

**SONORAN DESERT WILLOW HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
MINUTES**

www.desertwillow.org

DATE: October 24, 2006
TIME: 7:00 pm
LOCATION: Pyramid Credit Union, 8235 S. Houghton Rd

CALL TO ORDER

The meeting was called to order at 7:04 pm.

ROLL CALL

Members Present: Ken Moyes, President
Glen Bohnke, Vice President
Mike Howard, Treasurer
George Collaco, Director at Large

Members Absent: Phyl S Kabins, Secretary

Management: Grant Parker, Director of Management Services
Kent Linaman, Association Manager

Minutes: Jane Hamlin

QUORUM

Four directors were present establishing quorum.

APPROVAL OF MINUTES

MOTION: To approve the minutes of the September 27, 2006 Board of Directors meeting as presented.
The motion was seconded and **PASSED** unanimously.

PRESIDENTS REPORT

A request for proposal (RFP), was sent to three landscaping companies chosen by Cadden Community Management, based on RFP language previously agreed to by the Board. The Board of Directors then drafted a more detailed RFP, which was sent to three more landscape companies chosen by the Landscape Committee. The three landscape companies selected by Cadden Community Management had already submitted proposals and were asked to re-submit based on the new RFP. Time is of the essence since the 2007 budget must be finalized by November 30th.

A question was posed to the Board of Directors to consider artificial turf for the park areas of the neighborhood. The previous Board of Directors has considered this prospect, however, the initial cost of installation would be a considerable expense to the association.

Mr. Moyes reported on the status of the common area bordering Valencia Road. Lennar/US Homes has reported this section was never deeded to the Sonoran Desert Willow Association. The area encompasses 8.6 total square acres and encroaches approximately 3 acres of the Attebury Wash area the association is required to maintain.

Mr. Collaco suggested the Board of Directors contact Lennar/US Homes for reimbursement of the cost of maintaining this area, as the association bore the burden of maintenance after the association was cited by the City of Tucson for weed violations. The association was under the presumption the area would be deeded to the association and the Board of Directors had discussed turning the property over for restricted use by the Tucson Police Department. Lennar/US Homes will be directed by management to send a letter to the City of Tucson stating the area is their responsibility to maintain.

Mr. Moyes reported that he continues to update the association web-site as needed

Mr. Moyes requested Cadden Community Management provide a more concise financial report to better post information to the readers of the web-site, and to provide the more private information (collection issues) to the Board of Directors as required.

Signature cards for the association bank accounts were signed and returned to Cadden Community Management. Mr. Parker stated the signed forms were received will be submitted to Finance.

The Board of Directors conducted an informational meeting between the September 2006 and October 2006 meetings. No binding decisions regarding the association were discussed at this meeting.

Mr. Moyes has posted a "Help Wanted" ad on the association web-site for someone to provide trash collection service at the park areas of the association. Mr. Moyes has obtained a waste receptacle from the City of Tucson for the collection of the trash at a cost of approximately \$12 per month, to be collected at a home of whoever is designated. Further discussion will be conducted under new business.

Mr. Bohnke will chair the Landscape Committee for the association and review the bids as they come in. Management was directed to mail Mr. Bohnke the proposals by 2nd Day Mail.

TREASURERS REPORT

Mike Howard gave the following report. The operating balance through the end of September, 2006 was \$16,193.58. The reserve balance was \$2,338.60.

The landscaping budget is over-budget to date by approximately \$2,400.00 and utilities are over-budget for the reporting period year-to-date.

Five (5) accounts have been turned over to the collections department of Cadden Community Management as of July 2006. Lots 207 and 260 have not paid, nor made payment arrangements. Cadden Community Management requested direction from the Board of Directors whether to lien three properties over \$200.00 delinquent. The Board of Directors will discuss under new business.

There was a question whether the Lennar/USHome property affects the insurance policy of the association. Since it has been determined the property is still the responsibility of Lennar/US Home, there is no insurance liability for the association.

There was a question when the association dues are considered past due. The dues are collected quarterly; and are deemed late when they are 15 days past due. The due date is the 1st day of the first month of each quarter (January, April, July & October). After that point, Cadden Community Management sends monthly statements to past due owners. Any amounts collected are applied to the oldest past due amount according to state law.

Mr. Howard inquired why the association spent \$100 on taxes for the association. Mr. Parker explained that while there is no tax liability, there is a cost to actually file the federal and state return. The association is also required to produce at least a Compilation of the association's annual financial activity every year, and make that available to the owners..

Karl Walton, a homeowner and CPA, offered to file the tax returns for \$35.00 and to perform the Compilation. The Board of Directors took this under advisement.

VICE PRESIDENTS REPORT

The following are represented on the Landscape Committee:

Glen Bohnke, Chair of the committee
 Bob Rice
 Stanley McPherson
 Manuel Montoya

The goal of this Committee is to better control the landscape expenditures of the association. Currently the association is spending approximately between \$3,200.00 and \$3500.00 per month. The existing contract with Horticulture Unlimited is vague in terms of what is included. The new RFP attempts to capture all of the "hidden" costs in the current agreement as part of the new contract.

ACC REPORT

The Architectural Control Committee (ACC) was formed at the last Board of Directors meeting. The chairperson of this committee is Karl Walton. The ACC makes decisions separate from the Board of Directors of the association, and those decisions are deemed final.

The committee has received five requests this past month. One request is pending neighbor signatures, and another request requires a better description of materials. The other three requests are approved as submitted.

The committee will compose a charter and a description of policies for making and approving applications.

Lot 149 is in the process of installing a pool without approval of the ACC or Board of Directors. Lot 150 has raised concerns as the construction has affected the wall of lot 150. Mr. Linaman explained Patio Pools was to send information to the association for the scope of work, which has since been done. The Board of Directors requests management to send a cease and desist letter to the homeowners and Patio Pools. The homeowner has indicated they will continue with construction regardless of whether a cease and desist is requested by the ACC and/or Board of Directors.

The pool installation of lot 208 was discussed. The construction appears not in keeping with the original plans submitted. Management is requested to forward the original application to the ACC committee for review, with a possible cease and desist letter to be sent.

The Board of Directors requests homeowners, committee, and Board of Directors members to contact management whenever apparent violations of the CC&R's are in question.

MANAGERS REPORT

Pending items for the manager's report are as follows:

1. Annual meeting is to be held at Pyramid Credit Union, and the notice and 2007 budget are to be reviewed and approved at the November 2006 Board of Directors meeting. The budget is pending an approved contract from a landscape company.
2. It was previously noted on the violation report lot 205 had installed a gate at the back wall of the property to access the wash area. The previous Board of Directors requested the homeowner remove the gate and repair the wall to its original condition. The homeowner did remove the gate, however reconstruction of the wall appears to be of inferior quality. Discussion ensued.

MOTION: Management is to send a letter to the new owner stating the wall condition is not to the standard of the original construction, and to request that he cure the problem. The letter will suggest that the new owner contact the previous owner for restitution.

The motion was seconded and **PASSED** with three votes in favor and one objection.

3. The Board of Directors was provided a violation report for the community.
4. The Board of Directors requests to receive the unapproved Board of Directors minutes in a timelier manner. The Management Service Agreement states a 7-day turnaround time.
5. Lot 317 submitted an ACC request just prior to the formation of the Architectural Control Committee and has not yet received a reply. The application will be forwarded to the ACC for review.

OLD BUSINESS

The Board of Directors had previously requested that the owners of Lot ____ provide a business license to operate a swim school on their property. The homeowner did not comply with this request by the deadline date. The Board of Directors requests management to send a cease and desist letter to the property.

Discussion continues from the September 27, 2006 Board of Directors meeting regarding the posting of homeowner "for sale" signs/notices within the community. Mr. Moyes felt the best location to construct a dedicated area for this purpose would be the "T" intersection of Meadow Willow Trail and Dusky Willow. Discussion regarding the cost and dimensions ensued.

MOTION: The motion was duly made and seconded to include a not-to-exceed amount of \$400 in the 2007 budget. Materials and dimensions will be determined at a later date. Motion passed unanimously.

The Board of Directors will conduct an informal budget meeting prior to the November 2006 Board of Directors meeting.

NEW BUSINESS

There was discussion whether to conduct the Annual Meeting on December 12 or 19, 2006.

MOTION: To conduct the annual meeting on December 12, 2006 at 6:30 pm at Pyramid Credit Union, conditional upon availability of the Pyramid Credit Union.

The motion was seconded and **PASSED** unanimously.

The Board of Directors requests management to send a postcard notice to all homeowners to solicit candidates for the Board of Directors.

MOTION: Postcard to be sent to all homeowners in the association to solicit candidates for the two upcoming vacancies on the Board of Directors.

The motion was seconded and **PASSED** unanimously.

There are two vacancies for the upcoming election. Candidates for the Board of Directors will submit Bios and are strongly encouraged to attend the annual meeting.

Mr. Moyes requests management provide quarterly updates of new homeowners in the association. Mr. Moyes would like the Board of Directors consider the formation of a Welcoming Committee.

The Board of Directors discussed the fining process for CC&R violations. Mr. Parker provided several examples of fining policies, including proper procedures for Hearings. Mr. Collaco suggested the Board of Directors draft a comprehensive fining policy to be discussed at the Annual Meeting. The Board of Directors requests management to continue sending weed and other violation letters.

The homeowner at 7444 River Willow has been parking a commercial towing truck on the street in front of his home. Mr. Collaco has volunteered to contact the towing company to advise of the CC&R's that prohibit the parking of such vehicles in the neighborhood.

Seven replacement trees were planted in the association, and Mr. Montoya has agreed to inspect whether proper watering is being provided. A meeting with Horticulture Unlimited and Mr. Montoya will be arranged to determine the watering schedule. Mr. Montoya will also assist in determining if some irrigation lines have been tied in to private home irrigation lines.

Horticulture Unlimited was directed by the Mr. Moyes to over-seed the common areas, based on the terms of the contract as understood by the Board of Directors. The invoice for this service was submitted at a cost of \$2,500.00. The Board of Directors felt this cost considerably higher than anticipated. Mr. Moyes requests management contact Horticulture Unlimited to itemize and justify this invoice.

Mr. Collaco noted the previous Board of Directors considered over-seeding of the common areas in 2005, and having received a bid of approximately \$5,000.00, declined to provide the service at that time.

The Board of Directors discussed the web-site help- wanted ad for service of the trash cans at the common areas. The association would pay approximately \$400.00 per month if a professional company provided the service. The ad on the web-site states the association would be willing to pay an individual \$100.00 per month.

A high school student who lives in the community expressed interest in providing this service. The Board of Directors will reimburse the provider for plastic liners purchased. Mr. Moyes has obtained a dumpster to be located at the providers residence at a cost of approximately \$12 per month. It is unclear at this time whether the association must provide worker's compensation insurance, however, if the cost is not prohibitive, the association will provide that coverage.

MOTION: To hire the high school student who has responded to the ad on the web-site to provide trash removal service and replacement of liners at the common areas one time per week at rate of \$100.00 per month. The trash receptacle will be provided by the association at an approximate cost of \$12.00 per month and will be located at the provider's home for regular scheduled trash pick collection. The association will provide worker's compensation insurance if needed. The motion was seconded and **PASSED** unanimously.

The Board of Directors will send a letter to the applicant specifying the duties expected as discussed above.

NEXT MEETING

The next Board of Directors meeting will be November 28, 2006 at 7:00 pm at Pyramid Credit Union.

ADJOURNMENT

MOTION: To adjourn the Board of Directors meeting at 9:03 pm. The motion was seconded and **PASSED** unanimously.

Respectfully Submitted,
Jane Hamlin

Sonoran Desert Willow Estates Homeowners Association Management Report

October 24, 2006 to November 28, 2006

COMPLETED ITEMS

- ✓ Mail out Board Nomination Notices on 11/07/06
- ✓ Contact Flouresco Sign Comp. On 11/08/06 to replace stolen lettering at entry wall.
- ✓ Follow up with Horticulture Unltd. to repair sprinkler head at north park.
- ✓ Prepare and mail 3 Notices of Lien for Lots 207, 235 and 260 to President Moyes for signature.
- ✓ Notarize and file Liens with Pima County.
- ✓ Provide initial draft of 2007 Budget to President Moyes and Treasurer Mike Howard for review on November 15, 2006.
- ✓ Conduct two Site Tours on 11/14/06 and 11/22/06.
- ✓ Nine violations letters sent. 5 welcome letters sent. 6 ACC applications processed.
- ✓ Scan and e-mail ACC applications to ACC Committee members for review.
- ✓ Review cash disbursement report with Treasurer Mike Howard regarding 3 checks.
- ✓ Void and re-cut two checks to Horticulture Unltd. Present checks to President Moyes and Treasurer Howard for signatures.
- ✓ Answer questions from prospective landscape bidders regarding RFP and scope of work at Sonoran Desert Willow.
- ✓ Interact with Manny Montoya and Skip Harrington (H.U.) to locate/activate irrigation lines and valve controlling area of new tree plantings.
- ✓ Provide Annual Meeting mailing to President Moyes for review prior to mailing.
- ✓ Mail out Annual Meeting Notice in compliance with By-Law requirements.
- ✓ **Follow up on swimming pool applications at Lots 149 and 208.**
- ✓ Inquire about itemization of invoice from Horticulture Unltd. for over-seeding of both parks.
- ✓ Mail 6 responses/proposals for Landscape Bids to Chairman Glen Bohnke for his review.
- ✓ Review October 2006 financial statements.
- ✓ Deliver Board Packets for review prior to Board Meeting.
- ✓ Contact/Confirm Board and Annual Meeting dates with Pyramid Credit Union.
- ✓ Phone calls/research to determine location of damaged valve box that controls common area landscaping from Lot 254 to 271.
- ✓ Solicit bids from Horticulture Unltd. and Horizons West to repair valve box.
- ✓ Provide copy of violation letter example to President Moyes.
- ✓ Confirm Workers Compensation coverage for student worker for trash pick-up.

Sonoran Desert Willow Estates Homeowners Association

Management Report

PENDING ITEMS

- Send letter to Lot 205 regarding substandard condition of wall repair.
- Obtain price from Flouresco before any work is conducted on sign lettering.
- Follow-up property on business license for property with swimming lessons.