

**Armory Park del Sol Homeowners' Association
Board of Directors Meeting Minutes
October 22, 2008**

Location: St Andrew's Episcopal Parish
545 S. 5th Avenue, Tucson AZ 85702

Board Members Present: John Wesley Miller, Ken Shackman, Carole Baumgarten and Luis Figueroa, which constituted a quorum. Gail Wikel, Ken Bade, Andrea Stevens and Mark Lewis represented Lewis Management Resources, Inc. 24 homeowners attending are recorded on the sign-in sheet on file at Lewis Management Resources, Inc. Also attending was attorney, Steven Lenihan.

Excused: Georgia Schwartz

I. Call to Order

President John Wesley Miller called the meeting to order at 6:05 p.m. and introduced the Board of Directors and guests Mark Lewis, Steven Lenihan and Ken Bade.

II. Directors Comments

None

III. Reports

President

- Mark Lewis was introduced and spoke about the transition homeowner association process from developer to homeowner control noting the following:
 - The Armory Park del Sol community has always been noteworthy by the unique concepts developed by John Wesley Miller toward living without waste and adhering to environmental compatibility.
 - The most successful transitions have been done with a gradual sharing of information and decision-making. John Wesley Miller started this process a year ago by appointing major committees consisting of homeowners and by appointing two homeowners to the Board of Directors.
 - John Wesley Miller is unique as a developer because he is staying involved and invested with Armory Park del Sol although there are just a handful of lots that are unsold. Typically, a developer is prone to offload the remaining lots and exit.
 - Armory Park del Sol appears to be financially solid.

(Mr. Lewis has successfully coordinated the most association transitions in the Tucson area. He founded Lewis Management Resources, Inc. but is now an executive with Associa, Inc, a national association management corporation of which Lewis Management Resources, Inc. is associated)

- John Wesley Miller asked the homeowners present to consider joining the Board of Directors to fill the vacancy when Georgia Schwartz resigns at the

end of November. Mr. Miller stressed his goal to have all sections of the community represented on the Board.

- On October 20, 2008, the Department of Environment (DOE) named Armory Park del Sol the "Builders Challenge, Best in the Country". AARP named Armory Park Del Sol to the "Most Livable Community" list this summer and Pima County designated Armory Park del Sol as the "Most Water Conserving Community".
- Cash prizes will be awarded at the January Armory Park del Sol Annual Meeting to homeowners demonstrating the most water and energy conservation.
- Armory Park del Sol should be homeowner-controlled at year's end.
- The LMRI Association Manager is Gail Wikel.

Treasurer

Manager Gail Wikel presented the treasurer's report.

A motion was made, seconded and passed to approve the June, July, August and September 2008 Financials as presented, subject to audit.

2009 Budget

A motion was made, seconded and passed to approve the proposed Armory Park del Sol 2009 Budget, which reflected a 10% increase in homeowners' assessments and an operating budget of \$52,858.00.

Architectural Review Committee (ARC) Matt Fischler

Matt Fischler attended in addition to providing a 3rd quarter 2008 Architectural Review Committee activity report.

Architectural Review Committee Members: Michael Katz, Bob Shapiro, John Heyl, Nancy Mairs, Laura Kitchen and Matt Fischler.

The single most important item was the re-writing of the Architectural Design Guidelines. Particular thanks to committee members, Michael Katz and Bob Shapiro, as well as Landscape Committee members, Gail Fischler and Laurel Wilkening, for the major portion of the re-write. Apologies to any other members and neighbors who worked on it and weren't specifically mentioned.

While the number of requests for review has not been large, we have given all that came in, the attention required, and all in a timely manner. (3rd quarter activity report attached)

Let's see how things go once everyone has seen the new version of the guidelines, and hope everything continues to proceed smoothly.

Revised Design Guidelines

A motion was made, seconded and passed to approve the Revised Armory Park del Sol Design Guidelines as presented.

Landscaping Committee Laurel Wilkening

Laurel Wilkening, Chairman, attended in addition to providing a written report.

Landscape Committee Members: Dian Albright, Gail Fischler, Kathy Heyl, Nancy Mairs, Bob and Wanda Stauffacher, Laurel Wilkening.

- Set back requirements for trees: The committee discussed the proposed setback requirement for trees. After discussing cost of planting and maintaining trees in locations too small to support their growth and the liability to the HOA for damage (heaving) caused by tree roots to walls and sidewalks, the committee voted unanimously to forward to the Board the following resolution:

"New and replacement trees must be planted 5 feet or more from any building, wall or sidewalk. There must be at least 12 feet between trees. Variances from this requirement may be sought through the APdS improvement process."
- Saturday, October 25th is planting day in the north retention basin. An array of native shrubs have been donated and purchased for volunteers to plant. All are welcome. Thank you Dian.
- The outcome of the community garden survey (attached) does not support proceeding with this use. The committee voted to request John Wesley Miller Cos. to remove the sagging JWM Cos. sign, the fence, the raised beds and the hose bibs and to replenish gravel as needed, as soon as possible. Existing trees and shrubs and the irrigation infrastructure should be retained. Stakes and ties should be removed from the mesquite tree near the southeast corner of the lot.
- The committee then focused the remainder of the meeting on lists of prohibited/strongly-discouraged trees and a list of trees that do well in APdS.
- The committee has just received three landscaping maintenance proposals for review and comment.

Safe and Clean Committee Carole Baumgarten

Safe & Clean Committee Members: Paul Ghodes, Carole Baumgarten, Joy Swatez, Alice Dance and Kathy Heyl

- Although you might not see them, the committee polices the community once a week to pick up litter etc.
- Joining the Neighborhood Watch should be a consideration for all residents.

CC&Rs Enforcement Committee

Ken Shackman attended and provided a written report. CC&Rs Enforcement Committee Members: Jessica Barry, Kathy Heyl, Georgia Schwartz, B.J. Segel and Ken Shackman. Acknowledged is George Hoge who recently resigned from the committee but has previously contributed valuable input. Many of the committee meetings were attended by John Wesley Miller.

Between July 1 and September 30, 2008, the following accomplishments were made.

1. The members of the CC&Rs Committee continued to work with the members of the Architectural Committee and the Landscaping Committee to revise the Design Guidelines mailed to the property owners in October 2007 by Lewis Management Resources, Inc. (LMRI). This effort started in the first quarter of 2008 and was substantially completed in May 2008. The revised document was submitted to the Board of Directors (BOD) via John Wesley Miller (JWM). After receiving the revised document, JWM submitted it to the architectural firm that prepared the original

design guidelines document for review and comment. The staff of the architectural firm notified JWM that the property owners did a very good job of revising the document. The Board of Directors at the July Board of Directors meeting took no action because there were a small number of issues that still needed to be addressed. The CC&RS Committee addressed these issues during this quarter. The other two committees reviewed the changes. No review comments were received and the revised document was transmitted to JWM and LMRI.

2. Steps continue to be taken to improve the exterior appearance of some of the oldest homes in the subdivision, if noticeable signs of deterioration are showing. Typically, the problem has been the deterioration of the paint on the trim elements. During this quarter, the committee worked with one property owner regarding the repainting of exterior trim.

3. A number of property owners have allowed weeds and fountain grass to grow in the landscaped areas between the street and the rear masonry wall. This is an ongoing problem and the committee will continue to address it. Properties are now being inspected every month.

4. One property owner constructed a ramada on his/her property and attached it to the perimeter masonry wall. In addition, the material used to construct it may not comply with the approved application. The LMRI Association Manager and the committee continue to take steps to bring the ramada into compliance with the approved application.

5. Several property owners have made improvements to their properties, e.g., gates, security doors, window security bars, exterior concrete staining, possibly without submitting a request application to the BOD and obtaining its approval. The LMRI Association Manager and the committee are addressing this issue.

6. The committee evaluated CC&Rs enforcement procedures and fine policies for use by the APdS HOA. LMRI provided sample enforcement procedures and fine policies as a starting point. The CC&Rs Committee made several minor revisions to the enforcement procedures and recommended that both the enforcement procedures and fine policies be transmitted to the BOD for action.

7. The issue of resident parking in the visitor parking areas continues to be addressed. The committee and LMRI are working together to address noncompliance as it is discovered.

Non-Compliance Policy

A motion was made, seconded and passed to approve the Non-Compliance Policy and Fines Guidelines as presented.

Social Committee Alice Dance

Alice Dance attended and gave a verbal report.

Committee Members: Alice Dance, Lin Shackman, Kathy Gordon and Mary Wells.

- The committee will be meeting soon to start organizing the year-end events.

V. Homeowner Input / Call to the Audience

The following topics were discussed:

- Insurance coverage (including Fidelity)
- Plantings in the rocks on the east side of the community

- John Wesley Miller Cos. replenishing rocks in the Common Area that homeowners/residents have taken
- The installation of street lighting on Union Pacific Ave., which is underway
- Park bench turning green (by design as it oxidizes)
- When does Clean & Safe Committee police area (usually Wednesdays but it's up to the individual)
- Clarify the 10-foot easement on 3rd Avenue (drainage)
- Proposed traffic circles at 3rd Avenue and 14th Street (Not allowed by the water department)
- Reserve Study (None done because the cost of one would outweigh the common elements involved)
- John Wesley Miller asked David Mewhirter to chair the Finance Committee.
- Clarify the proposed 5-ft setback for trees (If an existing tree in the Common Area is within this setback and must be removed, it will not be replaced)
- Transition to Homeowner-Controlled Board (Should be in mid-January 2009)

A motion was made, seconded and passed to appoint Michael Katz as Chairman of the Armory Park del Sol Homeowners Transition Committee and to authorize \$1,000.00 to be spent by the committee for legal fees.
 Note: Michael Katz will select the committee members.


VI. Adjournment

A motion was made, seconded and passed unanimously to adjourn the meeting at 7:45 p.m.


Respectfully Submitted,

Gail Wikel
 Lewis Management Resources, Inc.
 For the Armory Park Del Sol Homeowners Association

Accepted



Board Director



Date