

# Abbe Springs Ranches HOA Board of Directors

Quarterly Meeting Minutes, September 5, 2021

The third quarterly meeting of the Abbe Springs Ranches HOA Board of Directors (BOD) was called to order online through Zoom Video Conferencing by President Paul Kotula at 4:00 PM (MST). Also present were Vice President Marjorie Hlava, Secretary Bruce Holsapple, Treasurer Leroy Bieber, and Director Donnie Tripp.

## **Secretary's Report**

A motion to accept the June 6, 2021 2nd Quarter Meeting Minutes as posted on the web site was seconded and approved unanimously.

## **Treasurer's Report**

The Treasurer reported that the HOA is doing well financially and that everything is on budget. The largest bill last quarter for renewal of our insurance policy. There are presently three lot owners in arrears for the annual assessment fee, and there is a lien on one of those lots. A motion was made to move to foreclosure on that lot because the outstanding bill had now reached over \$1000. After brief discussion, the motion was seconded and passed. In a second instance, the President was to write a letter to the owner but had tried, unsuccessfully, to work through the title company. He will now send a letter by registered mail to the lot owner, specifying charges, before turning the matter over to the HOA lawyer. The third lot owner will receive notice by the HOA Lawyer of a lien on their property. A fourth lot owner was in arrears but paid their assessment fee just after the thirty day deadline. The President will double-check on when that check was posted and report back to the Board. We learned also that our book-keeper, Pillar, had changed address without notifying us and that checks from the title companies had been returned by the post office to the title companies. The new address is 2700 Palmilla Rd NW Suite 200, Los Lunas, NM 87031. The phone number is 505-865-1040. Our new contact person is Emma Sutfin. The checks were reposted. There was no explanation for why we were not notified. A motion was made and seconded to accept the Treasurer's Report as provided and the motion passed unanimously.

## **Road Report**

Roads were damaged by heavy rainfall in July, but all roads remain passable and the HOA roads fared much better than FR 123. Board members have contacted Socorro County about the need for repairs, but the County responded negatively, stating that they were only responsible for grading FR 123 once a year. We have done some shovel work to improve areas where an arroyo had washed through, but further repairs are needed. Director Tripp hopes to do more work when his equipment is fixed. He will contact

Summers about the annual grading. At that time, he will also confer with Summers about fixing troubling culverts. He has marked dangerous culverts with orange paint (again).

## **Old Business**

### **Bylaws Revision**

Vice President Hlava reported that the revised Bylaws are ready to be distributed to the membership for approval. (The Board reviewed those changes in June.) A motion was made and seconded to move the revised Bylaws from Committee to the membership, and it passed unanimously. With support from the Secretary, the Vice President will print and mail the revised Bylaws by postal service to the membership in October. Members will have 30 days to consider the changes and vote to approve or disapprove the revisions. The proposed changes will also be posted on the web site. The next project will be to make the Rules and Regulations coherent with the Bylaws and with state law.

### **Google Drive**

Last quarter, a motion was approved for President Kotula to move the files and data currently on Google Drive to a new site. That action is pending because he encountered unspecified problems.

### **Legal Liaison**

The President is in contact the lawyers about the 30 day notices (with the intention to file a lien) to members in arrears. He will also ask the HOA lawyer to move to foreclosure on one lot.

### **Web Site**

Webmaster Heather Kotula introduced new template and design changes to the Website. The HOA domain has been renewed with South West Cyber Port.

## **New Business**

### **Board Elections**

There will be three vacancies on the Board of Directors in the coming year and members are urged to run for a position on the Board. The term is three years. A letter will be sent (by e-mail where possible) in November notifying members of the upcoming open positions, the procedure for putting a member up for election, and the qualifying deadline for nominations (December 31, 2021). Election to the Board will occur by mail-in ballot in February 2022.

### **Transfer Fees**

Secretary Holsapple asked that the Board reconsider the Regulation on Transfer Fees because of the wording in that regulation and because of the excessive bookkeeping that

wording involves. The current Regulation states that the Transfer Fee be charged to the new owner at the point of transaction, but an invoice must be generated for the title company sometimes months before the transaction occurs, the potential buyer is often unknown, and the transaction may be cancelled. Bruce argued that the seller, rather than the buyer, should be charged for the Disclosure Statement and invoicing, since it is the seller who requests the Disclosure Statement and that is the person who would be liable for the Transfer Fee if the sale falls through. (That Transfer Fee is typically split by the seller and the buyer at the time of the transfer of title, but that is not stated in the Regulation.) A motion was made and seconded to change the Regulation and was approved unanimously.

### **Next Board Meeting**


The next Board Meeting will be in early December hopefully in person at a location in Abbe Springs. Members are welcome, but the President asked that anyone contact us in advance if they plan to attend.

### **Adjournment**

The meeting was adjourned at 5:06 PM.

DATED September 12, 2021

Minutes presented by:

  
Bruce Holsapple, Secretary

Paul Kotula, President

Approved via email by Vice President Marjorie Hlava, Treasurer Leroy Bieber, and Director Donnie Tripp.