

**CONTINENTAL RANCH COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – 7:00 P.M.
TUESDAY, 16 DECEMBER 2008**

The Board of Directors of the Continental Ranch Community Association met on Tuesday, 16 December 2008. Directors present: Mr. John Lambert, President; Mr. Dan Lust, 1st Vice President, Mr. Chuck Stead, 2nd Vice President; Ms. Connie DeLarge, Secretary; Mr. George Erhardt, Treasurer; Ms. Marilyn Steimpson, Director; and Mr. Colin Cordell, Director. Also present: Ms. Sarah Lebsack, Community Manager; Ms. Jennifer Swarts, Assistant Manager and approximately 15 residents.

I. CALL TO ORDER:

Mr. John Lambert, President, called the Board of Directors' regular meeting to order at 7:00 p.m.

II. ROLL CALL:

Roll call indicated all seven board members present. (A quorum of four is required for the conduct of business.)

III. APPROVAL OF AGENDA:

MOTION made/seconded (Stead/Lust) to approve the meeting agenda as presented. Unanimously approved.

IV. WEB SITE PRESENTATION:

At the December study session, CR resident, Mr. John Crist, was requested to prepare a recommendation on upgrading the current web site. He gave a presentation on his assessment of needs: moving to higher speed, adding documentation, managing the domain, monthly service, 30 day renewal of information, moving the polling feature to the end and requirement of resident registration to avoid jamming the polling, adding 616 documents currently missing, scanning hard copy documents, etc. Initial cost to accomplish his suggested program was indicated at \$730.00 (one-time charge), with a \$60.00 monthly service fee thereafter. Mr. Lust recommended another bid to be secured by the Community Managers prior to making a final decision.

V. HOME OWNER FORUM (for items not on the agenda):

Ms. Debbie Budd commented on preservation of actions of recent Boards in order to prevent loss of informal practices, i.e. allowing committees to choose their own chairpersons, pool monitors being non-residents, hiring of residents etc.

Ms. Angela Wagner-Gabbard presented copies of a petition regarding the cell tower planned for construction within Continental Ranch. Over 425 signatures against the proposal have been collected to date. A Town of Marana meeting is scheduled for

Wednesday, 17 December 2008, and she encouraged Board members to be present. Mr. Gus Lipins had concerns about web site polling for those residents not owning a computer. It was pointed out that this is informal opinion polling, and computer access is available at the libraries within the Town of Marana.

VI. MINUTES' APPROVAL:

MOTION made/seconded (DeLarge/Stead) to approve the minutes of the 19 November 2008 Executive Session. Unanimously approved.

A correction was noted for minutes of the 25 November 2008 meeting of the Board of Directors: Page 3, first line (typo date) – amend to January 1, 2009 and January 2, 2009. **MOTION made/seconded (Lust/DeLarge) to accept the minutes of the 25 November 2008 meeting as amended. Unanimously approved.**

VII. APPEALS/REQUESTS/WAIVERS: (No information available.)

VIII. REPORTS:

A. PRESIDENT'S REPORT:

POLICY REVIEW: The presiding officer indicated the Board's on-going intent to review all current resolutions/policies of the Association in an attempt to update and bring all into current compliance as deemed necessary.

a. CONTACTING VENDORS (28 November 2006). No change recommended.

b. GRAFITTI (28 March 1995). No change recommended at this time; however, legal opinion recommended. **MOTION made/seconded (Stead/Cordell) to postpone action until legal opinion is received.** Discussion: Not clear on color of paint. **Unanimously approved.**

c. PRESIDENT'S MESSAGE (28 November 2006). **MOTION made/seconded (Stead/Lust) to remove this resolution. Affirmative votes: five; negative vote, one (Cordell).**

d. BLOCK PARTY (1 August 2004). **MOTION made/seconded (Cordell/Stead) to rescind this resolution. Unanimously approved.**

B. TREASURER'S REPORT:

Mr. Erhardt indicated information from the CRCA Balance Sheet on 30 November 2008, with total assets of \$1,960,837.84. Per the Balance Sheet on 31 October 2008, total assets were \$1,736,652.28. YTD income on 30 November 2008 was \$592,445.27, with \$608,921.64 budgeted. YTD expenses on 30 November 2008 were \$81,855.32 vs. \$100,647.30 budgeted. Two accounts exceeded budget; however, with acceptable explanations: Facilities, \$12,762.59 YTD vs. \$3,958.31 budgeted; Activities, \$3,759.37 YTD vs. \$916.66 budgeted.

C. FINANCE COMMITTEE:

Committee did not meet/no minutes received. Mr. Erhardt shared a Finance Committee recommended purchase of a fire-proof lock box/safe for safekeeping of irreplaceable financial records. Alternative would be to open a bank safe-deposit box; however access would be limited to bank business hours. This is a non-budgeted item. **MOTION made/seconded (Lust/DeLarge) for the General Manager to purchase a fire-proof lock box for the office for the safekeeping of financial records, cost not to exceed \$100.00. Unanimously approved.**

D. MANAGER'S REPORT:

Ms. Lebsack welcomed new employee, Monica Gonzalez, replacing Lexie Burke as Receptionist/Activities Director. She discussed check signing, the recently-donated conference table, need for one additional Board member to participate in the holiday decorating contest. (Ms. DeLarge had previously volunteered; one more Board representative needed); possible change in office hours, drop box at the office, ("good idea"—no action stated); Stratford contract renewal, meetings attended, \$50 budgeted expenditure for the H&R presentation, and the Arizona Youth Lacrosse League request to add the CRCA logo to their team uniforms.

Office hours: There was lengthy discussion on staggering office staff 40-hour work schedules to include extended daily hours and at least one Saturday. It was noted that two persons are required on premises when the office is open. Mr. Lambert requested that continuous office hours of 8 a.m. to 6 p.m., plus four hours one Saturday a month, be initiated beginning 2 January 2009 on a trial basis. This can be renegotiated later, if proven unsatisfactory for resident availability to the office and staff.

Stratford Management contract renewal: Terms for a renewal contract to be discussed. Any changes need to be negotiated prior to 28 February 2009 or the current contract will automatically renew for another one-year term. The manager noted that some items were not included in the current contract, i.e. setting up and managing pool certification classes for 13 pool monitors from May through September. All such items should be presented by 31 December 2008 in order to prepare a draft contract for negotiation.

A yearly Activities' Committee budgeted amount of \$50.00 for refreshments supporting a resident presentation of H&R Block services is to be discontinued immediately. Rental charge for use of the Center is waived as a community activity; however, refreshments will no longer be chargeable. The Manager to so advise. Agreement by general consensus.

The Arizona Youth Lacrosse Team requested free newsletter ad space announcing a new Junior Varsity Lacrosse team in the Marana area, in return for displaying the CRCA logo on their team shirts. Liability issues are a concern and use of the logo would indicate sponsorship. Authorization to use the logo not favorably considered. Mr. Lust indicated

continuing interest in supporting youth activities within the community, and suggested in lieu of AYLTL's proposal, an activities box be created by the General Manager in the monthly *Windmill* to promote/encourage all such activities. Agreement by general consensus. Manager to respond to AYLTL.

Homeowner Letter: Information received regarding a situation in the Villas of Continental Ranch (Richmond-American homes). This was "information only" correspondence and has been responded to by the Manager. No action required at this time.

E. POOL COMMITTEE:

Minutes of the 8 December 2008 meeting received.

Residents have noted that the clock at the Windmill Park pool cannot be seen from all areas. **MOTION made/seconded (Cordell/Stead) to authorize moving the clock at the Windmill Park pool from the south side of the soda machine to the north side, next to the shower. Unanimously approved.**

Management needs sufficient time to hire pool monitors and enter them into the required course through Pima County. **MOTION made/seconded (Cordell/Stead) to approve staffing both pools with pool monitors beginning 11 May 2009 through 7 September 2009. Unanimously approved.**

F. LANDSCAPE COMMITTEE:

Minutes of the 2 December 2008 meeting received.

Thirteen plants blocking visibility of oncoming traffic at Coachline and Colony Park were recommended for removal as per proposal of The Groundskeepers. **MOTION made/seconded (Lust/Cordell) to approve the expenditure of \$100.00 plus tax for the removal of 13 bushes/plantings at Coachline and Colony Park.** Discussion: Bushes were trimmed back but not removed, and are re-growing. Budgeted item. Send back for completion as proposed. **UNANIMOUSLY DISAPPROVED.**

Groundskeeper submitted a proposal for the removal of Oleanders at the Parcel 3 monument planter box, to be replaced with a suitable plant, i.e. Morning Glory bush. **MOTION made/seconded (Lust/DeLarge) to accept the proposal of The Groundskeeper to remove Oleanders at the Parcel 3 monument planter boxes and replace with a suitable plant at a cost not to exceed \$225.00 plus tax.** Discussion: Morning Glories recommended by the committee; an invasive plant?—not on the list. **Unanimously approved.**

G. COVENANTS COMMITTEE:

Minutes of the 9 December 2008 meeting received. Fines' recommendation not received; postpone action until information is received. An action-in-lieu recommended for

Board approval as soon as received. The Board was requested to review and discuss proposed changes for the violation process. Removing daily fine system was recommended, keeping the current fine amounts attached to each letter and authorize lot cleanup after three consecutive weed violation notifications. **MOTION made/seconded (Stead/Lust) to approve the recommendation of the Covenants Committee to remove the daily fine system, keep the current fine amounts attached to each letter, but to perform a lot clean up after three consecutive weed violations. The committee also recommends that Management and the Covenants Committee are able to schedule and perform the lot clean ups after reviewing all of the facts and photos without Board approval.** Lengthy discussion on final Board approval; however it was noted that the Board would remain informed at each meeting and would know when the clean up authorization is to be imposed. Action-in-lieu could also be used should it become necessary. Discuss with attorney. Current system could take four months prior to clean up authorization. Ample time notification is indicated in the second letter, along with upcoming fine and fee. Three letters, then impose fine. Notice to enter property also included. **Unanimously approved.**

At the end of the meeting, a concern was voiced regarding property, ID 3149, noted in the committee's minutes, indicating a legal stand with possible lien recommendation. Discussion indicated that assessments in arrears were only a small portion of the balance owed, with a major portion in late and legal fees. Until more information is available and a legal opinion rendered by an Association attorney, any direction by this Board is postponed.

H. ARCHITECTURAL REVIEW COMMITTEE:

Minutes of the 24 November 2008 meeting received. **MOTION made/seconded (Cordell/Steimpson) to approve the appointment of Mr. David Lawrence to the ARC, effective immediately. Unanimously approved.**

I. ACTIVITIES/PUBLICITY COMMITTEE:

Minutes of the 3 December 2008 meeting received.

J. STRATEGIC PLANNING COMMITTEE: (No meeting held.)

K. FACILITIES COMMITTEE: (No meeting held.)

Resignation of Mr. Charles (Chuck) Simons accepted with regret. Mr. Lambert requested the General Manager prepare a letter to be signed by the Board of Directors. Agreed to by the Board.

A batting cage was donated by a little league team some time ago; however has rarely been used. It is in need of maintenance or removal, as it is a safety issue in its present condition. It was recommended that the Town of Marana (Parks and Rec) be contacted to

determine their interest in accepting/removing this item. This has not been done as yet. If there is no interest from P&R, Mr. Stead will contact the local school. Or, if someone is interested in this item, contact the office as it is free for the removal. **MOTION made/seconded (Stead/DeLarge) to remove the batting cage from Windmill Park or find source for this donation. Unanimously approved.**

L. PARCEL REPRESENTATIVES AD HOC COMMITTEE:

Met in December 2008 (minutes not received).

IX. UNFINISHED BUSINESS:

A. BOARD MINUTES' PREPARATION:

Contract requested by the Board; not prepared as yet.

B. NEW DIMENSION MINISTRIES:

Some confusion has existed regarding use of the Center by New Dimension Ministries. Current contract calls for use of the front room on Sundays 6 a.m. to 1 p.m. and Wednesday evening. They are agreeable to rearranging their Wednesday night usage to another evening. They are also requesting to gain access to the Center on Saturday evenings for setting up (approximately one hour), after 7 p.m. when that facility is not otherwise being used/rented. They are willing to pay an additional fee for this, and understand that prior Saturday evening commitments will negate this request. Lengthy discussion regarding contract, key pick-up on Fridays, possibly a trial basis, maintaining a log or special contract for this request, consideration of other renters on Saturday evening, setting precedence, etc. Mr. Lambert indicated the Manager would need to make a final decision on how to handle contract or log-in signatures at time of key pickup. Amend current contract to include usage on available Saturday evenings for one hour prior to regular Sunday rental. **MOTION made/seconded (Lambert/Stead) to give the Manager authority to amend the New Dimension Ministries' contract to include one hour use on any Saturday evening the Community Center is available prior to the regular Sunday rental. Unanimously approved.**

C. OLEANDERS:

(Reference: Page 4, F.) **MOTION made/seconded (Stead/DeLarge) to postpone action on the bushes at Coachline and Colony Park until the January 2009 meeting. Unanimously approved.**

D. DAMAGED WALL ON SILVERBELL:

Wall was damaged as a result of a recent vehicle accident. Vehicle driver has no insurance; property owner is possibly not in a financial position to advance the deductible amount or make the repair. Two written estimates for professional repair are \$3,250.00 and \$3,552.30 of which the homeowner would be responsible for \$1,000 insurance deductible. CC&Rs require repair; however, the Association cannot assume repair responsibility without legal documentation to regain monies spent, written permission to enter the property, setting a community precedent, etc. It was suggested that

volunteer residents could coordinate a plan of repair with the homeowners' consent and assist with organizing voluntary resident masonry skills and/or monetary contributions.

E. WELL SITE:

Pima County State Code Parcel 4160, Map 30, Book 226 indicates property known as 7980 N. Silverbell Road is a well site in a section of Continental Ranch dating back to the 1990's. At the time, Richmond American could have deeded the site over, but due to oversight, this was not done. **MOTION made/seconded (Cordell/Stead) to accept Richmond America's offer to give this property to CRCA on the condition that CRCA pays the applicable property taxes. Unanimously approved.**

F. WEB PAGE: Discussed above; hold for next study session.

G. CONSENT AGENDAS:

A "Consent Agenda" is designated to include mundane and non-controversial board action items which do not require discussion. This can include minutes of a previous meeting, recommended committee appointments, committee resignations, receipt of committee minutes, etc. The entire Board must agree to use the Consent Agenda, and if any item listed is controversial, it may be removed by Board member's request and handled separately. If accepted by single motion, the contents should be documented in the minutes of that meeting. **MOTION made/seconded (Stead/DeLarge) to approve using a Consent Agenda format in future meetings, within the proper guidelines. Unanimously approved.**

H. ASSOCIATION ATTORNEY:

Three proposals have been received for consideration by the Board of Directors as Association attorneys. Interviews are recommended, and the General Manager was requested to arrange these prior to the new year, if possible. If not, recommend interviews during the second week in January or at the January study session (third week). Retainer fee not to be considered; hourly rate only.

I. 2009 BOARD MEETING/STUDY SESSION DATES:

A schedule of study sessions, regular meetings, the annual meeting, and official holidays has been prepared by Management. Regular Board meetings are scheduled for the last Wednesday of each month except October (annual meeting), and alternate dates for November and December 2009. Study sessions are the Wednesday prior with the exception of October, November and December. The office will be closed for holiday: 25 May, 3 July, 7 September, 26-27 November, and 25 December 2009. **MOTION made/seconded (Cordell/Stead) to accept the proposed amended meeting and holiday calendar.** For later discussion will be suggested office closure listed for 24 and 31 December 2009, according to 2008 closure modification. **Unanimously approved.**

J. WASTE MANAGEMENT SURVEY RESULTS: Ms. Lebsack announced that 550 survey returns were submitted. Of these, 108 recommended "opting out," and 14 were undecided. Since the majority seemed to favor remaining with Waste Management, Mr. Lambert indicated continuing negotiations. Unanimously agreed by the Board.

K. RESCIND HIRING A COVENANTS EMPLOYEE:

MOTION made/seconded (Stead/Steimpson) to rescind the previous motion to hire an additional covenants employee for Stratford Management. Discussion: legal issues with parking on the city streets and other items need to be resolved with a new attorney. Telephoning the office for authorization to park cars is an unauthorized action. New direction and job description are needed prior to hiring someone to tour evenings and/or weekends to observe parking and other violations. Salary has been budgeted. Additional legal information is needed before proceeding. **Unanimously approved.**

X. NEW BUSINESS:

A. STORAGE OF ASSOCIATION RECORDS:

Of primary concern is relocating official records of the Association from the current storage facility to a more appropriate location and a complete sorting and proper filing of all documentation. A new employee will begin working on this project on 18 December, and records will be moved to the baseball shed on site, which will have new locks installed and brought up to legal code for fire protection. This is a priority project and staff needs to move forward. Nothing further has been heard from Platinum Management regarding old/missing records. Computer files appear to be gone.

B. HABITAT FOR HUMANITY REQUEST:

Correspondence received from the Town of Marana (20 November 2008) requests funding or resources to assist in the construction of two home sites for Habitat for Humanity. Groundbreaking is scheduled for this month, with ribbon cutting for new residents by mid summer 2009. Although a most worthy cause, at this time, it does not appear to be a feasible financial project for this Association, although volunteer hours to assist is a possibility. The presiding officer directed the Manager to respond.

C. POOL KEYS FOR SUNFLOWER COMMUNITY ASSOCIATION:

The pool located within the Sunflower Community is closed and undergoing major repair and upgrading. Some residents need access to lap swimming for health reasons. Currently, 10 pool keys for access to CRCA pools are made available to SCA on a permanent basis; however with the temporary closure of their pool, it is recommended that additional keys be provided for SCA resident use. **MOTION made/seconded (Stead/Cordell) to provide 10 additional pool keys to Sunflower Community Association during their pool "down" time. Unanimously approved.**

D. DAY CARE REQUEST FROM POSSIBLE HOMEOWNER:

Correspondence received from possible future resident, Amie Obral, inquired about rules governing day care for up to four children. Since licensing is not required unless five or more children are being cared for, there is no ruling against this activity. It was suggested that Mrs. Obral ask her clients to park in the driveway when coming and going from the residence. The Manager was asked to respond to Mrs. Obral's letter.

XI. UPCOMING MEETING DATES:

Board Study Session – Wednesday, 21 January 2009

Board Meeting – Wednesday, 28 January 2009

XII. ADJOURNMENT:

With no further business, there was **MOTION to adjourn (Cordell/DeLarge) at 9:07 p.m. Unanimously approved.**

Connie DeLarge, Secretary

Attachments for permanent file:

Resident Sign-in Sheet

Meeting Agenda

Executive Session Minutes – 19 November 2008

Study Session Minutes – 11 December 2008

Four Resolutions: Contacting Vendors, Graffiti, President's Message, Block Parties

Financial Statement

Manager's Report

Lacrosse Request

Homeowner Concern regarding Richmond American

Committee Minutes: Finance, Pool, Landscape, Covenants, ARC, Activities

Well-Site Documents

Wall Damage on Silverbell

Attorney Consideration

Habitat Correspondence

Day-care Correspondence

Any other attachments deemed appropriate for permanent filing

(Minutes by Edna M. Coburn; reviewed by the Board of Directors prior to publication in draft form)