

Sol y Lomas Homeowner Association Annual Meeting
The United Church of Santa Fe
January 26, 2019

Members Present: Susan Orth, President; Dave Steinkraus, Vice-President; Jackie Dulle, Secretary; Trustees Lynn Day, Holly Porter and Kathryn Schepps; Rollin Whitman, Warren Marr, Jack Huberman, Elaine Pacheco, Jon and Rosemary Wallace, Raymond Reyes-Newell, John Gibbs, Douglas Maahs, Diane MacInnes, Judy Montano, David and Virginia Neville, and Kathy Elsberry

CALL TO ORDER

President Susan Orth called the meeting to order at 10:04 a.m.

INTRODUCTIONS

The Board members introduced themselves: Lynn Day, Holly Porter, Kathy Schepps, Susan Orth, Dave Steinkraus and Jackie Dulle. Treasurer Erika Spallitta was unable to attend. Next the HOA members (listed above) introduced themselves and the road on which they live.

MINUTES

Jackie reported the minutes from the 2018 Annual Meeting had been approved by the Board and are posted on the Website, www.SolyLomasHOA.org, as are all the Board meeting minutes.

TREASURY REPORT

In the absence of the Treasurer, Susan noted the 2018 Financial Report showing the collection of dues and Title transfer fees in an amount of \$5,800. With expenses amounting to \$4,663, there was a balance of \$1,137 to carry forward to 2019. David Neville moved that the Financial Report of 2018 be approved. Douglas Maahs seconded the motion, which carried.

Susan noted the proposed Budget for 2019, showing estimated dues and transfer fees of \$4,795 and projected expenses of \$6,380. Dues will remain at \$40 annually. Diane MacInnes questioned the increase in the mailings and legal fees line items. Susan explained that the mailing for this Annual Meeting was unusually large because of the enclosed By-Laws and amendments, and the Articles of Incorporation and amendment. The Trustees chose to hire an outside company to help with this large mailing. As for the legal fees, work will begin on the revision of Unit 6 Covenants by the fall and will require attorney work. Douglas Maahs moved that the Proposed Budget for 2019 be approved. Rollin Whitman seconded the motion, which carried.

ELECTION OF TRUSTEE

Susan explained that Kathy Schepps had joined the Board during the past year and that she needed to be officially voted upon. Judy Montano moved that Kathy Schepps be approved for a two-year term on the Board. Warren Marr seconded the motion which carried. The other Trustees will be voted upon next year if they are willing to serve another term. Susan reported there are currently two openings on the Board and asked all to consider serving.

NEW BUSINESS

AMENDMENTS TO THE BY-LAWS AND ARTICLES OF INCORPORATION

Susan reported the original By-Laws in Article XI state Trustees may amend the By-Laws or Articles of Incorporation by affirmative vote at the Annual Meeting provided notice is sent to Lot Owners seven days prior to the meeting, which had been done. Susan said there was the need to make both documents up-to-date and current with the HOA practices. A principal change was the name change to: Sol y Lomas Homeowner Association and minor changes such as the month/day of the week for the Annual Meeting, and the acceptance of email as a legitimate form of communication. In the Articles the current Trustees were listed and the registered agent was changed to Dave Steinkraus, HOA Vice-President.

Warren Marr asked about Article II in the Second Amendment to the By-Laws, which stated in Section 2. Dues. "Each lot owner shall pay annual dues...." and in Section 3. Voting Rights. "Each lot owner shall be entitled to one vote on each matter..." In the cases of multiple owners of lots, that would mean multiple dues and votes, which he suggested was not the intent. It was recognized by the Trustees that the attorney had not correctly understood the requested changes by them: one dues per lot and one vote per lot, regardless of the number of owners. It was suggested that changes in the wording of each of these Sections be made to convey this meaning. Douglas Maahs moved that such changes to the Second Amendment of the By-Laws are supported by the Members present. Rollin Whitman seconded the motion which carried.

Judy Montano questioned the definition of "quorum". "Quorum" was addressed in the First Amendment to the By-Laws as: "A majority of the Members in attendance at any Annual or Special Meeting shall constitute a quorum." It was noted that any part of the By-Laws that had not been changed or changed in the First Amendment, were not included in the Second Amendment. It was agreed this makes it confusing to read the entire document. Elaine Pacheco suggested a composite of the By-Laws and the Articles be posted on the Website, so the entire documents as they currently exist can be read there. Dave Steinkraus agreed to do that posting on the Website. www.SolyLomasHOA.org

The Trustees have approved the Second Amendment to the By-Laws and the Amendment to the Articles of Incorporation. The By-Laws will be recorded with Santa Fe County and the Amendment to the Articles will be filed with the Secretary of State.

COVENANT UPDATE

Susan stated that the Covenants for Unit 6 will expire on April 1, 2020. This unit comprises 10 lots and work will begin on the revision this fall, since the Covenants can be renewed six months prior to the expiration date.

NEIGHBORHOOD NEWS

There were five home sales in the Sol y Lomas HOA in 2018. The Welcome Committee contacted the new homeowners with a package containing several small gifts, a copy of their Covenants and the Architectural Review Guidelines.

The Architectural Review Committee worked with homeowners on 15 projects in 2018. Diane MacInnes asked for clarification on the interactions between the City and the HOA Architectural Review Committee. It was pointed out that the City only enforces its own regulations, and does not take any responsibility for enforcement of the Covenants of any HOA.

MEMBER COMMENTS

Diane MacInnes asked about the possibility of having an HOA social so members could get acquainted with one another. This was thought to be a good idea, and while no funds in the budget have been earmarked for such a gathering, it was suggested this could likely be worked out with volunteers. An outdoor gathering in May was mentioned.

Douglas Maahs stated he appreciated the mailing for this meeting but wondered if it could be sent digitally to save a few trees. Also he suggested the dues invoice be included in that mailing. Susan explained the large HOA Annual Meeting mailing was necessary because the existing By-Laws required that all Lot Owners receive notice either delivered personally or by mail. The Amended By-Laws approved at today's Meeting state email is an acceptable form of notice. Therefore, in the future those Lot Owners who have email will receive the Meeting material digitally, including the proposed dues, subject to approval at the Annual Meeting.

Diane MacInnes asked for clarification regarding rental properties. Susan responded that as long as the rental properties comply with the City regulations, the HOA has no other guidelines. One For Sale or For Rent sign is permitted on Lots within the HOA.

John Gibbs asked if there was any current information about the lots near West Zia Road and Old Pecos Trail and there was none.

The Board was thanked for their efforts by many of those attending the Meeting.

ADJOURNMENT

Susan adjourned the meeting at 10:50 a.m.

Submitted by Jackie Dulle, Secretary