

**Armory Park Del Sol (APdS) Homeowners' Association
Board of Directors Meeting
Monday, August 16, 2010, 5:30 PM
Armory Park Senior Center
220 S. 5th Ave, Tucson, AZ 85701**

DRAFT 4

AGENDA

I. Call to order 5:30 p.m.

Present were Matt Fischler, Mike Katz, Susan Klement, and Ken Shackman (Brad Stroup was recovering from knee replacement surgery) as well as homeowners Paul Gohdes, Kathy Heyl, Ernesto Portillo, Julietta Portillo, Tom Skinner, Allen Veaner, and, for most of the meeting, Laurel Wilkening

II. Directors' comments. There were none.

III. Approval of board meeting minutes

- a. **July 19** Ken moved Matt seconded. **Passed** unanimously.

IV. Reports

a. President's Report (Katz)

Mike left his remarks for various issues covered below.

b. Treasurer's/ Finance Committee Report (Shackman)

Ken reported that the Finance Committee members believe the association's financial condition is good. There is a surplus of approximately \$6,100 (compared with budgeted expenses for the past seven months), even with the \$1,800 pre-emergent cost included. However, there will be significant expenses during the summer that will decrease this surplus. Irrigation water costs are approximately \$1,100 below the budgeted amount through the end of July. Thirteen owners, excluding JWM Cos., owe quarterly dues, which is relatively normal for this time of year. Reminder letters have been or will be sent to the owners. In some cases, the owners have been sent multiple reminder letters. One owner will be notified by a collection agency.

The Finance Committee members discussed the Request for Proposals (RFP) for a tree service contractor to perform tree pruning and tree removal. Proposals received from the two contractors are significantly above the HOA budgeted amount. Arizona Proscapes submitted one proposal for \$5,100 to prune 44 high priority trees and a second proposal for \$2,900 to prune trees in the drainage basin area. The committee members recommended pursuing just the \$5,100 proposal since that cost is approximately the amount of funds budgeted for this work in 2010. New expenses may need to be added to next year's budget for replacement of front yard light poles, installation of rain

sensors for the irrigation system, the HOA website, and possible improvements to Ashley Park. Funds will need to be budgeted for tree pruning and there will be a separate account for this in 2011. Committee members hope to develop a 2011 budget requiring an increase in annual dues no greater than 10%.

c. Manager's Report (Lakey)

Pam Lakey sent a report stating, ~~among other matters~~, that she had sent a follow up letter to the June 28th letter to Tucson City Council Member Richard Fimbres regarding the problems Jack Millikin and his family have been having with neighboring industries. She stated that she believed that board members had resolved the matter of the Lot 50 irrigation system. She ascertained that there is a city code requirement that house numbers must be visible from the street, so she sent the owner of Lot 97 an initial email regarding the cat claw acacia blocking the house numbers near her garage. Pam toured the neighborhood on August 9th and emailed her list of CC&R compliance issues to Tom Skinner. Due to an oversight, Pam did not invite the owner of Lot 92 to a hearing about the lack of painting of the seat wall in front of his house. She therefore emailed the owner and suggested that he avoid the certified letter charge and possible fines by telling her when the Association could expect to see the wall painted.

d. Architectural Review Committee (Fischler)

Matt reported that the Architectural Review Committee approved the request to repaint the house on Lot 80 in new colors and the request to replace the original wood gates on Lot 15 with metal gates.

e. CC&Rs Compliance Committee (Skinner)

Tom Skinner and Darryl De Shurley did a routine inspection on August 11th. Of the 13 open noncompliance items, 3 were corrected but there are 10 new issues for a total of 20 outstanding items. As there have been two For Sale signs at one lot for several months, the Committee recommends that LMRI send a Notice of Hearing. There is now a second violation of this type. There continues to be a missing roof tile at another lot. Other violations are related to weeds, minor paint issues, and vehicle parking issues.

f. Clean and Safe Committee (Gohdes)—No report

g. Landscaping Committee (Albright/Heyl)

Laurel Wilkening and Kathy Heyl walked the neighborhood on August 6th to fully inventory olive trees, which may or may not be the banned varieties. They also inventoried palm trees (both those in the front common areas and

those visible palm trees in homeowner's enclosed and/or rear yards). Dian had communicated some research on the Mexican Fan Palm or *Washingtonia robusta*, which is native in Arizona and commonly grows to 40 to 50 feet, but can soar to 80 feet. The lower fronds can remain on the tree after they die, forming a dense, brown, shaggy covering, or they can fall. These dead fronds are known to be a fire hazard and a popular bedding roost for rodents and, because of this, must be removed by law in some areas. Kathy and Laurel suggest that the board determine whether it should take any action on the olive tree or palm issues.

Pam Lakey submitted a procedure document to do replanting of trees/plants/shrubs on a semi-annual basis. The Landscape Committee has not yet fully revised the document to reflect APdS needs, but Kathy expects this will be completed before the September board meeting.

h. Governing Documents review committee (Klement)—no report

i. Transition Committee (Katz)

In late 2008, the Transition Committee reviewed expenditures made by the HOA board while it was controlled by JWM Cos. At that time, it appeared that there were questionable expenditures amounting to approximately \$24,700. Ken, as HOA treasurer, reviewed the items and reduced the list of questionable expenditures to approximately \$18,400. He requested that LMRI copy invoices and other related documentation for these questionable expenditures occurring on the reduced list between February 2003 and the beginning of February 2009. Ken and the Finance Committee decided that most of the expenditures appear reasonable except for a few that the Finance Committee believes JWM Cos. should be paying totally or in part. These expenditures include:

1. The expenditures for the security patrols provided by Dictograph between February 2004 and May 2004 at a cost of \$5,544.
2. The expenditure of \$550 for legal counsel provided by the Lenihan Law Firm in February 2008 about the transition of the HOA to owner control.

There is also the issue of the shortfall dues for 2008 that should have been provided by JWM Cos. These amount to approximately \$4,200.

Accordingly, there is an amount of approximately \$10,300 in expenditures and shortfall dues that needs to be discussed with John Wesley Miller and his staff. Ken suggested that he and Mike meet with Mr. Miller to discuss the matter. The board agreed to that proposal.

j. Water Conservation Committee (Portillo)

Kathy Heyl and Carole Baumgarten are members of the committee. The committee wants to approach the membership to consider individual water harvesting and have a meeting to which the members will be invited. The Committee would like to add more members. Ken mentioned that PJ Crooks might be interested.

V. Old business

a. Member noncompliance updates

i. Mr. Moody house landscaping update

Mr. Moody was to meet with Arizona Proscapes about the irrigation system. We do not know whether this was accomplished, but the palm tree has been removed.

ii. JWM vacant lot – update

Ernesto will talk with John to see if he will place decomposed granite on the lot. If there is no agreement, Ken and Mike will add the matter to their agenda in the proposed meeting with John.

b. Landscaping issues

i. Tree pruning activities – update

Arizona Proscapes presented proposals, but the negotiations fell through. Two other companies may submit proposals. Susan urged that we actually see the insurance documents of the successful bidder.

ii. Fruiting olive trees—update

We will have arborist Juan Barba look at the suspect trees.

iii. Landscape Guidelines—update

Prior to the meeting, Mike provided the board members with the review comments that he received from several owners. The comments are being sent to the Landscaping Committee for consideration and possible incorporation into the Landscaping Design Guidelines. Because of some of those comments, Mike feels it is necessary to give reasons for each of the prohibited plantings.

iv. Estimate for Lot 99 (Fischler) landscaping

We received a proposal from Arizona Proscapes for the proposed landscaping for \$747. To date, we have spent \$440 of \$3,700 budgeted for

plant removal and replacement. We have three other pending requests. A member of the landscaping committee will meet with the homeowner to work out a compromise proposal to present to the board.

v. Rain sensors

We are not sure whether a rain sensor was installed at Ashley Park. **Mike** will ask Matt Marchus.

c. ABC Roofing/ACH Supply—There was no update.

d. Drainage inspection proposal – update

The engineering firm hired to inspect the drainage facilities completed its field work in July and submitted its report in August. Members of the board received a portion of the report. We have no outstanding issues with the drainage, but the inspector recommended that we install rock riprap around the concrete aprons of the two drainage basin catch basins. Matt Marchus will give us an estimate. Clean and Safe inspects the area for trash on a continuing basis. Ken recommends that Arizona Proscapes inspect the drainage catch basins at Hal Myers' house twice each year, perhaps September and May, to ensure that they function properly.

e. 2011 budget—update

The treasurer will submit draft proposals to the board for consideration at the September meeting.

f. APdS website – update

Susan did not have the time to work on the website this month.

VI. New Business

a. Ms. Trujillo architectural improvement appeal

Ms. Trujillo maintains that she received approval for more basketweave on the porch. Matt moved to turn down the request for additional trellis on the front porch. Ken seconded. The motion **passed** three to one. **Matt** will ask Pam to send a letter to Ms. Trujillo.

b. Ms. McCarthy/Dr. Munjack request for late fee waiver

The homeowners owe interest of \$7.95 and have asked for a waiver. They wish to go on auto payment; however, the account needs to be up to date without any outstanding balances before auto payment can begin. Susan moved that we deny the request for a waiver. Ken seconded. **Passed** unanimously.

c. Damaged No Parking signs on APdS streets

Matt thinks the street name signs, which belong to the city, are deteriorating. Ken has called the City about the stop signs in the past and will add this to the list of issues.

d. Future need for irrigation system repairs/replacement

Ken thinks the lifespan of irrigation systems is 15 years, according to information he has heard. A future board will probably have to consider a special assessment to replace the entire system.

VII. Call to the audience/homeowner input—There was none.

VIII. Date for next board meeting September 20, 2010

IX. Adjournment at 7:13 (early, for once!)