

Approved ECIA Board of Directors May 18, 2020 Adopted Meeting Minutes

ECIA Board Meeting Minutes Monday May 18, 2020

Call to Order

Meeting called to order at 5:01 PM

Roll Call / Declaration of Quorum

- BOD in attendance: Nancy Sulzberg, President, Melicent D'Amore, Vice-President, Sal Monaco, Treasurer, Carol Sanguinetti, Secretary, David Sorkin, Director
- Staff in attendance: Mike Rogers, Operations Manager, Jessica Collins, Pool Manager, Rachel Turnbough, Executive Assistant, Sarah Skagen, Admin Assistant
- Not in attendance: Julie Navarro, General Manager, excused absense

Approval of Agenda

Amend to add Policy Review and Website

Moved by Mel D'Amore, Second by David Sorkin, 5 in favor, no opposed

Announcements: Meeting is being streamed on ZOOM with the following rules:

- Each ZOOM meeting is given a random Meeting ID
- The "Waiting Room" feature is active so there is no automatic meeting entry
- Participants cannot join before the Host
- Guests are muted; questions can be typed in with responses given appropriate to the agenda
- When recognized to speak, guests will state full name and address
- Private messaging during the meeting will be been disabled.

CONSENT AGENDA ITEMS

- General Manager's Report
- April Board of Directors' Session Minutes
- Covenant Compliance Report
 - Moved by David Sorkin, Second by Sal Monaco, 5 in favor, no opposed

HOAMCO REPORT

- Waste Management Agreement – tabled
- Dog Park – tabled as will be discussed in Open Forum
- Parking lot drainage
 - Is complete and works – this is parking next to pool and drains all the way around and into trees north of the pool
- Stables trail course
 - Completed what maintenance was to do – step course and mailbox and a few other obstacles
 - Stables people will be completing the rest of the work
- Playground Equipment (CC in older kid section)
 - Equipment is on site and PlayScapes will be installing this week
 - New boogy board, new mulch and larger area
 - Parking lot lighting
 - Pushed out about one month due to electrician – he is currently installing phase converter and CC interior lighting

- Cameras
 - Adding new cameras to courts, compadres park and stables
 - Bids from IntraWorks, Santa Fe Home Tech, and Richard's Electrical Solutions

POOL UPDATE

- Jessica Collins, Pool Manager
 - May 6 – F&G meeting there was discussion about opening with restrictions (used a pool in Colorado as example); lap swim only, share lane with members in household, appointments for swim time. Jeff Elison and Associates are certifying lifeguards because American Red Cross is not doing so. Use filter with mask when doing resuscitation, VeroMax filters, this protects lifeguard
 - May 7 – CAI webinar regarding opening pools and communities – highlights are:
 - Legal – Under governor, BOD makes decision about opening
 - Waivers – adjust wording to reflect how opening and will need “gate keeper” to ensure compliance
 - We can be sued – whether we have insurance or not if jury finds negligence in sanitizing
 - Need more lifeguards to patrons in the pool; need this ratio because less people allowed in the pool and need lifeguards available to ensure safety of pool, crowd control, sanitizing, checking pool passes, making appointments, etc. – have 5 certified lifeguards who are still willing to work
 - No lifeguard course/training right now because too close to each other when practicing water saves – have 5-10 candidates willing to work as non-certified pool attendants if able to open
 - No swim lessons this season
 - Guests – highly suggested no guests at all
 - May 15 – NM Environmental Department through May 31 no pools are opening meaning no pool inspections happening either – not scheduling anything, no wait list, nothing until Public Health Order says okay to open pools
 - City of Santa Fe – pools are still closed; looking at end of this month/beginning of June before making another decision
 - City of Albuquerque – might open outdoor pools for lap swim beginning June 6; dependent on next Governor's address
 - No decision made about pool passes, lap swim availability, hours – wait and see how can do this
 - Can only do what we are permitted to do
 - Will have to be new restrictions in place if pool is able to open

VARIANCE REQUESTS

- None

MOTIONS

1. Motion to affirm electronic vote to approve Amelia Adair as a member of the Roads Committee.
 - a. Moved by Mel D'Amore, Second by Sal Monaco, 5 in favor, no opposed
2. Motion to approve Tara Debevec as a member of the Stables Committee.
 - a. Moved by Carol Sanguinetti, Second by Mel D'Amore, 5 in favor, no opposed
3. Motion to accept the resignation of Nina Harrison from the Architecture Committee.
 - a. Moved by Mel D'Amore, Second by David Sorkin, 5 in favor, no opposed
4. Motion to approve rock climbing policy in preserve.
 - a. Moved by Carol Sanguinetti, Second by Mel D'Amore, 5 in favor, no opposed
5. Motion to support the chip seal project of the SF County Public Works Department on RAP roads.
 - a. Moved by Mel D'Amore, Second by Nancy Sulzberg, 5 in favor, no opposed

ECIA BOARD OF DIRECTORS ATTORNEY

- Lynn Krupnik
 - Representing Community Associations for 23 years; representing Community Associations in New Mexico since 2006
 - Represent about 180 Homeowners Associations in New Mexico
 - Involved in CAI also – certified through CAI with College of Community Association Lawyers
 - Represent corporation through Board of Directors that is elected by the members
 - Do not represent individual Board member or individual Manager
 - HOA is corporate entity – who you pay assessments through, is corporation who runs everything; decisions are made through BOD on behalf of the corporation
 - Do not represent any management companies

COUNTY LIAISON

- Status Report – Joseph Gutierrez, 9 Moya Loop
 - Capital Funds – Eldorado has three grants; money appropriated from Santa Fe County for use within Eldorado
 - \$150,000 for road improvement within Eldorado; \$100,000 for trails in Eldorado; \$200,000 for extension of hike/bike on Avenida Torreon to Hwy 285
 - Funds have been frozen – have not been reverted yet but highly likely state will recoup these funds from county; 17 projects in county with funds frozen
 - Good position to secure funds in the future
 - County has committed and is investing their own funds on fixing the RAP roads with a chip seal
 - Decision will be made in next 30-60 days approximately
 - Working on easement with Water Department on Stable property

COMMITTEE PRESENTATION

- Architecture – Katherine Mortimer
 - Committee – Ensuring the built environment is consistent with the covenants
 - Architecture application to make changes to structures on property
 - Submit drawings – what is there, what is changing, dimensions, scale
 - If proposal meets guidelines committee can approve; if not submit Application for Variance
 - Must have a reasonable reason
 - Variance is a Board decision not committee decision
 - Two vacancies on committee
 - County updated Land Use Code – increased side setback to 25 feet
 - Existing non-conforming in Eldorado – existing structures are grandfathered in but can not make change to
 - Big process to figure out
 - Are not architecture police – covenant violations are handled by staff

NEW BUSINESS

- Vacation Rentals
 - Considered a change to the use of your property – negative consequences
 - Restrictions in current covenants – none right now; have trouble regulating it
 - Take a covenant change which is hard to do – next to impossible
 - Has been reviewed as a business and can slide in under that part of covenants
 - Lynn Krupnik – court case that was trying to imposing minimum lease term. Law states if there is a minimum leaseterm it must be in CC&R's

- Food Truck – Tara Woodruff
 - Tara not present during meeting – tabled
- Policy Enforcement
 - Need to give guidance to policies that we write – how do we enforce it; what are the consequences; etc.
 - Monty VanderMay – enforce with owner not tenant; violate rule and fine schedule associated with violation
 - In July 2019 NM HOA Act was amended and HOA's have authority to impose fines – violator have a chance to be heard before fine is imposed; ongoing violation vs recurring violations.
 - Owners need to comply with the covenants – in HOA Act
 - This does not need to be in CC&R's – just rules adopted by BOD

OPEN FORUM

- Dean Smith, 4 Floresta Dr – When will tennis courts open?
- Don Clark, 2 Ensenada Dr – Would like to submit document regarding opening the tennis courts.
- Ann Maes, 56 Verano Loop – Support opening the courts for daily exercise and coming up with a solution.
- Mike Schneider – Open courts. People have been following rules and people want to be outside
- Ann Maes, 56 Verano Loop – big dog park and little dog park now. Dogs should be allowed to have fun and people need to social distance. What can do to get the dog park open?
 - Nancy – dog park subcommittee to come up with COVID-19 rules to follow. Email Marie Aragon to make recommendations.

ADJOURNMENT

Moved by Mel D'Amore, Second by Carol, 5 in favor, no opposed

Meeting adjourned at 5:21 PM

Executive Session

Upcoming Board Meeting: June 15 at 5 PM via ZOOM