

**MINUTES OF 16th ANNUAL MEMBERSHIP MEETING OF
The Gardens Homeowners' Association
Saturday, February 11 2017 at
Los Duranes Community Center**

Association President, Paul Brewer called the meeting to order at 10:35 a.m.

Board members present: Paul Brewer – President; Jerry Simon-Treasurer; Julia Clarke- Secretary; Shirley Hosler – Member at Large.

PROOF OF QUORUM AND PROOF OF NOTICE TO MEMBERS: A tally of proxies and members in attendance was confirmed. At the beginning of the meeting, forty three homeowners had signed in or provided a proxy. Homeowners were given prior notice of the meeting via electronic mail on January 27 2017 and again on February 9 2017.

MINUTES OF 15h ANNUAL MEETING of February 13 2016: The membership adopted a motion from the floor that the minutes of the 2016 Annual Meeting be accepted as written. There was no opposition to the motion.

STATE OF THE GARDENS REPORTS

Treasurer's Report –Jerry Simon:

Mr. Simon addressed three financial issues outlined in the minutes of the 2016 meeting:

The dues collection policy is being enforced. There no longer are delinquent dues.

There currently is \$35,000 in the reserve road maintenance account. This action was taken by the board to address the concerns of homeowners about long term road maintenance and replacement. However, it was noted that even by setting aside an additional \$5000 each year, in 25 years, we will not have enough to cover the full cost of road replacement.

Sue Gunckel and her committee performed a financial review for 2015. No significant issues were identified.

Two policies implemented in 2016 have fees attached:

Rental Policy – homeowners are asked to provide a copy of the lease and contact information for the renter. There is a fine for those not providing this information within the designated time frame.

Landscape Maintenance Policy - a fine is imposed if a homeowner is non-responsive to the HOA's request to clean up the lot.

The HOA has \$53,648.39 in the checking account and \$18,074.31 in a savings account. Of the total \$71,722.70, \$35,000 is set aside for long term road maintenance expenses.

The major expenses in 2016 were the \$8600 landscaping project in the South Common area and the \$2500 expenditure to paint the fences and gates at both entrances. The South Common area project exceeded the amount budgeted. However, once the project was underway, it became obvious that it was less expensive in the long run to get as much done as possible.

Homeowners were reminded that two big ticket items already have been purchased in 2017:

The keypad and phone entry system at the Manhattan gate cost \$9230 .Tree trimming is complete and cost \$1400. A tree in the South Common area is being watched. If it needs to be removed, the cost will be approximately \$600.

Paul Brewer listed 2016 accomplishments:

- Landscaping the west end of the South Common area
- Developed a policy on accessing the South Common area without damaging the infrastructure (irrigation system)
- Met all City of Albuquerque Office of Neighborhood Coordination requirements
- Moved all bank accounts to Wells Fargo
- Implemented a Rental Policy
- Implemented a Landscape Maintenance Policy
- The gates now are closed on garbage pick up day.
- The Knox Lock Box at the Manhattan gate was relocated so it could be accessed by Albuquerque Fire Department personnel.
- Replaced the batteries in the gates so the gates open in the event of a power outage. Residents were reminded that only the entry gate opens at the Mountain Road entrance. A \$1200 circuit card will remedy this situation. Because one gate opens, this expenditure is delayed.

In the first six weeks of 2017, improvements to The Gardens include:

Installation of the keypad entrance at the Manhattan gate (\$9230.00)

Tree trimming is complete (\$1400.00)

The water Valve cover at the intersection of Aloysia and Laguna Seca was replaced by the Water Authority.

Landscaping Report – Wyatt Booher:

Dave Herstedt was unable to attend the meeting. Mr. Booher represented the Landscape Committee.

In addition to the improvements to the South Common area and painting the gates, the Landscape Committee coordinated: the repair of a damaged gate at the Manhattan entrance (saving the HOA well over \$1000), getting the roads sealed, and coordinating the planting of trees in the North Common area.

Mosquito abatement was discussed. Residents may call 311 whenever mosquitoes are a problem. The City will spray a substance that is not harmful to pets or people. This chemical will kill the mosquitoes that are present at the time of spraying. It does not linger, so another spraying would be required to address mosquitoes that “show up later.”

The efficacy of replacing sprinkler heads in the North Common area was discussed. At this time, the irrigation system is not efficient.

Homeowner Dan Arnold asked about the concrete picnic table in the South Common area. It was determined that the residents in the area will discuss alternatives and make a recommendation to the Board.

Board Election:

Three positions were open on the Board of Directors. Jerry Simon was willing to run for another term and was nominated by the Board. Jody Harris-Booher and Sky Gross were nominated from the floor. It was moved and seconded that these individuals be elected by acclamation. The motion passed unanimously.

BioPark Water Line Extension:

The City of Albuquerque has an easement at the end of Laguna Seca NW. The BioPark requires an additional water line. It is anticipated that construction will start in April 2017. All residents will be informed of the construction and any possible impact on road access, water usage, etc.

The City has been given a list of concerns including, but not limited to: access to homes, access for emergency vehicles, access for garbage pickup and thorough road repair meeting standards that ensure the HOA has no additional future maintenance costs.

Gate Code Policy: Paul Brewer read a proposed Gate Code Policy to the group and asked for feedback. The proposed policy is:

Vendor Codes

- *It is highly recommended that everyone have a personal vendor code that rings their home or mobile phone that can be used to ascertain the caller and open the gate remotely. You can use this, for example, when you call the plumber.*
- *If you have a contractor that regularly comes to your house, e.g., the gardener, the you can ask the Gatekeeper for a special code for that contractor. When you terminate the services of that contractor, you need to inform the Gatekeeper immediately so that they can deactivate the code.*
- *If you will have contractors working on you house for a period of time and don't want to have to let them in each day, you can get a temporary code from the Gatekeeper (Jeff) that will be active for some period of time.*

Parties and Meetings

- *Ask the Gatekeeper for a temporary code that's good for one day.*

Friends, Family and Caretakers

- *If you have regular visits from family or friends for caretaking or other necessary support, you can get a special code from the Gatekeeper.*

Never give out a card, clicker or your personal gate code to anyone. We all have a responsibility to our community to adhere to good safety practices.

Comments included:

The statement that the number of clickers/cards would be determined by the number of residents was not well received for several reasons: 1) many people have a clicker or card for each vehicle or for walking, 2) it is unenforceable and 3) there is no evidence that this would address security concerns.

Homeowners agreed that cleaning up the list of clickers, cards and codes every two years would be a good practice. Homeowners recognized that this is a hassle but expressed support. Unless there is a pedestrian gate at Manhattan, a clicker is needed for someone to exit on foot.

It was suggested that the HOA issue a tag for resident cars. Follow up discussion was not in support of this strategy. Some stated that they would refuse to comply.

Tailgating was acknowledged as an ongoing problem. Those who see tailgaters were advised not to confront the tailgater, but rather to write down the license plate number and general information about the type of car and then follow to tailgater to see where they go. If the person does not go to a residence, call the Police.

Cards provide a chain of custody, while codes do not.

A committee to study this issue consists of these volunteers: Millie Meyer, Carissa VanderMey, Wyatt Booher, John Cooper, Gerri Rivera.

Open Forum Discussion of Security Issues

Wyatt Booher reviewed a document shared with homeowners prior to the meeting. This document outlines vulnerable spots in The Gardens, depicts some possible solutions and provides the basis for further discussion.

Comments after this presentation: the ditches are a "can of worms" as we must work with the Middle Rio Grande Conservancy District before any changes are made; homeowners are encouraged to familiarize themselves with information available via the internet on security and gated communities and it was noted that the chain link fence at the Mountain Road end of the irrigation ditch is much higher than the fence at the BioPark end.

It was agreed that the committee listed above also will evaluate safety issues and make recommendations to the Board of Directors.

A motion to add a \$5000 line item to the budget for safety enhancements was made, seconded and discussed at length. Again, many opinions were shared during the discussion period, including but not limited to: the board should not be bound by this motion, the HOA should have a meeting solely to

discuss security, the community should have a say in how the \$5000 is spent, there should be prioritization process, and all board meetings are open to all residents so no special meeting is needed.

After that discussion, it was moved and seconded that: A Security Committee be formed in 2017 to address security concerns, that this committee make recommendations for security enhancements to the Board, that the recommendations be communicated to all homeowners, that a \$5000 line item be placed in the budget to ensure that there is funding available for improvements deemed appropriate for 2017 implementation and that the community can vote on such implementation if there is a difference of opinion. This motion also was discussed and comments included: the \$5000 is available, but will reduce the amount in the road maintenance set aside; while it won't hurt to do this, some want to clarify that this is not to be interpreted that we must spend the money nor must there be a special meeting.

Although many homeowners already left the meeting, it was determined that a sufficient number remained to vote. The motion passed with no "nays" and no abstentions.

It was moved and seconded that the meeting be adjourned. The motion passed and the meeting was adjourned at 12:35 p.m.

Respectfully submitted,

Julia Clarke
Secretary, Board of Directors