

SONORAN DESERT WILLOW ESTATES
 Homeowner Association
 Monthly Board of Directors Meeting

Minutes

Location: National Self Storage Lobby
 7555 S. Houghton Road, Tucson, AZ 85747

Date & Time: March 17, 2008, 7:00 PM

Executive Session

1. Hearing Pertinent to Garbage Can Damage at 7420 S. River Willow, Lot 300 – The hearing was convened at 6:30 PM and concluded at about 6:55 PM.
2. Rental Enforcement Hearings – None scheduled for this meeting.

Board Meeting

Monthly Meeting called to Order at 7:00 PM

Board Members:

	<u>Position</u>	<u>Present</u>	<u>Absent</u>
Glenn Bohnke	President	X	
Tom Musznyski	Vice President	X	
Karl Walton	Treasurer	X	
Bob Rice	Secretary	X	
Ken Moyes	At Large	X	

Management Representatives:

Bill Maguire	X	
Mike Connoy	X	

Quorum Five Board Members were present; therefore, a quorum necessary to conduct an official meeting was achieved.

Homeowner Comments (3 minutes per home owner)

A motion was made and seconded, and approved by all, to amend the sequence of the Agenda and move the "Homeowner Comments" portion of the meeting to a position following establishment of the Meeting Quorum.

1. Barking Dogs. This subject was brought up by a Homeowner in attendance. He indicated that he had sent an email to Mr. Bohnke with the response he had received from Pima County Animal Control (PCAC) concerning barking dogs. Mr. Bohnke said that he had sent a letter to the Association Membership (dated January 26, 2008) that addressed this subject and others. At Mr. Bohnke's inquiry, Mr. Connoy said that a second letter, conveying the Annual Association Financial Compilation to the Membership, would also address this subject. The Homeowner said that his situation is improving and expressed his thanks to the Board for helping with this issue. The

discussion, during the course of the meeting, indicated that several alternative courses of action exist: (1) an Owner can approach the dog's owner and ask that the dog's owner control the dog's barking, (2) the Owner can file a barking dog complaint with PCAC; whereupon PCAC will call both parties to an arbitration meeting where the dog's owner will be asked to control the dog's barking, or (3) the Owner can file a civil nuisance complaint with the police, but that this might result in PCAC impounding the dog, and a certain amount of ill will being generated between the parties. Mr. Moyes added that a complaint to the police should be made through the 9-1-1 number according to direction received from Chief Levitt.

2. Leak around Fire Hydrant Mr. Connoy reported that the cavity around the fire hydrant at the corner of Pacific Willow and Dusky Willow had been filled in. Discussion indicated that the work had been done by the Association's landscaper rather than the City of Tucson. Whether the hydrant would again leak and cause a new cavity to form could not be stated. Mr. Connoy said that he would check for any further leaking on his "ride-throughs" of the subdivision.

3. Parking on the Street A Homeowner raised the issue about on-street parking. Mr. Moyes provided the following information: The Association CC&Rs allows an Owner to rent or lease his or her property. However, Article 10.23 of the CC&Rs stipulates that a Homeowner who rents or leases his/her property is to require, in the rental agreement, that the tenant abide by the provisions of the CC&Rs or be in default of the rental agreement. The Board is trying to manage the rental situation within the provisions of the CC&Rs because of the difficulty in amending the CC&Rs. The CC&Rs requires that Owners and Tenants, and their relatives living on the property, comply with the parking requirements of the CC&Rs. Persons visiting Owners or Tenants do not have to comply with the CC&Rs and can park on the City Street. Because the streets are owned and managed by the City, the Board does not have jurisdiction over them or over parking on them by persons not residents of the property. That said, if a Owner or Tenant is violating the provisions of the CC&Rs, the Board needs indisputable evidence of the violations. At the conclusion of the discussion, the Homeowner indicated that dated pictures of the offending vehicle were available. Subsequently, Mr. Maguire said that ADAM will issue a complaint letter and call the offending Party to a hearing of the Board.

Minutes of February Meeting

Mr. Moyes moved to approve the minutes of the February, 2008, Board Meeting. The motion was seconded by Musznyski, and approved by all.

Treasurer's Report:

1. Delinquencies Summary:

	January 2008	February 2008
Delinquent Fees, Total	\$12,331.15	\$10,502.15
Under 30 Days	\$890.00	\$710.00
Over 30 Days	\$6,048.80	\$5,035.40
Over 60 Days	\$0.00	\$50.00
Over 90 Days	\$5,392.35	\$4,706.75

Mr. Bohnke noted that half of the delinquencies are over 30 days past due. Mr. Connoy stated that he has sent out late notices and has been talking to a lot of people and following up at the scheduled times; the same as the CC&R violations. Responses have been pretty good. Mr. Bohnke indicated that the next President's letter should state that dues for a particular Quarter are due on the first day of that Quarter. During the subsequent discussion, Mr. Maguire summarized the types and strengths of the

notifications sent to those Owners that become delinquent in their payment of Association dues and subject to a \$15.00 late fee. Once a delinquent bill is sent to the attorney for collection, ADAM does not know what the amount of the bill is. Mr. Moyes indicated that once the delinquent bill is sent to the attorney for collection, the attorney adds its costs to the amounts due to the Association. The discussion then moved to the subject of what the letters should say and when the delinquent owner should be advised that the account would be sent for collection. The discussion concluded that the procedures established by ADAM should not be changed at this time, but may be reconsidered in the future if the delinquencies do not improve.

Mr. Walton summarized the operating fund by saying that expenses were down almost as much as were collections.

3. Status of Reserve Fund Deposit Plan:

Mr. Walton suggested that until the Board gets a handle on the delinquencies issues, it is difficult to develop a plan for depositing reserve funds into a special account.

4. Status of Audit Compilation:

The Audit Compilation is complete. It was forwarded to Board members and is posted on the Association website.

5. Status of 2007 Income Tax Return:

The 2007 Income Tax Return has been completed and the \$50 tax was paid by Mr. Walton by the established deadline. Mr. Bohnke signed an Association check in the amount of \$50 to reimburse Mr. Walton.

6. Check for Michael Domingus

Mr. Bohnke sign a check for Mr. Domingus in payment for weekly services to the Association of emptying the several trash cans throughout the subdivision.

Approval of Treasurer's Report:

Mr. Moyes moved to approve the Treasurer's Report. The motion was seconded by Mr. Musznyski and approved by all.

President's Report:

1. Mr. Bohnke stated that he has written a 2nd President's Letter (has not been mailed yet) that addresses, among other issues, the Barking Dog issue. Mr. Moyes asked if the letter informs the Membership of the web site address, and the response was that it does. When mailed, a copy will be posted on the website.

Secretary's Report:

1. Prepared Minutes for February, 2008, Monthly Board Meeting.

2. Prepared Agenda for March, 2008, Monthly Board Meeting

Vice President's Report and Landscaping Report

Landscaping Improvements Proposal for CY 2008 was received from Horizons West, and it was discussed. Mr. Musznyski's recommendations were:

- a. Priority 1: Item 3 of the Proposal - Replace the Blue Palo Verdes now existing along Carolina Willow and infected with "Witch's Broom" (attributed to the Palo Verde Gall Mite. See Insects of the Southwest, Werner, F. G and G. E. Olson, Da Capo Press, 1994, pg 76). This is a budgeted item. Cost: \$2,400.
- b. Priority 2: Item 1 of the Proposal - Drainage Basin at Pacific Willow at Meadow Willow. Improve, extend and rehabilitate the decomposed granite path and move the picnic table to another part of the community. Non-budgeted but proposed in response to past vandalism incident. Cost: Pathway work - \$1,800; labor and forklift to move table - \$690.
- c. Priority 3: Item 2 of the Proposal - Install approximately 37 tons of 3/8" Desert Brown crushed rock on the dirt perimeters of 8 drainage basins. Budgeted item. Cost: \$3,145

During the discussion, it was determined that the 2008 Budget included \$6,500 for Landscaping Improvements. Mr. Moyes then moved to accomplish the budgeted Proposal Item 3 and non-budgeted Proposal Item 1 (borrowing budgeted funds from Proposal Item 2), and to defer Proposal Item 2 until the next (April) Board Meeting when the financial picture becomes a little better clarified. The motion was seconded and approved by a 5 - 0 vote.

Manager's Report:

1. Status of Liability Insurance Policy review by Jeff Noel--All ok.
2. Status of delinquencies and violations
 - a. Items at attorney --arch 5 email conveying status report from Brown Law Group
 - b. Items for liens --At attorney
 - c. Items needing a hearing --2, as of March 17, 2008
 - d. Violations being or to be fined --Still working on this; 3 lots are in foreclosure
 - e. Long standing violations with regard to hearing and fines and liens --Work in progress
 - f. Delinquent lots in name of banks and liens on same At attorney
3. Actions resulting from Garbage Can Damage, 7420 S. River Willow, Lot 300 -- Action settled during the Executive Session of this Meeting.
4. Tumble weeds cleanup behind 10551 Dusky Willow Drive -- Cleanup complete.
5. Lot 261 (7398 S Pacific Willow Drive) cleanup -- Recommendation (\$175 reserved for

cleanup). Work is still needed.

6. Status of Basin Certification by Physical Resource Engineering (\$1,700 approved) – The report is in and will be copied and sent to the Board.
7. Discussion of Proactive Activities to Improve Collections – ADAM is working to improve the collections.

Deferred Business

Deferred Business	Deferred At Meeting	Deferred Until
Signs, Pet and Post No Advertisements	February 2008	3ed Quarter
Solar Light Purchase and Installation	February 2008	3ed Quarter
Changes to By-Laws	February 2008	Changes to CC&Rs
Code of Ethics	February 2008	April 2008 Meeting
Landscaping Proposal 2	March 2008	April 2008 Meeting

Old Business:

1. Barking Dog Issues – See discussion in Homeowners Comments
2. Status of Litter Pick-Up Position – One application has been received. The candidate is Ronald A Syverson, who is in attendance at the meeting, and who confirmed his candidacy for the position. Mr. Syverson asked that he be able to walk the area to area with a Board member to get a feel for the scope of the work. Mr. Musznyski will introduce Mr. Syverson to the area.

Mr. Moyes moved to hire Mr. Syverson for the position. The motion was seconded and approved by a 5 - 0 vote of the Board.

3. Leaking Fire Hydrant – See discussion in Homeowners Comments
4. Status of Graffiti Clean-up – Item is complete; no new graffiti has been noted.
5. Common Area at Valencia westerly of Dusky Willow – . Moyes reported that the commercial property developer had painted the wall (including painting over the graffiti that was there), and has cleaned up the old nursery area. Subsequently, the Association's landscaper has planted a series of cacti across the opening in the wall and hydro seeded the barren areas of the common area.

New Business:

No new business.

Adjournment:

At 8:15 PM, Mr. Walton (?) moved to adjourn the meeting. The motion was seconded by Mr. Rice, and approved by all.