

**MINUTES OF THE ANNUAL MEETING OF THE SKY COUNTRY ESTATES
PROPERTY OWNERS' ASSOCIATION**

**1:00 pm – July 6, 2024
63 Clear Sky Road, Cloudcroft NM 88317**

Meeting called to order by President Burke at 1:10 pm MDT.

Members attending: Directors, Burke, Koch, Nussbaum, Sarkozy, DuBois, Mortimer. 17 members present. Quorum reached.

First notice of meeting sent May 17, 2024, second notice sent June 17, 2024, third notice sent June 24, 2024.

President Burke read the minute of the 2023 Annual Meeting. Director Koch made a motion to approve and the motion was seconded by Director Nussbaum. Membership passed the motion unanimously.

President Burke gave a report stating we have 68 residential lots with 12 full time homeowners and 15 part time homeowners. We have 32 land only owners that own 38 lots total. There are 4 properties that have started building and 2 lots currently for sale. New owners since last year are Randy and Julie Bullard, lot # 46 and Jeremy and Melanie Neil, lot # 45. The Board completed a review of our Restrictive Covenant and created Rules to help clarify any vague descriptions in the covenants. We signed a contract with a new snow removal contractor and PVT is installing fiber optics internet in the subdivision. President Burke made the comment we managed the POA within the budget.

Treasurer Nussbaum reported our expenses for administration in the year totaled \$6,078.72. Road maintenance to this point is \$5,970.36. Total expenses for the fiscal year are \$12,049.08. Total revenues for the year are \$19,007.32. Current bank balance is \$12,236.71.

President Burke thanked Joan Nussbaum for all her work for the POA. Joan has decided to step down from the Board.

President Burke said the new contract for snow removal has a fee of \$1,800 plus tax per snow removal and will keep that same rate next year. If snowfall is over 36 inches there will be an additional \$1,000 charge. This contractor was the lowest of the snow removal contractors contacted. Regular road maintenance did not have to be done until May and at that time it was determined only to have most of Big Dipper worked on because the rest of the roads were OK. Part of Clear Nite Road does need some work but it was decided to wait until the heavy equipment working on Mr. Edwards property was done and after the monsoon rains.

President Burke said the New Mexico Homeowners Association Act requires homeowners' association to have an audit done every 3 years. President Burke did some inquiries and found out none of the area homeowners associations has been doing audits. Director Sarkozy added he spoke with a CPA and was told that any accounting firm most likely would not do an audit for us and if they did the charge would be \$5,000 to \$10,000. The CPA suggested we not do an audit. The CPA said one option is to have an audit of our financials and added we already do that with our financial report. That cost would be around \$1,000. Another option would be to do an audit ourselves, but we already do that with our published financial report with the income and expenses.

Member Ronna Janssen made a motion to continue to use the review the Board currently performs. The motion was seconded by member Lourdes McDaniel. The motion was passed unanimously by the membership.

A discussion of the new Rules that apply to the Restrictive Covenants followed. After discussion member Lourdes McDaniel made a motion to approve the Rules. The motion was seconded by member Mary Duce. The motion was unanimously approved.

President Burke reported PVT is starting to install fiber optics for internet and phone in the area. In our subdivision the installation will be aerial and the aerial installation should be done in December. The actual hook ups to the homes will come sometime in the first half of 2025. Hook ups will only be done to existing homes and PVT will contact the owners individually.

President Burke led a discussion on non-members use of our private roads. The main concern at this time is the new owner of the 112 acre partial of land next to Sky Country Estates to the north. The owner and his contractors have been traveling through Sky Country Estates using our private roads. The new owner has commented that he wanted to conduct a commercial business and we are concerned about the amount of traffic on our road, the effect on property owners and the effect on the cost of maintenance. The new owner presented to our Board documents that he claims shows he has easements on all our roads that allow him to use our roads. We have contacted our attorney and she has tried to contact his attorney with no results, the attorney will not return her calls. Our attorney recommends we do a complete title search on all the properties in Sky Country Estates. The Board decided to hold off on the title search until we tried to reach the new owner and hopefully have a conversation with him to discuss this issue. On June 12, Director Koch was able to contact the new owner. The owner told Director Koch there was nothing to talk about, he claimed he has an easement on the roads, and he was going to keep using them. After that lack of conversation, the Board decided to hire Pioneer Title Company in Alamogordo to do a complete search on Sky Country Estates properties and surrounding neighborhoods and properties that might be affected. The title company is still working on the report.

President Burke presented the Board proposed budget for the next fiscal year. There was discussion on the amounts, based on history and expectations for the new year.

Member Ronna Janssen made a motion to accept the budget as presented. Member Don Littlefield seconded the motion. The motion was passed by the membership unanimously.

Member John Fenoglio commented he would like to officially recognize Ed Koch and Don Littlefield for keeping our water system running. Member Dan Sarkozy added to please call Ed whenever you are taking more water than normal, such as filling a tank or had a toilet running for some time. This helps Ed determine if there is a leak in the system or not.

Members Virginia Littlefield and Mary Duce volunteered to be election monitors and count the ballots for the Board of Directors election.

As a result of the election the new Board members are Dan Sarkozy, Gerianne Burke and Mary-Anne Estrada. Member Joan Nussbaum made a motion to accept the results of the election. Member Mike DuBois seconded the motion. The motion passed unanimously.

Member Mike DuBois made a motion to adjourn the meeting. The motion was seconded by Member Joan Nussbaum. Motion passed unanimously. The meeting adjourned at 2:39 pm MDT.

Passed and approved this _____ day of _____, 2024

Attest _____

Sky Country Estates Member Approved Budget

[illegible]