

Nature Pointe HOA – Board of Directors

Board Meeting Minutes: September 24, 2010

Nature Pointe Clubhouse – 9:00 a.m.

Board Members Present: Alex Leonard, President; Scott Horton, Vice President; Dave Ashworth and Karen Leach

Others Present: Karen Palmer, Clubhouse Manager & Event Coordinator
Jeff Palmer, Clubhouse Manager & Maintenance – meeting minutes

Proceedings: Meeting opened by Alex Leonard at 9:08 a.m.

1) Solar Panels, ACC and Covenants, Envelope

Alex attended the recent Solar Seminar held at the clubhouse, presented by Luz Solar. He reported that there were at least 5 families (10 residents) of Nature Pointe in attendance. He gave an overview of recent developments and discussion in neighborhood regarding installation of solar panels, and the related concerns.

Discussion ensued, covering the following key points:

- Luz Solar highlighted the economic benefits, citing Federal reimbursement for 30% of installation costs, State reimbursement for another 10%, and PNM paying \$.13 per “extra” kilowatt hour generated. They indicated a 6.5 year payback, with reimbursements.
- It normally takes many more years than that – some are expecting it to take more than 20 years for their systems to pay for themselves – and so most people do it because it is the right thing, not for financial benefit.
- Questions concerning how Luz was calculating these returns, and how much “buy-back” PNM would allow – need more information to answer.
- Luz Solar indicated PNM does not allow you to build more than what you are estimated to need...but will buy back what you “save” through efficient usage. However, these subsidies may be changing soon, hence Luz was indicating a time pressure in getting your solar systems installed to take advantage of this while they can.
- Discussion of differences between a peak system and an appropriate mid-size system; stated that PNM will not reimburse for large amounts.
- This led to discussion of John Lionbarger’s intent to install a solar system that is 2.5 to 5 times the size of the Leach’s (Luz indicating it is permissible by PNM to build a 15 KW system). It might require cutting down trees in a 110’ x 140’ area, per the plan submitted by Luz Solar.
- Alex shared drawings provided by Luz for him regarding John’s proposed system. He noted apparent discrepancies in size and number of units indicated, location per building envelope, area needing to be cleared of trees, and other inadequate information provided, making it difficult for the ACC to make a determination.
- All agreed that much more information is needed regarding the size, materials, location, and appearance of the proposed system for the Lionbarger’s request to be evaluated regarding its impact on the neighborhood, and considered for approval by the ACC.

- It was noted that there has not been an official application filed with the ACC for Lionbarger's.
- Solar law says covenants cannot prohibit solar panels, but the law is ambiguous...however, HOA's can establish guidelines for their installation.
- Discussion of need for ACC to come up with guidelines for the installation of solar systems.
- Suggestion that although we do have to allow solar, it is up to the Homeowner to design a system that is least intrusive/objective for the community. Let the Homeowner do the work to prepare application for submittal, and let the ACC approve or disapprove, giving them reasons for what is deemed lacking or inappropriate.
- Submittals to the ACC for solar must include drawings with elevation and appearance of the system as planned for them to make a determination.
- Discussion ensued regarding the need to establish guidelines for review of applications, and that the homeowners need to be notified and/or reminded of their responsibilities in this procedure.
- Research recommended for guidelines and procedures other communities are following regarding governance of solar system installations.
- Discussion then expanded into guidelines, procedures, and forms for ANY changes that need to be approved by the ACC (see item 4).
- Need to communicate these guidelines and procedures (most of which are already in place) by email reminders, the website, newsletters and/or brief email notes explaining how and why it is necessary to apply for approval from ACC for any changes to their property and landscape.

Action(s):

- **Dave** is sending Karen Leach information on email link to research regarding guidelines to be established (on HOAleader.com).
- **Karen Leach** is going to research and report guidelines and covenants being utilized by other communities to address the governance of solar system installation, and samples of any forms that they use for the application process.

2) Snow plow, Driveways

- Updates regarding purchase of 1984 Ford ½ ton truck and snowplow, which is being attached by Paul. Total cost less than \$3,000, and it is a vehicle that can be easily maintained and operated.
- Primary purpose and priority is for Paul to use in clearing the main roads, including Avenida Allegra down to Sedillo Hill Rd, after significant snow.
- County is supposed to do Avenida Allegra, but does it late in day, if at all.
- Discussion of possible use by homeowners – if so, their own insurance will cover them, and they will need to sign waiver for liability for HOA.
- Liability discussed regarding possible need to get insurance on truck and need to create and use a hold harmless agreement if homeowners use it.
- Homeowner use tabled for future consideration after research into liabilities and insurance.
- Liability concern discussed regarding taking truck off property to use on Avenida Allegra, when uninsured and unregistered.

- Recommended that we research HOA paying for license and registration.

Action(s):

- **Alex** is to get the insurance agent name to Dave.
- **Dave** is to get insurance policy information and ask Dale Rugge to review it and help us assess needs regarding insurance coverage and registration.

3) Mowing of lots, Flagpoles, John Kay dog, Security camera

3a) Mowing of Lots:

- Appearance of lots discussed, i.e. lots cut extremely short.
- Someone noted that it should not be mowed lower than 4"-6" for health of the native vegetation, and to cut everything too short may actually result in having more non native & invasive weeds next year.
- Covenants state (paragraph 4) the landscape can be kept "neatly trimmed."
- Important to maintain lots, but to do so according to guidelines.
- It was suggested we put together a list of recommended vendors for homeowners to use for this and other maintenance purposes.

Action(s) regarding Mowing of lots:

- No action decided upon. Tabled for further discussion in future.

3b) Flagpoles & Misc. Landscape alterations:

- A recently installed flag pole was noted as an example of the need for us to establish guidelines for HOA covenants.
- Discussion ensued with all contributing. General consensus is that we need to develop guidelines, since it is a change to the landscape, and therefore must be approved by ACC.
- Broader discussion developed on this, noting that if we choose to address this, then we also need to address other changes to property/landscape that should be approved by the ACC, per covenants.
- Proposed we make it as easy as possible to make simple changes, but that more detailed guidelines may be necessary for complex projects.
- Suggestion made to set up a subcommittee to set up guidelines on landscape or other proposed property change projects.
- Need to research what other HOA's are doing and set up guidelines for ACC to follow and simple procedures for homeowners to seek approval.
- Discussion ensued on suggestions to improve communications, including:
 - creating a newsletter with articles communicating about the covenants regarding landscape changes and need for approval.
 - sending regular email notes or reminders regarding the covenants and how to apply for approval...and why it is necessary
 - referring people frequently to the website for more detailed information – encouraging homeowners to go to the website each time we send an email or billing
- Once we create the form for applying for changes to landscape, we should send a copy in an email, with a reminder of why and how to use it.

- Board will need to create a form letter reminding owners of the requirements and procedures for filing for approval for changes or additions to landscape.
- Board decided to table this until actual ACC develops guidelines to address the issues noted.

Action(s):

- **Karen Leach** will be researching guidelines and forms other HOA's use and reporting recommendations to Board.

3c) John Kay dog

- It was mentioned someone said John has been walking his dog off leash.
- Discussion ensued, with note that he is not the only one in neighborhood seen doing this by various members of the Board.
- Per pg 9 of covenants, paragraph 4.2, all animals are to be kept on leash when not on their property.

Action(s):

- None at this time.

3d) Security Camera

Alex reported that plans are proceeding to install Security Cameras at front gate. One fake camera will flash only. One camera will give actual visual to office...but with little detail available.

- Discussion of perceived need for cameras and use of cameras ensued.
- General consensus that they will not likely be of much use in prosecution of criminals, but will be of great value as a perceived deterrent to crime.
- Alex committed to work on completing these as soon as possible, to help relieve stress on the community for residents most concerned.
- Karen Palmer advised to be even more strict about letting people in...to require homeowners to provide access codes to contractors and contractors to be responsible for knowing those codes or contacting homeowners to get them.
- It was suggested that we send a reminder to residents regarding how to address problem of unknown people at the gate wanting to enter.

Action(s):

- **Alex** to put a higher priority on completing installation of these cameras per plans established.

4) Unfinished Business (Misc. Nature Pointe Business):

4a) Karen Palmer reported on Event financial goals recently reached:

- Event contracts totaling \$92,400 have been booked to date, with over \$22,000 of that being booked in the last four weeks. By next week, we should surpass \$100,000 booked.
- Actual cash from events received in 2010 is \$45,623...and cash received from HOA dues in 2010 is \$36,127.
- Board members expressed their appreciation that it is progressing well.
- Board noted the initial concerns expressed by HOA members were:

(1) Inconvenience to residents – Minimal complaints regarding this to date.
(2) Wear & Tear on Building – Minimal damage to date and we have been doing a good job keeping up on this.

(3) Liability – Have done a good job of protecting the HOA.

- Commended that there have been very few complaints, and those have been minor and addressed quickly.
- Karen Palmer stated that the goal is to erase the “thumbprint” of the event at the end of each event, so the Homeowners cannot tell when they come in the next day.
- Board members agreed that a good job has been done on that.
- Karen Palmer expressed excitement in successfully getting some contract labor staff trained to enable her and Alex not to have to work every event (Claudette, John, Jen, Holly (Patsy’s daughter and her husband, Peter)).
- Karen Palmer noted we seem to have few parking issues for parties of 200 or less. If organized correctly, however, it can work well for over 200, as shown by recent events with parking attendants and carts.
- It was suggested we need to address parking in general and improve how it is handled during larger events. Ideas included:
 - Find empty lots to park in front of
 - Create a schematic of parking areas and hand out before event.
 - Have parking attendant(s), and fees charged to event for parking attendant(s) for larger events.
 - Use golf carts for larger events to shuttle to cars (Renter is responsible for renting carts & payment).

Action(s):

- **Karen Palmer** to create a schematic for approved parking areas and plan for parking attendant usage.

4b) Karen Palmer believes Tennis Courts are being utilized for organizational use without proper supervision. She expressed concerns regarding liability for use of our facilities, and noted that they are beginning to use more than just the court area, as well.

- Use of Tennis Court for group needs to be scheduled for use, as an event, and sponsored by homeowner.
- Need to begin to get its use “reined-in” to avoid problems with homeowners and address liability concerns.

Action(s):

- **Alex or Karen Palmer** to let the residents know they need to be hosting these events, and getting liability waivers signed. If this is a regular event, or if it involves a lot of people, it needs to be on the schedule.

4c) Karen Leach inquired about budget questions.

- Asked if budget is revised periodically, and if it is due for revision.
- Karen Palmer explained that Bryan Burns will be putting together and submitting a Budget for review and approval by the end of the year.

- Karen Leach said she would like us to put in line items for (1) Repaying Alex and (2) Reserve Account (for building/HOA property maintenance)

Action(s):

- None at this time. When Bryan submits the Budget for review, these and any other items will be up for review and suggestion.

4d) Karen Leach expressed concern over elm branches and wild roses, asking for assistance in keeping them controlled.

- Siberian Elm branches – coming up everywhere, mostly on easement areas where soil is disturbed.
- Need to encourage homeowners to kill them. Is it possible John and/or Paul to help kill larger trees and spray or pull smaller sprouts?
- Scott volunteered to go around and pull up big elm trees with tractor lift.
- Wild roses are becoming a nuisance at front gate, and are very difficult to control, due to long thorns and excessive sprouting of new plants. Have nearly doubled in size this year.
- After round table discussion, Scott suggested we try to trim the main ones to keep their beauty, but seek to control the sprouts with Round Up.

Action(s):

- **Scott** to coordinate with Karen Leach to get big Siberian Elm trees pulled.
- **Alex** to consider if John or Paul can be of assistance and, if so, coordinates with Karen Leach.

4d) Scott is working with Albuquerque Journal representatives regarding possible newspaper deliveries to Nature Pointe.

- Journal wants new business, and is offering to do free driveway delivery for one week and then for every other day for 30 days.
- Discussion ensued as to whether we want driveway delivery, or want to limit it to delivery in boxes to be placed in Clubhouse parking lot.
- Suggested that for Trial Period driveway delivery is OK, but for Long Term we would switch to placing boxes in our Parking Lot.

Action(s):

- **Scott** is putting together a letter to everyone regarding the free delivery service trial, and for input from them as to whether to continue driveway delivery or to box in parking lot.

Alex adjourned meeting at 11:50 A M, 2 hrs and 42 minutes after start.