Directors tab. The 2017 minutes are posted separately.

Book of Resolutions: Scott Bunton reported that the availability of the archival minutes presented an opportunity to assemble in one location a record of all actions taken by previous Boards that would have a lasting impact. The Amended Declaration requires that the Board maintain a Book of Resolutions which is supposed to contain the rules, regulations, and policies of the EPCSA. However, a Book of Resolutions had apparently never been maintained by the EPCSA. Secretary Errol Levine had offered to extract old Board decisions, policies, and regulations that had lasting impact from the old minutes for the period 1991 through 2017 and had sent these to Mr. Bunton. Mr. Bunton then assembled a provisional Book of Resolutions which he distributed to the Board members. Mr. Bunton has organized these rules into three sections: a section with rules pertaining mostly to owners, a section with rules pertaining to Board and Board meeting procedures, and a miscellaneous section.

Scott Bunton reported that he had also searched for a set of rules and regulations pertaining to the use of the Clubhouse building, the tennis court, swimming pool and racquetball court. Connie Burke (Clubhouse manager) had provided him with the rules and regulations in current use and that she had developed herself over a period of several years. Mr. Bunton reported, however, that there was no record of these rules and regulations ever having been approved by the Board of Directors. Accordingly, Mr. Bunton proposed that the agenda for the October Board meeting should include consideration of a set of clubhouse rules that can be formally adopted by the Board with any modifications deemed necessary. These rules and regulations may then be included in the Book of Resolutions.

After the Book of Resolutions is formally organized and accepted by the Board, it will eventually be posted on the EPCSA web site.

Treasurer's Report: Treasurer Bunton had previously distributed to the Board members a Profit and Loss Budget vs Actual for the period January through August 2017 and a Balance Sheet as of August 31, 2017. Mr. Bunton reported that the Association currently has \$5,200 in its Reserve Account. The annual dues will be set at the December Board meeting and will likely have to include a 25% increase of the general assessment in effect for 2017. The purpose of such an increase would be to help replenish the depleted Reserve Account. There is currently \$40,561.01 in the Operating account. This does not include the deposits received for ARB applications. Mr. Bunton believes that this should be ample to cover the EPCSA's expenses for the remainder of 2017 based on our history of annual expenditures.

Jim Fassett indicated that he would have to accompany the new President and Treasurer to our bank to complete signature cards that would permit them to write checks on behalf of the Association and to cancel the signature cards for Pat Jackunas and A.L. Bontrager. A motion was duly made and seconded that the Board approve the "Corporate Authorization Resolution" required by our bank for EPCSA's operating account and for its reserve account, requesting the bank to authorize Scott Bunton, Brenda Shears, and Jim Fassett to write checks on behalf of the Association and otherwise deal with the Bank regarding the Association's financial accounts; the motion passed unanimously. Copies of both resolutions will become part of the Association's

records. Scott Bunton indicated that the signing of Association checks should normally be done by the Treasurer since that is one of the Treasurer's responsibilities listed in the governing documents.

ARB Report: Dr. Schiller indicated that the three-year terms of the nine ARB members were close to expiration and requested that the Board reapprove their appointments. A motion (Motion # 2017-09-1) made and seconded that the nine ARB members be reappointed passed unanimously. They are William Schiller (Aspen Compound), Rita Meek (La Viveza), Kurt Sommer (Altamira), Elsie Hartog-Gobey (Los Nidos), Charles Bailus (Cumbre Vista), Richard Czoski (Cresta), Jim Hays (Kachina Hills), Jerry Ward (Los Altos), and Carolyn McCollum (Los Altos Norte). This decision will be included in the Book of Resolutions by Scott Bunton to facilitate recognition of the date when ARB reappointments become necessary in the future.

Dr. Schiller submitted various ARB documents for archiving as part of the EPCSA records. These are the minutes of the ARB meeting held on August 23, 2017 (attached), a summary of ARB activity since June 2016 (attached) and letters of conditional approval for two Appendix IV construction projects. A motion made and seconded that the ARB documents be included as EPCSA records passed unanimously.

Dr. Schiller reported that he had been asked at the annual Members meeting of August 16, 2017 whether a neighborhood subdivision Architectural Review Committee (ARC) has the discretion to disapprove a formal ARB application. He felt that the answer he had provided was likely misleading and he wished to readdress the issue. Dr. Schiller indicated that the Amended Declaration stated that any formal ARB applications should first be submitted to the ARC for the relevant neighborhood. The neighborhood ARC should then evaluate the project and pass on the application to the EP ARB with a letter recommending approval or disapproval of the project. However, the neighborhood ARC is only advisory to the EP ARB. Accordingly, although the neighborhood ARC's recommendation will be given preferential consideration by the EP ARB, the latter might reach a decision that is contrary to that of the neighborhood ARC. Accordingly, the neighborhood ARC does not have the power to disapprove a formal ARB application.

A homeowner (Karla Harby – 417 Kachina Court) stated that the CC&Rs for her neighborhood contained a provision that permitted an appeal by an owner for reconsideration of an adverse ARC decision. She inquired what would happen to the ARB application while the neighborhood appeals process was in progress. Dr. Schiller replied that the application and the initial recommendation of the ARC should still be sent to the EP ARB while the appeals process is in progress unless the owner requests that the application be withdrawn or held back pending a response of the neighborhood subdivision to the owner's appeal.

Clubhouse report: Connie Burke indicated that there had been no new developments regarding the clubhouse building, pool, and tennis courts since her detailed report at the annual Members meeting in August. The clubhouse pool will be closed for the season after the weekend of September 16 and 17 and will be winterized. Ms. Burke indicated that she had decided to resign as clubhouse manager effective October 31, 2017. If a replacement for her cannot be found within the next few months, she would be willing to remain as clubhouse manager during the winter period when the amount of clubhouse work diminishes. She recommended that the Board

seek a replacement for her from within the EP community because the manager needs to return to the clubhouse several times each day during the summer months. The Board resolved that it would be necessary for Brenda Shears to work with Ms. Burke to compile a list of the manager's duties and responsibilities. An email should then be sent to all EP owners to determine if anyone from the EP community is interested in the job. If no local candidates become available the Board will have to investigate the feasibility of hiring a management company to deal with the clubhouse.

Homeowner Comments: Karla Harby (417 Kachina Court) indicated that posting of announcements, solicitations, advertisements, and other documents on mailboxes is contrary to Federal law since the mailboxes are Federal government structures. Fines may be levied against individuals or homeowner associations who post documents on mailboxes. Additionally, the use of mailboxes for such purposes strips off the paint and results in a progressive deterioration and rusting of the mailbox's painted surface. Errol Levine indicated that he had been in contact with the local post office regarding repairs of a broken parcel locker and painting of the cluster mailboxes in Los Nidos as had been requested by an owner. In both instances he had been advised that any repair and renovation work had to be done by the Post Office and could not be undertaken by the Homeowners Association. After discussion a motion was duly made and seconded that EP owners and Homeowner Associations may no longer post notices on cluster mailboxes in Estancia Primera and was passed unanimously (Motion # 2017-09-2). Brenda Shears will be asked to notify homeowners about this when she sends out the agenda for the October Board meeting. The information will also be posted on the EPCSA website.

Neighborhood Subdivision Information for EP website: Jim Fassett requested that each Board member send him any updates for their neighborhood regarding such matters as changes in the composition of the Board of Directors or the Architectural Review Committee etc., so that he can update the information for neighborhoods of the EPCSA website accordingly.

Old Business:

The Board will not undertake snow removal from the concrete sidewalk along Avenida Primera except for the area adjacent to the clubhouse property. This policy was adopted by the Board on February 12, 2016 and is described in item six on page 4 of the provisional Book of Resolutions. The Board will remind owners and neighborhood homeowner associations of their responsibilities in this regard.

New Business:

Recognition of Services to the Board by Patricia Jackunas and A.L. Bontrager: Dr. Schiller recommended that the Board find a way of expressing its appreciation for the past exceptional services of Pat Jackunas and A.L. Bontrager as Board members. The Board members agreed that the services of Pat Jackunas and A.L. Bontrager deserved recognition and discussed various ways of recognizing their outstanding contributions to the Association. This matter will be placed on the agenda of the October Board meeting for further discussion.

Home Sales in Estancia Primera: Jill McIntosh indicated that there had been a significant number of sales in EP since the first of the year. She recommended that a monthly “Real Estate Report” be included as an agenda item for each future Board meeting much as we have a monthly ARB and Treasurer’s report. She would present the report while she and Barbara Chamberlin remain the designated Board members charged with monitoring EP home sales. Ms. McIntosh indicated that she had discussed the matter with Scott Bunton who had developed a protocol/motion for dealing with home sales in EP and reporting on them at Board meetings. Under this arrangement, Ms. McIntosh will provide a written list of active listings in EP each month for review by the Board. She would also present any updates in the listings as regards, for example, whether a Disclosure Certificate had been provided to the realtors/owners by the EPCSA or whether the home/lot had sold and the new owner’s contact information had been obtained. A listing would not be removed from her monthly report until such time as all components of the sale process had been completed. The Board received Ms. McIntosh’s proposal with enthusiasm. The Board agreed that the matter should be placed on the agenda of the October Board meeting at which time Scott Bunton’s protocol/motion will be voted on.

Updating of EP Address List for New Owners: The Homeowner Association Act requires that the EPCSA provide a Disclosure Certificate for any home/lot sale within ten days of an offer being made. At this stage realtors will not provide the contact information for prospective new owners. However, Board members assigned the responsibility for monitoring EP home sales should contact the Title Company after each sale has closed to obtain the contact information for new owners.

Handling of Board Minutes: Scott Bunton presented a motion regarding how the minutes of each Board meeting should be handled in the future. The Board decided that further consideration of the motion should be deferred until the October Board meeting.

Scheduling of October Board Meeting: Jim Fassett reported that Friday, October 20 would be a better date for the October meeting than October 13 when fewer Board members would be available. He will email the Board members to ascertain their availability on that date.

Approval of Payment for Painting at the Clubhouse: The Board approved Treasurer Bunton’s request that he be permitted to pay \$417 for replacing and painting sheet rock on the clubhouse ceiling. The work was done by Julio’s Painting.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Vice-President Fassett adjourned it at 10:34 a.m.

ATTACHMENT 1:

2017 MINUTES – ESTANCIA PRIMERA ARB

Call to order by Chairman Schiller at 5:15 P.M.

Members in attendance: Chairman William Schiller, Elsie Hartog Gobey, Jim Hays, Kurt Sommer, Rita Meek and Charles Bailus. Also in attendance were the applicants and their builder and/or architect.

1. Approval of minutes of 2016 meeting.
2. Endorsement of ARB activity document since June 2016.
3. Consideration of Appendix IV Application from Margaret Miller and her construction team. Construction of residence at 425 Los Altos Way. After formal presentation and deliberation, the ARB granted conditional approval. Approval letter attached.
4. Consideration of Appendix IV Application from Constance Burke and William Leeman. Structural addition to residence at 642 Cumbre Vista Dr. Conditional approval was granted following formal presentation and deliberation. Approval letter attached.

There being no further business to be brought before the board, the meeting was adjourned at 6 P.M.

Minutes transcribed and distributed by Chairman Schiller

ATTACHMENT 2:

ARB PROCEEDINGS SINCE JUNE 2016

1. PROJECTS APPROVED BY EMAIL

Lois Callaghan—Window Revision
Elsie Hartog-Gobey—Installation of Roof Air Conditioning Unit
Judy Pelham—Roof Air Conditioning Unit
Larry Adams—Deck Revision
Allan and Harriet Raff—Application for fence revision Withdrawn
Laurel Schnitzer—Patio Modification
Diekemper (Nicholas Ritter) Stucco repair
Gary and Kelly McClure Appendix IV –Addition plus external stairway
Hank Doucet—Window Replacement
Larry Adams—Installation of roof AC unit
Kurt Sommer—Installation of AC Unit
Jim Hays—Construction of outdoor fireplace
Jim Fassett—Installation of Roof AC Unit
Jimmy and Mary Byrd—Fence construction
Karla Harby—Installation of outdoor art—Fountain

2. COURTESY NOTIFICATIONS

Rick Burdine—Window Replacement
Rita Meek—Arroyo Maintenance
Antje Manser-- Stucco Repair
Diekemper—Gate Maintenance and Repair
Ann Caldwell—Repair of Fence, painting of doors and landscape maintenance
Herb Schwartz—Roof Maintenance

Kevin Rowe—Roof Maintenance
John/Suk Harvey—Roof Maintenance

3. FINAL APPROVAL AND REFUND

Terry Schultz—Porch repair and revision
Susan Clay—Landscaping
Tom Cadenhead—Installation of AC Unit
Lois Callaghan—Window Revision
Karla Harby—Roof Maintenance
Judith Pelham—Installation of AC Unit
Elsie Hartog-Gobet—Installation of AC Unit
Laurel Schnitzer—Patio Modification
Al Jenny—Repair of Fire Damage
Sandra Brinck—Landscaping
Henry Doucet—Window replacement and repair

Kurt Sommer—Installation of AC Unit
Diekemper (Nicholas Ritter)—Re-stucco of house and painting of trim
Kerry Lee—Appendix IV Project ; Patio revision and fence construction
Larry Adams—Deck Revision and installation of AC Unit (2 applications)
Craig Summers—Fence construction
Kelley McClure—Residential room addition

Minutes prepared and submitted by: Errol Levine Date: 10/19/2017
(Secretary)

ERROL LEVINE, MD

(Print name)

Signed on behalf of Board by: Brenda Spears Date: 10/20/2017
(Board President/Alternate)

BRENDA SPEARS

(Print name)

Estancia Primera Community Services Association (EPCSA)

Minutes of the Meeting of the Board of Directors Friday, October 20, 2017

Call to Order: Brenda Shears, Board President, called the meeting to order at 9:00 a.m. at the Clubhouse Conference Room

Board members in attendance: Brenda Shears (President), Jim Fassett (Vice President), Scott Bunton (Treasurer), Barbara Chamberlin, Jill McIntosh, William Schiller, Carol Genebach and Leslie Walker-Hirsch.

Others present: Errol Levine (Secretary)

Approval of Minutes of Previous Board Meeting: A motion duly made and seconded to approve the final draft of the minutes of the September 15, 2017 Board meeting as submitted was approved unanimously.

Reports

Treasurer's Report: Treasurer Bunton had previously distributed to the Board members a "Profit and Loss Budget vs Actual" statement for the period January through September 2017 and a Balance Sheet as of September 31, 2017. As of that date, EPCSA currently has \$47,239.97 in its main operating account. This does not include the deposits received for ARB applications. Mr. Bunton believes that this should be ample to cover the EPCSA's expenses for the remainder of 2017 based on our history of annual expenditures. The Association currently has \$5,005.96 in its Reserve Account.

Mr. Bunton reported that Greg Klos's job as Association bookkeeper had consisted of two components. The one involved keeping the Association's financial books, providing the monthly financial reports and writing checks on behalf of the Association and the other had involved picking up bills and dues payments at the Association's post office box. He had done the latter once per week and commuted from Albuquerque to do so. Mr. Bunton recommended that rather than replace Greg Klos, the Board should request him to continue doing his bookkeeping, financial reporting, and check writing work for the Association from his new location in Durango. Mr. Bunton would then collect all invoices and payments from the post office. A motion duly made and seconded that Mr. Bunton approach Greg Klos about this matter passed unanimously.

Mr. Bunton reported that Secretary Errol Levine will in the future file the annual non-profit corporation report for the EPCSA with the New Mexico Secretary of State.

Architectural Review Board (ARB) Report: ARB Chairman Dr. William Schiller reported that in the preceding month the ARB had completed the final approval of two Appendix III

projects. The ARB has almost completed its consideration of an Appendix IV project and Dr. Schiller expects to approve that soon. There is another Appendix IV project that was approved in August that had been delayed and then re-approved. This is back on track again. Dr. Schiller's list of ARB projects approved since its last report in 2016 has been appended to the minutes of the September Board meeting. The Board agreed that Dr. Schiller should continue to submit such reports once annually.

Real Estate Report: Jill McIntosh presented a summary of current real estate activity in EP. There are currently five homes that are active, three homes that are under contract and four homes that have recently been sold. There is one vacant lot that is listed for sale and two vacant lots that have been sold. The list represents 2017 activity to date. The contact information for new owners either has been or will be provided to the secretary for updating the EP address list.

Jill McIntosh reported also that the early neighborhood notification meeting for the proposed development of 49 lots in the property across Hyde Park Road from Estancia Primera (*Estancia del Norte*) will be held at the Main Public Library on October 26, 2017 at 5:30 p.m. She, Rita Meek and Errol Levine will attend the meeting on behalf of the EPCSA. Ms. McIntosh believes that our main purpose in dealing with *Estancia del Norte (EDN)* should be not to oppose the project but to secure, if possible, modifications on Hyde Park Road that would improve traffic flow and prevent difficulties if the main entrance is opposite the south EP entry. The Board noted that we have a standing committee on EDN consisting of Rita Meek, Jill McIntosh and Pat Jackunas. Brenda Shears will replace Pat Jackunas on the Committee. The City Project manager for EDN is Donna Wynant. Depending on the outcome of the October 26 meeting, it might be necessary for the EDN committee to seek an appointment with Ms. Wynant.

Clubhouse report: Connie Burke will continue as clubhouse manager during the winter until such time as a new clubhouse manager can be recruited. A motion duly made and seconded that a maximum of \$2,000 be allocated for the fall 2017 grounds cleanup at the clubhouse by Reyes Morales was approved unanimously.

Unfinished Business

Motion Regarding Handling Board Meeting Minutes: Scott Bunton made the following motion which was seconded.

- *The EPCSA Secretary, or the person temporarily substituting in the Secretary's place in his/her absence, shall prepare a draft of the minutes of each Board meeting and circulate it by email to all Board members for review within seven calendar days of the meeting.*
- *Each Board member shall review each set of draft minutes and send by email to the Secretary any suggestion or request for revision within seven calendar days of receiving the draft.*
- *The Secretary shall prepare a final draft of the minutes, revised if appropriate based on requests for revisions by Board members; and shall circulate that final draft by email to all Board members no later than seven calendar days prior to the Board's next regular monthly meeting.*

- *The Secretary shall bring to the Board's next regular meeting a signed and dated hard copy of the final draft minutes of the previous regular monthly meeting, and of any special meetings of the Board, for which the steps set forth in paragraphs 1 through 3 have been completed, and the Board shall consider and approve those minutes. After the Board has formally approved the minutes of any meeting, the hard copy as approved shall be signed and dated by the President or his/her alternate, attesting to their formal approval by the Board.*
- *Following the meeting at which the minutes of any meeting were approved by the Board and signed by the President, the Secretary shall convert those approved and signed minutes plus referenced attachments/appendices into a single Portable Document Format (PDF) document (a separate PDF document for the minutes of each meeting) and arrange for the document to be posted on the EPCSA web site.*

After discussion, the Board unanimously approved the motion (Motion # 2017-10-1).

Motion Regarding Property Sales in Estancia Primera: Scott Bunton moved that the following procedure be established for determining when EP properties are being marketed for sale, meeting the EPCSA's responsibilities for providing Disclosure Certificates, and obtaining contact information for new owners, and the motion was seconded.

The Board of Directors shall in September of each year assign to one or more Board members for the period of the subsequent twelve months the following responsibilities:

- *Ascertaining when any EP property goes on the market;*
- *Contacting the listing agent for any such property and conveying to the agent the contact information for the persons responsible for completing Disclosure Certificates for the property for both the EPCSA and the relevant neighborhood subdivision homeowners association;*
- *Completing and providing the EPCSA Disclosure Certificate per the requirements of law when the property goes under contract;*
- *Determining when the property has been sold and obtaining the new owner's preferred mailing address, email address(es), and telephone numbers;*
- *Reporting at each regular monthly Board meeting regarding (i) status changes with respect to EP property sales since the prior Board meeting and (ii) the contact information for new owners after sales have been completed; and*
- *Sending copies to the President and Secretary of all communications with realtors, owners, and title companies regarding both preparation and provision of Disclosure Certificates and contact information for new EP property owners so that the communications may be preserved as permanent EPCSA records.*

The motion passed unanimously (Motion # 2017-10-2).

The Board then addressed the question of how the emails sent to the seller's agent containing the Disclosure Certificates and various attachments such as the CC&RS could be preserved as part of the EPCSA permanent records. Brenda Shears indicated that she had begun to investigate

how the EPCSA could preserve such records in the Cloud. It might be necessary to create pdf files of the emails that show the names of the attachments that had been sent.

The issue also arose as to whether the Architectural Guidelines for the EPCSA are currently referenced in any way in the emails that are sent to the sellers' agents with the Disclosure Certificates. The Board felt that this was important so that prospective new owners would know in advance what was allowed and not allowed when exterior changes were made to homes. Barbara Chamberlin indicated that she did not currently reference the Architectural Guidelines in her communications regarding Disclosure Certificates. The Board agreed that this should be done in the future in the covering email sent to the seller's agent with the Disclosure Certificate. The email should mention that the Architectural Guidelines for the EPCSA may be found on the EP web site under the Architectural Review Board (ARB) tab. The Board agreed also that the Book of Resolutions should, once finalized and approved by the Board, be sent to the Seller's agent with the other attachments to the email.

Motion Designating Board Members Responsible for Fulfilling the Requirements Pertaining to Property Sales in Estancia Primera

Scott Bunton moved that Barbara Chamberlin and Jill McIntosh be designated by the Board of Directors to fulfill the requirements from September 15, 2017 through August 2018, pertaining to property sales in Estancia Primera as set forth in the above motion (Motion # 2017-10-2) addressing this matter. After the motion was seconded, the Board unanimously approved the motion.

Motion Regarding Maintaining the Currency of the Estancia Primera List of Owners and Their Contact Information

Scott Bunton moved that each Board member shall be responsible for regularly obtaining and reporting to the Board at its monthly meetings information regarding any changes that have occurred in the contact information of property owners in his/her neighborhood subdivision, and ensuring that the Board is aware of any pending or recent home/lot sales in the subdivision. After the motion was seconded the Board discussed the matter. Most Board members felt that this procedure would be difficult to implement from a practical point of view. A motion to table this motion until the November Board meeting passed unanimously.

Revision of Procedure for Handling Annual Members' Meeting Minutes: No motion was presented and the matter was tabled until the November Board meeting.

Book of Resolutions Update

Scott Bunton reported that there has not been further progress since the September Board meeting in updating the Book of Resolutions. Mr. Bunton will between now and the November Board meeting take the rules and procedures previously approved by the Board that are contained in the provisional Book of Resolutions (that previously was provided to all Board members) and condense them and remove duplications and contradictions. This matter will be included as unfinished business for the November Board meeting.

Consideration of a Set of Clubhouse Rules

Scott Bunton reported that this document is very nearly finished in draft form. He will try within the next week to draft a document that combines what is on the EP web site, the rules posted at the pool and other clubhouse locations and two motions that previous boards had approved regarding clubhouse rules. Mr. Bunton will then distribute the draft document to the Board members for their review prior to formal consideration and action at the November Board meeting.

Clubhouse Manager Search – Update

President Shears reported that several inquiries were received from within Estancia Primera regarding the clubhouse manager's position. Barbara Chamberlin, Scott Bunton, and Brenda Shears are in the process of meeting with one of the applicants at this time.

Insurance Coverage for Estancia Primera

Scott Bunton reported that he had been in contact with John Bennett who is the EPCSA's Insurance agent at the Blue Chip Insurance Agency in Santa Fe. Mr. Bennett had indicated that the EPCSA has the following insurance coverage:

- A general liability policy, with \$1 million of coverage;
- An umbrella liability policy, which adds \$1 million on top of the general liability policy;
- A property insurance policy with coverage of \$1 million (on the clubhouse, pool, appurtenant structures, contents, etc.); and
- A directors and officers liability policy, with \$1 million of coverage.

The Directors and Officers policy covers as Insureds "*all persons who were, are now, or shall become a duly elected or appointed director, officer or trustee of the "organization" or a "subsidiary."*

The Board agreed that the declaration/summary pages for the above policies should be provided with Disclosure Certificates for home sales in Estancia Primera.

Jackunas/Bontrager Recognition – Update

The Board thanked Brenda Shears for hosting a reception at her home to honor Pat Jackunas, who had served for several years as President of EPCSA and A.L. Bontrager who had served for several years as EPCSA Treasurer, both of whom left those offices and the EPCSA Board of Directors in August 2017. The reception was attended by the honorees and Board members. Framed commemorative certificates of appreciation that Dr. Bill Schiller had obtained were presented to both honorees at the reception. Dr. Schiller will provide Brenda Shears with copies of the certificates for the Association's permanent records. A motion duly made and seconded that Dr. Schiller be reimbursed for the \$323.52 cost of obtaining the framed certificates passed unanimously.

New Business

Scheduling of Board meetings

After a discussion the Board agreed that Board meetings should continue to be held on the second Friday of every month. When necessary, however, because of non-availability of Board members, meetings may be rescheduled for a different week as has been the case in the past. The next Board meeting will be held on Friday, November 10, 2017.

Distribution of Annual Dues Statements and Billing Procedures

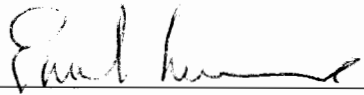
Errol Levine requested that the billing procedure for annual dues be reviewed at the November Board meeting.

Liaison Person for City Land Use Department

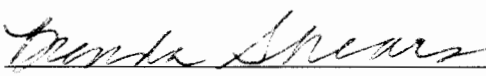
Scott Bunton indicated that he had received a message from Lee Logston via Nextdoor.com. Mr. Logston had indicated that he is the Senior Current Land Use Planner in the City's Land Use Department. As such he will be available to liaise with homeowners associations and neighborhoods about land use issues. Mr. Bunton will attempt to obtain the email address and telephone number of Mr. Logston and provide them to Board members.

Adjournment

A motion was made, seconded, and approved unanimously to adjourn the meeting, and President Shears adjourned it at 10:34 a.m.

Minutes prepared and submitted by:  Date: 11/9/2017
(Secretary)

ERROL LEVINE, MD
(Print name)

Signed on behalf of Board by:  Date: 11/10/2017
(Board President/Alternate)

BRENDA SHEARS
(Print name)

Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, November 10, 2017

Call to Order: Brenda Shears, Board President, called the meeting to order at 9:00 a.m. at the Clubhouse Conference Room

Board members in attendance: Brenda Shears (President), Scott Bunton (Treasurer), Barbara Chamberlin, Jill McIntosh, William Schiller, Leslie Walker-Hirsch and Terry Schultz.

Others present: Errol Levine (Secretary)

Approval of Minutes of Previous Board Meeting: A motion duly made and seconded to approve the final draft of the minutes of the October 20, 2017 Board meeting as submitted was approved unanimously.

Reports

Treasurer's Report: Treasurer Bunton had previously distributed to the Board members a "Profit and Loss Budget vs Actual" statement for the period January through October 2017 and a Balance Sheet as of October 31, 2017. As of the latter date, EPCSA had \$30,304.01 in its main operating account. This does not include the deposits received for ARB applications. Mr. Bunton believes that this should be ample to cover the EPCSA's expenses for the remainder of 2017 based on our history of annual expenditures. The Association currently has \$5,005.96 in its Reserve Account. Mr. Bunton indicated that based on our past expenses for November and December, he thinks it likely that there will be a balance of about \$15,000 - \$18,000 at the end of 2017 that can be transferred to the Reserve Account. The Board will set a budget for 2018 and determine the dues for 2018 at its December 2017 meeting.

It was agreed that the Board's aim during 2018 and later years will be to build the Reserve Account to an amount appropriate for an Association like ours with the clubhouse and its appurtenant facilities to maintain. Several board members expressed their hope that the Board will carefully scrutinize proposed expenditures of Association funds in the future, particularly while an effort is underway to rebuild the Reserve Account.

Mr. Bunton reported that Greg Klos has agreed to remain as the Association bookkeeper and will perform some of the same duties as he has performed up to now. These include keeping the Association's financial books, providing the monthly financial reports and writing checks on behalf of the Association. Mr. Klos's other duties that had involved picking up bills and dues payments at the Association's post office box will now be performed by Mr. Bunton.

Architectural Review Board (ARB) Report: ARB Chairman Dr. William Schiller reported that the construction of a new home in Cumbre Vista has been completed and the home had been given final ARB approval. Remaining issues involve a landscaping project and a monument (stone) address sign installation for which the owner will submit supplemental Appendix III

ARB applications. There will also be a one-year evaluation of their refurbishing of the circle drive near their home.

Real Estate Report:

a. ***Real Estate Activity:*** Jill McIntosh presented a summary of current real estate activity in EP through the end of October 2017. There are currently four homes that are active, three homes that are under contract and five homes that have recently been sold. There is one vacant lot that is listed for sale and two vacant lots that have been sold. The contact information for new owners either has been or will be provided to the secretary for updating the EP address list.

b. ***Estancia Primera Address List:*** President Shears indicated that Errol Levine had assumed responsibility for the maintenance of the list. The Amended Bylaws require that the secretary maintain the list. She expressed gratitude on behalf of the Board to Jim Fassett who has maintained the list previously for many years. She emphasized though that maintenance of the list could not be the sole responsibility of a single individual. Therefore she requested that all Board members notify Errol Levine when they become aware of changes in the contact information for owners in their neighborhood subdivisions. She also indicated that Errol Levine would in certain circumstances have to contact Board members when he was unable to get contact information for owners in their neighborhoods by other means. She asked that Board members then take such steps as are necessary to obtain the needed information and provide it to the secretary.

c. ***Disclosure Certificates for EP Home sales:*** Errol Levine had prepared a draft of a proposed standardized email that would be sent to owners, realtors and title companies when they request Disclosure Certificates and other EPCSA documents when an EP home goes under contract (attached). Barbara Chamberlin currently prepares the Disclosure Certificates and the required attachments. Ms. Chamberlin felt that the standardized covering email, modified to some extent for each home sale, would greatly facilitate the whole process. After discussion, the Board approved adopting the document/form with the addition of a sentence indicating that neighborhood subdivisions may also impose a preparation fee for their Disclosure Certificates. The amended form is attached. The Board expressed its sincere appreciation to Ms. Chamberlin for the work involved in preparing Disclosure Certificates.

d. ***Estancias del Norte development:*** Jill McIntosh reported that Errol Levine and Rita Meek had attended the Early Neighborhood Notification meeting regarding the proposed development on behalf of the Board. She distributed Errol Levine's report to the Board members. The most important information derived from the meeting is as follows:

- The new development will consist of 49 homes. These will be added to the eight homes in the Haciendas del Mirasol development resulting in a total of 57 new homes;
- All homes will use the same entry/exit opposite the south Estancia Primera entry;
- The EP side of Hyde Park Road for a distance of about 300 feet southwest of the south EP entry will consist of three lanes each 12 feet wide. These are a left-turn deceleration lane into the new development, a traffic lane going uphill and a right-turn deceleration lane into the south EP entry; and

- There will be no commercial development of the property.

Ms. McIntosh indicated that Dr. Levine had subsequently contacted Donna Wynant of the City's Land Use Department. Ms. Wynant is the Case Manager for the new development. Ms. Wynant had indicated the timelines for the application process to Dr. Levine. These are as follows:

- The property owner has indicated that he will file a formal application for the proposed new development with the City no later than the deadline of November 17;
- Ms. Wynant will forward the application to Dr. Levine after she receives it;
- The City's Development Review Team (DRT) will scrutinize the application and will make recommendations as to changes they consider needed by December 11;
- Ms. Wynant will then assemble the DRT report and forward it to the City's Planning Commission with the application and any written comments received;
- Ms. Wynant recommended that if the EP Board wishes to make written comments about the application the Board should submit a letter to her no later than December 11. She will then forward our letter to the Planning Commission with the DRT's report;
- The Planning Commission will consider the application at two public hearings. The first is the Preliminary Subdivision Plat Hearing which is tentatively scheduled for January 4, 2018 at 6:00 p.m. and the Final Subdivision Plat Hearing that will be held about six weeks later.

The Board discussed the matter and the following steps were agreed upon:

- The Board authorized President Shears to send a letter to Ms. Wynant in early December;
- The content of the letter will depend on the content of the development application. However, items that will probably need to be addressed in the letter include but are not limited to the Hyde Park Road modifications adjacent to the south EP entry, a proposed reduction of the speed limit on Hyde Park Road below Gonzales Road from 45 mph to 35 mph, a recommendation that rentals of guesthouses/casitas in the new development be prohibited and support for the owner's application that commercial development of any kind not be allowed on the property;
- Mr. Bunton was appointed by the Board as the Association's official spokesperson at the Planning Commission's meetings;
- Brenda Shears, Jill McIntosh and Rita Meek will seek a meeting with John Romero (or his deputy) of the City's Traffic Department some time prior to December 11 to discuss the proposed speed limit reduction on Hyde Park Road and the proposed modifications to Hyde Park Road; and
- Jill McIntosh, Barbara Chamberlin and Connie Burke will seek a meeting with Councilor Signe Lindell to discuss prohibiting rentals of guesthouses in the new development. Councilor Lindell had previously sponsored an amendment to the Planning Commission's approval of the Haciendas del Mirasol to this effect.

Clubhouse Manager's Report: Connie Burke indicated that there is not much going on at the clubhouse at this time of the year. However, she had had the clubhouse professionally cleaned and had hired Reyes Morales to perform a fall cleanup of the clubhouse grounds including mowing of the grass on the far side of the parking lot. Ms. Burke indicated that she needs to coordinate the updated EP owner list with her list of residents to ensure that all new key cards given out during the summer match the owners on the updated list. Ms. Burke also needs to deactivate the cards for residents that have left the neighborhood.

Unfinished Business

Revision of Procedure for Handling Members' Meeting Minutes: The proposed revised procedure had been distributed to Board members prior to the meeting (attached). A motion duly made and seconded that the procedure be adopted passed unanimously (Motion 2017-11-1).

Book of Resolutions Update: Scott Bunton indicated that he had not moved forward on this matter because of all of the other Board matters that had needed attention and that are on agenda. He hopes to have a draft ready for the December Board meeting. Mr. Bunton is adding new approved and numbered Board motions to the draft Book of Resolutions each month. This matter was tabled.

Consideration of a Set of Clubhouse Rules: Mr. Bunton indicated that there was no evidence that the Board had ever approved a comprehensive set of clubhouse rules, although it had from time to time adopted specific rules to cover certain situations. As a result there are conflicts among rules posted at the clubhouse and its appurtenant structures, rules adopted by the Board and rules posted on the EP web site. Mr. Bunton had attempted to assemble a single set of rules from these diverse sources and to eliminate the contradictions that existed. He had not, however, made any rule changes. He had distributed a document to the Board members showing the consolidated rules prior to the meeting.

Board members raised various concerns about the consolidated rules that included but are not limited to the following:

- An attempt should be made to ensure that the EP rules applying to the use of the swimming pool and the use of alcoholic beverages at the clubhouse are consistent with rules adopted by the City of Santa Fe. Brenda Shears will check on these two matters;
- There were concerns about pool use by owners' guests and the numbers and types of guests allowed;
- Another issue that arose is whether the Board should ever provide alcoholic beverages at EPCSA-sponsored clubhouse events and whether this, if as has been done in the past, exposes the EPCSA to unnecessary legal liability;
- Some Board members felt that a procedure needs to be developed to deal with complaints from owners about the use or abuse of the clubhouse facilities by other owners;
- There were concerns about the use of the pool by children;

- There was some confusion as to what constitutes a revenue-generating activity. Some Board members questioned whether an activity like a community bake sale would be prohibited under the rules.
- It is also not clear whether an owner could reserve the clubhouse in advance for a group that meets monthly on a fixed day for an entire year, for example, without paying the fees in advance since this may limit clubhouse use by the Members;
- Although the Board agreed that service dogs should be allowed at the clubhouse, the Board members generally agreed that no so-called “comfort” pets should be allowed and that under no circumstances should any dogs or other animals be allowed to swim in the pool; and
- Most Board members felt that there was no need to consult our Legal Counsel about the clubhouse rules. The clubhouse has operated under the existing informal rules for over 30 thirty years without any serious adverse events occurring.

A motion duly made and seconded to table this matter until the December Board meeting passed unanimously. The Board authorized Brenda Shears and Scott Bunton to scrutinize the draft rules and to come up with an improved version for the next Board meeting. However, it was emphasized that Board members need to submit their comments via email prior to the Board meeting after they receive the next version of the consolidated document via email.

Clubhouse Manager Search – Update: Brenda Shears reported that one applicant had withdrawn for personal reasons. There are a couple of other EP residents to pursue which she is doing. If no one currently living in EP is hired for the position, the Board will be open to considering hiring as clubhouse manager people who don’t reside in the neighborhood, employees of the company that maintains the clubhouse swimming pool or professional management companies. President Shears indicated that she has put together a sub-budget for the clubhouse manager.

Revised Policy for Collecting the Annual EP Assessments: A document dealing with this matter had been distributed to the Board members by Scott Bunton prior to the meeting (attached). A motion duly made and seconded that the revised procedure be adopted passed unanimously (Motion # 2017-11-2).

New Business

- a. Barbara Chamberlin was responsible for coordinating the neighborhood’s participation in this year’s Food Drive and EP has received a certificate of recognition from Food Depot for its participation. The Board agreed to arrange for the certificate to be scanned and placed on the EP web site.
- b. Scott Bunton indicated that the Association had received an invoice from our clubhouse alarm company, Protection 1 Home Security Company. The check has been issued and sent to Protection 1 for that. This raised the question of what the contract consists of since there is no contract in the Association’s files. Connie Burke will look for the contract in her Protection 1 file.

Protection 1 is also the company that contracts with us to provide clubhouse access cards. Connie Burke indicated that she had issued 25 new cards during the current year. It was noted that the Board had previously resolved that when an EP home is sold the clubhouse access card should be transferred to the new owners much like are the keys to the home. The Board had further decided that if this were not done and the new owner requests a clubhouse access card it will be provided on payment of a \$50 fee.

Protection 1 has also indicated to Scott Bunton that the Association had not filed with it a current certificate of registration with the City of Santa Fe Police Department. Without such a registration certificate being on file the company cannot dispatch the police to the clubhouse in the event that the alarm system is triggered. The certificate has expired for EP and we therefore need to obtain a current certificate. Greg Klos has informed Mr. Bunton that the annual registration fee has been paid but we don't have a certificate of registration to send to Protection 1. Board members pointed out that an invoice showing that the annual payment has been made should usually suffice.

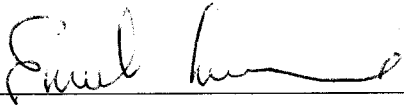
registration to send to Protection 1. Board members pointed out that an invoice showing that the annual payment has been made should usually suffice.

Homeowner comments

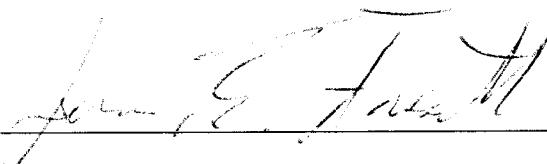
There was none.

Adjournment

A motion was made, seconded, and approved unanimously to adjourn the meeting, and President Shears adjourned it at 10:30 a.m.

Minutes prepared and submitted by: 
(Secretary)

Date: 12/7/2017 ERROL LEVINE
(Print name)

Signed on behalf of the Board: 
(Board President/Alternate)

Date: 12-8-17 James E. Fagone
(Print name)

**TEXT OF EMAIL TO ACCOMPANY DISCLOSURE CERTIFICATES FOR
HOME SALES IN ESTANCIA PRIMERA**

Dear _____ (Insert name of homeowner/ realtor/ title company agent)

On behalf of the Estancia Primera Community Services Association (EPCSA) I have attached a completed Disclosure Certificate (Form 4700) and various other documents that you requested with respect to the pending home/property sale

at _____ (Insert home/property street address)

Please also note the following:

1. The Architectural Guidelines for the EPCSA are an extension of the Amended Declaration of Covenants and Restrictions for the EPCSA (2005). I have attached them for your buyers' information. We recommend that they peruse and become familiar with them and with the process Estancia Primera property owners must use in order to obtain approval to make exterior modifications to homes, construct new or expanded structures, or make landscaping or fencing modifications. Frequently asked questions about the Architectural Application and Review process can be found at www.estanciaprimera.org by clicking on the ARB (Architectural Review Board) tab at the top of the page under the title;
2. If you have not already done so, you need to request a separate Disclosure Certificate from the _____ HOA. (Insert name of EP neighborhood subdivision HOA). As you may be aware, all homes and properties in Estancia Primera also are a part of a neighborhood subdivision HOA, each of which has its own CC&Rs and Bylaws. The contact person for that neighborhood subdivision also may be found at www.estanciaprimera.org under "Realtor Information" on the right side of that web page.

Please contact me if you have any questions about these documents or any additional concerns. We have received the required payment of \$50 for preparation of the EPCSA documents. The neighborhood subdivision HOA may impose its own fee for the preparation of their documents.

Sincerely,

_____ (Insert name of EP Board representative or alternate)

_____ (Insert telephone number)

For Board of Directors, Estancia Primera Community Services Association (EPCSA)

Attachments:

1. Notice of HOA for the EPCSA;
2. Amended Bylaws of the EPCSA (2005);
3. Bylaw Amendment (9/12/2016);
4. Rules and Regulations of the EPCSA;
5. Amended Declaration of Covenants and Restrictions for the EPCSA (2005);
6. Amendment of the Declaration (4/27/2011);
7. Projected Capital Expenditure document for 2017 - 2025;
8. Balance sheet statement for the EPCSA (year-to-date);

9. Profit and Loss Budget versus Actual statement for the EPCSA (year-to-date);
10. EPCSA Insurance Policies information.
11. Architectural Guidelines for the EPCSA as amended.

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ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION
PROCEDURE FOR POSTING AND APPROVAL OF MINUTES OF EPCSA
MEMBERS' MEETINGS

1. The EPCSA secretary or the person temporarily substituting in the Secretary's place in his/her absence, shall prepare a draft of the minutes of each meeting of EPCSA Members and circulate it by email to all Board members for review within seven calendar days of the meeting.
2. Each Board member shall review the draft minutes and send by email to the Secretary any suggestion or request for revision within seven calendar days of receiving the draft.
3. The Secretary shall prepare a final draft of the minutes, revised if appropriate based on requests for revisions by Board members; and shall circulate that final draft by email to all Board members no later than seven calendar days prior to the Board's next regular monthly meeting.
4. The Secretary shall bring to that next Board meeting a signed and dated hard copy of the final draft minutes, for which the steps set forth in paragraphs 1 through 3 have been completed, and the Board shall consider and check those minutes for errors.
5. The Secretary then shall arrange for the minutes to be posted on the EPCSA web site in draft form so that EPCSA Members can read them prior to the next EPCSA Members' meeting. The draft minutes will be posted under the Board of Directors tab as a separate item from the Board minutes and will be clearly designated as draft minutes pending final approval at the next Members' meeting.
6. At that next EPCSA Members' meeting at which a quorum is present, the President shall entertain a motion to approve the minutes of the previous Members' meeting that had been posted on the web site, and permit the Members present and voting to take action on that motion.
7. After the Members have formally approved the minutes of any Members' meeting, the hard copy as approved shall be signed and dated by the President or his/her alternate, attesting to their formal approval by the Members.
8. Following the meeting at which the minutes of any Members' meeting were approved by the Members and signed by the President, the Secretary shall convert those approved and signed minutes plus referenced attachments/appendices into a single Portable Document Format (PDF) document. He/she will then arrange for the draft minutes to be replaced on the EPCSA web site by the approved and signed final version of the minutes, which shall be placed in the web site section of Board meeting minutes following the minutes of the most recent Board meeting that preceded the Members' meeting.

POLICY REGARDING SETTING AND COLLECTING THE EPCSA'S ANNUAL ASSESSMENT

1. Each year at the November or December monthly meeting of the EPCSA Board of Directors, the Board shall review EPCSA's financial situation for the current year. The Board shall then approve motions to establish a final budget for the following year and to set the amount of the following year's annual assessment (as provided in Article 5.6 (a) of the "Amended Declaration of Covenants and Restrictions for the Estancia Primera Community" – hereinafter the "Amended Declaration").
2. Each year following the December meeting of the Board, the President shall inform EP owners via email what the assessment will be for the following year; in years where a dues increase has been passed, briefly provide the Board's rationale for the increase; indicate that the formal notice of the assessment will be sent immediately after the first of the year and encourage owners who expect to be away from Santa Fe in January and February to remit their assessment payments prior to their departures.
3. On or about January 2, the EPCSA President shall send to all EPCSA members -- via email (or via regular U.S. Postal Service mail to any EPCSA member for whom no email address is on record) a letter that shall—
 - a. Notify the member of the EPCSA annual assessment amount for the next year;
 - b. State that the annual assessment is due from each owner on or before January 31, and must be paid to the EPCSA on or before February 15 in order to not be delinquent;
 - c. Provide the mailing address to which annual assessment payments should be sent.
4. On February 1, the Treasurer shall provide the President with a list of all EPCSA members from whom payment in full of the annual assessment for that year has not been received. The President shall, on or before February 5, send a letter via the U.S. Postal Service to each EPCSA member on that list at his/her address on record. The letter shall notify the member (a) that payment of his/her annual assessment has not yet been received and (b) that the member will become formally delinquent if the full assessment payment is not received by EPCSA on or before February 15.
5. On February 16, the Treasurer shall provide the President with a list of delinquent EPCSA members. On or before the last day of February, the President shall send a certified letter via the U.S. Postal Service, return receipt requested, to each delinquent EPCSA member on that list at his/her address on record. The letter shall—
 - a. notify the member that payment of his/her annual assessment has not yet been received and therefore the member's assessment account is delinquent;
 - b. identify the assessment and its amount, the date it was due, the date it became delinquent, and the fact that, per the terms of Article 5.1 of the "Amended Declaration of Covenants and Restrictions for the Estancia Primera Community," the assessment amount was increased when it became delinquent (at midnight on February 15) by imposition of interest and the delinquency administrative costs fee established by paragraph 6.
 - c. demand immediate payment of the full delinquent amount including the assessment, the interest due, and the delinquency administrative costs fee;
 - d. indicate that if the full delinquent amount is not paid within ten days after the date of delivery of the letter, the Board will be requested to consider filing, and may elect to file, a Notice of Claim of Lien against the lot or living unit of the delinquent member; and
 - e. provide notice that, if a lien is filed, curing the lien will require payment of the full delinquent amount including the assessment, the interest due, the delinquency administrative costs fee, and the itemized direct costs to or government fees paid by EPCSA for preparing and filing the lien and for curing the lien, including any attorneys' fees incurred by EPCSA for these actions.
6. The Board has determined that the administrative costs it will incur for determining an EPCSA member is delinquent, preparing notification to the member of his/her delinquency, sending such notification to the member by certified mail return receipt requested, determining the interest due from the member, and processing and recording the payment of the delinquent amounts due to EPCSA will be fifty dollars (\$50.00) per delinquent account, and establishes a "delinquency administrative costs fee" in that amount that will be added automatically to the assessment account of each EPCSA member at the time his/her account becomes delinquent.
7. At its regular monthly meeting in April, the Treasurer shall present to the Board the list of delinquent EPCSA members and shall, with respect to each of them, make a separate motion that the Board file a Notice of Claim of Lien against the EPCSA lot or living unit of that EPCSA member. After approval of such motion, the Board expeditiously shall take such steps as are necessary to file a Notice of Claim of Lien against the delinquent EPCSA member's lot or living unit and record that Notice of Claim in the Office of the Clerk of Santa Fe County, New Mexico.

8. Upon the curing of any delinquency or default for failure to timely pay an annual assessment that resulted in EPCSA's filing and recording a Notice of Claim of Lien, the Board shall take steps to cure the lien as provided in Article 5.10 (d) of the "Amended Declaration."

When the Board approves this policy, the specific provisions of all rules, policies, procedures, or motions duly approved by the Board that are in conflict to any extent with any provision of this policy are repealed and revoked with regard to future actions and circumstances – provided that those provisions thus repealed and revoked shall continue to be effective without change with respect to pertinent situations involving and actions taken by EPCSA members, EPCSA, and the Board that occurred subsequent to the Board's approval of said rules, policies, procedures, or motions but prior to the approval of this policy.

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Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, December 8, 2017

Call to Order: Jim Fassett, Board Vice-President (Presiding), called the meeting to order at 9:00 a.m. at the Clubhouse Conference Room

Board members in attendance: Brenda Shears (President – by telephone), Jim Fassett (Vice-President), Scott Bunton (Treasurer), Jill McIntosh, William Schiller, Carol Genebach and Leslie Walker-Hirsch.

Others present: Errol Levine (Secretary)

Approval of Minutes of Previous Board Meeting: A motion duly made and seconded to approve the final draft of the minutes of the November 10, 2017 Board meeting as submitted was approved unanimously.

Reports

Architectural Review Board (ARB) Report: ARB Chairman Dr. William Schiller reported that there had been no ARB activity since the last Board meeting.

Real Estate Report:

a. ***Real Estate Activity:*** Jill McIntosh presented a summary of current real estate activity in EP through the end of November 2017. There are currently three homes that are active, one home that is under contract and eight homes that have recently been sold. There is one vacant lot that is listed for sale and two vacant lots that have been sold. The contact information for new owners has been provided to the secretary for updating the EP address list.

b. ***Clubhouse Access Cards for New Owners:*** Ms. McIntosh reported that for many home sales that occur in Estancia Primera clubhouse access cards are not passed from sellers to buyers at closing as is required by a longstanding Board rule. The rule also indicates that if card transfers do not take place, the buyer will be charged \$50 for a new access card. However, sellers often forget to make the card transfer or might have lost the cards. Moreover, new owners are generally unaware that they are entitled to get clubhouse access cards from sellers and therefore often do not obtain them. When they realize that they need an access card after closing they often complain to the clubhouse manager that they knew nothing about obtaining an access card from the seller and some object to paying the \$50 fee for a new card.

Ms. McIntosh therefore proposed that an advisory sentence be added to the text of the email that the EPCSA sends to the seller with the Disclosure Certificate when a home/lot in Estancia Primera goes under contract. Because the buyer also receives the Disclosure Certificate the purpose of the sentence would be to remind both buyers and sellers that clubhouse access cards need to be transferred. The proposed sentence reads: “*The Clubhouse access key card should be*

transferred from the seller to the buyer at closing. If the card is not transferred and the new owner requires an access card, the EPCSA will provide a new card at a cost of \$50 to the new owner.” On discussion, some Board members disagreed with the language used in the sentence and a motion duly made by Dr. Schiller and seconded to table the matter until the January Board meeting so rewording of the proposed sentence can be further considered was passed with five votes in favor (Schiller, Fassett, McIntosh, Genebach and Walker-Hirsch) and one opposed (Bunton).

c. *Estancias del Norte Development:* Scott Bunton reported that he and Rita Meek had met with Javier Martinez and William Kessler of the NM Department of Transportation (NMDOT) on December 5 about the improvements to the intersection of Hyde Park Road and Avenida Primera South that are a part of the proposal for development (as Estancias del Norte) of the land north and east of that intersection. They had explained to him and Ms. Meek their office's role in evaluating the proposed improvements to the intersection and they listened to EPCSA's concerns regarding the high importance Estancia Primera owners attach to construction of an eastbound left turn lane, through lane, and right turn deceleration lane on Hyde Park Road at that intersection. Mr. Martinez and Mr. Kessler indicated that if they determine that the proposed improvements are fully compliant with NMDOT's standards and specifications as those appear in their Access Management Manual, they anticipate approving them fairly quickly. This will include the right turn deceleration lane into Estancia Primera that is a part of the proposal even though they do not think it would be required of the developer according to current standards.

Mr. Bunton and Ms. Meek had also told Messrs. Martinez and Kessler about the EPCSA's belief that lowering the speed limit to 35 MPH on Hyde Park Road between Gonzales Road and Prince Avenue would reduce the risk of accidents, and likely reduce the severity of any accidents that might occur, at the Hyde Park Road intersection with Avenida Primera South and the entry into the two new developments. They had also inquired how the EPCSA might succeed in obtaining such a speed limit reduction. Messrs. Martinez and Kessler had indicated that any decision to alter the speed limit in that segment of Hyde Park Road is within NMDOT's purview, but that NMDOT can only make such a decision after completion of a formal "speed study" in that segment of Hyde Park Road. They had further indicated that although the EPCSA could submit a request to NMDOT to perform such a study, a request for such a study coming to the NMDOT from the City of Santa Fe likely will be given a higher priority. Mr. Bunton and Ms. Meek had responded that they would try to influence the City of Santa Fe to request such a study.

Connie Burke indicated that she and Barbara Chamberlin had met with City Councilor Signe Lindell. The latter had expressed agreement with and support for the Hyde Park Road modification project, the prohibition of short-term rentals and commercial activity in Estancias del Norte, and a reduction in the speed limit on Hyde Park Road.

Ms. McIntosh reported that she and Mr. Bunton had a meeting scheduled with the with the City's new Traffic Engineer, James A. Martinez and Engineer Assistant, Sandy Kassens for later on December 8 and that they would report back to the Board on the outcome of the meeting.

President Brenda Shears indicated that she had prepared a letter to be sent to the City of Santa Fe addressing the four objectives that the EPCSA hoped to achieve regarding the new development (construction of the additional lanes on eastbound Hyde Park Road, reduction in the Hyde Park Road speed limit, and prohibition of short term rentals and commercial activity in the new

development). The letter needs to be sent to the Case Manager for the project, Donna Wynant, no later than December 11 and will be included in the package that Ms. Wynant sends to the Planning Commission with the application for the development.

There will be two Planning Commission meetings in early 2018 at which Mr. Bunton, representing EPCSA, will present the EPCSA objectives regarding the proposed new development to the Commission.

Treasurer's Report: Treasurer Bunton had previously distributed to the Board members a "Profit and Loss Budget vs Actual" statement for the period January through November 2017 and a Balance Sheet as of November 31, 2017. He reported that there had been only typical reductions due to normal expenditures in the Association's Operating account, and no change to the Reserve account since the last Board meeting.

Clubhouse Manager's Report: Clubhouse Manager Burke indicated that there is not much going on at the clubhouse at this time of the year apart from putting up holiday lights. There will be a further cleanup of leaves and other debris on the clubhouse grounds.

Ms. Burke indicated also that there had been a scam in the neighborhood in which a home that had recently sold had been offered for rental fraudulently on Craig's List. Attempts are currently underway by the current owner to get the listing removed from Craig's List.

Unfinished Business

Book of Resolutions Update: Mr. Bunton indicated that he had sent Part I of the EPCSA's Book of Resolutions (Rules and Regulations) to the Board members. He then made the following motion:

- a) The proposed text, dated and circulated to members of the Board of Directors on November 25, 2017, of "Rules and Regulations" that constitute Part I of the "Estancia Primera Community Services Association's Book of Resolutions," and the explanatory preamble to that "Book of Resolutions" included in the same document dated and circulated on November 25, 2017, be approved; and
- b) The approved rules and regulations be effective immediately upon approval by the Board, provided that the specific provisions of all rules, policies, procedures, or motions previously duly approved by the Board that are in conflict to any extent with any provision of this policy are repealed and revoked with regard to future actions and circumstances – provided that those provisions thus repealed and revoked shall continue to be effective without change with respect to pertinent situations involving and actions taken by EPCSA members, EPCSA, and the Board that occurred subsequent to the Board's approval of said rules, policies, procedures, or motions but prior to the approval of these "Rules and Regulations."

After the motion was seconded a discussion ensued. A motion to amend paragraph 8 (Home Exchanges involving Estancia Primera Homes) was then offered and seconded, with the motion changing paragraph 8 to read "Contractual home exchanges" with the word

“Contractual” being inserted. The amendment was accepted unanimously. After further discussion the motion for approval of the document as amended (attached) was passed unanimously (Motion # 2017-12-1).

Consideration of a Set of Recreation Center Rules: Mr. Bunton presented a document entitled “Culpin Recreation Center Rules.” He indicated that he had assembled the rules from prior rules adopted by the Board, from the rules as posted on the EPCSA web site and from rules posted at the clubhouse and other recreation center facilities. He had attempted to eliminate situations where the rules from the different sites were in conflict. President Shears had requested revisions from Board members and had then revised the document.

After a preliminary discussion, a motion duly made and seconded to table further consideration of the recreation center rules until the January Board meeting passed unanimously. The Board then resolved that a committee be appointed to further examine and modify the rules. The committee will consist of Dr. Schiller (Chair), President Shears, Terry Schultz and Leslie Walker-Hirsch and possibly others to be appointed by President Shears. The committee will report its recommendations back to the Board at its meeting on January 12, 2018.

Clubhouse Manager Search Update: There has not been much progress in finding a clubhouse manager. President Shears indicated though that she had one person who is interested and whom she is currently pursuing. Ms. Burke will remain as clubhouse manager during the winter until a replacement manager can be found.

New Business

Budget for 2018 and Member Dues: Treasurer Bunton presented a document entitled “2018 Budget Draft v4.” He indicated that the Board at its December meeting must vote to approve a 2018 EPCSA budget and the annual assessment to support that budget. Both the Board that was elected this past August and the previous Board had had numerous discussions about the EPCSA's ominous financial situation that resulted from the necessary major expenditures in 2018 to replace the Clubhouse roof and to make necessary repairs to the pool and surrounding apron. This was coupled with the fact that, for a number of years, the Association has not been collecting an annual assessment sufficient to sustain the Association's operations including maintenance of its capital assets over a multi-year period. His impression was that, even without a formal vote having been taken by either the previous Board or the current Board, both understood the importance and necessity not only of approving the maximum assessment increase for 2017 (which the previous Board did approve), but also approving the maximum assessment increase for 2018 -- primarily to provide funds to begin replenishing the reserves for replacement of capital assets when they reach the end of their useful lives.

Mr. Bunton indicated that it would not be possible, solely as a function of belt tightening and increasing the 2018 assessment to \$656, to fully resolve the Association's capital reserve shortage. However, he thought that that the proposed budget would move the EPCSA significantly in that direction. He then summarized a few facts concerning the proposed budget:

- The proposed 2018 budget reduces total allocations for ongoing operational expenses (excluding depreciation) by \$4,350 -- a reduction from 2017 of 6.2 percent -- while still providing funds for necessary activities, maintenance, and utilities. This has been accomplished, despite the necessity to *increase* budgeted amounts (for utilities, for the

swimming pool maintenance contractor, and for depreciation), by budgeting closer to historical expenditure levels, reducing some arguably lower priority expenses, and as a result of the savings being achieved as he cares for Association postal and banking responsibilities previously cared for by the Accountant/Bookkeeper (for which the Association paid in both time and mileage for his weekly travel to/from Albuquerque).

- As a result of the increase in the assessment to \$656, it will be possible to allocate at the beginning of 2018 an amount of \$27,624 to the reserve account for replacement of capital assets when they reach the end of their useful lives.
- The budget also provides a new operations contingency fund – to cover unanticipated/unbudgeted operational costs without having to dip into the capital reserves in such cases – of 8 percent (\$5,284) of the operating budget. He noted that if the Board exercises sufficient care to avoid such unanticipated operational costs, at the conclusion of 2018 this contingency fund (or its remainder) will be shifted into the capital reserve fund.

Mr. Bunton then moved that the 2018 budget that had been circulated be approved and in line with that budget the annual assessment be set for each home at \$656, for each unbuilt lot at \$66, and for each home with an unbuilt lot at \$722, and that all Estancia Primera owners be notified of the assessment that they owe and the deadlines for payment in accord with the policy adopted by the Board at its November meeting. After the motion was seconded a discussion ensued. A motion made by Leslie Walker-Hirsch and duly seconded to reduce the amount in line 15 (Social Events) to zero dollars was then discussed and approved by a vote of 3 in favor (Walker-Hirsch, McIntosh and Fassett), 2 opposed (Bunton and Genebach) and 1 abstention (Schiller). A second motion duly made and seconded to add the phrase “expenditure requires Board approval” to item 39 (Contingency Fund) was approved unanimously. After further discussion a motion to approve the amended budget as a whole was duly made and seconded and was passed unanimously.

President Shears indicated that she will send out an email to all Estancia Primera lot owners on December 9 to indicate that the assessments had been increased and that owners who travel during January and February may pay their assessments prior to the date when official invoices are distributed around the beginning of January 2018.

Homeowner comments

There was none.

Adjournment

A motion was made, seconded, and approved unanimously to adjourn the meeting, and Vice-President Fassett adjourned it at 10:39 a.m.

Minutes prepared and submitted by: Errol Levine
(Secretary)

Date: 1/11/2017 ERROL LEVINE
(Print name)

Signed on behalf of the Board: James E. Fassett
✓ (Board President/Alternate)

Date: 01/12/18 James E. Fassett
(Print name)

BOOK OF RESOLUTIONS ESTABLISHED BY THE BOARD OF DIRECTORS OF THE ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION

A Book of Resolutions was established by the Estancia Primera Community Services Association (“EPCSA”) Board of Directors (“Board”) on December 8, 2017, in accordance with the *Amended [2005] Declaration of Covenants and Restrictions for the Estancia Primera Community* (“Amended Declaration”). Section 1.26 specifies “Governing Documents shall mean the Founding Documents and the Book of Resolutions, as amended from time to time, including without limitations, the Amended Articles of Incorporation, this Amended Declaration and the Amended Bylaws of EPCSA.” Section 1.8 provides the definition: “Book of Resolutions shall mean the rules, regulations and policies of the EPCSA, as amended from time to time.” This Book of Resolutions summarizes and condenses rules, regulations, and policies approved by the Board (as determined in a review of the minutes of Board meetings between 1991 and September 2017) and includes new rules, regulations, and policies approved by the Board after that date. It consists of three parts: I. Rules and Regulations; II. Board and Board Meeting Procedures; and III. Board Resolutions and actions not falling in the first two categories.

I. RULES AND REGULATIONS

1. Home offices but not other home businesses are permitted. In accord with Section 6.11 of the Amended Declaration, it is permissible to have a home office in an Estancia Primera home – defined as any part of a home used for business or commercial activity where interactions with clients/customers are accomplished exclusively using the Internet, telephone, fax machine, or other electronic means; there are no client/customer visits to the property; there are no employees present who do not dwell in the home; and there are no signs indicating the presence of a business. Other uses of homes for business or commercial purposes are prohibited. Any home business in operation on May 13, 2016 when the Board approved a similar rule was exempted from this rule unless the scope or type of the business changes, and that exemption remains effective.

Approved December 8, 2017; earlier version approved by Board on May 13, 2016.

2. Street parking. In accord with Section 6.9 of the Amended Declaration, street parking in Estancia Primera is not permitted; provided that infrequent parking is permitted when homeowners host parties or have guests at their homes or when tradesmen are present to work in or outside a home.

Approved December 8, 2017; earlier version approved by Board on February 14, 2014.

3. Property owners are responsible for behavior of tenants of rented or leased homes. The owner of a rented or leased property in Estancia Primera is responsible for the behavior of his/her tenants and is also responsible for ensuring that the tenants correct any behavior that contravenes provisions of Estancia Primera’s Governing Documents (as that term is defined in Section 1.26 of the Amended Declaration, including rules and regulations duly approved by the Board and contained in the EP Book of Resolutions).

Approved December 8, 2017; earlier version approved by Board on April 14, 2009.

4. Refuse and recycling containers. All EP lot owners shall observe the provisions of City of Santa Fe Ordinances and the Amended Declaration regarding refuse and recycling containers. Section 6 of Bill Number 2009-2 approved by the City of Santa Fe in 2009 (amending a 1996 Ordinance) reads in part:

D. Customer shall keep all refuse and recycling within private property away from public view until the time when containers are placed at the curbside for City collection.

F. Customers shall place City-provided refuse containers and recycling containers by the curbside between the hours of 6:00 p.m. the night before the designated day of collection and 8:00 a.m. on the day designated for collection. Refuse containers and recycling

containers shall be removed from the curbside by 8:00 a.m. the day following the designated collection day.

Section 6.4 of the Amended Declaration reads in part: “Rubbish, trash or waste shall not be kept except in sanitary containers, which containers shall be kept screened and concealed from public view at all times (other than when being placed for pickup).”

Approved December 8, 2017; earlier version approved by Board on June 9, 2009.

5. Contiguous property owners are responsible for keeping sidewalks free of snow, ice, and obstructing vegetation. All Estancia Primera property owners are required to comply with the Code for the City of Santa Fe regarding maintenance of sidewalks (Article 23-1.8 A - Removal of Snow and Ice from Sidewalks). The Code assigns the responsibility for clearing snow and ice from a sidewalk, and keeping it free from snow and ice, to the owner or owners of the property/properties contiguous to the sidewalk. Likewise, the Code (City Code 14-9.2 H - Maintenance of Public Parkway) assigns the responsibility for cutting back vegetation along a sidewalk, and keeping it free from and unobstructed by vegetation, to the owner or owners of the property/properties contiguous to the sidewalk. In EP, the owner of a property contiguous to a sidewalk may be an individual(s), a neighborhood subdivision homeowners association (where the sidewalk adjoins its common areas), and the EPCSA (where the sidewalk adjoins its common areas).

Approved December 8, 2017; earlier version approved by Board on February 12, 2016.

6. Fireworks are prohibited. In accord with Section 6.3 of the Amended Declaration that bars nuisances including “loud or excessive noise” and activities that violate any City Ordinance, any use of fireworks that reach higher than 15 feet into the air, are self-propelling, or make a “booming noise” is prohibited at all times including on and around holidays such as July 4 and New Year’s Day.

Approved December 8, 2017; earlier version approved by Board on July 10, 2015.

7. Removing living trees requires advance approval. Removal of dead trees is a maintenance matter and does not require prior approval by the EP Architectural Review Board (ARB). However, removal of living trees (both deciduous and evergreen) requires prior ARB approval and such trees may not be removed until the EP ARB provides its written authorization.

Approved December 8, 2017; earlier version approved by Board on December 12, 2014.

8. Home exchanges involving Estancia Primera homes. Contractual home exchanges involving EP homes are permitted only if the initial period of the exchange is not less than one month.

Approved December 8, 2017; earlier version approved by Board on March 11, 2008.

9. Notifying neighbors of application to the Architectural Review Board for exterior modification approval. An EP property owner seeking Architectural Review Board (ARB) approval for a modification to the exterior of his/her home, including modification or addition of walls and fences, must notify all neighbors whose homes are in sight of the proposed modification of his/her request to the ARB and the date of the ARB meeting to review the plans; he/she also should seek to discuss the plans with those neighbors and address any concerns they might have prior to the ARB meeting.

Approved December 8, 2017; earlier version obtained by Board on January 22, 2008.

10. Billing for and payment of EPCSA annual assessments. Per the provisions of the policy approved by the Board on November 10, 2017 regarding determination of annual assessments, notification of owners, and due dates for payment, the annual assessment amount for each year will be determined by the Board the preceding December; statements will be sent to all EP home and lot owners at the beginning of January; **payment will be due on or before January 31; and the account will be delinquent if the assessment is not paid in full on or before February 15** and will be subject to the delinquency penalties prescribed in the Governing Documents and the delinquency procedures set forth in the policy established on November 10, 2017.

Approved December 8, 2017.

11. Disruptions of meetings of EPCSA Owners and of the EPCSA Board of Directors. A comment or statement may be made, or a question asked, by an Estancia Primera homeowner at an EPCSA Owners' or Board meeting only if/when the presiding officer recognizes the homeowner to make a comment or statement or ask a question. At Board meetings, this usually will occur in a "Homeowner Comments" section of the meetings. When a homeowner is recognized to speak, he/she may speak for a maximum of five minutes unless a request for a specified extension of time is requested and is approved by a vote of the Board. Any owner who violates this rule and who persists despite being declared "out of order" by the presiding officer has committed a rule infraction and the Board may declare that owner "not in good standing" under the pertinent provisions of EPCSA's Governing Documents.

Approved December 8, 2017; earlier version approved by Board on January 10, 2014.

12. Placing issues on the agenda of a Board meeting. A homeowner who wishes to place an issue on the agenda of a Board meeting should convey that request through the Board member who represents the neighborhood in which the homeowner resides. Homeowners' attorneys or other representatives are allowed to speak at Owners', Board, or EPCSA Architectural Review Board (ARB) meetings only by prior invitation from the Board.

Approved December 8, 2017; earlier version approved by Board at meeting on April 12, 2011 and unanimously by correspondence dated May 27, 1012.

13. No notices may be posted on EP's cluster mailboxes. EP property owners, the EPCSA, and EP neighborhood homeowner associations may not post notices of any kind on cluster mailboxes in EP.

Approved December 8, 2017; earlier version approved by Board on September 15, 2017 (motion #2017-09-2).

	Reduced from 2017 budget
	Increased from 2017 budget
	Exceeded 2017 budget

12/8/2017

Estancia Primera Community Services Association

2018 BUDGET *As Approved by the Board 12/8/2017*

	2017 Budget	2017 Expends Jan-Nov	2017 Projected Full-Year Expends	2018 Budget
I. ADMIN & OFFICE				
1. ARB	0.00	18.79	18.79	25.00
2. Insurance (Prop, Liabil, D&O)	8,900.00	8,752.00	8,752.00	8,900.00
3. Licenses & Permits	100.00	50.00	50.00	100.00
II. GENERAL EXPENSE				
4. Accountant	1,000.00	430.25	430.25	550.00
5. Website Hosting/Domain Name	300.00	193.75	193.75	225.00
6. Taxes	50.00	21.25	21.25	50.00
7. Mileage and Parking	250.00	280.94	280.94	100.00
8. Legal, General	1,000.00	0.00	0.00	1,000.00
9. Web Support	800.00	162.47	350.00	800.00
10. Bookkeeper	4,000.00	3,428.56	3,850.00	2,800.00
11. General Management	6,000.00	2,272.74	3,100.00	6,000.00
12. Office Supplies	800.00	295.58	350.00	500.00
13. General Expense - Other	200.00	0.00	0.00	100.00
14. III. DEPRECIATION	14,250.00	19,950.00	21,850.00	22,800.00
IV. SOCIAL EVENTS AND DECORATIONS				
15. Social Events	1,400.00	205.79	205.79	0.00
16. Exterior Decorations	500.00	0.00	300.00	400.00
V. GROUNDS/EXTERIOR				
17. Grounds Maintenance	7,000.00	3,806.44	4,300.00	6,000.00
18. Grounds Supplies	1,000.00	129.21	200.00	500.00
19. Entry Sign Maintenance	150.00	0.00	150.00	150.00
20. Snow Removal	3,000.00	487.40	840.00	3,000.00
21. Electricity for Entry Signs	300.00	418.44	456.48	500.00
VI. REC CENTER UTILITIES				
22. Refuse	1,000.00	597.53	651.85	750.00
23. Electricity	3,000.00	2,745.89	2,995.52	3,350.00
24. Gas	2,800.00	2,400.39	2,800.00	3,000.00
25. Phone	450.00	401.48	437.98	450.00
26. Water	3,000.00	4,707.62	4,925.00	5,000.00
VII. CLUBHOUSE MAINTENANCE				
27. Cleaning Service	1,600.00	0.00	0.00	1,600.00
28. Supplies	1,400.00	995.82	1,086.35	1,200.00
29. Maintenance Labor	5,000.00	1,983.15	1,817.89	3,500.00
30. Roof Maintenance	700.00	1,971.29	1,971.29	400.00
31. Security	1,800.00	745.38	813.14	1,100.00
32. Furnishings/Equipment Repair/Replace	800.00	34.76	34.76	600.00
33. Other Maintenance	0.00	0.00	0.00	0.00
VIII. POOL/TENNIS COURT MAINTENANCE				
34. Pool Maintenance	1,500.00	715.85	715.85	1,100.00
35. Pool Supplies	3,000.00	2,705.96	2,705.96	3,000.00

		2017 Budget	2017 Expends Jan-Nov	2017 Projected Full-Year Expends	2018 Budget
36.	Pool Furniture Repair/Replace	600.00	0.00	0.00	600.00
37.	Pool Management Service	5,500.00	5,901.00	5,901.00	6,400.00
38.	Tennis Court Maintenance	1,500.00	0.00	0.00	1,500.00
	Subtotal, Operating Expenses excluding Depreciation	70,400.00	46,859.73	50,705.83	65,250.00
IX. CONTINGENCY FUND					
39.	8% Contingency Fund for Unexpected Costs (not including Estimated Depreciation) -- expenditure requires Board approval	0.00	0.00	0.00	5,220.00
	TOTAL, OPERATING EXPENSES, DEPRECIATION, & CONTINGENCY FUND	84,650.00	66,809.73	72,555.83	93,270.00
X. RESERVES FOR REPLACEMENT OF CAPITAL EQUIPMENT/ASSETS					
40.		0.00	0.00	0.00	28,488.00
	GRAND TOTAL	84,650.00			121,758.00
INCOME					
A.	Assessment Income (at \$656 for homes in 2018)	94,495.00	92,474.25	92,474.25	119,198.00
B.	Delinquent Assessments Interest/Admin Fees	200.00	0.00	0.00	60.00
C.	Interest	50.00	23.66	27.66	500.00
D.	Rec Center Card Replacement Fees	300.00	150.00	150.00	500.00
E.	Clubhouse Use Fees	1,700.00	975.00	1,050.00	1,000.00
F.	Property Sale Disclosure Fees	600.00	350.00	450.00	500.00
G.	Other Income	0.00	250.00	250.00	0.00
	TOTAL INCOME	97,345.00	94,222.91	94,401.91	121,758.00
NET					0.00