

# Country Club Estates Homeowners Association

April 12, 2006

## Meeting

The meeting was called to order by President, Bill Duncan. All Board members were present.

The mechanism for member input during Board meetings was outlined. Homeowner input during the meetings will be based upon submitting "items for discussion" 24 hours in advance of the meeting to a board member. Homeowner input on agenda items will be limited to 2 minutes per person and limited to 15 minutes per agenda item. A motion was made to follow this format; motion seconded and carried.

### **The 75% membership approval requirement for amendments to the Restrictions**

In the past, getting a 75% vote from CCEHA members has been unachievable. The attorney suggested we submit an item for a vote to see if this is reachable with the caveat that a non-returned ballot would be a yes or not vote depending upon the wording of the ballot.

Discussion from the Board and membership:

Marc – Our biggest enemy is being dysfunctional. Marc would prefer that we would be functional. He has heard comments to the affect that "I may not agree but will go along with the membership."

Clete - We should leave it as it's stated in the By-laws and concentrate on getting the 75% votes.

George Lopes – Suggested a test vote of increasing the dues by \$50 effective July 1.

Bob Nelson – We're not playing on a level field because the developer has a large number of votes.

Shirley Wheeler – Anything in the rules and regulations can be amended except the "75% rule". We would have to apply for relief from the State.

Clete moved that the "requirement of 75% vote of CCEHA" remain in affect. Don seconded and motion passed.

The last paragraph of S14, the Declaration of Restrictions, "No Nuisances" (on Pages 9-10), regarding RV Parking beginning "A chain linked fenced area"

According to the CCEHA attorney, the RV parking facility is CCEHA's responsibility. The wording is so poor that she would not expect it to stand up in court. It is CCEHA's responsibility and the grantor is not obliged to build it.

Clete moved to open the topic for discussion by the membership.

Skip Balm – The \$20 fee per month will go to the grantor and grantor will take care of the facility and it's only for those with RVs. Possibly the Board needs a second opinion.

Rudy Maier – With the \$20/month fee, it wouldn't have to be a big RV parking facility.

Clete – Possibly in 10-15 years with rising gas prices, there may only be 1-2 RVs using the facility. At that time, how will it be paid for?

Marc – We are only the messenger from the attorney. We need to formulate a plan.

Dick Salesses – The Board was requested to look into the land. Did the Board ask the developer where the land is for the RV storage facility?

Bill Duncan – The developer was not asked about the land because the attorney said it was CCEHA's responsibility.

Betteanne Strauss – Who authorized having an attorney? Bill Duncan answered that this is CCEHA's attorney not the Board's attorney.

Hal Wheeler – Item #34 says it's a joint responsibility. It says that J.R. Builders must enforce the rules.

Bill Duncan – We can't ask him to leave out his votes and give his land at the same time.

Debbie Raynor – She would like the homeowners to think about the issue of having an RV parking area in this community. We need to consider what having an onsite or adjacent RV parking area will do to our property values. The cost of RV storage in Deming is minimal and there is a facility close to our neighborhood. Maybe it's time to sit down with the developer and make a plan we can all agree on.

Janet Secor – Why is CCEHA referred to as a business? Marc Diltz explained that we are incorporated and we have a business with another business (J.R. Builders), and that business law applies. We are called an association because the state incorporates us through the state. Our business is homeownership and community property. We have assets and taxes for community property.

Bob Frish – Is it possible that there is a zoning issue? Can this facility be built in an area that is zoned residential?

George Lopes – It seems like we are getting rooked. We haven't gotten a clubhouse. He bought an RV with the understanding that there would be an RV storage facility. Homeowners are moving out of the neighborhood because they are not getting what they have been promised.

Bill Duncan – Do we want to talk to J.R. builders about an RV facility, pool, and clubhouse and/or raise our dues to pay for this?

Bob Nelson – Last month he asked that the developer be approached for an answer. Since this is residential, this document was filed before this property was residential.

Shirley Wheeler – If the people would like a second opinion from another lawyer, why isn't this possible?

Marc Diltz – If the membership wants to negotiate, we shouldn't pit one attorney against another. The Board takes the members position.

George Lopes – We should be meeting with the developer.

Betteanne Strauss – She was a member of the RV committee. The developer offered 6 plots of land and we had a year to come up with a plan to build a clubhouse. No plan was proposed and the 6 plots were withdrawn.

Janet Secor – We were told that we would have to build a clubhouse in 2 years and we had no money to build.

Linda Drilling – How do we get the membership input to the developer? The idea of litigation keeps surfacing. If any litigation hits on State Farm's policy the Board will be left without insurance.

Dick Hayhurst – It's up to the Board to determine how many of the homeowners want an RV park.

Skip Balm – This was determined at the last general meeting and it should be pursued.

Clete – We need to pick one area of focus and go in that direction.

Bill Duncan – Does it help the community to have an RV facility in the neighborhood?

Marc Diltz – We need to prioritize what we want as a community. He believes that J.R. Builders will work with us.

Shirley Wheeler – We shouldn't be taking a vote on whether we want an RV storage facility because it's in the covenants.

Bill Duncan – Negotiations should begin with J.R. Builders on the property across from the office. Let's get it in writing what J.R. Builders will do. Bill moved that the Board approach J.R. Builders with intent to secure a contract to build an RV storage facility owned by J.R. Builders on property owned by J.R. Builders (across from the office) at the builder's expense. Marta seconded and motion passed. This meeting with J.R. Builders will have to be an open meeting per our by-laws.

### **Long Range Facility Planning Committee Report**

John Ewert reported on his committee meeting held March 21, 2006. Minutes given to the Board:

“Present were: John Ewert, Bob Nelson, Ben Secor, and Barb Hamilton. Absent were: Hal Wheeler and Dave Curry, with prior commitments. Church Gomes, who has had experience in construction, indicated he would help us with ideas also.

Discussed was what would it take to expand the present clubhouse as compared to the cost of a new facility.

We measured the approximate amount of feet we could add to the club house we now have and will have a rough estimate of cost in today's dollars at the next board meeting.

We also would like to recommend to the Board to consider committing a definite amount of the dues each year in some kind of an account or trust, strictly for a future expansion, as building a whole new facility in another place would take forever to save for.

Respectfully, John Ewert, Chairman.”

At today’s dollars, the cost of expanding 1000 square feet would be ~ \$80/sq feet. A schematic for the expansion of the clubhouse was presented to the Board. Ben Secor has talked to two builders and confirms the amount of \$79-80/sq ft to expand the clubhouse (to include the furnace and swamp cooler and would only be for meeting space; not to include kitchen or restroom facilities).

### **Reconstitute Architecture Committee**

George Lopes reported that two complaints have been brought to him. One is regarding the height of a stone wall on a new home. The rules state that walls will be consistent and uniform and he doesn’t see any violation of regulations.

Linda Drilling feels the committee needs to regroup. Those volunteering to serve on the committee are Linda Drilling, Dick Salesses, Pat Henry and Betteanne Strauss; George Lopes resigned. Bill would like for 3 people to serve on this committee.

George Lopes suggested that the “power” of the committee ultimately be with the Board. Linda will check with the insurance agent regarding whether the Architectural Committee is covered under our policy.

### **Treasurer’s Report**

Bill Duncan gave the treasurer’s report in Rudy’s absence. Rudy will take over as treasure after this meeting. The checkbook balance is \$31,886.02. This month, the budget ran over with the bocce ball court expenses and the maintenance to the clubhouse.

### **“STP” format for proposals**

Marc Diltz discussed the Situation, Target, Proposal approach of presenting proposals and is requesting that committees follow this method. Explanation follows:

- A. Situation – Where are we today and what does the future look like, what are the costs, the requirements?
- B. Target –What do we want to look like in the future?
- C. Proposal – What are the steps for getting there?

### **Approval of the March CCEHA’s Board Minutes**

Don Ward moved to approve the minutes from the last meeting. Marc seconded. Linda Drilling would like the RV Storage Committee minutes included in the minutes. Bill noted that they will be added to the minutes, and the minutes were approved as corrected.

**Announcements**

Ben Secor reminded pet owners to pick up after their pets. Bill Duncan warned everyone to be careful as he has noticed strange cars in adjoining areas of our neighborhood.

Meeting was adjourned at 8:10 PM. The next meeting will be held Wednesday, May 10 at 6:30 PM.

Respectfully submitted,

Marta Jackson  
Secretary