

San Ignacio Vistas, Inc.  
Homeowners Association  
Minutes Board Meeting  
October 4, 2004  
Approved by the Board November 1, 2004

Present: Marianne Bishop, Doug Cameron, Robert Cohen, Gorman Fisher, Linda Gregory and Ron Sorenson George Jones, chair of MC, and Susan Trecartin, chair of AC. There were no homeowners present. The meeting was called to order at 9:00 AM and proceeded using the agenda as pre-circulated.

## 1. Reading of the Minutes

Minutes for the September 13, 2004 Board Meeting as well as the Executive Session were delivered to the Board prior to the meeting. Both sets of minutes were unanimously approved as distributed. Doug Cameron stated it was his recommendation that minutes not be posted the web site until they have been approved and all board members agreed.

## 2. Officers' Reports

### a. Secretary

- Since the last meeting the following mailings were made:
  - 9-21-04 letters to 31 homeowners lifting the moratorium
  - 9-28-04 mailing to the membership transmitting
    - 1) revised Homeowners Association Rules
    - 2) Resolution Regarding Tree Impeding Views with Complaint Form
    - 3) recap of the Common Area Tree Session
    - 4) request for update to the GVCCC phone directory
    - 5) announcement regarding the 10<sup>th</sup> annual San Ignacio neighborhood golf mixer.
- On 9-30 the President/Treasurer and Secretary attended officer training at the GVCCC headquarters.
- The Secretary was asked to find out if our welcome packet is being sent registered mail, return receipt, and if the HOA acknowledgement form will be part of the closing documents provided by the title company. LMR advised that no return receipt is being used. The board is not comfortable with this procedure. One title company was contacted and they said it is not their responsibility to provide the acknowledgement form at closing.
- LMR sent SIV a letter dated September 21 detailing a program entitled CondoCerts and asked if SIV would be interested in participating. In a subsequent email Mary Ann Nevins (LMR) stated that 3 resale's have occurred which have been processed through CondoCerts. Evidently there was a misunderstanding with the escrow department as far as how resale documents have been distributed in the past. It was suggested the Secretary contact Pam McCreary in the escrow department who is working with CondoCerts.
- After receiving information from Pam McCreary the Secretary made contact with CondoCerts and obtained a logon to the site to explore the its operation.

There are two levels of entry. One is for the homeowner to request individual association documents; the other for a real estate agent or title company to request documents as part of a real estate transaction. Costs are exorbitant for the documents as well as delivery and processing fees. Many questions were raised and it became apparent contact must be made with LMR. Bob Cohen volunteered to compose a list of concerns to present to LMR.

Doug Cameron and Marianne Bishop agreed to work with Bob on this project and they will report back at the next meeting.

b. Treasurer

The Treasurer presented the Statement of Financial Condition as of 9/30/2004. A motion was made and seconded to accept the report, subject to audit, and it is included as Attachment A to the minutes. The Treasurer is working on the budget and will prepare a preliminary to present to the board in November.

c. President

- President wishes to thank all homeowners taking part in the Common Area Tree Study session. No decisions have been made as a result of the first meeting. Another session will be held, hopefully in January, when the majority of owners will be in residence.
- The president wants to advise the homeowners, possibly by newsletter as well on the web site about a State of Arizona statute concerning construction defects. This statute extends the time permitted a homeowner beyond the 5 year warranty provided by the builder to eight years. The CAI will be hosting an October luncheon with John Chaix, Esq. who has been working in construction defect litigation for almost 20 years.

### 3. Committee Reports

a. Maintenance Committee

George Jones presented the report which is attached to these minutes as Attachment "B".

In connection with the request from the owner of lot 27, Ron cited CC&R Section 5.1 B which spells out the interior common area that the Association is responsible to maintain:

"The maintenance of the landscaped portions of the Common Areas, bufferyards, and other areas to be maintained by the Association, including all areas between Common Areas, if any, and the rear patio walls of each dwelling, and the Association has shall be deemed to have and is hereby granted an easement for such maintenance."

This obligates the Association to take care of property outside of walls in the rear but does not speak to the front yards. After discussion the board agreed that it will accept no more private property to maintain as common area because of budget constraints. The MC is still working on a map to depict all the common area for which SIVHOA is responsible.

Doug Cameron brought up the maintenance of the monument and asked that we get several estimates for the required iron work and painting.

b. Architectural Committee

Susan Trecartin presented the AC report. At the October 1 meeting the AC streamlined handling of requests for security doors, repainting of homes and gates in existing colors, garage

sales and landscaping in back yards below wall height. The Chair was given authority to approve these items without a vote.

A recommendation was made that the MC develop language to present to the board for the last sentence of section one of the Common Area rule as revised on 9-13-04. Provision should be made allowing a limited amount of time to store material on streets or common areas, with appropriate safety devices such as reflective cones or lights, and that a thorough clean-up of the area must be made upon removal of the materials.

Ron made a motion that the word "should" be changed to "must" in sections three and four of the Ramada rule, seconded by Gorman and none were opposed. The sections are revised as follows:

3. All ramadas constructed from the same materials as used in the construction of the existing structure must match as close as possible to the original construction. In addition, supports must be minimum 6 inches x 6 inches (or larger if specified by Pima County Building Code), except for metal ramadas, (see Rule #6).
4. The color of any ramada, including supporting posts, must be the color of the stucco or, if permitted by the Architectural Committee, the color of the trim of the existing structure. The color of metal ramadas must be as close as possible to original stucco or trim colors, unless waived by the Architectural Committee.

Ron stated that both he and Tanis have a problem with the current Ramada rule section five, which states:

"All ramadas must have the approval of adjacent neighbors".

He cited the last sentence of current CC&R Section 12.4 (Section 11.4 of the Proposed Revision). The board asked Ron to work on this section and bring his recommendation to the next board meeting.

#### **4. Continuing Business**

##### **a. Homeowner Rules, Private Property**

Because of the passage of AZ HB2478 Section 8 of our Homeowner Rules regarding Political Signs must be revised. Ron made the following motion.

RESOLVED that section eight of Private Properties be changed to read:

"For Sale by Owner" or other real estate signs shall be displayed only during "Open House" hours.

FURTHER RESOLVED that a new section entitled Political Signs be created in the Homeowner Rules as follows:

#### **POLITICAL SIGNS**

1. A Political Sign is a temporary sign that is related to a political candidate, political party, or issue in a public election.
2. A Temporary Sign is a sign that is not permanently installed and is intended to be displayed for a limited period of time.
3. Political Signs:
  - (a) must be on private property with the permission of the property owner;
  - (b) cannot cover more than sixteen square feet in area;
  - (c) cannot exceed ten feet in height;
  - (d) must be set back at least twenty feet from the street;
  - (e) may not be illuminated;
  - (f) cannot have more than 2 faces (i.e. front and back; 3 or more sided signs are not permitted);
  - (g) do not require a permit;
  - (h) cannot be erected more that thirty days prior to the election; and,
  - (i) must be removed no later than ten days after the election, except that the winners of a primary election need not remove their signs until ten days after a general election.
4. There is no limit on the number of signs an Owner may post.

Motion having been made by Ron and seconded by Gorman, none were opposed, and the motion passed.

b. Revision to the CC&Rs

Ron spoke with Tanis on September 27 regarding Bob Cohen's questions relating to the drafted revision to the CC&Rs. Her comments were supplied to the board prior to the meeting. Bob said that he still had a problem with Section 8.6, 8.10 and 15.1A. In addition, Ron had asked for further response from Tans regarding 15.1E.

Since Bob was not satisfied with these explanations he was authorized by the board to contact Tanis to discuss his questions and then report back to the board.

c. Common Area Tree Maintenance

This item was tabled until the November meeting.

**5. New Business - Common Area maintenance**

- a. An estimate from Felix to remove volunteer trees on interior streets was presented. Because there was only one bid the MC was asked to get two more bids and bring this request to the November meeting.
- b. A request for operating funds for the trimming of common area trees was presented. Two bids were obtained; one from Groundskeeper for \$7690 (plus tax) and one from La Sierra Ranch in the amount of \$2250.

A motion was made to approve this expenditure of \$2250 with the caveat that La Sierra provide a written description of the work to be performed and that we make sure that they are a licensed contractor. None were opposed.

- c. Doug Cameron said he had a suggestion from Gorman that SIV publish a bulletin board on the website and post the name, address and phone number for new homeowners in the community. Doug wanted to know if the board felt it necessary to obtain the approval of the homeowner. Gorman proposed the information come from the Neighborhood Watch. It was the unanimous consensus that nothing be done without the homeowner's prior approval.

**6. Adjournment**

The meeting was adjourned at 11:35 AM.

Respectfully submitted,

/s/

Marianne Bishop, Secretary

Approved by the Board of Directors at the November 1, 2004 Meeting

ATTACHMENT 'A'  
**SAN IGNACIO VISTAS, INC.**  
**HOMEOWNERS ASSOCIATION**

**Statement of Financial Condition**

9/30/2004

<u><b>2004 Assets and Liabilities</b></u>	
<b>Assets</b>	
Operating Funds	62,879.94
Reserves ( <b>Face Value</b> )	<u>133,536.76</u>
<b>Total</b>	<b>196,416.70</b>
<b>Liabilities</b>	
2005 dues paid in advance	-

<u><b>2004 Income and Expenditures</b></u>	
<b>Income</b>	
Dues	69,996.00
Operating Funds	
Interest	208.25
Reserve Interest	3,638.46
Other Income: Reserves	<u>17,206.21</u>
<b>Total</b>	<b>91,048.92</b>
<b>Expenditures</b>	
Operations Expenses	32,043.48
Reserve Projects	<u>81,011.45</u>
<b>Total</b>	<b>113,054.93</b>

<u><b>Homeowner's Reserve Equity</b></u>	
Total Reserve Equity	133,536.76
Reserve equity, per member	585.69

Unaudited

ATTACHMENT 'B'

**SIV Maintenance Committee Report**

**October 3, 2004**

Felix Landscape Designs pruned cacti and removed lower limbs from a tree at the corner of Vista Ridge Drive and Meadow Ridge Drive to improve visibility at the stop sign on Meadow Ridge Drive.

Several homeowners who are on interior streets have requested that common area trees that are interfering with their view be trimmed or removed. They have been told that these trees will be trimmed during the annual maintenance.

Common Area Maintenance:

Comments from owners at the tree study session indicated that many owners are not happy with the current state of the common areas. Under the terms of the current contract with Felix Landscape Designs, weed and grass cutting is scheduled annually -- in November after the end of the growing season. Weed and grass cutting was not being performed on a continuous basis to: 1) reduce maintenance cost, and 2) allow native grass and flowers to seed, thus increasing vegetation and helping control erosion. In response to owners' concerns about the appearance of the common areas, the MC requested that Felix Landscape Designs cut weeds and grass around mailboxes and fire hydrants on September 29. This change in the work schedule does not result in additional cost. Felix Landscape Designs cut weeds and grasses around some mailboxes on September 29 as requested by the MC, but they could not complete the work until Monday, October 3. On October 3<sup>rd</sup>, they will also re-clean the streets of sand and dirt. This work was not performed satisfactorily and the MC requested that it be redone. The MC will meet with Felix Landscape Designs on October 6 to discuss moving up the weed and grass cutting, previously scheduled for November, to October 15<sup>th</sup>. The MC wants to have weeds and grass cut as soon as possible, but not before the end of the growing season.

The MC has requested proposals from Felix Landscape Designs and Groundskeeper for common area maintenance in 2005. In consideration of owner's comments on common area maintenance we asked for proposals from both companies that provides for maintenance on a regular basis, instead of cutting weeds and grass annually. This revised approach will ensure a cleaner and consistently maintained common area throughout the year, however it will cost more. Felix Landscape Designs and Groundskeeper will present their proposals to the MC on October 6.

Volunteer mesquite and acacia have grown throughout the common area. It is cost effective to cut and treat these trees while small. If they are left to grow it will cost more to remove them later. Therefore, the MC will be getting estimates for this work to present at the next Board meeting.

Common Area Trees:

The MC obtained an evaluation of interior common area trees by a certified arborist. The arborist's report stated

“The biggest challenge is the fact that even though many “street trees” are growing below the house grade (houses built on slope above these areas), their genetic code (mesquite and Sweet acacias) push their growth to mature size of 30' plus which could in the near future prevent the mountain views on the east. There are no feasible pruning techniques which would effectively keep such trees—in the line of views—below that line. Proper and regular crown thinning and cleaning will promote healthy and balanced growth and allow filtered views, but it will never ensure the clear views. The solution to such cases will be complete removal and replacement with low growing trees and shrubs.”

The MC requested estimates from La Sierra Ranch and Groundskeeper for interior tree maintenance to restore views, clear low branches off sidewalks and roads, thin and prune as necessary to maintain healthy balanced growth, and remove unhealthy trees. La Sierra Ranch submitted the lower bid. (Note: The President has since learned that we cannot legally hire La Sierra Ranch because as a non-licensed contractor he cannot do a project costing more than \$750.00. Additional bids will be sought.)