

ARMORY PARK del SOL HOMEOWNER'S ASSOCIATION
Board of Directors Meeting Minutes
October 19, 2009 5:30 P.M.

Location: Armory Park Senior Center (Green Room)
220 S. 5th Avenue, Tucson, AZ 85701

Board Members present: Carole Baumgarden, Kathy Heyl, Susan Klement, Ken Shackman

Homeowners present: Pat Crooks, Alice Dance, Darryl DeShurley, Matt Fischler, Jim Gillespie, Julietta Portillo, Allen Veaner,

AGENDA

I. Call to Order

Vice President Susan Klement called the meeting to order at 5:30 p.m.

II. Director's Comments Susan acknowledged the board's gratitude to Mike, who has been in frequent contact with board members while working in Korea and Japan the past few weeks.

III. Approval of Board Meeting Minutes

September 14, 2009 Board of Directors Meetings

A motion was made (Carole), seconded (Ken) and passed unanimously to approve the APdS Board of Directors September 14, 2009 Meeting Minutes as presented, with the exception of adding the word "probably" to have the sentence read "Any unused funds will probably be returned to the contributors."

IV. Reports

A. Treasurer's Report/Finance Committee Ken Shackman

1. The Treasurer's report and Finance Committee report are attached to these minutes.
2. Ken reports the HOA budget deficit has gone from \$1600 to a current amount of \$2200. This is a result of the \$1700 bill for the application of pre-emergent.
3. There are five homeowners with outstanding HOA dues assessment balances between \$ 0.14 and \$1.00, and another four homeowners with balances under \$2.50. This is a result of checks arriving at Lewis Management after the cut-off date has passed.

A motion was made (Ken), seconded (Carole) and passed unanimously to forgive any homeowner debt of \$3.00 or less.

B. Architectural Review Committee Matt Fischler

1. Committee report attached to these minutes.
2. There was discussion about the appeal by a homeowner of a denial to install a wind turbine on the roof, in order to cool the attic area. The concern is Section 6.9 of the Design Guidelines, which states that heating/cooling equipment must be at ground level, or concealed from view. The position of the proposed turbine would be visible to others. The homeowner was not present at this meeting.

A motion was made (Ken), seconded (Carole) and passed unanimously to table this discussion to next month's meeting. Lewis Management will be asked to provide the board with any information the homeowner may have sent regarding this matter. The homeowner will be invited to the next meeting to discuss this matter.

It was mentioned that there is a similar turbine on the garage at the home located at 555 3rd Avenue, which can not be seen, however, due to parapet walls.

VI. New Business

A) Hearing: Belinda Carter

(This was held out of order in the agenda, as Ms. Carter was informed the hearing would occur at 6:00 p.m., in the event she chose to participate by telephone).

Ken explained that since April 2009 a weed non-compliance issue has occurred at the homeowner's rear yard (the area from the masonry wall to the street). Some weeds are currently two feet in height. Ms. Carter was sent a friendly reminder (April), a notice of violation (June), and a notice of hearing (September). There has been no response to any of these communications. The homeowner resides out of town, and the house has been for sale for more than a year.

A motion was made (Carole), seconded (Susan), and passed unanimously to fine the homeowner \$100. If no action is taken within two weeks of receipt of a certified letter, the weeds will be removed by Arizona Proscapes, and the homeowner will be billed.

IV. Reports (Continued from before Carter hearing)

C. CC&R Compliance Committee Ken Shackman

Committee report attached to these minutes.

D. Transition Committee No report filed, but it is believed the street inspection may have been done.

E. Safe & Clean Committee Paul Gohdes (not present)
No report filed, but the usual monthly trash pick and light bulb inspection occurs. An Armory Park Neighborhood Clean-up is scheduled for November 7th.

F. Landscape Committee Dian Albright (not present)
Committee report attached to these minutes.

A homeowner recently notified the board that the grapefruit tree in the front yard is encroaching on the house, and appears to be too large for the area. The Landscape Committee members agree, and recommend the HOA remove the tree once the fruit has been harvested.

A motion was made (Kathy), seconded (Carole) and passed 3:1 (Ken voted against) to have the HOA remove the grapefruit tree after the fruit has been harvested. Because no irrigation will be removed, and because the tree can be cut at the base of the tree, the Board agrees it is best to obtain bids from Arizona Proscapes, as well as other landscapers/tree trimmers.

V. Old Business

A) Hearing: Mr. Anderson

Lewis Management sent Mr. Anderson two fine notification letters that were finally delivered October 13. The parking violation continues. The weeds on the north side of the garage were cut down, but others remain. If weeds are present on October 27 (two weeks from receipt of the letter sent by LMRI), Arizona Proscapes will remove the weeds and homeowner will be billed.

A motion was made (Carole), seconded (Kathy), and passed unanimously to fine Mr. Anderson \$50 for the ongoing parking violation.

B) Landscaping:

- a. Moody front yard update: Carole met with John Wesley Miller regarding the multiple inconsistencies with the Moody house & front yard. Mr. Miller stated that although Mr. Moody was allowed to finish the house and yard himself, however, he was to comply with the CC&Rs. It was decided that a letter would be sent by Lewis Management to Mr. Moody, to John Wesley Miller, and to Mr. Moody's real estate agent.

A motion was made (Carole), seconded (Ken), and passed unanimously to send Mr. Moody a certified letter listing CC&R non-compliance issues pertaining to his house and yard.

VI. New Business

B. Draft 2010 budget: The finance committee has prepared several proposed budgets for the board to consider.

The actual yearly dollar amounts of proposed increases are as follows:

10% increase approximately \$59
15% increase approximately \$88
20% increase approximately \$118
25% increase approximately \$147

A motion was made (Carole), seconded (Ken), and passed unanimously to accept the budget which includes a 10% increase in the assessment.

A motion was made (Ken), seconded (Carole), and passed unanimously to hold a Special Meeting 11/16 for the Homeowners, in order to explain the proposed budgets/assessment increases, and to vote on which budget/assessment increase to accept.

A motion was made (Ken), seconded (Carole), and passed 3:1 (Susan voted against) the board supporting a 20% increase in assessment, subject to the approval of the homeowners. Susan's vote against the 20% reflects her belief that a 20% increase is insufficient.

A motion was made (Kathy), seconded (Ken), and passed unanimously to add to the agenda of the 11/16 meeting the following items: 1) change the date of the annual meeting, 2) establish a Nominating Committee, and 3) establish a Tellers Committee to count votes at the annual meeting.

Due to time constraints, the remainder of the agenda was not addressed.

VI. Call to the Audience/Homeowner Input:

Julietta Portillo had concerns that one side of her front yard was not being irrigated. Arizona Proscapes will be notified of this.

Jim Gillespie hoped the Board will consider landscaping the open area on 16th Street, adjacent to the roofing company.

VIII. Date for the next board meeting: November 9, 2009 at 6:00 P.M.

IX. Adjournment

A motion was made (Carole), seconded (Susan) and passed unanimously to adjourn the meeting at 7:30 p.m.