

COUNTRY CLUB ESTATES BOARD OF DIRECTORS MEETING

February 7, 2002

9:00 A.M.

Meeting was called to order by president Mike Walsh.

Attending were President Mike Walsh, Vice-President Hal Wheeler, Barbara Hamilton, Secretary, Jane Franklin, Treasurer, Marie Miller, Board member, Roy Poole, Board Member

Not present: Barbara Reedy, developer

Secretary Report: Motion by Jane Franklin to accept the minutes as emailed to all members,
Seconded. by Roy Poole. Passed.

Guest: Keith Smith

Treasurer's report: Attached report. All Bills are paid Hal Wheeler made motion to accept Roy
seconded Discussion to have list of bills. Passed.

Strategic Planning Session is scheduled for Wednesday, February 20, Noon to 4P.M . .It will be
only board and committee chairman. Designation will be announced at later
date.

Update on banking and insurance: Our checking account is opened at 1St. New Mexico Bank.
Insurance for liability and errors and admissions still not certain of cost. Our official address is: 3209
Wedge Rd . It is #6. on the box.

Committee Reports:

Architectural Review Committee: Extensive report from Keith Smith. Copy Attached

Facilities Committee:

Report from Roy Poole on the three subcommittees. Attached.

Report from Physical plant committee. Attached

Discussion of possible newsletter, guidelines for committees, neighborhood watch.

Next board meeting will be March 7, 2002 @ Jane Franklin's house.

Barbara Hamilton, Secretary

OPERATING GUIDELINES
OF THE CLUBHOUSE PHYSICAL PLANT SUBCOMMITTEE
OF THE COUNTRY CLUB ESTATES HOMEOWNERS ASSOCIATION

February ,2002

These guidelines provide a general framework for operation of the 3 person Clubhouse Physical Plant Subcommittee (CPPS).

The Subcommittee is appointed by and serves at the pleasure of the CCEHA Board. There is no fixed term for serving. The Subcommittee is a subordinate committee to the Facilities Committee (FC).

Following are the responsibilities of the Subcommittee:

- 1 - Prepare budget estimates for operation and maintenance of the clubhouse and its infrastructure as an element of the FC budget. This includes any contracts that may be needed to maintain the building, its infrastructure and appliances.
- 2- For the budget, prepare a list, estimate of costs and schedule of need and accomplishment for:
 - a. multiyear capital improvement list
 - b. recurring capital maintenance list
 - c. list of infrastructure improvements
 - d. list of recurring maintenance items
 - e. list of needed tools and supplies
- 3 - Endeavor to work within the approved budget allotment to the CPPS. In this regard, determine priorities for expenditures within the budget based on any shortfall between the submitted and approved budgets.
- 4 - Cooperate, coordinate and work with other Committees and FC subcommittees. a. Determine adequacy of appliances turned over by Grantor.
- 5 - More specific tasks and items required at the time of acceptance of the clubhouse:
Request Board to accomplish a through d as follows:
 - a. assure all instruction books and warranties are provided by Grantor.
 - b. assure Grantor furnishes as-built plans and specifications for the building.
 - c. assure Grantor furnishes data on brand, color of paints and stucco.
 - d. obtain extra floor tiles and touch up paints for future maintenance purposes.
 - e. determine type of locks to be placed on entry doors.
 - f. prioritize items not furnished by Grantor, but essential to occupation and use.
- 6 - Specific on-going responsibilities
 - a. assure security of building by such means as periodic changing of lock

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- combinations and maintaining list of keys; assignment of individuals for daily lock up, thermostat, furnace, AC operation, water, gas leaks checks etc. A check list will be prepared for the individual making such checks.
- b. prepare a schedule of warranty coverage time limits and list of authorized warranty repairpersons.
- c. prepare list of repair and maintenance persons for non-warranty emergency and routine recurring and non-recurring service. Include phone and emergency numbers and post in clubhouse. Obtain Board approval of this list.
- d. make recommendations to the Board for all purchases from approved suppliers of services, equipment and supplies including costs for such.

7 - Filling of Subcommittee vacancies

- a. The FC chairperson will appoint the CPPS chairperson.
- b. The CPPS chairperson will appoint CPPS members as positions may become vacant.
- c. From time to time, the CPPS chairperson and other CPPS positions will be on vacation and otherwise unavailable. CPPS chairperson will notify the FC chairperson in writing of his/her unavailability and the FC chairperson will temporarily appoint an acting CPPS chairperson. In the absence of the FC chairperson, the CPPS chairperson will request the Board to act.

CPPS members will notify the CPPS chairperson or acting chairperson in writing of their unavailability and the CPPS chairperson will appoint a temporary member.

The Board must be immediately notified in writing of all appointments.

8 - Undertake any other tasks and responsibilities as may be assigned by the Board.

These are the guidelines that the architecture committee has designed and presented for Board approval. You will see an action item on the agenda to accept these and the forms that go with them. I have not included the forms but will send them to you if you want to see them.

I hope we can agree to approve these so the committee can begin working. They have also submitted position papers that I will bring to the meeting on the 7th. If we can agree on those as well it would be great. Again if you want to review those ahead let me know and I will get them to you.

Mike>

>OPERATING GUIDELINES OF THE ARCHITECTURAL COMMITTEE

>as revised 2/28/02

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>We are all neighbors and property owners in Country Club Estates and strive to live together harmoniously. As owners, we agreed to abide by and faithfully observe the provisions of the Declaration of Restrictions.

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> The Architectural Committee has the responsibility to you and your neighbors to assure that the restrictions detailed in the Declaration of Restrictions-are complied with to everyone's mutual benefit and of course are applied uniformly and fairly.

>

>Further, the Declaration of Restrictions, Section 30 Interpretation, states: The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of the real property and improvement thereon.

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>In fulfilling its duties in evaluating all applications and other issues brought before it, the Committee must indeed place a very high value on the needs, opinions and wishes of the CCEHA members and balance such with those of the petitioner within the construct of the Declaration. While a harmonious resolution is desired, such may not always be possible.

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> The Board of Directors may from time to time develop and adopt policies, positions and procedures relevant to development and operation of Country Club Estates including those that direct the activities of the Architectural Committee. The Committee will

03/03/2002

>follow all such Board directives.

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>In order to conduct the business of the Architectural Committee (hereinafter the
>Committee) as detailed in, and in the spirit of, the Country Club Estates Declaration of
>Restrictions, the Architectural Committee hereby adopts these operating guidelines.

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> These guidelines and any future changes and amendments thereto, must be duly approved
>by the Board of the Country Club Estates Homeowners Association (hereinafter the >Board).

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>If any part of these guidelines is determined to be in conflict with the Declaration of
>Restrictions (hereinafter the Declaration) or the Bylaws the Declaration and or Bylaws
>shall apply. Determination of such compliance or non-compliance shall be at the sole
>discretion of the Board. The members of the Committee shall serve at the pleasure of the
>Board.

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>1 - MEANS OF INITIATION OF COMMITTEE ACTION

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>Any member in good standing of the Country Club Estates Homeowners Association
>(hereinafter either Association or CCEHA) must present plans for proposed alterations to

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>their own property. Such alterations should be those that are described in the Declaration
>or other alterations, although not specifically described, which would be alterations in the

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>spirit of the Declaration. Such plans should be in sufficient detail, including information
>on any governmental approvals and permits needed, applied for or received, to enable >
>proper review by the Committee. The Committee may request such additional
>information as is needed for proper review.

>

>Any member of the CCEHA or the Board may present a petition to the Committee for
>consideration of anything they feel is a violation of the provisions of the Declaration. A
>request for such consideration shall cite the specific section of the Declaration the
>petitioner feels is in violation and be in writing to the any Committee member. Any
>person or entity bringing such action in this Section is hereinafter termed petitioner.

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> The Committee may initiate action on any violation on its own determination of such
>violation.

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>11 - PROCESS OF COMMITTEE ACTION

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>When a matter comes before the Committee by process of Section I above, the
>Committee shall undertake the following process:

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> 1 -If the matter was brought before the Committee by a petitioner other than the
> homeowner, the Committee will also notify the homeowner in writing that such
> matter was received. Oral requests of the Committee will not be honored. The
> Committee may make community notice of such matter being received by the
> Committee.

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> 2 - The Committee shall meet and determine whether the matter falls under the
 > Declaration restrictions per se, or the spirit of the Declaration, and is a matter that
 > should be under Committee consideration. The Committee may determine that
 > information furnished is inadequate and additional information may be requested.

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> 3-If the Committee determines the matter is not under Committee jurisdiction for
 > consideration, the Committee shall notify the petitioner and/or any relevant
 > homeowner of such in writing within 15 days and may make community notice
 > thereof.

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> 4 -If the Committee determines that the matter is appropriate for Committee
 > consideration and all necessary information for proper review has been furnished,
 > it shall duly review the matter and make a determination of compliance or non-

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> compliance with the Declaration. The petitioner and/or homeowner will be >
 notified in writing of such determination within 15 days of receipt of a
 > complete application or petition. Community notice may be made thereof.

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>111 - POSSIBLE COMMITTEE ACTIONS

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>Committee decisions on any petition or other action will be by majority vote (2 out of 3).

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> The Committee will report on petitions received and actions taken on any matter at the
 >regular Board meetings as well as other times as may be determined necessary.

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>Committee actions on any petition may result in anyone of the following:

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> 1 - No action taken because the Committee determines the action proposed is
 > consistent with, or with the spirit of, the applicable Declaration restrictions.
 > Petitioner and/or owner are notified and action may proceed precisely as described
 > in the petition.

> No action taken may also result from insufficient information being provided.

>

> 2 - Committee determines petition is in violation of Declaration restrictions and
 > either disapproves it or approves it contingent on compliance with any Committee
 > conditions or changes the Committee deems necessary to bring the petitioned
 > alteration into compliance. The Committee may alert the Board of its decision
 > prior to notification to the petitioner and/or owner. The Committee will provide
 > results of such Committee action to the petitioner and/or owner in writing.

>

> 3 -If an owner proceeds to implement any alteration under consideration by the
 > Committee; or any alteration disapproved by the Committee; or the alteration is an
 > unpetitioned violation of the Declaration restrictions; the Committee will prepare
 > a Notice of Violation of Restrictions. Such notice will be delivered to the property
 > owner in accordance with Section 23 of the Declaration. If the owner ignores
 > such Notice, Sections 29, 3D, 31 and any other applicable Section may be
 > implemented by the Committee.

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> See Section IV that follows.

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>IV - NON-AGREEMENT WITH COMMITTEE DETERMINATION

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> Any petitioner and/or homeowner may disagree with any Committee
> determination. They should immediately notify the Committee in writing
> providing reasons for such disagreement.

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> 1. For good and valid reasons, the Committee may revise its initial Determination.
> Any Determination may include conditions to bring the submitted or petitioned
> action into compliance with the Declaration.

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> 2. Any unresolved dispute between a homeowner and the Committee, will be
> resolved in accordance with Section 29 Arbitration, of the Declaration.

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> 3. Any dispute between an owner and adjoining owner, or between an owner
> and any other petitioner relative to the provisions of Section 29 Arbitration, of
> the Declaration shall be detailed in writing by each of the disputing parties and
> submitted to the Committee.

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>V - COMMUNITY NOTICE

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>Additional to the notices required under Article 23 of the Declaration, the Committee in
>its sole discretion may also make community notice of any petitions received and actions
>taken thereon. Community notice may take any form the Committee determines
>including posting on bulletin boards at the Clubhouse

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>VI - CONCEPTUAL REVIEW

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>An alteration may be thought of as having 2 planning stages - concept and details.
>Review of a concept could forestall expensive preparation of detailed plans should the
>concept be determined to not be in concert with the Declaration. Any person may present
>early stage preliminary plans sufficient for conceptual review by the Committee. Any
>person may find this of benefit where some possible or perceived inconsistency or
>violation of the Declaration restrictions may result from the alteration. This early review
>could prevent unnecessary expenditure of effort and funds. Approval at concept stage
>still requires detailed plan review and approval by the Committee and is not to be
>considered assurance of such final plan approval.

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>VII - DURATION OF APPROVAL

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>1. Some alterations will be accomplished to benefit the current owner. Such alterations
>may be of no use to a resale owner who may not want or properly maintain the alteration.

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> The Committee in its approval, may require the current owner to properly remove the
>alteration upon resale unless the resale owner agrees that he needs and will properly
>maintain the alteration.

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>2. For other alterations of a temporary or non-permanent nature the petitioner will specify
 >within the petition, the duration of the alteration and adequate plans for its proper and
 >prompt removal, cleanup etc.

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>Although any petition approval by the Committee may not include or address, for
 >whatever reason, removal and cleanup, this does not preclude the Committee from later
 >consideration and action in this regard.

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>VIII - PREMATURE ALTERATIONS

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>Expenditure of funds or performance of work by an owner, whether or not substantial, in
 >premature achievement or performance of an alteration that should have previously been
 >submitted to the Committee for review, shall be totally disregarded by the Committee and
 >not enter or influence in any way the Committee decisions.

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>IX- RENTED PROPERTY

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>Owners that are renting their property are as responsible for its maintenance and upkeep
 >in accordance with the Declaration as owners in residence. Absentee owners are urged to
 >make their renters aware of what they may need to do to assist the owner in complying >with
 the Declaration. Owners should maintain current contact information such as >addresses and
 telephone numbers with the Board.

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>X-VACANTPROPERTY

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>Owners of vacant property must assure that lots with living units are maintained
 >consistent with the provisions of the Declaration. As an example, allowing weeds to
 >grow is a cause for concern and owners are urged to have someone available locally to
 >periodically inspect and correct any such property deficiencies. Owners should maintain
 >current contact information such as addresses and telephone numbers with the Board.

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>XI-ACTIONS OF GRANTOR

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> The Committee has no jurisdiction relative to many of the actions of the Grantor as
 >specified in various Sections of the Declaration. Any person may feel that the Grantor
 >has or is doing something detrimental to the community. In such instances, the person
 >should contact the Board.

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>XII - AMENDMENT TO DECLARATION

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>Some matters before the Committee may be of such significance, import and precedence >to
 the Association that the Committee may determine the best course of action would be a
 >recommendation to the Board that Declaration Article 32 Amendment be implemented.

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>This avenue is of course open to any CCEHA member.

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>XIII - "GRANDFATHERING"

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>All owners accepted and agreed to abide by the provisions of the Declaration, in particular Article 34, Binding Effect. Alterations performed by an owner prior to formation of the Association are not necessarily exempt from Committee review and jurisdiction. An alteration done prior to formation of the Association that was clearly in violation of the Declaration at that time and is still in violation is still liable to Committee review.

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>XIV - GOVERNMENTAL REVIEW

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>All required governmental reviews, approvals, inspections and the like of the alteration must be obtained and are a totally separate process thus an owner must also comply with the Declaration of Restrictions.

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>XV - POSITION PAPERS

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>In order to achieve consistency and improve the quality of its decisions, the Committee from time to time may generate position papers dealing with how decisions will generally be made relative to certain and very specific Declaration restrictions. These would be submitted to the Board for their approval before adoption and use by the Committee. > These policies may change as experience and situations evolve and change.

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>XVI - CONFLICT OF INTEREST

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>From time to time, an individual Committee member may request action by the Committee on an improvement to their own property; or an action concerning a Committee member may come before the Committee via the mechanisms of Section I above.

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>In such situations, the Committee member shall declare himself or herself excused from the Committee relative to that particular action. The Committee shall then request the Board to appoint an interim member to act as a duly appointed Committee member solely on that action. The Board at its pleasure, may also remove a Committee member if, in its

>

>sole discretion, it determines the member may have a conflict of interest in any action before the Committee.

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>XVII - TEMPORARY APPOINTMENTS

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>In addition to the temporary appointment outlined in Section II , Conflict of Interest, in other instances it may be necessary for the Board to fill a Committee position temporarily.

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>Example of this: A Committee member is on extended leave whereby the member is unable to fulfill the Committee duties. In these instances, the member is to notify the Board in writing of his unavailability whereupon, the Board or a Board member designated by the Board, will act to temporarily replace the unavailable member

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>XVIII - OTHER COMMITTEE RESPONSIBILITIES

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>1 - At the Board's request, prepare budget estimates for operation of the Committee as an element of the annual budget.

>
>2 - Endeavor to work within the approved budget allotment to the Committee. In this regard, determine priorities for expenditures within the budget based on any shortfall between the submitted and approved budgets.

>
>3 - Cooperate, coordinate and work with the Board and other Committees.

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>XIX - DEFINITIONS AND CLARIFICATIONS

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> Petitioner - person who submits application or other request for action to the Committee. Such person must have standing in CCEHA as a member of the Association.

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> Person objecting to petition - person must have standing in the CCEHA as a member of the Association.

>
> Grantor - the same meaning as in the Declaration.

>
> Homeowner or owner means any person owning real property in Country Club Estates. This may be a lot owner or a living unit owner and must have standing as a member of the Association.

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> Homeowners who are delinquent in paying assessments do not have standing in the Association, or who are found for other reasons not to have standing in the

>
> Association, may not bring actions or petitions before the Committee. However, petitions and actions may be brought against them as if they were in good standing. Standing is a determination of the Board.

~~h.~~
>APPROVALS

> > > Barbara for CCEHA Board Date:

3-6-02

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