

TUCSON ESTATES PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING

Minutes

Tuesday, January 12, 2010

President Dee Steinbrenner called the meeting to order at 7:17 pm following the Property Owners Meeting.

Board Members present: President Dee Steinbrenner; Vice President Ray Baker; Secretary Bob Bethel; Treasurer Sue Johnstone; Wayne Evans; Myrt McIntyre; Dianne Mienk; Bob Pillsbury; Jon Shroyer, Jim Soll and Dee Sullivan. A quorum was present.

There was an audience of approximately 65± in attendance.

Bob Bethel moved and Jon Shroyer seconded to approve the minutes of the last regular Board of Director's meeting of December 8, 2009. The motion carried unanimously.

Bob Bethel moved and Dee Sullivan seconded to approve the minutes of the last Board of Director's Agenda Setting Meeting of January 4, 2010. The motion carried unanimously.

Treasurer's Report – Sue Johnstone gave the report at the Property Owners Meeting and indicated that it would be filed for the record.

OLD BUSINESS

O-01 – Addendum to Governing Documents: See Attachment "A"

Jon Shroyer moved and Sue Johnstone seconded that the Addendum Resolution to the Governing Documents be approved by the Board. The motion carried unanimously.

NEW BUSINESS

N-01 – Anticipated Expenditures:

(a) **Approval of legal action cost to Reserve fund:** None.

(b) **WiFi email anti-virus upgrade:** *Jon Shroyer moved and Ray Baker seconded that the Board of Directors approve the authorization of the transfer of \$5,600.00 from the Uncommitted Reserve fund to the Major Repair and Replacement Reserve fund and the expenditure of the \$5,600.00 for purchase of a Barracuda Model 410 Web Filter and the first year Energize Update license for updates and 24-7 support. The motion carried unanimously.*

(c) **Replace #3 heater in adult pool:** This item requires more information and will be addressed at a future meeting.

(d) **Re-stripping of speed humps and stop bar bumps:** *Jim Soll moved and Wayne Evans seconded that the Board accept the bid from Arrow Striping and approve the re-stripping of the speed humps and stop bar bumps at a cost of \$3,898.69. A friendly amendment was made by Bob Pillsbury to make the cost an even \$4,000. The friendly amendment was accepted by Jim Soll. After discussion, the motion carried 10-1 (Nay: Sue Johnstone.)*

Item N-05 was moved ahead of N-02.

N-05 – Driving Range Special Committee proposal: Ray Baker read the short-term plan proposal from the Driving Range Special Committee for the re-opening of the Driving Range. Samples of the lighter weight 60% balls and regular golf balls were passed around to the Board members and the audience for comparison. Additional

measures recommended by the Driving Range Special Committee were highlighted including: monitoring and enforcement of violations; special access cards; and signage on the fence at the entrance to the Driving Range.

Dee Sullivan moved and Jim Soll seconded that this item originally tabled at the December meeting be removed from the table. The motion to remove the item from the table carried unanimously.

Ray Baker moved and Jim Soll seconded that the short term Plan recommended by the Golf Driving Range Special Committee be approved and that procurement and installation begin immediately with the goal of re-opening the Practice Range as soon as possible. Funds not to exceed \$3,450 to be transferred from the Uncommitted Reserve fund to the Repair and Replacement Reserve fund for payment of 1/2 of the new 60% balls. Reimbursement to the Uncommitted Reserve fund, and to TEMGA to be as described in the Plan. Further, that the Committee will review the experience of the new range program after the 30-day trial period and report back to the BOD.

Further discussion included a suggestion to reduce the number of balls purchased for the trial period from 9,000 to 4,500. The balls will be a custom color (optic green) and will be imprinted with a logo.

Wayne Evans moved and Jim Soll seconded that the number of balls purchased for the trial period be reduced to half and the purchase from the Uncommitted Reserve fund will not exceed \$1,725. The motion to amend the motion carried unanimously.

Discussion resumed on the original motion and included questions about the recommendation to ban guests from the driving range.

Jon Shroyer made a friendly amendment to add the wording, “.....after receiving approval for the sign wording by legal counsel.” Ray Baker accepted the friendly amendment.

After a roll-call vote, the amended original motion carried 10-1 (Nay: Sue Johnstone.)

N-02 – Desert Dwellers Disposal contract:

Jim Soll moved and Ray Baker seconded that the Board of Directors approve continuing DDD service under Waste Management through the completion of the current contract period. In addition, this motion includes transferring the large company dumpster pickup contract from Saguardo to Waste Management, resulting in a \$30 per month savings. The motion carried unanimously.

N-03 – RV Storage lease revision: See Attachment “B”

Jon Shroyer moved and Dee Sullivan seconded that the Board of Directors adopt the changes to the RV Storage lease agreement as detailed in Addendum A. Dee Steinbrenner made a friendly amendment to the motion that would change the wording at the end of paragraph eight to read, “...and providing a copy of the current registration.” Jon Shroyer accepted the friendly amendment. After discussion, the amended motion was voted on and carried unanimously.

N-04 – Approval by the Board of Directors of the Appointment of Standing Committee Chairs and Liaisons by the President: President Dee Steinbrenner read the Committee Chairperson and Liaison appointments and asked for a motion to approve same.

Committee	Chair	Liaison
A&B	Art Olson	Jim Soll
Community Action	Rodger Sorenson	Myrt McIntyre
Crime Watch	Karen Ellison	Wayne Evans
Finance	Gary Rife	Sue Johnstone
Golf	Mike Albom	Bob Bethel
Governance	Judy Pillsbury	Jon Shroyer
Maintenance	Ed Staley	Bob Pillsbury
Member Services	Howard Velzy	Ray Baker
Public Relations	Nancy Smith	Diane Mienk
Recreation	Connie Bird	Dee Sullivan

Bob Pillsbury moved and Dee Sullivan seconded that these appointments be accepted. The motion carried unanimously.

Item N-05 was moved ahead of N-02.

N-06 – Appoint a Special Committee on communication: President Steinbrenner proposed the formation of a Special Committee with the charge of developing a plan to enhance existing and provide new means of communication to our members and outlined the charges as follows:

- A. Review the current communication vehicles and evaluate their effectiveness
- B. Review the recent member request for a “Letter to the Editor” with the following to be addressed:
 - a. Control
 - b. Rules
 - c. Guidelines
 - d. Approval process
 - e. Censorship
 - f. Respondent
 - g. Will this require a Newsletter insert separate from our Association Report?
- C. Review and evaluate our current website for its ease of access and content.
- D. Provide suggestions on other means that will provide our members with current information on the happenings in Tucson Estates.
- E. Provide suggestions/protocol on other methods/actions which will provide our members greater opportunity to actively participate in the information exchange process and in determining future actions by the Board of Directors.

The members will be Joel Taylor, Chairperson, Myrt McIntyre, Jim Soll, Julia Much, and Don White. This Special Committee’s charge will be sunset once the Board of Directors has received and acted upon the recommendations of the Communication Special Committee.

Sue Johnstone moved and Ray Baker seconded that the BOD approve the formation of a Communication Special Committee. The motion carried unanimously.

N-07 – Appoint a Special Committee on vendors: TEPOA has been an advocate of providing its members with services that are useful to them in the areas of health, safety and education. The past practice has been to not charge *for-profit* vendors for the use of our facilities. Due to the current economic times, the Board is considering assessing a fee for use of our facilities to these vendors. The charge of this Task Force is as follows:

- A. Review and evaluate the system currently in place.
- B. Recommend a set of criteria which could be used to determine the types of vendors, qualifications of vendors, and desirability and value of their services to TEPOA members.

- C. Provide the Board with options/comparisons of other organizations and companies and their fees for usage.
- D. Recommend a fee schedule for Board review.

This Task Force's charge will be sunset once the Board of Directors has received and acted the recommended plan for for-profit vendors.

Dee Sullivan moved and Jon Shroyer seconded that the BOD approve the formation of a Vendor Fee Task Force consisting of: Bob Pillsbury, Chairman; Wayne Evans; and Dianne Mienk. The motion carried unanimously.

N-08 – Yoga Club Application: *Dee Sullivan moved and Myrt McIntyre seconded that the BOD approve the Yoga Class as a TEPOA sanctioned club. The motion carried unanimously.*

OTHER BUSINESS

A. Establish a fund for contributions toward purchasing of AEDs (defibrillators):

Jon Shroyer moved and Jim Soll seconded that pursuant to the Tucson Estates Property Owners Association Policy Manual Section III, 4, C., Donations to TEPOA, that the Board of Directors establishes a Restricted Fund for the purchase of portable automatic external defibrillator devices (AEDs.) The motion carried unanimously.

B. ID Card Policy:

Jon Shroyer moved and Sue Johnstone seconded that the Board of Directors of Tucson Estates Property Owners Association, Inc. (TEPOA) adopt the following for directing the issuance of badges by staff and further that it directs the Governance Committee to develop the Resolution to incorporate this into the appropriate TEPOA Governing Documents:.

The right to use the Common Areas is limited to Members/Owners and non-member Residents, who occupy and/or own a Lot within Tucson Estates, or to the Renters and/or Guests residing on a Lot within Tucson Estates.

Members/Owners may delegate their rights to use the Common Areas to Renters on their respective Lots, by deactivating their ID cards at the TEPOA office. Renters do not have rights to use the Common Areas unless the Members'/Owners' ID cards are deactivated. The ID card of any other Resident on a Lot within Tucson Estates who is neither a Renter nor a Member/Owner also will have to be deactivated. Guests will be issued a Guest card when they have been registered by the office.

Members/Owners are only those persons who are listed on the title to a Lot within Tucson Estates. All Members/Owners listed on the title will be issued an "Owner" card.

A Non-Member Resident who lives on a Lot within Tucson Estates and who is not a Renter will be issued a "Resident" card if he/she is listed on the Fair Housing Occupancy Information Form (FHOIF form).

A Renter will be issued a "Renter" card if registered in the office and the Member/Owner or Resident delegates their rights to use the Common Areas to a Renter by deactivating their ID cards at the TEPOA office.

A Guest is a person who has been registered by the Member/Owner, Resident or Renter in the office and who is limited to a stay of not more than 120 days. He/she will be issued a "Guest" card.

After discussion, the motion carried unanimously.

C. Update of members appointed to the Management & Services Analysis Sub-Committee: President Steinbrenner requested the Board to approve the appointment of Jim Soll and Jon Shroyer to replace Dennis Bergquist and D'Laine Steinbrenner as members of the Management & Services Analysis Sub-Committee.

Sue Johnstone moved that the appointments be approved. Motion seconded by Dee Sullivan and carried unanimously.

D. Veterans' Memorial Modification: Last year, the Board voted to provisionally approve modifications to the Memorial; those provisions have been met with receipt of Lowell Sullivan's sketch and the Manager's statement that no permit is required.

Bob Pillsbury moved and Bob Bethel seconded to accept the proposal for modification to the Veterans' Memorial. The motion carried unanimously.

CALL TO MEMBERS

President Steinbrenner made the call to members to speak on any issue they chose.

A motion to adjourn was made by Ray Baker and seconded by Jim Soll. The motion carried unanimously and the meeting adjourned at 9:19 pm.

Respectfully submitted, Deborah Levitan, TEPOA Administrative Assistant for
Bob Bethel, Secretary, 2010 Board of Directors

Bob Bethel moved and Jim Soll seconded to approve the minutes of the last regular Board of Director's meeting of January 12, 2010. The motion carried unanimously.

RESOLUTION (add number)

DRAFT

WHEREAS, the governing documents, except the Articles of Incorporation and CC&R's, of Tucson Estates Property Owner's Association, Inc. are officially updated and reprinted for distribution to its Members annually, and

WHEREAS, the Board of Directors may make additions, deletions or changes to our governing documents, except the Articles of Incorporation and CC&R's, during the course of the year, which are not immediately incorporated into those documents, and

WHEREAS, our Members may not always have the most up to date versions and the historical tracking of Board actions affecting these documents is extremely difficult.

THEREFORE, BE IT RESOLVED, that effective with the 2010 revisions:

- a. Each governing document, except the Articles of Incorporation and CC&R's, will have an appendix page that provides an outline of all Board of Director's actions affecting it. The items listed in the appendix will be incorporated into the newly adopted documents annually.
- b. The cover page of all governing documents, except the Articles of Incorporation and the CC&R's, will have the same format. It will include the **date adopted** and the following statement:

THE BOARD OF DIRECTORS MAY HAVE APPROVED CHANGES TO THIS DOCUMENT SUBSEQUENT TO ITS ADOPTION DATE.
SEE APPENDIX FOR THESE CHANGES.

- c. The Governance Committee and Staff will be responsible for compiling the list and updating the appendix pages.
- d. The Articles of Incorporation and CC&R's will have a similar page which details any Arizona Revised Statutes and other government agencies' or authorities' laws that may cause portions of our documents to be invalid or prohibited.

THEREFORE, BE IT FURTHER RESOLVED, that to facilitate the ongoing execution of this policy, any action taken by the Board of Directors that creates or changes a policy will be in the form of a Resolution. Actions that are for one time events will be in the form of a Motion.

TUCSON ESTATES PROPERTY OWNERS ASSOCIATION, IN WITNESS WHEREOF, The undersigned, being the President and Secretary of Tucson Estates Property Owners Association, have executed this Resolution on January 12, 2010 certifying that this Resolution was adopted by the Board of Directors on the Eleventh day of January, 2010.

ATTEST:

By _____ By _____
Its' President Dee Steinbrenner Its' Secretary Robert G. Bethel

ADDENDUM "B"

RESOLUTION (add number)

DRAFT

WHEREAS, the Tucson Estates Property Association Inc. has a Policy Manual which refers to RV Storage and Parking Policies, and

WHEREAS, that Storage Area is also used for the storage of other things like utility trailers, boats and tow dollies, and

WHEREAS, the Board of Directors wishes to revise the lease agreement for the rental of spaces in the Storage Area in order to simplify the renewal process,

THEREFORE, BE IT RESOLVED, that the Policy Manual will be revised as follows when the 2010 version is printed and until that time this Resolution will modify the Policy Manual and that Section 4. R.V. Polices is renamed Section 4. Parking and Storage (RV)

BE IT FURTHER RESOLVED, that Section 4., B R.V. Storage Policy as renamed B. Storage Policy and the text of this section is replaced by the following.

To facilitate storage of RVs, motor homes, travel trailers, utility trailers, boats, boat trailers, auto tow dollies and other similar types of vehicles, TEPOA owns a storage lot which has spaces available for lease.

Arizona Revised Statute §33-2102, Section 18 defines what a recreational vehicle (RV) means, and any one of these definitions will satisfy the lease's requirement regarding the type of item stored. In order for a Member/Owner to lease a storage space, they must present with the lease payment a copy of the vehicle's current registration and proof of the Member/Owner's ownership of the vehicle being stored at this facility. If the vehicle is not required to be registered, as in a pickup insert, a current photo of this unit must be submitted.

The rental fees are paid by the Member/Owner not more than once in any 12 month period. The privilege obtained from the payment and signing of the lease agreement lasts for the entire 12 month period. The monies are fully earned and no refunds will be allowed. If no information on the lease agreement concerning the tenant, address, phone number, Lot number or type of unit stored has changed, the lease agreement will automatically renew each year upon payment of the rental fees and providing a copy of the current registration.

The Board of Directors may allow TEPOA Clubs or Organizations such other items to be stored as they deem fit. The General Manager is directed to designate sections of the storage yard for these items. Such designation shall not be made to the detriment of availability of space for RV's, motor homes and travel trailers which shall have first priority of space.

The vehicle which tows or is towed by an RV is allowed to be parked in the space rented by a Member/Owner if that space is sufficiently large enough to accommodate the vehicle.

The General Manager is authorized to change the locks and keys for the facility every two years or as necessary.

TUCSON ESTATES PROPERTY OWNERS ASSOCIATION, IN WITNESS WHEREOF, The undersigned, being the President and Secretary of Tucson Estates Property Owners Association, have executed this Resolution on January 12, 2010 certifying that this Resolution was adopted by the Board of Directors on the Eleventh day of January , 2010.

ATTEST:

By _____ By _____
Its' President Dee Steinbrenner Its' Secretary Robert G. Bethel