

**Armory Park Del Sol (APdS) Homeowners' Association
Board of Directors Meeting Minutes
May 17, 2010, Armory Park Senior Center**

I. Call to order 5:31 p.m.

Draft 2

Present: Matt Fischler, Mike Katz, Susan Klement, Ken Shackman, Brad Stroup
Homeowners present: Darryl De Shurley, Paul Gohdes, Kathy Heyl, Mary Kaye Pierce, Julieta Portillo, Bob Stuafter, Wanda Stauffer, 6:30 Randi Trujillo 6:52; Allen Veaner, Mary Wells

II. Directors' comments: None.

III. Approval of Board meeting minutes

a. April 19, 2010

Ken moved and Matt seconded a motion to approve the minutes of the April 19th board meeting. **Passed** unanimously.

b. April 27, 2010

Ken moved and Matt seconded a motion to approve the minutes of the April 27th special board meeting. **Passed** unanimously.

IV. Reports

a. President's Report

Mike mentioned receiving a letter from two homeowners who stated that they had been thinking of moving out of the neighborhood but took their house off the market because they were impressed with the attitude and actions of the board and the HOA as a whole.

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

Ken reported a current surplus of \$3800 in the HOA budget based on actual versus budgeted expenses. Irrigation expenses were \$1000 below budget because Arizona Proscapes turned the system off during the winter. Sixteen owners owe us quarterly dues, but this number is typical during the first month after we issue the quarterly dues bills. The board discussed the items included in the Finance Committee report (hiring the certified arborist, hiring the tree service, repairing the masonry walls and replacing front yard light poles) when they appeared on the agenda later in the meeting.

c. Architectural Review Committee (Fischler)

Matt stated that the committee had acknowledged a homeowner's request to repaint a house in its original colors. The Committee approved a request for an awning for lot 97. Several committee members have reservations about the same lot owner's request to approve some metal edging or "trellis" she mounted around flowerpots on a wall she owns in common with the HOA. After considerable board discussion and reference to the section of CC&Rs regarding common walls, Matt moved that the board reject the existing trellis proposal as currently formulated. Ken seconded. **Passed** unanimously.

d. CC&Rs Compliance Committee
i. Action on noncompliance issues

There is good progress on the exterior appearance of properties because owners have taken steps to comply with requests for painting or other maintenance. Five properties still have maintenance issues.

Brad will notify Arizona Proscapes to remove the weeds at the rear of Lot 3 and we will bill the owner. The owner of Lot 3 has removed the boxes from his front porch. We will do nothing further on this matter unless more boxes appear. The Committee filed numerous complaints with the City about the dog waste on the north side of the house and will continue to monitor that problem.

Several owners who neglected to remove weeds in the rear of their properties will receive initial contact emails.

ii. Guest parking noncompliance

One member who was not complying with parking regulations has moved out of state. The member's house is listed for sale. We have, therefore, cancelled the hearing planned for today's board meeting. The Committee sent an initial contact email to a second member about a parking in the guest parking area.

iii. Real estate signs

Ken reported that, in his discussion with John Wesley Miller about excess real estate signs, John stated that the CC&Rs treat the developer differently from other lot owners. Ken will nevertheless ask John to remove some signs that are very close to other signs he erected. Ken will also continue to pursue a case in which another homeowner has more than the allowed single exterior sign.

e. Clean and Safe Committee (Gohdes)

Paul reported that block captains received the Neighborhood Watch map, which they distributed. The map is now registered with Tucson police.

f. Landscaping Committee (Albright/Heyl)

On April 20 the Landscaping Committee and Brad Stroup met with Matt Marchus of AZ Proscapes. They walked the entire neighborhood, and discussed concerns including poor choice in location of tree plantings, irrigation questions, questionable pruning of various shrubs/trees, and whether to use a blower in areas of the front yards on a yearly basis. (The board considered this last matter later in the agenda.) Laurel Wilkening and Kathy expect to present revised Landscape Guidelines to the board in the next week. Kathy emailed the revised Application for Landscape Improvements form to four homeowners thus far. The committee received two requests from homeowners. The committee approved a request by Mary Kaye Pierce to replace a tree blown down in last year's monsoon season and forwarded the information to Brad Stroup. It is reviewing a new request by Gail Fischler.

Brad will ask Proscapes when the firm should apply the pre-emergent, which we have budgeted for. Ken suggested taking “before” photographs of all trees in front yards. Kathy will take some photographs and will ask for volunteers to help her.

g. Governing Documents Review Committee (Klement)

Susan proposes to create a Front Yard Gardening Subcommittee to investigate whether 67% of the membership might vote to revise the CC&Rs to permit homeowners to do some gardening in their own front yards. The subcommittee will compose the wording of the proposed CC&R revision, investigate the consequences, and research what we need to do to bring the revision to fruition. Finally, the subcommittee will investigate how many members would support such a revision. The committee’s work will be exploratory only, because an actual revision must follow specific guidelines. If the committee can prove that it is likely—even somewhat likely—that we will get the necessary 67% of our membership to agree to the revision, then it will be economically justifiable for the association to spend the money for legal services, etc.

If the revision passes, homeowners will still have to obey the rules: namely, the members will still need Landscape Committee permission to plant anything and some plants will not be permissible. With a CC&R change, members could be allowed to supplement the contractor’s weeding and do some additional watering with their own water.

Susan has suggested some potential committee members. If no one among that group agrees to work on the subcommittee, we can ask for other volunteers.

h. Transition Committee (Katz)

Mike reported that he is waiting to hear back from LMRI about the accounting information the firm is investigating. Communication has been infrequent recently.

i. Water Conservation Committee (Baumgarten/ Portillo) No report

V. Old business

a. Member noncompliance updates

i. Mr. Moody house landscaping update

LMRI sent Mr. Moody a letter regarding various issues on his lot. Ken will call Kim Rubly to set up a meeting with Mr. Moody.

ii. JWM vacant lot – update

Kim said she would call to chat with Mr. Miller. Ken will call Kim to determine whether she made the call or not.

b. Landscaping issues

i. Tree pruning activities – update

Mike and Ken negotiated with our chosen consultant, Juan Barba and obtained a reduction of 15% in his proposed fee. He is looking forward to working with us. Ken reported that we are virtually on schedule to get pruning done prior to the monsoon season.

ii. Landscape Guidelines status and update

The Landscape Committee is making progress on revising the guidelines.

iii. Use of landscape blower

Proscapes wishes to use a blower once a year to deal with many large accumulations of dead leaves around big shrubs. The drawbacks to this method are noise, dust, and the possibility that small stones may cause some damage to paint or windows. Brad will ask whether Proscapes can handle the entire job during one day. (Proscapes has not always been able to stick to its plan to do each of the four sections of the neighborhood on successive Tuesdays and cover extra items on the last Tuesday of those months that have five Tuesdays.) Susan moved to approve the use of a blower and inform the members in advance. Ken seconded. **Passed** unanimously.

iv. Shapiro front yard grapefruit tree – update

Ken discussed with Bob Shapiro the possibility that judicious pruning could save his tree but Bob wants the tree removed. Susan moved and Matt seconded a motion to have our eventual tree service do the job. **Passed** unanimously.

v. Replacement of removed trees and other plantings

We have \$2500 in budget for replacement of trees and other plantings that have fallen or had to be removed for various reasons. At least three properties have lost trees that we have not yet replaced. The Landscape Committee will work with individual homeowners to devise appropriate proposals. Kathy and the Board discussed at length the question of what size replacement trees should be taking into account that the bigger the tree, the more expensive the job will be, especially because labor costs will be greater than almost all trees. Brad will ask Proscapes how much it will cost to plant a 15 gallon lysiloma at Mary Kaye Pierce's property. Ken moved that we spend up to \$275 to plant a lysiloma in Mary Kaye Pierce's front yard. Matt seconded. **Passed** unanimously.

vi. Capping irrigation system emitters at mature trees

We need to ask Juan Barba about the possibility of capping irrigation emitters near mature trees.

vii. Removal of fountain grass in common areas

Brad will ask Proscapes for a price to remove all fountain grass and buffelgrass in common areas, including in the detention basin. We may not be able to afford to remove these pests throughout the detention area, at least not all at once.

viii. Rain sensors

Ken investigated whether any City rebates for water saving devices could save us money but discovered that, first, the savings would be minimal and, second, our system is not old enough to qualify at this time. However, we might get some assistance in replacing the grass at Ashley Park with xeriscaping. We could wait until the end of the year to see if we have the money to install rain sensors throughout our development. Ken moved and Brad seconded that we

request that Arizona Proscapes install a rain sensor for the zone that includes Ashley Park. **Passed** unanimously. **Brad** will make the request.

c. 2011 HOA budget

Mike and Ken issued another reminder that we should be thinking about what should go into the 2011 budget.

d. Front yard light pole replacements – update

Susan notified the four companies that submitted bids of our decision and worked with the electrician, Lewis, from our chosen contractor, Bert's Electric and Plumbing, to replace the two fallen light poles at 455 E. Codd and 504 E. Laos and the one pole that was about to fall at 464 E. Laos. 455 E. Codd and 464 E. Laos have new steel poles. 504 E. Laos has an aluminum pole so that we can evaluate the two metals. The aluminum pole has two holes near the top to accommodate a crossbar. **Matt** will investigate what kind of unobtrusive plug can be inserted in the holes, but these holes do not represent any danger, even if water enters there. All three poles are now sunk in concrete below the ground, unlike the previous poles. Should it be necessary to replace the wiring, the concrete can easily be tipped up and broken. The entire project took several hours but Lewis finished on the same day so we paid only one truck fee. Unfortunately, Susan either did not know or forgot that Phil Moody gave a fixture he removed to Carole Baumgarten, so she sent her husband to purchase a new fixture from Sun Lighting. At first, that light did not function but Matt kindly reactivated the circuit. All three fixtures are now functioning properly. The treasurer has submitted bills for Bert's Electric and Allen Veaner's purchase of the new fixture to Lewis Management.

e. Common wall repair – update

Ken obtained names of six potential masonry contractors and checked whether they had appropriate insurance and bonding and whether any complaints had been lodged against them. **Ken** will approach the four firms that have both insurance and bonding for estimates.

f. Drainage inspection proposal – update

Ken will have some information on obtaining a new inspection proposal next month.

g. APdS website – update

At this time, Susan and Tura Eisele remain convinced that Apple's iWeb software is the most feasible method to mount a website for APdS, given our limited budget. iWeb allows for large, complex, and attractive sites. Its main difficulty is that the files reside on one computer and cannot be edited by anyone other than the designer. However, we do not require an interactive site, which would give us liability problems; the website is not a substitute for the listserv. We do need someone to take over if the main webmaster is unavailable.

Susan proposes to be the webmaster; members would send her proposals for additions or changes, which she would post. If, for whatever reason, Susan were to be unavailable, there is software called Dropbox that allows one to upload files to a password-protected site on the Internet so that additional people can edit the files. If they do not have a Dropbox account, they

can do edit the files from the Dropbox website if they have the Dropbox password. As long as only one person works on the files at one time and syncs the files correctly, each of the people will always have access to the most recent version. Dropbox is free for 2 GB of storage. We do not yet know how much storage space the website will require, but webpages are notorious for eating up storage space. Dropbox charges \$9.99 per month for 50 GB and \$19.99 per month for 100 GB.

MobileMe, the mail service that provides Susan with a free 20 GB website, technically does not allow the HOA to mount its website there because, while the HOA is not a business, its website would not be for the personal use for which the service is designed. GoDaddy seems to be the most highly recommended hosting service. Hosting is free from GoDaddy if we buy our domain name from them, but the free service has advertising.

It begins to appear that an APdS website could cost quite a lot of money each year, especially if we want a deluxe service. Susan recommends proceeding with iWeb so that the board and membership can see what the website would offer to the community.

Susan and Tura will continue their investigation. **Matt** will assist.

VI. New Business

a. Policy regarding plants, watering on top on common walls

Mike mentioned the potential damage to common walls that watering plants on top of walls could cause. Therefore need to discuss policy banning plants. Brad moved that we ban watering plants on top of common walls. Ken seconded. The board tabled the matter due to lack of time for a proper discussion.

b. Board inspection of front yards. Not discussed due to lack of time.

VII. Call to the audience/homeowner input

Darryl stated that he has voluntarily removed the pots on top of his common wall. Mary is worried that the tree in front of her house will damage her paint. Last year, the same tree damaged her roof. **Brad** will ask Proscapes to look at the tree.

VIII. Date for next Board meeting June 21, 2010

IX. **Adjournment** The meeting adjourned at 7:30 p.m.