

**SolyLomas Board Meeting
August 6, 2014
Casey Clendenin's Home**

Board Members Present: Joseph Kraus, President; Jackie Dulle, Secretary; Judy Montano, Treasurer; Casey Clendenin, Susan Orth, and Rollin Whitman.

The meeting was called to order by Casey at 1:35 p.m.

Minutes

Susan moved that the minutes of the Board Meeting on July 23 and the minutes of the Special Meeting on July 28 be approved as circulated. Judy seconded the motion which passed.

Treasurer's Report

Judy reported the current bank balance is \$4,957.84, after writing a check for \$30 to Mark Jurgens, the custodian who handled the set-up arrangements for our Homeowners meeting at the United Church of Santa Fe on July 26.

Architectural Review Committee (ARC)

Casey reported that the neighbors had approved the plans for the solar array project by the Bixbys at 5 Calle Pinonero. Casey continues to work with the Hunters at 105 Placita Halcon on their project. The Hunters claim they knew nothing about the existence of the HOA and proceeded without any ARC review. Joseph reported he has the plans for the remodeling being done by the homeowners at 133 West Zia and that he will request Lynn send them a letter of approval. Casey reported that the problematic solar array installation at 7 General Sage by the Wallaces has still not been resolved to the satisfaction of the neighbors. Casey had requested that a professional plan to screen the installation be submitted to her by noon today but that did not happen. Rollin suggested the solar array installation company should have an instrument that can indicate the illumination range of such a solar installation. After much discussion, it was decided that Casey and Rollin would visit the Wallaces to discuss the matter. Casey reported having visited with the people who are staying in a motor home at 10 General Sage but she has not met with the owners of the property.

Covenant Revisions

Article IV – ARCHITECTURAL REVIEW

Section 4.1 Architectural Committee. The first sentence was modified to read: **The Architectural Review Committee (ARC) shall mean a minimum of three members and a maximum of five members of the Board of Trustees.**

Section 4.2 Approval by Architectural Review Committee

Section 4.3 Variances

One of the comments made at the Special Meeting was to insert quorum language into the Covenants. An amendment to the By-Laws was produced which stated: **A majority of the members in attendance at any Annual or Special Meeting shall constitute a quorum.** This language will be inserted into Section 4.2 and Section 4.3 replacing the 2/3 vote language.

Article V – USE OF LOTS

Section 5.2 No Mining, Drilling or Quarrying

The bolded words are added to the sentence: No mining, quarrying, tunneling, excavation, or drilling for any substances within the earth, including **but not limited to** oil, gas, minerals, gravel.....

Section 5.12 Towers, Solar Arrays, Wind Turbines and Antennae Installations

The first two sentences were modified as follows: **All installations of towers, solar arrays, wind turbines, radio or television antennae must be screened from the street and other lots.**

Section 5.18 Setbacks

The second sentence was modified with the bolded words: No building except a garage or other outbuilding located one hundred (100) feet or more from the front lot line shall be located nearer than twenty (20) feet to any side **or rear** lot line.

ARTICLE VI – ENFORCEMENT

6.2 Limitations on Actions

The bolded words were inserted into the first sentence: In the event any construction or alteration or landscaping work is commenced upon any Lot in the Units 1 and 2 Subdivision in violation of these covenants and **if** no action is commenced **within** 60 days after notice by the ARC.....

ARTICLE VIII – MISCELLANEOUS

Section 8.2 Termination of Covenants

At the Special Meeting it had been suggested this Section be divided so amending or modifying the Covenants would stand as a separate paragraph. An attempt to accomplish this was made but was not successful. This will be studied and done later.

Legal Review of the Revised Covenants

Casey suggested the revised Covenants needed legal review and all Board members concurred. A question about including the existence of a transfer fee for completing the HOA disclosure form should be posed to the attorney. Casey named two real estate attorneys who are possibilities for performing a legal review.

HOA Act

Casey suggested we needed some legal input on how the new HOA Act impacts the Home Owners Associations over the coming year.

Susan produced a draft form for Joseph to use in obtaining the necessary information on the sellers and buyers of properties in SolyLomas. She also supplied the necessary information to complete the HOA disclosure form as required by the HOA Act.

Vote Strategy

The target date for sending out the revised Covenants and the ballots is September 1, with the request they be returned by September 18. Rollin stated we need to be clear on how non-returned ballots are to be counted, and suggested a legal opinion be obtained. It was clarified that the voting is under the current Covenants which require a $\frac{3}{4}$ vote but does that mean of only those voting or of all homeowners in Units 1 and 2? A legal opinion will also be sought on that question.

Miscellaneous

Susan showed a City of Santa Fe form, Code Enforcement Notice of Violation which James Martinez, Code Enforcement Officer, sends to code violators, if the City is notified of such.

Casey will contact Bob Thornburg and inform him the Board is working on a plan to follow the effects the HOA Act is having on our HOA over the coming year.

Jackie reported that Carolyn Whitehill commented on the pleasant tenor of the Special Meeting held on July 26. Carolyn did suggest that future meetings be held in a smaller room so all could hear and that the seats be arranged in a circle.

Casey asked Rollin to review the liability insurance policy for the Board.

Some recognition will be made to David Dodge, who has tendered his resignation, for his many years of service to the Board.

Adjournment

Meeting adjourned at 3:05 p.m. Submitted by Jackie Dulle, secretary