The Gardens on the Rio Grande Homeowners Association

**Agenda**

**Los Duranes Community Center**

**7/5/2022, Tuesday 6 PM**

**Attendance:** Debby Smith President, Kevin McCusker Vice President, Jerry Simon Treasurer, Shirley Hosler Secretary, Marylin Showalter Member at Large, Rich Kramer Resident, Marlo Maxon Resident and Charter Board Member.

**Call to Order:** 6PM

**Approval of Previous Minutes:** Approved by all

**Treasurer Report:**

Bank Account as of 7/5/2022

|  |  |  |
| --- | --- | --- |
| Checking | $31,939.37 |  |
| Landscape Checking | $2,988.45 |
| Undeposited Funds | $1,100.00 |
| Operating Fund |  | $36,027.82 |
| Savings (Road Reserve)  Road Reserve | $61,879.24 | $61,879.24 |
| Total All Accounts |  | $97,907.06 |

Bill paid today:$3,991.91 for Road patching

**Social Committee**

**Chair Marylin Showalter:**

Weather is hot and wet, so nothing has been arranged. Still looking for a house to have a get together in case of rain…. Debby Smith volunteered.

If residents are considering using either of the common areas for a party, please contact Marylin so a form can be filled out and the date can be placed on the community calendar

**Architectural Committee:**

**Chair Jerry Simon**

The Architectural Committee needs another member. It doesn’t take much time and a volunteer to help Jerry would be so very appreciated.

**Landscape Committee**

**Chair Gil Clarke**

* In addition to normal landscape maintenance duties, fertilizer was applied to the north and south common areas.
* Road repairs were performed by Gaylord Paving. Additional work will be done in the fall.
* Recent rains have caused an increased presence of seedlings, even in locations where pre-emergent herbicide was applied.
* The irrigation system is in good working order.
* Fencing along Mountain Rd. may need maintenance (Marylin)

**Action:** Board members will take a walk and look at the fence on the North Commons that borders Mountain Road to decide regarding a bid to paint. Marylin received one bid so far for $1046 plus tax.

**Gates/Safety:**

Nothing to report

**West Old Town:**

Nothing to report

**Old Business:**

There was no old business

**New Business:**

1. **Budget revision and increase in fees; synopsis of the discussion:**

* Legal fees: There has been $4758 spent so far which includes a $1000 retainer. There are still 2 legal items left to complete and the cost is unknown.
* Paving work estimate: Will be over what is budgeted. There is $4500 is budgeted and $3400 has been spent, leaving $1100) There is still work scheduled for September.
* Gate maintenance: About $800 has been spent so far this year (last year we spend a little over $6000). Each time the gate company comes it costs around $200 for the service call. We have $1500 budgeted for the gates, leaving $700 left for this year.
* Accounting fees: budgeted $4200, leaving about 3,000 for an external review by an independent CPA which needs to be done according to state law. The cost for this professional is not known.

**Action:** Kevin will call local CPA’s and research their availability and cost.

**Action:** The August meeting will be a budget meeting

2. **Covenant review:**

**Accountability and enforcement for non-compliance of covenants.**

The survey monkey was sent to get an idea of how the community perceived the covenant and what should be done to ensure a semblance of compliance.

Safety issues were the concern of the board and the emphasis on review and noncompliance had to do with a vehicle that has not been moved within a 30-day period.

There was considerable discussion by the board and the community members at large. The board feels that improved education about covenant content is the best approach for now. Future discussion and suggestions regarding enforcement of current covenants are welcome; the board does not see its role as that of policing or enforcement, nor does it wish to do so. The spirit of our community is self-governance with an all-volunteer board that must be elected in order ensure compliance of the HOA and Nonprofit corporation laws of the State of New Mexico by which we are bound. Click here for information on those laws [HOA Laws and Regulations New Mexico](https://www.hopb.co/new-mexico)

Section 7 02 Parking Areas Vehicles.

For overnight parking, each Owner shall park his vehicle in his garage, except ·that when there are more vehicles used by the Owner than his garage will accommodate.

Section 3.02 D: Except as provided otherwise by this Section, no mobile home, motor home, recreational vehicle, motorcycles, campers, trailers, boat, or similar facility, structure or recreational equipment shall be kept, placed, or maintained within the Gardens Subdivision at any time unless enclosed within, a standard size garage, Garage doors shall normally be kept in the fully closed position. No vehicles shall be placed on blocks and no vehicle shaII be repaired or overhauled, except when within an enclosed garage. Passenger vehicles (excluding trucks} owned by and regularly used by Owners or members residing on the property may be parked on the· driveway immediately in front of a garage bay if all garages are otherwise occupied by other passenger vehicles (not boats, trailers, campers, or recreational vehicles) regularly used by members of the household and not in storage. The provisions of this subsection shall not apply to (i) temporary construction. shelters or facilities maintained during, and used exclusively in connection with, the construction of any work or Improvement permitted by this Declaration, (ii) a recreational vehicle parked in the driveway or the street for a period not to exceed 24 hours, and (iii) a guest's use of a recreational vehicle for a period not to exceed one week per *year.*

Section 3.02 L No commercial vehicles shall be kept or maintained In the Gardens Subdivision, except within standard size garages; and except where customary or required for the limited purposes of building, repairing, refinishing, or maintaining the Gardens Subdivision or a dwelling, or for the purpose of moving household goods or other necessary or customary furnishings, equipment or supplies in or out of the Gardens Subdivision.

Section 3.02 K No vehicles of any type shall be permanently or semi-permanently parked in any portion of the Gardens Subdivision for purposes of repairs er reconstruction, or storage. A vehicle shall be deemed parked for storage if It Is not driven out of the Gardens Subdivision for thirty (30) consecutive days.

**Open Forum**

City ordinances must be followed so towing is an unrealistic approach as it is illegal to do so without lawful authority.

Section 3.02 Section D, K, L goes through descriptions of what vehicles can be parked in driveway. (See above)

Many residents never read the covenants until there is a problem. Education on the CCR’s should be the first matter of business before amendments and/or penalties to the covenants are examined.

**Action:** The board will select a CCR every month to be posted on the minutes for the residents’ examination and thoughtful review.

The meeting was adjourned at 7:25PM