

Country Club Estates Homeowners Association Annual Meeting

Saturday, January 27, 2007, 9 AM
Senior Center

The 2007 Annual CCEHA meeting was called to order at 9:15 by Clete Jackson. All Board members were present.

Dawn Diltz gave an attendance report. 84 homeowners were represented (by their presence or proxy) and a quorum was present. This was later updated to 91 (due to later arrivals).

George Lopes will act as Parliamentarian for this meeting. His objective is for a smooth running meeting.

Introduction of CCEHA Lawyer – Jennifer Delaney

The points discussed by Ms. Delaney:

- a. She gave her brief resume
- b. She practices Civil/Business Law only
- c. She serves as a Corporate attorney representing the Board of Directors and her goal is to make sure that all happens legally in the Corporation
- d. Her client is the Corporation and she answers questions from the Board to make sure they are in the body of the law; she represents all of the homeowners collective as a homeowners association but none individually
- e. **How Board meetings should be run?**
 - i. Board meetings are not a place to express an opinion about the Board or for members to express their opinions about issues (She gave the analogy of attending a Corporate Board meeting of a Fortune 500 company.)
 - ii. The CCE homeowners duty is to elect Board of Directors to carry out the business of the Board and Association
 - iii. Members can attend special meetings called by Board (by more than 20% of membership).
 - iv. An “Open Meeting” doesn’t mean it is an open forum to voice opinions.
 - v. The voice of the home owner should be heard. Effective ways for this are by lobbying with your Board Member (voice your opinions to Board members prior to a meeting), serving on committee (or lobbying through a committee member).
 - vi. There should be no surprises when the Board comes to meetings (from homeowners or other Board members).
 - vii. Board meetings should not be disruptive. Disruptive members can be asked to leave the meeting if necessary by a member of law enforcement.
- f. **Strategic Planning sessions**
 - i. As stated on Page 35 of the CCEHA Reference Manual, under CCEHA Board of Directors Administrative Policies, “The Board shall participate in a strategic planning session to review and set goals for the Board on a biannual basis.”
 - ii. These strategic planning sessions are not restricted to two, no notices need be given to general membership and no voting takes place at these sessions. Goals may be setup but not voted upon.
- g. **Changing the Amendments to the By-laws; page 17**

i. As stated in Article VIII of the Bylaws, "Amendments to Bylaws may at any time be amended, altered and repealed by vote of the members of the corporation at any annual or special meeting provided that the notice of such meeting states that such amendment, alteration or repeal is to be considered." (The change must be an agenda item at a CCEHA Board meeting.

ii. Amendment 32 (page 12) states, "Subject to the provisions of paragraph 7, ...other than this paragraph may be amended by an instrument in writing signed and acknowledged by record owners of at least 75% of the combined total number of Class A and Class B votes outstanding."

h. Voting by Proxy

i. The by-laws do not state that a Proxy Vote should be in a special marked envelope. Every member in good standing should be allowed to vote.

Bob Nelson asked who attended the January 19, 2007 meeting with the CCE lawyer. The meeting was attended by Rudy Rosenquist, Clete Jackson, Dave Elmore and Don Ward. The purpose of this meeting was to ask questions of the CCE lawyer on various issues/operating issues. There was no quorum of Board members and no minutes were taken because it wasn't a Board Meeting. Bob Nelson would like a legal document of what was discussed at this meeting.

- h. Ms. Delaney is aware of PUD laws.
- i. All homeowners have the right to be put on a meeting's agenda
- j. The 1120 IRS tax forms are filed every year.
- k. As per the IRS 503C CCEHA is a not for profit organization / non-profit corporation
- l. The CCEHA By-laws can be changed. Proposals need to be put on an agenda prior to a vote and a majority vote is needed for a by-law change. By-law change would require 2/3 of those at the meeting to change the By-law.
- m. The CCEHA attorney is required by law and has a duty to report any illegality of the Board. Any illegality is to be reported to a Board of Director or membership not involved in the illegality and the Bar. Members of the Homeowners Association have a right to go to the lawyer with illegalities.

Introduction of Board Members seated on Board

All Board members introduced themselves for those new to the community.

Developer Report

- Jim Reedy addressed the fact that there are many active small groups in the neighborhood and that possibly the "white hat" group is still active.
- The average home built now is 1688 sq ft; there has been an average increase in per home cost of \$24K over last year.
- Mr. Reedy recommends that the Board move forward on the purchase of the property across from the CCE office.
- The "green space" issue was addressed. About 3 years ago, the issue of taking 10% of the property in CCE and turning into a park was addressed. The City of Deming said that by doing this, we should be aware that we would have a park open to the public in a 55+ community. At that time, the CCE Board didn't want to pay taxes on a park property.
- The City has determined that the neighborhood needs ponding area (5 lots). The City will be charging the homeowners \$25/year for the ponding areas. This charge will need to be addressed by the Board.
- Mr. Reedy would like for the 2007 Board be treated with respect.

Presidential Message

Clete Jackson welcomed everyone to the Annual Meeting. Due to the resignation of Bill Duncan, Clete will serve as President this year to complete the term of the President.

He asked for order and respect for different opinions during this meeting and future meetings. He also asked that speakers limit their speaking time to 3-5 minutes and please take only one opportunity to speak on an issue. When speaking, please state your name and address and address your comment to the President.

Approval of 2006 Annual Meeting Minutes

A motion was called for to Approval of the 2006 Annual Meeting Minute as presented. Debbie Duncan so moved; Bonnie Rosenquist seconded motion. A vote was taken and motion passed.

Approval of 2007 January Treasurer's Report

Point of Clarification: There are 3 financial Treasurer's Reports to be presented: 2006 Annual Report (from January – December 2006), January Monthly 2007 Treasurer's Report, and 2007 Proposed Budget.

The check book balance is \$16690.38. The Money Market account has a balance of \$30099.99. An audit will take place by Harold Morrow, CPA within two weeks of the 2006 Annual Report (January 2006-December 2006). The cost is not known at this time for the audit. George Lopes moved to accept the Treasurer's Report as given, subject to the forthcoming audit. Phil Swart seconded the motion. A vote was taken. By a vote of 49 to 41, the January 2007 Treasurer's Report passed.

Committee Reports

Activities

Veronika Banes gave the report on the activities held in 2006:

1. Valentines Party
2. St Patrick's Dinner
3. Yoga Class
4. April Garage sale & potluck
5. May Hail & Farewell Ice Cream Social
6. Tour of Border Patrol in May
7. Schwans Presentation in June
8. July 4 BBQ
9. Salad Pot Luck and Movie in August
10. Wells Fargo estate planning
11. CASA presentation in September
12. September Luau
13. Garage sale in September
14. October Mata Ortiz pottery sale
15. Dec Christmas Party
16. Spanish Classes
17. Ongoing activities include women's exercise, card group, and men's breakfast.

Shirley Wheeler announced that all are welcome to the Saturday AM Coffee in the clubhouse. It is open to all CCE residents. It is held at the Clubhouse every Saturday starting at 8:30. The person/couple hosting the Saturday Coffee supplies the coffee and donuts. No donations are taken from those attending.

The Activities Committee meets the second Tuesday of each month at 7PM in the Clubhouse. All CCE residents are welcome to attend and all ideas are welcome.

Architecture

David Elmore reported that during 2006, 37 Applications for Change of Exterior were received and acted upon. All were approved except one. There were two Notice of Violation forms processed, one was successfully appealed to the Board and the other was resolved without further notice.

Facilities

Tom Griffith reported from this committee. During the year, the committee did painting in the clubhouse and various clubhouse maintenance projects. This year, the cracks along the top of the building exterior will need to be addressed. The thermostat may also need replacing.

Long Range Planning

Those serving on this committee are Don Ward, Rudy Rosenquist, Kathleen Elmore and Richard Orona. Don Ward gave the report. At the 2006 Annual Meeting of the CCEHA, a motion was made by Fran Balm to establish a committee to create a 3-5 year "New Facilities Plan". Motion was seconded and passed. Planning was started using what CCEHA members have inquired about or asked for. Using their requests and comments, the committee looked at the following items:

- RV Storage
- Clubhouse to meet our needs (remodel existing clubhouse or new clubhouse).
- Recreational facilities (swimming pool, tennis courts, open space, bocce ball court, exercise path)
- A handout was given to all homeowners in attendance outlining:
- A requirement matrix comparing the existing clubhouse, remodeling the existing clubhouse, and a new clubhouse.
- What we think we know regarding RV Storage and Clubhouse needs
- Examination of space requirement for what we think we know regarding the clubhouse, parking requirements, RV storage, rainfall retention, recreational facilities
- Total are required for everything people have said they would like.
- The time frame from Phase 1 to Phase 5 depends upon the whole community.
- Ben Secor would like the PUD for passive and active recreation addressed by the Board.

Clete thanked all of the committee members for all of their hard work. He encouraged all living here to volunteer for a committee to make a positive difference.

New Owner Welcoming

Betteanne Strauss and Dawna Diltz reported that since May 21 new homeowners have been welcomed. She asked that all new residents moving into CCE in 2006 please stand. All were welcomed.

Newsletter

Tom Strauss asked for more input from the community for future newsletters. Starting with the next issue, the meeting minutes will be included in the newsletter.

Webmaster

Dawna Diltz reminded everyone that the website is: www.cceha.com
There is no password for the website as there is no confidential information kept there.

Unfinished Business

Investment Report

Rudy Rosenquist reported that funds were deposited in the Fidelity Money Market Account. This account earns 5% and is a liquid account (funds may be added and checks may be written from this account.)

New Business

Results of the Election – Report from Election Committee

Donna Robbins recognized and thanked the election committee, tellers and Tom Strauss for their hard work on the election.

- Ballots were mailed to 161 owners of sold lots of record, in good standing in the Association as of December 29, 2006. As reported by the Treasurer, there was one lot owners ineligible to vote due to unpaid assessments and/or initiation fees.
- There were 96 ballots returned which represents 94 single lots and 2 double lots where a particular owner owned 2 adjoining lots. Of the double lot owners, 19 returned the properly filled out voting waiver allowing only one vote for the double lot and thus will incur 2007 annual dues as if they owned only one lot. Double lot owners not signing the voting waiver allowing them 1 vote for each of their lots numbered 4, and thus will occur 2007 annual dues for both lots. Those 4 adjoining lots owners not filing a waiver are: Hamlin (lots 29 and 30), Lein (lots 77 and 78), Miller/Spencer (lots 83 and 84) and Vance (lots 57 and 58).
- In summary the 174 single and double lots resulted in 96 votes.
- A ballot was also mailed to J.R. Builders. J.R. Builders has 135 unsold lots as of the record date. J.R. Builders has 1 vote for each unsold lots. They did not vote on any of their lots.
- It is strongly recommended by this Committee that the CCEHA Secretary keep an up to date list of new owners (lot sales and/or re-sales), and provide same to the Treasurer for billing purposes. The Treasurer should then report back to the Secretary in a timely manner and on a permanent basis when payment of fees are received in full. The Secretary would then notify the Editor of the newsletter of names of the new members to be added to his homeowners' mailing list.

2007 Election Summary

Vice-President (two year term)

Marc Diltz – 58 votes

Fred Titmas – 29 votes

Secretary (2 year term)

Bob Nelson – 66 votes

Leighanne Wagner – 2 votes

Marta Jackson – 2 vote

Fred Titmas – 1 vote

Barbara O'Leary – 1 vote

Richard Orona – 5 votes

Sue Gomes – 1 vote

Donna Robbins – 2 votes

Director (2 year positions)

Dave Elmore – 58 votes

Donna Robins – 54 votes

Ed Seale – 9 votes

Phil Swart – 40 votes

Shirley Wheeler – 14 votes
Ben Secor – 1 vote
Bill Duncan – 1 vote
Sue Gomes – 1 vote
Pete Kohl – 1 vote
Fred Titmas – 1 vote

Seating of the new Board Members

All newly elected Board members were seated and introduced.

Country Club Estates Homeowners Association Annual Meeting – January 27, 2007 - Continuation

In accordance with Bylaws, Article 3, Annual Meeting, seating of the new board members as follows: Vice President, Marc Diltz; Secretary, Bob Nelson; Directors, Dave Elmore and Donna Robbins. Newly elected Secretary, Bob Nelson, recorded this portion of the Annual Meeting

New Business

Presentation of the Budget for 2007: Budget presented by Treasurer, Rudy Rosenquist explained budget per each line item. The membership discussed the budget. Explanation of the budget was questioned by the membership as to contents. It was pointed out by Sue Gomes that according to Robert's Rules of Order regarding the RIGHTS of voters who are not present, the proposed budget being presented by the Treasurer was not the same as the one mailed to the membership in the ballot package and therefore was invalid for voting on.

- Don Underwood questioned about the transfer fee as well as Kermet Scott.
- Leighanne Wagner spoke in regards to telephone costs.
- Marie Miller also had some questions on the budget.
- Linda Drilling spoke of additional cost for insurance if property across the street is purchased.
- Ben Secor pointed out the needlessness of purchasing any property inside or outside of Country Club Estates due to the Federally mandated PUD requiring the developer to provide green space within the development that could be used, if homeowners wanted, for building a club house or what ever.

After some discussion by the board, Secretary, Bob Nelson moved the following steps be taken regarding the Annual Budget for 2007:

1. The Association function under the 2006 budget for three months.
2. A revised 2007 budget be prepared and presented to the membership at a special meeting in late February of 2007.
3. The Auditor's report will be reviewed.

Linda Drilling seconded the motion and the motion passed.

Further Discussion was on RV parking by John Ewert. Other discussions were on cost of land. Linda Drilling addressed the RV parking and stated that she had documentation from earlier RV parking meetings with the developer. Further discussion, in regards to, RV parking was made by other members of the association. Steve Barash requested a request for copies, of those previous meetings. Seconded by John Chartier, motion carried..

Motion to adjourn was at 12:10 p.m. by Clete Jackson. Seconded by Donna Robbins.

According to Robert's Rules the Annual Meeting minutes are to be approved at the first regular BOD meeting after the annual meeting and not held for a year. The minutes to be presented for approval at the Annual Meeting are the minutes of the last BOD meeting before the Annual Meeting.

Bob Nelson, Secretary