

San Ignacio Vistas, Inc.
Homeowners Association
Minutes Board Meeting
April 26, 2004

Present: Marianne Bishop, Robert Cohen, Gorman Fisher, Linda Gregory, Vernon Kliewer and Ron Sorenson
There were 9 homeowners present. The president called the board meeting to order at 9:00 AM and asked that the meeting be finished by 10:45 am to allow time for Executive Session since he had a previous commitment.

The Chair called for personal privilege. At the last meeting the question was raised as to the chair's participation in discussing items and voting on items that come before the board. The chair reminded that since 1999 SIV has been operating under the Procedure in Small Boards as defined in "Robert's Rules of Order". The meeting proceeded using the agenda as distributed.

1. Reading of the Minutes:

- a. The Minutes of Special Board Meeting February 17, 2004 were ratified with minor modification suggested by Ron Sorenson.
- b. Regular Board Meeting April 5, 2004. The chair suggested that because of the transfer of Treasurer duties many of the figures in the Treasurer's Report handed out at the April 5th meeting contained inadvertent misstatements. The Chair suggested the updated version dated April 25 replace and become Attachment "A" to these minutes. Subject to this replacement, the minutes were approved as distributed.

2. Officer's Reports

- a. Secretary
 - LMR distributed the February 17th Annual Meeting Booklet. LMR is converting from TOPS software targeted to be implemented sometime in June 2004. They asked for clarification as to what data SIV required as a download. The secretary communicated SIV's needs and was told that the new software should have no impact on Association business.
 - The president met with several homeowners on West Sonoran View Drive. They were seeking permission to mail a questionnaire to all SIV homeowners pertaining to increased noise generated by traffic from Frontage Road and Calle Tres due to the Canoa Ranch development. The president agreed to forward their questionnaire to LMR for distribution to SIV residents with the caveat that all costs related to this mailing will be borne by the individuals making the request. The secretary handed the Treasurer a \$75 check from the homeowner with instruction that she is to bill that homeowner for the remaining balance when the Digipost invoice is received.
 - Title Guarantee is still sending the \$75 transfer fee for new properties made payable to SIV and mailing their transfer requests to our post office box. This check will be returned to Title Guarantee with instruction that they update their records to mail future requests and payment to LMR.

b. Treasurer

The Treasurer presented the Statement of Financial Condition as of 4/25/2004 which includes corrections made after a meeting of the Financial Advisory Committee. During conversion from a manual ledger kept by the previous Treasurer to an Excel-driven ledger it was discovered that a number of line items had been entered erroneously. The new set of automated ledgers has been thoroughly tested and handed over to the Treasurer for her use. A motion was made to accept the report included as Attachment "A", subject to audit.

c. President

- Our attorney has reviewed all of our insurance policies and issued an opinion which was communicated to the chair and is included as Attachment "B". The insurance is in good order. The entity name and principal address for our policies has been carrying the name of San Ignacio Vistas Homeowners Association. It was communicated to our Agent to have all policies corrected to read: San Ignacio Vistas, Inc.
- The chair handed each board member a Resolution prepared by our Attorney putting the Motion adopted by the board into language that would have merit in a court. This Resolution is included as Attachment "C" and should be an action item at the next board meeting.

3. Committee Reports

Maintenance Committee

- The Committee perceives a misunderstanding regarding the policy of handling trees in the common areas leading to Demetri Wash and Frontage Road. Trimming has been discontinued many years ago because of recurring costs. When a Homeowner has a complaint they should send a letter directed to the Maintenance Committee describing the tree(s) in question. If determined to be view-blocking the tree(s) will be cut down rather than trimmed. This policy has been consistently followed and should be communicated to all Homeowners requesting consideration if they feel their view is being compromised.
- In an effort to control brittle bush it has become necessary to treat again this year. The chair presented a request for Operating Funds for the project. This request is included with these minutes as Attachment "D".

Linda Gregory made a Motion to approve this project which passed by unanimous consensus.

4. Continuing Business

a. CC&R Revision Status

Because there has been controversy regarding palm tree and view issues it was decided to hold up communication with our attorney on the CC&R revision until the board can reach a consensus. These issues may have a major impact on acceptance of the revisions to the CC&Rs.

- b. Place on the table Guidelines for Maintenance of Common Areas

Ron Sorenson made motion to place this matter on the table for discussion, seconded by Linda Gregory. After a brief discussion Ron offered to continue to work with Tanis developing this Resolution.

- c. Place on table draft letters prepared by Ron Sorenson and Gorman Fisher pertaining to re-notice letter to be sent by AC

Linda Gregory made a motion to postpone this discussion until after the item regarding exemption of palm trees (New Business). A voice vote was taken: Robert Cohen Yes, Gorman Fisher Yes, Linda Gregory Yes, Ron Sorenson Yes and Vernon Kliewer No. The motion passed.

- d. Place on table postponed discussion of committee proposal

Linda Gregory made motion to place this matter on the table for discussion, seconded by Bob Cohen.

Linda read the following statement:

The various SIV committees serve at the behest of the Board. Since the Board changes and elects annually, the committee members and board reps should be reviewed by the Board and recommended by Board majority vote to serve an annual term concurrent with each new Board. This should not preclude any previous committee member from being considered as eligible for membership on the committee, if they so desire.

Therefore, I move that the Architectural Committee be dissolved and that new members who are appointed or reappointed will serve no longer than 30 days after the annual meeting or until their successors are appointed.

The motion was seconded by Bob Cohen.

After considerable discussion Bob Cohen made a motion to amend the previous motion, seconded by Linda Gregory:

I move that the membership of the Architectural Committee be removed.

A voice vote on the amendment was taken. Robert Cohen Yes, Gorman Fisher Yes, Linda Gregory Yes, Ron Sorenson No and Vernon Kliewer No. The motion to amend passed. Another voice vote was taken and the motion passed by majority.

Linda Gregory made the following motion, seconded by Bob Cohen:

I move to appoint seven members to the Architectural Committee as follows:

Gary Brown
John Lucas
Ann Noe
Ronnie Pine
Robert Puttock
Frank Surpless
Susan Trecartin
Gorman Fisher, Board Representative

A voice vote was taken. Robert Cohen Yes, Gorman Fisher Yes, Linda Gregory Yes, Ron Sorenson No and Vernon Kliewer No. The motion passed.

Linda Gregory made the following motion, seconded by Bob Cohen:

I move that the Architectural Committee elect its own chairperson. However, the Board reserves the right to appoint a chairperson in the event that that chairperson does not provide sufficient communication with the Board.

After discussion Ron Sorenson made a motion to amend the motion, seconded by Bob Cohen:

I move that the Architectural Committee elect its own chairperson; however, the Board reserves the right to remove the chairperson with or without cause.

A voice vote on the amendment was taken. Robert Cohen Yes, Gorman Fisher Yes, Linda Gregory Yes, Ron Sorenson, Yes and Vernon Kliewer No who stated that he was of the opinion that this is contrary to the Bylaws. The motion to amend passed.

A vote was taken on the Motion as follows: Robert Cohen Yes, Gorman Fisher Yes, Linda Gregory Yes, Ron Sorenson, Yes and Vernon Kliewer No. The motion passed.

5. Adjournment

The meeting was adjourned at 10:45 AM.

6. Executive Session

The board reconvened in executive Session to review Attorney Client Privileged Information.

7. Reconvene Board Meeting

Ron Sorenson moved that the meeting be adjourned so that the Chair could take part in discussion of the remaining issues on the agenda. Bob Cohen seconded.

A voice vote was taken as follows: Robert Cohen No, Gorman Fisher No, Linda Gregory Yes, Ron Sorenson Yes and Vernon Kliewer Yes. The meeting was adjourned at 11 AM.

The next meeting of the Board is scheduled for Monday, June 7, 2004.

Approved by the Board on **June 7, 2004**

Respectfully submitted,

/s/

Marianne Bishop, Secretary

ATTACHMENT 'A'

**SAN IGNACIO VISTAS, INC.
HOMEOWNERS ASSOCIATION**

Statement of Financial Condition

4/25/2004

<u>2004 Assets and Liabilities</u>	
Assets	
Operating Funds	40,801.33
Reserves (<i>Face Value</i>)	<u>156,404.84</u>
Total	<u>197,206.17</u>
Liabilities	
2005 dues paid in advance	-

<u>2004 Income and Expenditures</u>	
Income	
Dues	69,996.00
Operating Funds Interest	92.12
Reserve Interest	1,022.16
Other Income: Reserves	<u>10,797.69</u>
Total	<u>81,907.97</u>
Expenditures	
Operations Expenses	13,811.35
Reserve Projects	<u>49,118.55</u>
Total	<u>62,929.90</u>

<u>Homeowner's Reserve Equity</u>	
Total Reserve Equity	156,404.84
Reserve equity, per member	685.99

Unaudited

ATTACHMENT 'B'

San Ignacio Vistas - Insurance Policies

Blank I looked over the insurance policies and frankly, have no problems with them. There is an endorsement stating that the limit of \$1 million for the General Aggregate is actual twice the amount shown on the face of the policy You also have employee dishonesty up to \$200,000.00 which will protect the association in the event that any person handling the funds of the association embezzles or mishandles those funds.

The good thing is that the D & O coverage includes fair housing discrimination claims, as well as contract claims. The pamphlet from Ian Graham states that the defense costs are outside of the limits of liability, but I could not determine in the D & O coverage where it states this. Please ask your agent.

There is no coverage for mold, but since the association does not maintain the units themselves, that is not a problem.

You do need to provide the insurance company with the list of your current directors. Damon is still listed.

I liked that it included volunteers as well as your manager.

The policies should be written in the legal name of the association. The insured is San Ignacio Vista Homeowners Association. That should be corrected.

Tanis A. Duncan
548 E. Speedway Blvd
Tucson, AZ 85705
(520) 624-8730

Saturday, April 17, 2004 3:23 PM

PRIVILEGED

AND
CONFIDENTIAL

ATTACHMENT 'C'

SAN IGNACIO VISTAS, INC
RESOLUTION OF THE BOARD OF DIRECTORS
REGARDING MAINTENANCE OF THE COMMON AREAS

Whereas, Section 3.1 of the Declaration of Covenants, Conditions and Restrictions for San Ignacio Vistas ("Declaration") states that the Common Area is owned by the Association for the use and enjoyment of the members; and

Whereas, Section 5.1(A) of the Declaration mandates that the Association maintain the streets and other portions of the Common Areas; and

Whereas, Section 8.1 provides that the assessments collected from all of the Owners is to be used to improve and maintain the Common Areas; and

Whereas, the Association has had to make expenditures from its operating account in order to clean the streets and other portions of the Common Areas as a result of the actions of the Owners or the Owners' contractors who have left debris, construction materials, solvents and other materials in the Common Areas or caused such substances to flow onto the Common Areas; and

Whereas, Article IV, Section 1 of the Bylaws for the Association provides that the business of the Association will be managed by the Board of Directors; and

Whereas, Article VII, Section 1(a) of the Bylaws states that the Board of Directors has the power to adopt rules governing the use of the Common Areas; and

Now therefore, the Board of Directors adopts this rule to establish a procedure when an Owner or any contractor hired by the Owner stores building or other materials in the Common Area, deposits or causes any debris or substance to flow onto the Common Areas, which increases the obligations of the Association in clearing or cleaning such Common Areas. This resolution also provides for a mechanism to sanction an Owner in the event that he/she causes any damage to the common areas or takes any action which will increase the Association's maintenance responsibility above the usual and customary routine maintenance performed by the Association under Section 5.1 of the Declaration.

- invitees, service persons, or contractors.
2. In the event of any construction or landscaping on a Lot, the Owner must store all building and landscaping materials (such as tile, wood, soil, rocks, plantings) on the Lot and not in the street or other portions of the Common Area.
 3. If an Owner uses any solvents, cleaning materials or other substances which do not evaporate either on the Common Area or on the Lot which flow on the Common Areas, that Owner is responsible for removing those substances from the Common Areas.
 4. As used in this resolution, a solvent is defined as a liquid that dissolves another substance, such as a resin; or TCE and PCE which are common solvents used for equipment maintenance and degreasing; a liquid other than water, which is capable of dissolving chemical substances.
 5. If an Owner violates this Resolution, then the Board will provide written notice to the Owner specifying the action which is necessary and a time limit by which the work must be done. Should action require the use of any chemicals, the Owner shall notify the Association of the chemical that he/she intends to use so that any harmful effects can be evaluated by the Board.
 6. The Owner who will be required to perform the work and the Owner subject to sanctions is the Owner whose lot is adjacent to or adjoins the Common Area. It also applies to the Owner of the Lots which is immediately across the street from the Common Area. An example of this would be a Lot located on Prairie Hills which faces the common area behind the rear wall of a Lot which faces Gloria View Drive, or a Lot on View Ridge Drive which faces the common area located on the south side of View Ridge Drive.
 7. As used in this resolution, the term "adjacent" means that the Owner's Lot and the Common Area are not widely separated, although they may not actually touch and "adjoining" means that the Lot and Common Area are joined or united to each other in a manner where no other parcel of land intervenes.
 8. If the Owner fails to perform this work within the time specified in the notice, then the Association will do the work and will assess the Owner for all costs of such work

9. In the event of exigent circumstances requiring that the necessary work must immediately be done, the Board has the right to perform such work and to charge the Owner for the costs of doing so without the necessity of giving the Owner the opportunity to perform the work him/herself.

10. In addition, the Board has the right to notify the Owner of a date and time of a hearing before the Board, or any hearing panel appointed by the Board, where the Owner will be given the opportunity to show cause why fines and other penalties of up to \$500.00 should not be imposed upon that Owner. The hearing will be held in accordance with the Fine Procedure previously adopted by the Board and amended from time to time.

Adopted by the Board of Directors on _____ 2004.

San Ignacio Vistas, Inc.

By: _____
President

Attest

Secretary

ATTACHMENT 'D'
San Ignacio Vistas
Operating Funds Project Request
For amounts \$500.00 and above

PURPOSE OF FORM: The purpose of this form is to provide enough information for the Board to determine if the project should be approved.

NAME OF SUBMITTER: Vernon Kliewer for Maintenance Committee

PROJECT DESCRIPTION:

Describe the project. (List what the project is and where/what will be impacted.)
Trim all mature Brittle bush including that in flower; treat juvenile brittle bush with herbicide. To be done on all north/south CA plus west bank of Camino del Sol from Demetrie Wash to first newly installed rip-rap south of the entranceway.
(Is part of agreement with Felix Landscape Services to identify unanticipated needs - P.4 Agreement, point 5.1. which are not included in the monthly maintenance agreement)

LIFE EXPECTANCY

What is the expected life of the project? (How long will the impact of the project be available to the homeowners?)

Maximum: requires yearly evaluation

Minimum:

ESTIMATED COST OF PROJECT

What is the expected cost of the project?

Maximum Cost: \$1,681.59 (estimate submitted by Felix Landscape Designs based on an hourly basis; our costs determined by the bid - not hourly basis.)

Minimum Cost:

What could cause the costs to increase or decrease from the estimate?

None anticipated

ESTIMATED TIME TO COMPLETE: What is the estimated length of time to complete the project?

Approximately 3-4 days with a crew of three - longer if crew is only two.

What is the expected start date? As soon as agreement is signed

PROPOSED VENDOR(S):

Who are the proposed vendor(s)? Felix Landscape Designs

How was the vendor selected? Has bidding rights per annual maintenance agreement.

Which other vendors were considered? None

FOR BOARD USE: Operating Category to be charged: Maintenance: is budgeted.

Actual cost: _____ Start Date: _____ End Date: _____