

PARADISE BLUFF HOMEOWNERS ASSOCIATION
MINUTES OF PBHOA ANNUAL MEETING
April 03, 2003

Prior to the commencement of the annual meeting, property owners and guests were asked to sign-in at the registration table, pick up an agenda, a financial balance sheet, an Architectural Control letter, and make a name tag.

Meeting Called By: PBHOA Board of Directors
Meeting Chairperson: Bob Simmons – PBHOA president
Attendees: Homeowners/Lot Owners:

William & Nancy Blackler, Michaeline Boyet, Jeff & Laurie Canellas, Dave & Eileen Card, Ella Colman, William Connors, Jim & Karen Crane, C.J. & Nancy DeSalvo, Jacob & Barbara Gallegos, Gary & Marian Gavlick, Margaret Gaylor, Julie Goneau, Fred Hafkemeyer, Richard & Mary Sue Hans, Mohammed Haq, Marvin Hourigan, Al Hovey, Marjorie Lynn, Ed Majka, John & Marie Martin, Fermin & Manuela Martinez, Dick Neu, John Phillips, Maggie Porter, Andy & Jerry Potts, Andy Scianimanico, Terry Story, Michael Striefel, Lana Taylor, Chris & Beth Wojahn,

7:00 p.m. Call to order (Bob Simmons)

Mr. Simmons called the meeting to order and welcomed all members to the Annual Meeting (as required by the Bylaws).

Mr. Simmons introduced members of the Board
Bob Simmons – President
Patrick Mihan – Vice President
Becky McDermott – Secretary
John Goneau – Treasurer

7:05 p.m. Financial Report & Annual Operating Statement (Treasurer John Goneau)

Mr. Goneau highlighted the balance sheet handout that is current through February 28th, 2003. To date, the association has collected \$23,194.23 in dues and earned \$56.55 in dividends for a total income of \$23,250.78. Expenses have been \$11,553.91 and are broken down into the following categories:

| | |
|-------------------------|------------|
| Grounds Maintenance | \$6,421.94 |
| Legal | \$2,028.81 |
| Insurance | \$1,625.00 |
| Supplies/Postage/Copies | \$ 843.85 |
| Utilities | \$ 384.31 |

The association requires approximately \$600.00 per month to cover expenses. There were a few questions about some larger expenses such as grounds maintenance. The previous board had failed to pay some outstanding maintenance bills which we had to pay. In addition, there were some significant costs incurred in cleaning up common areas (areas that had never been cleaned up before) and removing trash from vacant lots. Our monthly landscaping maintenance runs \$284.00 per month. There were also some significant legal costs incurred for legal advice necessary for the transition of the new Board. In the future, legal expenses should be very

minimal or non-existent. Costs of filing and releasing liens is passed on to the lot owner and is not an incurred legal expense of the Association.

All financials presented are from the time the current Board controlled the Association. We had no luck in obtaining any financial records or monies from the former Board.

Detailed financials are available for inspection for any member who wishes to look at them.

There was a question from the audience regarding the legality of the current Board. The answer was that there has been no legal challenge up to this point so yes, this is a legal and functional Board of Directors.

7:15 p.m. Board Accomplishments (President Bob Simmons)

Mr. Simmons outlined the accomplishments of the Board over the last year as follows:

- Creation and maintenance of a detailed accounting system
- Held regularly scheduled Board meetings
- Pay bills on a regular basis
- Purchased a liability insurance policy for the Association and the Board as required by our covenants. The previous policy should have run through November of this year but the former Board did not pay the premium.
- Cleaned up common areas (perimeter areas) and several vacant lots
- Reduced annual dues from \$150.00 per year to \$100.00 per year
- Complied with all state laws regarding the operation of non-profit organizations

7:25 p.m. Complaints (President Bob Simmons)

There have been numerous complaints by homeowners which are listed as follows:

- Dogs
Many complaints are received regarding barking dogs, dogs that urinate on bushes and kill them, and dog feces that are left in neighbors yards or common areas. Those who own dogs need to be considerate of their neighbors and need to control their pets.

It was suggested that if a dog is barking and the dog owner is not at home, a complaint can be made by calling the Albuquerque Police Department. There is a city ordinance regarding barking dogs and the Police will cite the pet owner if a complaint is made. It was suggested that this information be provided in the next newsletter that goes out.

Another suggestion was to put up another sign along Midnight Vista that says "Please Clean Up After Your Dog" and perhaps put some bags attached to the sign. It was observed when such a sign was put up before, it seemed to reduce the dog mess problem.

- Speeding
There are also quite a few complaints regarding speeding in the development. Homeowners are reminded that there are small children and lots of walkers in the neighborhood so please observe residential speed limits.
- Trash Dumping

Some people have observed homeowners dumping trash over their walls onto adjacent vacant lots. This costs the Association money to clean up the trash and is also unsightly so please do not dispose of your trash in this way.

The builder building the two homes on the Bajada cul de sac has made a complaint about homeowners dumping garbage in his construction dumpster. If this continue to be a problem, he has threatened to line the streets with the garbage. Please do not use construction dumpsters for your garbage disposal. Contractors have to pay each time the dumpster is emptied.

- Keeping up your property
There have been complaints that some homeowners are not keeping their properties in a clean and neat manner. According to Covenants section 7.04 "Maintenance of Landscaping", homeowners are to "maintain the landscaping on his lot in a neat and attractive manner. All grass, mass plantings and other plantings shall be moved, trimmed and cut as necessary at regular intervals." Please remember that when lots are not maintained, it affects property values and enjoyment for all homeowners.
- Perimeter Walls Along Midnight Vista
As you may have observed, there is a white coating along the perimeter walls of Midnight Vista. This is due to minerals in the water that seep through the block during landscaping watering. Some walls have been raised and the blocks do not match the original wall. This is a problem that the Board is going to have to address. Maintenance of all common area adjacent walls is the responsibility of the Association.

Some homeowners present at the meeting had complaints regarding Satellite dishes that are visible from the street. According to Covenants Section 3.02 Prohibited Uses of Subdivision, "No exterior antenna, or satellite dishes, of any sort shall be installed or maintained on any Lot or within the Subdivision, except those devices which are erected, installed, placed or maintained and used entirely under the eaves or enclosed within a building or structure or are not visible from the ground level of other Lots. This provision shall remain enforceable even if enforcement action is not commenced within the time limitations otherwise provided by the Subdivision Restrictions". It was noted that more and more satellite dishes are being installed and violate this section. One homeowner said there may be a Federal regulation which protects the installation of satellite dishes even in covenant protected neighborhoods. This needs to be researched by the Board. Once the research is done, the Board will be responsible for informing the homeowners regarding this issue.

There was another complaint that during the winter, some front yards were being watered such that sprinklers were spraying a large amount of water on the sidewalks thus creating a dangerous situation for early morning walkers. It was suggested that these sprinklers be adjusted.

There was a question regarding outstanding property taxes for common areas incurred by the former Board. Mr. Simmons informed the members that according to our attorney, all property taxes would be waived.

7:45 p.m.

Common Area Improvements (President Bob Simmons, Al Hovey, Dick Neu)

Mr. Simmons informed the members that the Board has recognized the need to improve the appearance of our subdivision. The Board has been considering the replacement of the trees in the median along Midnight Vista as well as gravel clean up around the "monument area". Mr. Simmons asked homeowners Al Hovey (current grounds maintenance person) and Dick New (former Forest Service employee) to research a solution to this problem.

Al Hovey spoke first informing everyone that there are current 23 red bud trees in the median some of which are in fairly good shape and some of which are not. In the course of his research he contacted the City of Albuquerque and various nurseries around town, and not one person recommended planting red bud trees. The criteria that Al and Dick came up with for replacement include that the trees:

- must be easy to replace (in case of damage/vandalism)
- must be extremely wind tolerant
- must be easy to prune
- must be disease resistant
- must grow well in a small area
- must not produce excessive allergens

The City of Albuquerque recommended planting "Desert Willows" in areas with no irrigation and "Bradford Pears" in areas with irrigation. The pear trees are trees with white flowering blossoms in spring and will eventually reach 10-15 ft high. Bids from two different nurseries were approximately \$3,100.00 for removal/disposal of old trees and planting of new trees. These would be trees with a ¾ inch caliper in 7 gallon pails.

Dick Neu then presented an alternative to filling the median with trees. Instead, we could plant native plants such as Maidenhair Grass (5 ft high), Apache Plumes (5-6 ft high), Dwarf Mogul Pines (not high water use), or a mixture of trees and native plants. The cost for the plants is \$1,600.00 and \$35.00 per hour labor for removal and planting.

Becky McDermott re-iterated the position of one homeowner who couldn't be at the meeting who felt that removing the red bud trees would be a waste of money. Ms. McDermott posed the question to those in attendance if there was anyone who shared that view and could provide a good argument against replacing the trees. A couple of people expressed that all trees are going to sustain wind damage and possible vandalism and that it is an ongoing problem of replacing/repairing. You always have some mature trees and newer trees and it's difficult to get them all looking nice so even if we replaced them, we would more than likely have the same problem. There was actually much discussion on this matter and the point was raised that the landscaping on the cul de sac at the end of Midnight Vista also needs re-work because during rain storms, it gathers standing water and there is no irrigation for the plants that are there. Ideally, it would be nice to add some character to that area as well.

Bob Simmons reported for homeowner Paul Garcia who gathered bids to pull up all the gravel in the monument area and along the Midnight Vista media. This effort would involve simply replacing the architectural paper and installing new gravel. The cost for this alone ranges from \$10,000 to \$12,000. Several people expressed the desire to have an overall plan that flows well together. This plan would take into consideration, the monument area, the trees, and the Midnight Vista cul de sac area. A committee chaired by Margaret Gaylor was formed to further research and come up with a plan. This committee consists of Margaret Gaylor, Dick Neu, Al Hovey, Jim & Karen Crane, and possibly others. The committee is to make a report to the Board by June 1st with the idea of moving forward in the fall. Due to cost involved, a special assessment will be needed for the improvements (one time assessment). An informal vote was taken and everyone in attendance seemed in favor of such an assessment if it is \$100.00 or less per house.

Once the committee makes a recommendation to the Board, the Board will finalize the plan along with a vote that will most likely be mailed to all lot owners for approval.

8:15 p.m.

Neighborhood Block Party (Secretary Becky McDermott)

Ms. McDermott informed everyone that we had fully intended to plan a block party for last fall but due to busy schedules and weather, it did not happen. We could have one this spring if there was interest in forming a committee to plan it. No one expressed interested and when the question was posed whether anyone wanted a block party, no one raised their hand. At this point in time, if there isn't significant interest, we will not plan a party. If anyone is interested in doing this, please contact the Board.

In lieu of a party, all homeowners are invited to attend an open house at the home of Mike and Cheri Stow on April 12th from 2-4 PM. Mike and Cheri live at 5315 Norte Vista Rd. NW (792-4296) and will provide refreshments.

8:20 p.m. Architectural Review Process (Vice President Patrick Mihan)

The Architectural Review Committee is a separate entity from the association. Developer Peter Johnson controls all plans and approvals for new construction in the development. Board Vice President Patrick Mihan controls all plans and approvals for architectural changes/improvements to existing homes. The intent of the committee is to oversee changes/improvements in order to maintain the highest level of property value for all home owners. Changes and improvements are encouraged and improvements completed within the guidelines of the covenants and restrictions are in the best interest of the individual homeowner as well as all members of PBHOA. The following steps outline the procedure for requesting approval of architectural changes/improvements:

1. All changes/improvements must be within the guidelines of the covenants & restrictions
2. Mail two copies of your plans to PBHOA (P.O. Box 67157; Albuquerque, NM 87193-7157)
 - a. For structural additions, i.e. additional rooms, mail city approved architectural plans provided by your architect/builder.
 - b. For all other improvements/changes, i.e. patio covers/ perimeter walls/ sheds, send plans which clearly outline the work to be completed.
 - c. All pertinent information to include colors, textures and materials affecting appearance are needed for approval as required by the covenants & restrictions.
3. Within 30 days you will receive a signed copy of your plans. This is considered approval from the PBHOA Architectural Committee.
4. Please remember that all architectural improvements/changes must be in accordance with the guidelines outlined in the covenants and restrictions

Mr. Mihan informed the members that there are only two places in town that sell the blocks that match blocks in our subdivision so it is very important that you work through the process to insure that the blocks you use to raise perimeter walls match existing walls.

8:25 p.m. Vacant Board Position (President Bob Simmons)

Mr. Simmons informed the members that there is a vacant Board position due to Mike Baldrige leaving the neighborhood. According to our Bylaws, the Board can appoint someone to serve out the remaining term. If anyone is interested in this position, please contact Bob (890-0238). If you volunteer, we will appoint you.

8:30 p.m.

Meeting Adjourned

NOTE: If you have an email address, could you please send it to the secretary Becky McDermott (beckymcdermott@worldnet.att.net). We use email quite frequently to disperse information about the association and the neighborhood as a whole.