



**Annual Membership Meeting Minutes
January 30, 2020 6:00 P.M.
Picacho Hills Country Club**

Call to Order:

David Zeemont, President, called the meeting to order at approximately 6:04 P.M.

Quorum:

Walter Gomez, Secretary, confirmed that there was a quorum present and that the Meeting could proceed. The quorum requirement for our Association is 35% of the total number of Owners (125) in good standing which is 44. There were 70 Owners voting in person, by proxy and by absentee ballot.

Introductions:

David introduced himself and asked for Members that had moved into the Neighborhood in the last couple of years to stand up and introduce themselves. David then introduced the other Members of the Board and asked the Committee Chairs present to introduce themselves.

Approval of Minutes:

David asked if there were any additions, corrections, or deletions to the 2019 Annual Meeting Minutes. There were none. He called for a motion to accept the Minutes as written. The motion was made and seconded and the Minutes were approved and accepted without objection.

Treasurer's Report:

Bob Crowley, Treasurer, went over the 2019 reconciliation of the Budget to Actual Expenditures. A total of \$69,675 was collected and that includes \$100 in fines that were assessed, but it does not include \$275 that was collected by a title company and not turned over until January of this year. We earned \$210 in interest and \$75 from the sale of gate remotes. We placed \$20,000 in our Road Reserve Fund. We were able to place \$17,943 in our Emergency Fund in 2019. Bob then went over the 2020 Budget. Annual Assessments will remain at \$550 and yield a projected income of \$69,850. Of note in the 2020 Budget is \$14,000 for Gate Maintenance. Bob projects \$6,854 will be placed in the Emergency Fund. Bob then went over our Balance Sheet. We have a combined balance of \$84,347.27 in our checking and savings accounts. Our Liabilities include \$2,000 in construction cleanup deposits that he anticipates will be returned to the respective Owner. Our Emergency Fund at the end of 2019 was \$34,349.74. The Road Reserve Fund is at \$48,306.92. Our liabilities and surplus are in balance with our assets. There was some discussion regarding the Emergency Fund. The Emergency Fund is used to cover unexpected expenses that are not budgeted. The amount that should be maintained in the Fund has not been determined or established. There is the potential that the Annual Assessment amount could be reduced in the future if we are able to maintain the Fund

balance. Bob did acknowledge the positive financial impact that Members who voluntarily give of their time, efforts and talents have for the Association.

Audit Committee:

Rich Corona, Committee Chair, reported on the audit conducted on January 14, 2020. The members of the Audit Committee are: Rich Corona, Gail Gomez, and Jim Ignacek. The review consisted of balancing the checking and savings accounts. They checked expense items, especially those that were for larger amounts. Items were selected randomly and checked for proper authorization and signature requirements. All the records reviewed were maintained in a well-organized manner and no discrepancies were noted. The Committee has prepared a written report for submittal to the Board.

Landscape:

Al Shawala, Committee Member, presented the Landscape report. Carrie Gaddy, Committee Chair, could not attend due to a schedule conflict. Al recapped the projects and work completed in 2019. There will be some work done on some of the containment ponds in coordination with Drainage and Erosion.

Gates:

Al Shawala, Gate Committee Member, presented the Gate report. Al recounted the major maintenance incidents for 2019. There were some minor accidents that required some repairs, but the majority of the maintenance and operational issues were due to the age of the keypad entry system and gate components. The 2020 Budget has funds set aside for possible upgrades to the system. The specifications and preferred options have not been determined and a vendor has not been identified. At this time it is too soon to speculate as to what will be done, or when it will be done, or by whom it will be done. The money is in the budget for planning purposes. Once the details of the proposed project are finalized, it may require a Special Membership Meeting to obtain approval of the Association Members to spend the funds.

Design Control:

Lee Cunningham, Design Control Committee Chair, presented the DCC report. Lee reported that there are three home construction projects that have been approved. There are also two solar projects that are in the planning stage. Lee stated that there are no major issues or concerns.

Old Business:

There was no Old Business.

Elections and Voting on Proposed Amendments:

Each of the declared candidates for the Board Positions was given five minutes to address the Membership.

David Zeemont was the only declared candidate for President. There were no nominations from the floor. The motion was made and seconded to close the nominations for President from the floor. The voice vote was unanimous and passed without objection.

David Zeemont **Elected** 63 For, 8 abstain

Irregular vote: 1 ballot had a write-in candidate

Clarence “Clair” Palmer and Al Shawala were the only declared candidates for Director at Large. There were no nominations from the floor. The motion was made and seconded to close the nominations for Director at Large from the floor. The voice vote was unanimous and passed without objection.

Al Shawala **Elected** 49 For

Clarence “Clair” Palmer 19 For

Irregular votes: 1 vote for both, 3 did not vote for either

Proposed amendments to the Covenants, Conditions and Restrictions (CC&Rs):

The proposed amendments to the CC&Rs were presented and discussed by the Membership. There were several questions about changing the wording of proposed amendments and it was explained that the amendments had to be voted on as written. Consensus was that several of the proposed amendments have merit, but that they were poorly written. The suggestion was made that, in the future, Members considering proposing amendments meet with the CC&R Committee. The Committee could then advise them on drafting their proposal(s). This will be taken under advisement. The Board had directed the CC&R Committee to draft amendments to comply with the 2019 Amendments to the New Mexico HOA Act (amendments #1 and #10). The Board did not make any recommendations nor did it endorse any other amendments.

The discussions covered enforcement and non-enforcement of existing CC&Rs and compliance with the Bylaws. Board Members present explained that the Board consists of volunteers and that they are not expected to act as “cops”. Members have a responsibility to be aware of the contents of the CC&Rs and comply with them as they are written. Enforcement generally starts with seeking a resolution with the Owner. If that is unsuccessful, then it progresses to levying or assessing of fines. Worst case is that a lien is filed on a property.

There was concern expressed that relaxing our CC&Rs is not in the best long-term interest of the Members. Several Members present voiced concerns with our Subdivision beginning to resemble other neighborhoods that are not as aesthetically pleasing.

David Zeemont announced that the voting would begin. The ballot counting committee was directed to begin collecting ballots.

There was no further business. Dave called for a motion to adjourn. The motion was made and seconded. The motion carried without objection. The Meeting was adjourned at 8:16 P.M.

The next scheduled CRNA Board Meeting will be on February 10, 2020.

Below is the unofficial voting results. The voting results will be certified at the next Board Meeting.

1. In 2019 the State of New Mexico amended the New Mexico Homeowners Association Act by passing Senate Bill 150 (SB 150). CRNA must comply with the NM HOA Act. As tasked by the Board of Directors, the CC&R Committee drafted changes to our CC&Rs that are required to keep CRNA in compliance with the law. A vote of the Membership to approve these changes is

required by our CC&Rs. However, this will be a procedural vote, because the changes are required by law.

#1 Agree 72, 0 Disagree

2. Moving and amending a section of Article IV, Design Control, 2, [pg. 4 of CC&R] “All applications for variance must be in writing and submitted to the Design Control Committee. The Committee must issue a written report of their findings to the Board. Any variance approved by the Design Control Committee must be submitted to the Board of Directors for final approval. The Board of Directors shall not approve a variance that the Design Committee has disallowed.” This will be moved to Article IV, Design Control, 3 and will be amended to read: *“All applications for variance shall be in writing and submitted to the Design Control Committee. The Committee shall issue a written report of their findings to the Board. Any variance approved by the Design Control Committee shall be submitted to the Board of Directors for final approval. A resident/owner who believes that a decision from the Design Control Committee is not in accordance with the Design Controls and/or Covenants, Conditions, and Restrictions, may opt to appeal the decision to the Board of Directors. A written request for appeal shall be submitted to the Board of Directors not more than thirty (30) days following the issuance of a decision by the Design Control Committee. The written request for appeal shall state how the appeal conforms to the CC&Rs and include supporting pictures and drawings. The Board of Directors shall notify the resident of the date, time and place of an open meeting wherein the appeal shall be heard. The Board of Directors shall provide a written decision regarding the appeal within sixty (60) days of receiving the written request for appeal.”*

#2 Passed 68 Yes, 4 No

3. Amending a section of Article IV, Design Control, 3, [pg. 5 of CC&R] “Furthermore these Covenants strictly forbid the following practices: unloading or storing construction materials, including plants or landscaping materials of any kind, within any part of the Common Areas, including the Right-of-Way, or on a neighboring Lot; rinsing of concrete trucks anywhere in the Subdivision except on the Lot to which the delivery has been made; and parking on any Lot without the permission of the Owner of the Lot.” This will be amended to read: *“Unloading and storage of construction materials in the common areas, including the right-of-way are discouraged. In the event that it is necessary to unload construction materials on the common areas or right-of-way, contractors must provide clearly visible warning and caution markers around the area and must remove said materials within 36 hours of unloading. Furthermore, these Covenants strictly forbid the following practices: unloading or storing construction materials, including plants or landscaping materials of any kind on a neighboring Lot; rinsing of concrete trucks anywhere in the Subdivision except on the Lot to which the delivery has been made; and parking on any Lot without the permission of the Owner of the Lot.”*

#3 Passed 48 Yes, 24 No

4. Amending Article V, General Restrictions, 13, titled “No Garage Sales” [pg.9 of CC&R] to read: *“Garage Sales.”* And Exception 1: “The first Saturday of May in each year shall be set

aside for a community garage sale. Sale hours will be 9 AM to 5 PM, during which hours the community gates will be opened. Gates will not be opened prior to 9 AM and all sales will terminate promptly at 5 PM.” This will be amended to read: *“A Saturday of May in each year shall be set aside for a community garage sale. Gates will not be opened prior to 9 AM and will be closed promptly at 5 PM.”*

#4 **Passed** 57 Yes, 15 No

5. Proposing an amendment to that portion of Article 5, General Restrictions, 6, Trash, [pg. 7 of CC&R] “Trash and recycle cans must be stored out of sight of the road and neighbors and removed from the street at the end of each pick up day.” This will be amended to read: *“Trash cans are to be placed at the curb no earlier than the evening prior to scheduled pick up and removed and stored out of sight by the end of the day of scheduled pick up.”*

#5 **Failed** 29 Yes, 43 No

6. Proposing an amendment to that portion of Article V, General Restrictions, 12, Animals. [pgs. 8 & 9 of CC&R] “When off the Owner’s Lot, such pets must be kept on a leash and shall not be permitted to run at large. In addition, dogs shall not be permitted to bark outside to the extent that an average person would find annoying. When walking pets, owner is responsible for removing any waste the pet may leave.” This will be amended to read: *“No more than three (3) dogs will be allowed on homeowner’s property at one time. Any dog(s) that bark for 5 minutes or more cumulatively in one hour shall be considered a nuisance and the owner(s) may be subject to a fine. Dogs are not to be left outside unattended if the owner(s) will be away from the property for more than one hour. Dogs must be kept on a leash at all times when outside the owner’s property. Owners are required to immediately pick up after their dog(s).”*

#6 **Failed** 16 Yes, 56 No

7. Proposing an amendment to that portion of Article VI, Restrictions On Residential Lots, 2, Parking and Storage of Vehicles, b [pg. 10 of CC&R]: “Residents “in use” personal type vehicles including cars, vans, pick-up trucks, SUVs, motorcycles and any off-road vehicles shall routinely be parked in garages overnight.” This will be amended to read: *“Residents “in use” personal type vehicles including cars, vans, pick-up trucks, SUVs, motorcycles and any off-road vehicles, should when possible, be parked in garages overnight.” And to delete Article VI, Restrictions On Residential Lots, 2, Parking and Storage of Vehicles, b, 1)[pg. 11 of CC&R]: ~~“Additional resident “in use” vehicles needing outside parking due to lack of garage space shall require a waiver. The Board, at the request of the lot owner, may grant waivers.”~~*

#7 **Failed** 31 Yes, 41 No

8. Proposing an amendment to that portion of Article VI, Restrictions On Residential Lots, 2, Parking and Storage of Vehicles, b [pg. 10 of CC&R]: “Residents “in use” personal type vehicles including cars, vans, pick-up trucks, SUVs, motorcycles and any off-road vehicles shall routinely be parked in garages overnight.” This will be amended to read: *“Residents “in use” personal type*

vehicles including cars, vans, pick-up trucks, SUVs, motorcycles and any off-road vehicles shall routinely be parked in garages.”

#8 Failed 34 Yes, 38 No

9. Proposed amendment to Article VI, Restrictions On Residential Lots, 2, Parking and Storage of Vehicles, [pgs. 10 & 11 of CC&R]: *Rescind the restriction placed on owners parking their cars in their driveway. Replace with owners may park the cars they use in their driveways and allow car covers to be used to protect one’s investment.*

#9 Failed 10 Yes, 62 No

Proposed amendments to the Bylaws

10. In 2019 the State of New Mexico amended the New Mexico Homeowners Association Act by passing Senate Bill 150 (SB 150). CRNA must comply with the NM HOA Act. As tasked by the Board of Directors, the CC&R Committee drafted changes to our Bylaws that are required to keep CRNA in compliance with the law. A vote of the Membership to approve these changes is required by our Bylaws. However, this will be a procedural vote, because the changes are required by law.

#10 Agree 72, 0 Disagree

11. Proposing an amendment to 2), Association Meetings, F) [pg. 21 of Bylaws], adding the following: *“Proxies are limited to five (5) per household so as not to impose personal agendas on the community.”*

#11 Failed 22 Yes, 50 No

Volunteers that counted ballots were: Anna Leuenberger, Gail Gomez, Laurel Parker, and David Wright.

Volunteers that signed in Members were: Judi Corona, Gwenda McClure, and Jan Thune.