

**Sol y Lomas Board Meeting
October 28, 2016
Lynn Day's Home**

Board Members Present: Casey Clendenin, President; Susan Orth, Vice-President; Jackie Dulle, Secretary; Judy Montano, Treasurer; Lynn Day, Erika Spallitta and Rollin Whitman

CALL TO ORDER

Casey called the meeting to order at 10:30 a.m.

NEW BUSINESS

Architectural Review (ARC)

108 Placita Halcon Casey presented a photograph and preliminary information received from Maverick Lobe who wishes to add a garage and extend the current guest house at this address. A plat of the property and determination of the setbacks are needed before approval can be given, although it appears there should be no problems.

OLD BUSINESS

Casey stated the primary purpose for this meeting was the continued revision of the Covenants for Unit 4. However, before work began on the Unit 4 Covenants, Lynn asked for clarification on the minimum number of members needed to approve actions at any Annual or Special Meeting, which is found in the By-Laws. At the last meeting the following was decided:

BY-LAWS, Article III, Section 5. Quorum. Members holding **10% or fifteen (15) persons**, whichever is less, of the votes entitled to be cast on any matter to be voted upon, represented in person or by proxy, shall constitute a quorum at any Annual or Special Meeting.

UNIT 4 COVENANTS

Article IV, Section 4.2. Approval by Architectural Review Committee. In the last sentence of the paragraph, the word **“majority” replaces the word “quorum”**. It will then read: A **majority** of the Board shall be required to change the decision of the Committee.

Article IV, Section 4.3. Variances. In the first sentence of the paragraph, substitute **“majority” for “quorum”**, add **“or e-mailed”** and substitute **“and” for “or”**. The sentence will then read: Where circumstances such as topography, location of property lines, location of trees and brush, or other matters require, the ARC may, by a **majority** of the members of the ARC, allow reasonable variances as to any of these Covenants, on such terms and conditions as it shall require; provided that no such variance shall be finally allowed until thirty (30) days after the ARC shall have mailed **or e-mailed** a notice of such variance to each Member of the Association **and** shall have posted notice of such variance on the Association website (the “Website”). **Delete the following sentence: Posting of such notice on the Website shall constitute good and sufficient notice to all Members of the Association.** Insert **“voting”** in front of **“Members”** in the following sentence: In the event any three (3) **“voting”** Members shall notify the ARC in writing of their objection to such variance within the said thirty (30) day period, the variance shall not be allowed until such time as it shall have been

approved by “a majority of the quorum” of those attending the Annual Meeting or Special Meeting of the members of the Association at which the variance is voted upon.

Article V. Section 5.7 No Re-Subdivision. Delete “a” from the second last word in the paragraph. Should readare created.

Article V. Section 5.19 Setbacks. Addressed in minutes of October 17, 2016.

Article VII. Section 7.1 Preparation of the Budget. Delete from the first sentence: **No later than sixty (60) days before the beginning of the fiscal year 2017, and each fiscal year thereafter, The sentence should read: The Board shall prepare and adopt a budget for the Association.**

Article VII. Section 7.5 Nonpayment of Dues. This paragraph should read as adopted by Units 1 and 2. **Nonpayment of annual dues by a lot owner will result in the assessment of the amount of dues owed to be collected at the time of sale or transfer of lot.**

Article VIII. Section 8.1 Covenants to Run. Replace “Subdivision” with “Unit 4” in this paragraph. All of these Covenants shall be a burden on the title to all of the lots in **Unit 4**, and the benefits thereof shall inure to the owners of all the lots in **Unit 4**, and the benefits and burdens of all said covenants shall run with the title to all of the lots in **Unit 4**. The Covenants shall be binding upon the heirs, successors and assigns of the Owners. **(Note to Board members: This paragraph reads differently in the newly adopted Covenants for Units 1 and 2. I suggest this be referred to Karl Sommer.)**

Article VIII. Section 8.2.1 These Covenants may be amended at any time by a vote of two-thirds (2/3) of the total votes allowed to be cast in the Association. Any and all amendments to these Covenants so adopted shall be contained in an amending resolution of the Association to these Covenants which shall be effective when recorded in the records of the Santa Fe County Clerk.

MOTION: Casey moved that the changes and revisions suggested in the Board meetings held on October 17, 2016 and October 28, 2016, be approved for revision of the Unit 4 Covenants and used in the upcoming revisions of the Covenants for Units 3, 5 and 6, with the exception of the setbacks. Judy seconded the motion, which passed unanimously. Setback numbers will be confirmed later.

NEW BUSINESS

BOARD MEMBERS

It was noted that the Board is in need of new members. All current Board members were asked to seek out persons who are willing to serve on the Board.

TREASURER

Judy Montano announced that she would like to retire from the Board and serving as Treasurer of the Association in the coming year. Erika Spallitta indicated she would be willing to serve as Treasurer.

MEETING WITH KARL SOMMER, REAL ESTATE ATTORNEY

Casey announced she had scheduled a meeting on Tuesday, November 1, 2016 at 1:30 p.m. with Karl Sommer to review the changes/revisions in the Unit 4 Covenants and By-Laws and invited the Board Members to join her.

ADJOURNMENT

Meeting adjourned at 11:35 p.m.

Submitted by Jackie Dulle, Secretary