

San Ignacio Vistas, Inc.
Homeowners Association
Regular Board Meeting Minutes
February 9, 2004

Present: Marianne Bishop, Linda Gregory, Arlene Haugan, Vernon Kliewer, and Ron Sorenson

Homeowners present: Lot 84: Ward Williams, Lot 134: Ann Noe, Lot 156: Jim McGovern, Lot 161: Jo Hazlitt, Lot 162: L. S. Wood, Lot 171: Doug and Betty Cameron, Lot 183: John and Marcia Lucas, Lot 184: Helen Berwald and Jean Phillips, Lot 202: E. Lambrecht, Lot 204: Barbara Forker, and Lot 177: Scott McCormick

The president called the board meeting to order at 9:00 a.m.

After calling the board meeting to order "the president presented a "point of personal privilege" statement relating to the board member responsibilities and described the difference between board meetings, member's meetings and the homeowner's forum."

Homeowner's Forum

There were presentations by John Lucas, Ann Noe and Scott McCormick precipitated by letters received from the Architectural Committee concerning trees and the matter was placed on the Agenda under New Business.

The meeting proceeded using the agenda dated February 9, 2004.

1. Reading of the Minutes

There were no corrections to the minutes of January 5, 2004 and they were approved as distributed.

2. Officer's reports

Secretary

- One resale since last meeting
- Contacted LMR to have a change welcome letter which is sent to new homeowners reflecting new dues rate for 2004 and to remove the reference relating to color of covers of each of the enclosures,
- LMR database doesn't have a field for neighborhood watch areas. Will investigate having this information added.
- Overwriting database each month is creating more work because created reports are overwritten and any notes made in database are lost when file is downloaded from LMR.
- 20 homeowners delinquent as of 1-15-04. Many homeowners said they didn't get first mailing.
- Two homeowners sent \$15 late fee.
- 88 proxies received to-date, 11 homeowners didn't use proxy envelope.
- Four homeowners have been contacted to serve as tellers to count votes at the Annual Meeting.
- GVCCC phone directories will be available on Feb. 25th and the Secretary will obtain them for distribution by the Neighborhood Watch Committee.
- We are holding the Palo Verde Room at Canoa Recreation Center for a March 25 Homeowner Town Meeting to discuss Revisions to the CC&R's.

Treasurer

The Treasurer distributed the Budget for 2004 included with these minutes as "Attachment A". This Budget will be presented at the Annual Meeting as well as published in the Annual Meeting Booklet. The President pointed out that it is a "zero based" budget. The statement of financial condition as of December 31, 2003 will also be made available to the Homeowners.

The dues notice mailed December 1st clearly indicated a delinquent date of January 15. It was reported that two homeowners voluntarily included a \$15 late fee with their payment. As a courtesy, and because we cannot determine if the retention of a management firm and the new procedure of having them mail the dues invoices may have contributed to some members not receiving the first notice. Because of that a Motion was made by Linda Gregory that:

“The late fee ordinarily due from any homeowner who did not pay their yearly annual assessment of \$307 by January 15, 2004 is waived this year. Also, the two persons that sent the late fee should be reimbursed by the Association.”

The motion was seconded by Arlene Haugan and unanimously approved.

The Treasurer was instructed to record the late fee reimbursement under the “contingency” line item of the operating budget.

The Secretary was instructed to send a letter to all persons sent certified letters in mid-January advising them of this decision but admonishing them as to their duty to meet the obligation of paying annual dues by January 1 each year and that the Board’s action is not setting a precedent

Presiding Officer

- The President cautioned Board members that if any of them signed the petition that Mr. Lucas was circulating regarding the tree issue that they would need to abstain from any discussion or vote on this matter.
- LMR had sent each Board member a sample newsletter advertising their capabilities to create these publications for Homeowner’s Associations. The Board showed no interest.

3. Maintenance Committee

Because the Maintenance Committee has been receiving an increasing number of requests to have common area trees removed or maintained it feels driven to develop a clear policy governing this matter so that everyone knows what is involved. Therefore, the President presented the following Recommendation:

1. The Committee recommends that the Board request the Association’s Attorney to draft a Policy (Rule) that is applicable to all common area responsibilities of the Board, to include the following items:
 - a. A request by a Homeowner to have a tree removed from any of the Common areas, including both interior streets and perimeter areas above Demetrie Wash, Camino del Sol, Calle Tres and the West Frontage road requires a payment of \$500.00 per tree, or actual costs not to exceed \$1000 per tree, to cover removal and re-vegetation expenses, as determined by the Board upon the recommendation of the Maintenance Committee.
 - i. Requests for tree removal are not automatically approved; a recommendation to the Board by the Maintenance Committee is required. If the Board adopts the recommendation, the Board will mail an invoice to the Homeowner for payment of the per tree removal fee. Authorization to carryout the work by an arborist will not occur until the fee is paid.
 - b. Similarly, a request by a Homeowner to have a tree pruned requires the payment of a \$200.00 fee per pruning for each occasion requested to cover the costs of performing such maintenance, or actual costs not to exceed \$400.00 per pruning.
 - i. A request to have a tree pruned because of view or other considerations is not automatically approved; a recommendation to the Board by the Maintenance Committee is required. If the Board adopts the recommendation, the Board will mail an

- invoice to the Homeowner for payment of the per tree pruning fee. Authorization to carry out the work by an arborist will not occur until the fee is paid.
- c. None of the statements above nullify the responsibility of the Maintenance Committee to make recommendations to the Board regarding Common Area maintenance, nor the Board's responsibilities to maintain the Common Areas based on approved long-range plans.
 - d. The Committee recommends that the Association's Attorney be requested to develop a uniform notification procedure and appeal process for dealing with Common Area maintenance and responsibilities.
 - e. Any other items the Attorney deems essential for a policy/rule statement.

The Board was in unanimous agreement to accept the recommendation as presented and that our attorney should consider the above in light of the pending revisions to our CC&R's.

Because we have had homeowners risking life and limb performing maintenance or planting on the common area or who have damaged trees in an attempt to prune, the President presented the following Recommendation:

2. The Committee recommends that any Homeowner who violates the prohibition of any type of maintenance on the Common Areas as described in the CC&Rs, including pruning Common Area trees, etc., will be subject to a \$500.00 fine. This fine will be assessed to the Homeowner based on the description that the areas designated are straight lines that are extensions of the homeowner's property sidewalls, either in the rear or the front of the property, which includes across a private street.
 - a. If a violation occurs, (1) the Homeowner will be sent a notification by certified mail describing the violation; (2) the addressee will be provided a period of 30 days to request an appeal hearing by the Board; and (3) the decision of the Board will be final.
 - b. None of the statements above nullifies the responsibility of the Maintenance Committee to make recommendations to the Board for the removal of trees if the presence of a designated tree does not correspond to the approved long-range plan for maintenance and improvement of the common areas.

The appropriateness of the dollar amount of fine was discussed but it was felt that the amount needed to be sizeable in order to get the homeowner's attention.

The Board was in unanimous agreement to accept this recommendation but the matter should be referred to our attorney for reasonableness as well as how best to administer a fine (i.e., dollar amount to be fixed or sliding scale).

Informational:

3. The Committee reviewed the request of the residents at 4901 S. Meadow Ridge Dr. to further reduce the height of trees in the CA across from 4929 and 4917 S. Gloria View Dr. Both of these trees were pruned, which included height reduction, in December. The residents asserted that the trees blocked their view.

After deliberating, the Committee recommended that no additional maintenance of these trees should take place at this time. Future maintenance will take place as is required.

The Board took no action.

4. Continuing Business

a. Annual Meeting Procedures Review

The President went over all items that would be included in a hand out for the Annual Homeowners Meeting as well as the seating arrangement. He then covered topics that would be included in the President's Report. Arlene Haugan confirmed that she would be handling refreshments.

b. Review of Website - Linda Gregory

Linda has been investigating costs for hosting as well as a basic design and the type of items that should be included on the SIVHOA website. Since no action on this subject will be taken until the new Board convenes, and in an effort to move the meeting along, the Chair recommended that the Association bear the cost of duplicating a handout for each Board member prior to the next meeting and that this item be put on the March agenda.

5. New Business

a. Resolution re Use of Common Areas

The Chair proposed the following:

It is resolved that if any Homeowner violates the CC&Rs, (1) by doing any type of maintenance on a Common Area (CA) such as pruning CA trees or any other CA vegetation or removing CA trees or other vegetation without the authorization of the Board, (2) storing or permitting others to store building or landscaping materials on any portion of the private streets and sidewalks, or (3) depositing or allowing to be deposited extraneous vegetative matter, potting soil, contractor's debris and/or clean-up residue, etc. on a CA will be subject to a \$500.00 Fine. This fine will be assessed to the Homeowner(s) whose property(ies) abuts on or is across the street from the area on which a violation occurs.

Definitions: (1) "Abuts on" is defined to mean adjacent to two or more homeowner lots contiguous to a CA. (2) "across the street from" is defined to mean, e.g., a lot on Prairie Hills facing a CA behind the rear wall of a lot facing on Gloria View Drive, a lot on View Ridge Drive facing a CA on the South Side of View Ridge Drive, etc.

After discussion it was determined that the present CC&R's are silent as to this situation therefore a Rule would have to be adopted to speak to this situation.

Ron Sorenson proposed that the Board amend the Resolution to resolve that a Proposed Resolution be presented to our attorney for her comment prior to it's adoption. **The board unanimously agreed to accept the Resolution as amended.**

b. Tree Letters sent by Architectural Committee

Ron Sorenson made a motion that the Architectural Committee be directed to impose a moratorium on attempting to enforce actions mandated by the Architectural Committee's letter dated January 16 advising them to either trim or remove their trees, until the members have voted on the Amended and Restated CC&R's.

The motion was seconded by Linda Gregory and unanimously approved.

The moratorium being adopted, the Secretary was directed to send a letter to be drafted by Ron Sorenson to all homeowners receiving the January 16 letter from the Architectural Committee alerting them of the establishment of this moratorium.

With no further business to come before the meeting it was adjourned at 11 AM.

Approved by the Board on: March 1, 2004



Marianne M. Bishop, Secretary

ATTACHMENT "A"

2003
FINANCIAL REPORT
2004 BUDGET

OPERATING INCOME	2003 Actual	Per unit per year	2004 Budget	Per Unit per year
INCOME				
Dues	68,400	300.00	69,996	307.00
Interest	241	1.06	200	0.88
Other	4,412	19.35	3,500	15.35
Total	73,053	320.41	73,696	323.23
LIABILITIES				
2004 Dues paid in advance	51,269	224.86	-	-
Total	51,269	224.86	-	-
OPERATING EXPENDITURES				
Association expenses	1,225	5.37	3,375	14.80
Board, Officers, Com. Expenses	637	2.79	1,000	4.39
Fin. Advisory Com. Consultant	188	0.82	200	0.88
Insurance	4,173	18.30	3,600	15.79
Legal: Operating	5,482	24.04	4,500	19.74
Management-Ancillary	2,133	9.36	4,000	17.54
Management-Professional	4,286	18.80	5,400	23.68
Maintenance	29,772	130.58	27,750	121.71
Taxes	1,617	7.09	50	0.22
Utilities	610	2.67	550	2.41
GVCCC	1,254	5.50	1,254	5.50
Contingency	2,425	10.63	2,017	8.85
Total Expenditures	53,802	235.97	53,696	235.51
RESERVES ALLOCATION				
Reserves: Capital	13,300	58.33	16,000	70.18
Non Annual Maintenance Fund	3,000	13.16	4,000	17.54
Total Reserve Allocation	16,300	71.49	20,000	87.72