

2013 ANNUAL MEETING
Sol y Lomas Homeowners Association
The United Church of Santa Fe
January 26, 2013

PRESENT:

Douglas Maahs, Jackie Dulle Carolyn Whitehill, Melodi Sullivan, Daniel Lenihan, Holt Priddy, Jon & Rosemary Wallace, Melanie MacGillivray, Mil & Shirley Fleig, Jon & Linda Batkin, Early Eastburn, Casey Clendenin, Judy Montano, Jack Huberman, Robert Glick & J. Helin, Talitha Arnold, Sherry Bundickson, Thomas Stanford, Benny Bachicha, Rebecca Welling, Joseph Kraus, Ava Salman.

By Proxy: Rollin & Cheryl Whitman, Blanca Surgeon, John Pound, Marvin Godner, Hylah Joly, Gary & Mary Kilpatric, Byron Goldstein, David Dodge, Herb Kincey, Lucy Draper, Stephen Patrick, Marcia & Timothy Lenihan, Jeanette Kelly & Matthew Mooney, Christi Newhall, Mrs. Stanley Davis, Rhonda Payne.

WELCOME: President Douglas Maahs welcomed those present and introduced the Trustees and the Covenant Committee members. Rev. Talitha Arnold, Senior Minister at United Church of Santa Fe, welcomed the group, giving a brief summary of their very open church and inviting any and all to join in their activities.

APPROVAL OF THE AGENDA: Moved acceptance by Bob Josephs and seconded by Carolyn Whitehill.

CALL TO ORDER: Douglas Maahs called the meeting to order at 10:08 a.m.

APPROVAL OF THE MINUTES FROM LAST ANNUAL MEETING, 1/28/12: Moved by Jackie Dulle and seconded by Early Eastburn

PRESIDENT'S ANNUAL REVIEW:

- a successful year having put in place a great data base with all the relevant documents digitally stored;
- only 7-8 envelopes returned from mailings now instead of 40-50
- Douglas will be stepping down as President at the end of this year
- grateful to the Covenant Committee for all of its work on the covenants
- Phase 1 voting by Units 1 and 2 on the revised covenants will take place January, 2014
- last year erroneously passed a resolution indicating the possibility of a lien being placed against those homeowners who do not pay their annual dues; it was discovered the trustees do not currently have this power but that the Home Owners Association **should** have because without it, the Association does not have fiscal accountability and cannot plan and budget properly. Douglas suggested the Association does have to address this matter.
- noted that the Association's checking account needs to be updated with current signers, which was done: Douglas Maahs, David Dodge and Dan Lenihan.

CURRENT TRUSTEE AND OFFICER POSITIONS OPEN: There are Trustee and Officer (Vice-President, Secretary and Treasurer) positions open. Douglas invited anyone interested in filling one of these positions to contact him. These positions will be voted on at the first annual Trustee meeting to be held in late February or early March.

FINANCIALS: In the absence of David Dodge, Douglas reviewed the Financial Report. The Report was moved to be accepted by Shirley Fleig and seconded by Ava Salman. During discussion on the financials the desire to have current information on the web site was voiced. While Douglas stated he does not have time to do that himself, he assured the group he would try to make arrangements so that can be done. If a homeowner is interested in doing this web site work, that would be ideal.

APPROVAL OF ANNUAL DUES: Douglas stated that if the dues were kept at \$25 and with 75% participation by homeowners, there would be enough funds to support \$2,000 in legal fees and meet the other expenses and still break even. Holt Priddy made a motion that the annual dues be decreased to \$10 per household, which was seconded by Rebecca Welling. After much discussion, a vote was called for. It was determined there were 21 votes among those members present, as well as 16 proxy votes that had been submitted prior to the meeting. The vote was 5 for the motion and 32 against. Motion failed. Casey Clendenin moved that annual dues of \$25 be retained and Shirley Fleig seconded the motion. The vote was 31 for the motion and 6 opposed. Motion carried. It was suggested that any money over and above the \$25 would be gratefully accepted.

PRESIDENT'S JOB DESCRIPTION AND PROPOSED STIPEND: See attached sheet with the details of the description and proposed stipend for the new President beginning in 2014. After discussion, Casey Clendenin moved that this matter be tabled and Bob Josephs seconded the motion. The vote was 33 for the motion and 4 opposed. Motion to table the matter carried. Douglas indicated the matter would be referred to the Trustees. Ava Salman said she thought it important that a job description was produced for the next president.

COVENANT REVIEW: Attorney Melanie MacGillivray, who is assisting the Covenant Committee on the review of the Covenants that will begin expiring in 2014, presented a summary. The Covenants for Units 1 and 2, consisting of 86 homes, will expire on June 22, 2014, if no action is taken. The Covenants for the other Units will expire at later dates, but hopefully they can be rolled into the revised Covenants as accepted by Units 1 and 2. She explained that the purposes of the Covenants are to protect land uses that homeowners expect and to clarify what uses homeowners can make of their property. They also provide for architectural reviews and enforcements on items such as fences, setbacks, ponds, solar panels, etc. They are a legal document which come with the deed to your property in Sol y Lomas. Some of the material in the current Covenants is out-dated and must be made current. She indicated an addition would be made to the Covenants to allow liens for those not paying annual dues. It will take $\frac{3}{4}$ vote of the homeowners in Units 1 and 2 to approve any suggested revisions, which must be accomplished no more than 6 months prior to or 6 months after the expiration date. The Covenants will be extended for 30 years, and can be renewed every 10 years.

Melanie pointed out that this area is zoned R-1 which allows for only single families and there will be no attempt to change the zoning. Melanie also stated there is currently a bill before the State legislature which will encumber Home Owners Associations with reporting issues similar to that of Condo Associations and that it was said to be likely to pass. The effect of this legislation might actually cause dues to go up due to the reporting costs. As she was requested, Melanie will keep our Association informed.

Two of the biggest issues in the revision of the Covenants are home occupations and short-term rentals. In both cases, she stated the Covenants must comply with the City ordinances on these matters. It was reiterated that currently the Board and the homeowners can enforce the Covenants. An issue relating to home occupations is traffic, and that led to the suggestion of trying to get the roads in Sol y Lomas paved. Another concern was security, but it was suggested that home-based occupations actually helped security concerns.

Douglas stated he hoped to have the revised Covenants for Units 1 and 2 ready for presentation to those homeowners by June, 2013, and it is his intent to call a special meeting for that purpose. That would provide six months to finalize the Covenants and then hopefully have them ready for a vote at the Annual Meeting in January, 2014.

OTHER BUSINESS: Carolyn Whitehill re-affirmed the desire to have the web site improved with current information. Rebecca Welling distributed an information page on Bylaws and invited those interested in the Bylaws to get involved. Ava Salman suggested the formation of a Road Committee and referred it to the Trustees who would ask for volunteers.

ADJOURNMENT: The meeting was adjourned at 11:45 a.m.

Submitted by Jackie Dulle, acting secretary.