

CONTINENTAL RANCH COMMUNITY ASSOCIATION
BOARD OF DIRECTORS
MONTHLY MEETING MINUTES
COMMUNITY CENTER
8881 N. COACHLINE BLVD. TUCSON, AZ 85743
JULY 29, 2009 AT 7:00 PM

A meeting of the Board of Directors of the Continental Ranch Community Association (CRCA) was held on Wednesday, July 29, 2009, at 7:00 p.m. Board members in attendance were John Lambert, Chuck Stead, Connie DeLarge, George Erhardt, Marilyn Steimpson, and Colin Cordell. Community Manager Sarah Lebsack and Assistant Manager Leilani Silva represented Stratford Management. Business was conducted as follows:

- I. CALL TO ORDER-** John Lambert called the meeting to order at 7:01 P.M.
- II. ROLL CALL -** John Lambert, Chuck Stead, Connie DeLarge, George Erhardt, Marilyn Steimpson, and Colin Cordell were all present which constituted a quorum.
- III. APPROVAL OF AGENDA-** A motion was made, seconded and carried unanimously to approve the Agenda with the following additions: VII. New Business, J. Bicycle Safety Class, K. Daisy's Request, and L. Karate Class Extension Request (DeLarge/Steimpson)
- IV. INVITED GUESTS —** Kimberly Gale and Jerry James RE: Twin Peaks Interchange Project- Ms. Gale reported on what to expect with the upcoming changes and stated that this weekend through mid August, I-10 will be reduced to one lane and traffic will be shifted to the West-bound lane. Ms. Gale also stated that this Sunday, the eastbound frontage road will be closed to create an eastbound lane. In September the eastbound frontage road will be completely closed and vehicles will be rerouted back to I-10. Mr. James stated that the grade crossing at Camino de Manana will temporarily be closed, but there will be a pathway, including lights, for visibility. Mr. Lambert inquired as to the anticipation date of completion. Ms. Gale stated that it was projected for late 2010.
- V. HOMEOWNER FORUM-**
A homeowner expressed high concern for the conditions at parcel 15C (The Villas). Mr. Lambert stated that this topic was on the Agenda and it would be discussed at that time.
- VI. APPROVAL OF PREVIOUS MEETING MINUTES:** A motion was made, seconded and carried unanimously to approve the **June 24, 2009 Board Meeting Minutes and July 15, 2009, Executive Session minutes as submitted.** (DeLarge/Steimpson)
- VII. APPEALS, REQUESTS & WAIVERS –**
There were no appeals, requests, or waivers at this time.
- VIII. APPROVAL OF CONSENT AGENDA**
 - Acknowledge July 6, 2009 Activities Committee Meeting Minutes.
 - Acknowledge July 7, 2009 Landscape Committee Meeting Minutes.
 - Acknowledge July 13, 2009 Pool Committee Meeting Minutes.
 - Acknowledge July 8, 2009 and July 20, 2009 Finance Committee Meeting Minutes.
 - Acknowledge June 18, 2009 and July 2, 2009 ARC Minutes.
 - Acknowledge July 14, 2009 Covenants Committee Meeting Minutes.
 - Acknowledge July 1, 2009 Facilities Committee Meeting Minutes.
 - Acknowledge, with thanks, Fred North's resignation from the Landscape Committee.
 - Acknowledge lot clean-ups, as recommended.
 - Approval of the June 2009 Financials.
 - Recommendation from the Pool Committee to approve the replacement of up to ten (10) new tables at Management's discretion, at a cost not to exceed \$149 plus tax per table. (Budgeted)
 - Recommendation from the Pool Committee to approve the proposal from Antech Gates Corp. to replace the missing and damaged picket curved top of the Windmill Park fence at a cost not to exceed \$244.32 (Budgeted)
 - Recommendation from the Landscape Committee to accept the proposal from The Groundskeeper to provide material, equipment and labor in the amount of \$400 to repair the riprap on the corner of Armour Crest and Coachline Blvd., bury the exposed irrigation poly line, replenish the rock with (1) one ton of decorative rock (will match existing rock) replace (1) one

bare root Ocotillo, and replace (1) one (5) five gallon Bougainvillea provided the Association attempt to recover the funds from the driver who drove over the area into the wall. (Budgeted)

- Recommendation to accept the proposal from Tucson Play Systems Inc. to replace the broken panel on the play structure in Parcel 27A at an estimated cost not to exceed \$488.42. (Budgeted)
 - Recommendation to accept the proposal from The Groundskeeper to remove two (2) inoperable water fountains in Parcel 28 and cap the existing water lines below ground for possible future use at a cost not to exceed \$235.45 plus tax. (Budgeted)
- Action:** A motion was made, seconded and carried unanimously to approve the Consent Agenda. (Cordell/Delarge)

IX. REPORTS

A. President's Report

1. **Fruit Tree Resolution;**

Mr. Lambert gave a brief history stating that a homeowner had an existing fruit tree in the front yard and the Board felt it was unwarranted to remove it. Therefore, Mr. Lambert stated to be consistent and to treat all homeowners equally, it was proposed that all homeowners should be able to have fruit-bearing ornamental trees in the front yards with the understanding that the Association reserves the right to issue a notice of violation to the property owner in the event the fruit droppings are not removed and are visible from the street and neighboring properties.

Action: A motion was made, seconded and carried four (4) in favor, one (1) opposed (Stead) (Steimpson/DeLarge)

2. **Silverbell Road-**

Mr. Lambert added to the Agenda that he met with Kevin Kish from the Town of Marana to discuss the landscaping on Silverbell. Mr. Lambert will continue to work with the Town and update the community regarding the landscaping project on Silverbell.

B. Treasurer's Report

Mr. Erhardt reported on the financials for the month ending July 31, 2009.

- Total assets, from the CRCA Financials dated June 30, 2009, are \$1,868,834.84
- Total Income, YTD actual income, dated June 30th 2009, is \$1,247,241.44
- Total Expense, YTD actual Expense, dated June 30th 2009, is \$814,962.19

C. Finance Committee

1. Recommendation to approve the annual assessment to be reinstated at \$297, the same as it was in the 2007/2008 fiscal year, the proposed operating budget for 2009/2010 fiscal year based on the annual assessment of \$297, the transfer of \$90,000 to the reserve fund and the proposed reserve fund budget for 2009/2010.

Mr. Lambert summarized the financial report and recommendations. Mr. Stead recommended that we return the e-mail from Jim Susa, (Ex-Chair of the Finance Committee), and have the Finance Committee answer each question in more detail. Mr. Stead also requested that the budget sheet should read more clearly and should have line items stating changes or increases with "what" the line item is and "why" there is an increase to that line item. Mr. McCutchan expressed his concern regarding the potential increase in homeowner dues. A homeowner stated that the community is clean and well-maintained and that people that are reluctant to pay their dues will be more reluctant to pay dues if they are increased. Mr. Lambert expressed his concern about the urgency in contributing to the Reserve Fund. Mr. Lambert stated that \$30,000 should be allocated to the reserve every quarter, yet this has not been done in two (2) years. Mr. Lambert advised the Finance Committee to provide another proposal before the next Board meeting to re-evaluate the budget and cut costs to alleviate the need to increase the annual assessment.

Action: A motion was made and was unanimously *failed* to approve the annual assessment be reinstated to \$297, the same as it was in the 2007/2008 fiscal year, the proposed operating budget for 2009/2010 fiscal year based on the annual assessment of \$297, the transfer of \$90,000 to the reserve fund and the proposed reserve fund budget for 2009/2010. (DeLarge/Erhardt)

Unfinished Business C. Parcel 15C-Water and Electric Meters-Action-A motion was made, seconded and unanimously approved to skip to unfinished business then resume to the Managers Report. (Cordell/DeLarge) Mr. Lambert stated that he and Ms. Lebsack met with Richmond America in February and discussed all the concerns and issues regarding the area, such as landscaping and maintenance. Mr. Lambert then stated that they did another walk through about three (3) weeks ago and that the standards of the area were still not acceptable. Richmond American stated that they did not want to spend any more money on the property and would be shutting the water off. Ms. Lebsack stated that she met with Gigi Nitka of Crop Production Services. Ms Nitka's evaluation of Parcel 15C was that it was unkempt, not mowed for some time and recommended hand-weeding after a rain, which she stated is very labor intensive. Ms Nitka also stated in her evaluation that there were areas of stressed rye grass and recommends that Management contact an irrigation specialist. Because of the amount of work and detail required in this project, she was unable to provide a dollar amount for entire maintenance and

clean up. Ms. Lebsack stated that the Management office received the deed earlier this morning and shows that it was recorded on July 15th, 2009 as deeded to the CRCA without signatures from the Association. Ms. Lebsack expressed her concerns and recommended that the Board take immediate action, as it has become a liability to the Association. A homeowner expressed extreme concerns regarding the area at the parcel park at parcel 15C (The Villas). Homeowner stated that the area was infested with fleas, snakes, and other dangerous creatures due to the overgrowth of grass. The homeowner also expressed safety and liability concerns surrounding small children that may get hurt playing in these conditions. The homeowner asked how long it would take for this area to be cleaned up to standards that are safe for children. Mr. Lambert stated that he would need to be advised by the Attorney on how to handle this situation as Mr. Lambert was unsure if handing over an unsigned deed to an Association was an illegal action that may need to be addressed first. Mr. Lambert stated that the Board would be in touch with the Attorney and would move quickly on this matter.

D. Managers Report

- 1. Collection reports were sent to Mr. Goodman on June 27, 2009.**-Ms. Lebsack stated that the Delinquency Report, the collections report and the old owner delinquency list were emailed to Mr. Goodman.
- 2. Response Letter from B.C. Contractors-** Ms. Lebsack stated that a certified letter was mailed requesting reimbursement for not fulfilling the contract in regards to the men's restrooms at Windmill Park Pool.
- 3. Waste Management has not responded to Mr. Goodman to date.**- Ms. Lebsack stated that there has not been a response from Waste Management.
- 4. Community Center Parking Lot update-** Ms. Lebsack stated that Mr. Ellis reported that he would schedule the parking lot asphalt to be sealed and repaired for a later date when the weather has cooled. Mr. Ellis also scheduled the replacement for the burnt out parking lot lights. Every light is now working except for one light, which needed a part that had to be ordered and it will be repaired shortly.
- 5. Board Liaisons-** Ms. Lebsack stated she included a page from the "Board Member and Board Meeting Tips" packet. Ms. Lebsack suggested the Board review the paragraph and take note that the Board Liaisons do not vote and do not participate in discussions unless requested to do so by the Committee Chair. The Committee's are encouraged to discuss topics among themselves without input from the Board Liaison unless of course the committee requests feedback.
- 6. The put back for the office began on Thursday, July 9th and will continue until the week of July 20th provided Abracadabra stays on schedule.**- Ms. Lebsack stated the restoration put backs began on Thursday, July 9th and were completed on Friday, July 24th. Ms. Lebsack stated she requested for the Board to sign in Action in Lieu for Abracadabra to install fiberglass reinforced plastic 4' high in the janitorial closet in the amount of \$427 at the Windmill park as it would protect the walls from future water damage due to the mop sink and mop. Ms. Lebsack passed pictures to show the small space and reinforce the concern for potential water damage risk. Mr. Lambert suggested a hose be attached to the bib and to keep the mop in the mop sink to alleviate paying \$427.00.
- 7. VMS Conversion-**Ms. Lebsack stated the conversion scheduled for July 10th was extremely challenging and proved to be a matter with the past owner balances as well as past owners that had pre-paid and were never applied to the new homeowner account. Ms. Lebsack stated that hours were spent with VMS going through the various issues. Ms. Lebsack also stated that once the conversion is complete, VMS and Voyager will run side by side for about a month after which time Voyager will be eliminated.
- 8. 2009/2010 Budget-**Ms. Lebsack stated we would move forward with the Manager's Report being enough time was spent discussing this matter during the Finance Report.
- 9. Update on Edna Coburn regarding her employment with Stratford Management-**Ms. Lebsack stated that Edna Coburn did not agree to sign the Stratford Employee agreement at which time Ms. Lebsack reported her refusal to her manager. Ms. Lebsack stated that her manager agreed to waive the offending paragraphs in the agreement however Edna wished to have it reviewed by an attorney and as a result she refused to sign any part of the agreement. Management informed the Board that Stratford Management was willing to allow Edna not to sign the agreement as she requested. Mr. Lambert presented the Board with a proposal from a Temp connection that he had researched regarding the hiring of Ms. Coburn.
Action: A motion was made, seconded and unanimously carried to have Edna Coburn be hired through Temp Connection at a cost of \$19.84 per hour. (DeLarge/Steimpson)
- 10. Website Update and re-submittal of Webmaster Proposals-**Ms. Lebsack provided proposals from webmaster who are trained professionals that can assist us with the website.
Action: A motion was made, seconded, and unanimously carried to accept D'mention Systems proposal as submitted. (Stead/Erhardt)
- 11. Covenants Assistant Resignation-**Ms. Lebsack stated that she sent out an email to each of the Board members on Monday, July 20th to report that Covenants Assistant, Tina Noggle resigned on Friday, July 17th. Ms. Lebsack stated that Monica Garcia accepted the Covenants position and that we were currently interviewing for the Administrative Assistant (Activities Director) position.
- 12. The Book Exchange was cancelled-** Ms. Lebsack stated that the book exchange was cancelled this year owing to the lack of committee volunteers.

13. Landscape Chair Larry Schoof handed Ms. Lebsack a document during her management report and requested that she read the letter to the Board. Mr. Schoof's letter was a letter of resignation from the Landscape Committee.

D. Pool Committee See Consent Agenda

E. Landscape Committee

1. Recommendation to accept the proposal from The Groundskeeper to riprap the south side of the wash along Twin Peaks on the east and west side of Marbella II entry at a cost not to exceed \$11,850, providing the proposal included grout. (Budgeted)
Mr. Lambert requested that Management obtain two (2) additional bids.
Action- A motion was made, seconded and unanimously *failed* to approve the recommendation until the receipt and review of two (2) other bids. (DeLarge/Steimpson)
2. Recommendation that the Board accept the Request for Proposal (RFP) as submitted and to allow Management to send the RFP to Three Landscape Companies including The Groundskeeper for cost comparisons. Mr. Lambert requested the Board be provided with the 2003 RFP with line items attached. Ms. Lebsack stated that she would provide all Board members with copies of the 2003 RFP.
Action-A motion was made, seconded and unanimously *failed* to approve the recommendation that the Board accept the request for the proposal (RFP) as submitted. (Stead/Cordell)

B. Covenants Committee

1. Recommendation to uphold the fine for lot 39024-
Action: Motion was made, seconded, and *failed* two in favor (Stead/Erhardt) four opposed to accept the recommendation to uphold the fine for lot 39024. (Stead/Steimpson)
2. Recommendation to accept the fines as submitted.
Action- Motion made, seconded, and unanimously carried to accept the recommendation to accept fines as submitted. (Cordell/DeLarge)

C. Architectural Review Committee

See Consent Agenda

D. Activities/Publicity Committee

1. Recommendation to approve the purchase of a camera for the Activities Committee events at a cost not to exceed \$250. (Budgeted) The Board asked Management if it was possible that the Activities Committee could borrow the Covenants camera on days needed. Ms. Lebsack stated that borrowing the camera from Covenants is feasible.
Action- A Motion made, seconded and unanimously *failed* to approve the recommendation to purchase a camera for the Activities Committee events at a cost not to exceed \$250.(Cordell/DeLarge)

E. Facilities Committee

See Consent Agenda

X. UNFINISHED BUSINESS

- A. **VMS- Write Off Old Owner Accounts-** Ms. Lebsack stated that we were still waiting to hear from Clint Goodman on this matter. However, it is making it difficult to convert the program with these outstanding issues on the table.
- B. **Saturday Office Hours-**Ms. Lebsack informed the Board that overtime will be incurred due to the shortage of staff in the office as well as staff approved vacation time.
- C. **Parcel 15C-Water and Electric Meters-** Discussed before Manager's report.

XI. NEW BUSINESS

- A. **Appoint Election Committee- Edna Coburn, Connie Gaddie, Marjorie Walp, Gladys Pope and Magda Quirros-** Mr. Lambert appointed the Election Committee.
- B. **Certify Slate of Candidates presented by the Nominating Committee-** in alphabetical order by last name: Bill Arnold, Peggy Bracken, Gus Lipins, Terry Paschen, Marilyn Steimpson, and Angela Wagner-Gabbard.
Action- Motion made, seconded, and unanimously carried to accept the Certify Slate of Candidates presented by the Nominating Committee- in alphabetical order by last name: Bill Arnold, Peggy Bracken, Gus Lipins, Terry Paschen, Marilyn Steimpson, and Angela Wagner-Gabbard (Cordell/Stead)
- C. **Addendum to Settlement Agreement-Safeway-** Mr. Lambert provided the community with a short recap of the series of events regarding the Safeway Agreement. Ms. DeLarge reported that she requested the advice of an Attorney at the law firm where she is employed. The attorney said that the agreement looks fine. Ms. Lebsack noted the liability that the Board is assuming by taking the advice of an attorney who is not contracted with the Association. Ms. Lebsack requested that it be

documented in the minutes that management advises the Board against accepting the addendum to a legal agreement at the advice of an attorney who is not formally known or contracted by or with the Association. **Action:** A motion was made, seconded and carried four in favor two opposed (Stead/Stimpson) to approve the Addendum to Settlement Agreement submitted by Safeway. (DeLarge/Stimpson)

- D. Proposal From Sunflower regarding Light Mitigation- Action-** Motion was made seconded and unanimously carried to accept the proposal from The Groundskeepers in the amount of \$12,377.55 plus tax for the Safeway Light Mitigation. However, the Board denied the request for the additional \$3,000 for future items that may be needed. (DeLarge/Erhardt)
- E. Review Parking Policy-**Mr. Lambert stated that he would like to schedule a Town meeting at Coyote Trail School or Twin Peaks to discuss continuing current policy or amending it. This item has been postponed until further notice.
- F. CC&R amendments –**Mr. Lambert stated he wants the community’s input by survey in September’s newsletter and the ballots.
Action- Motion was made, seconded and carried four (4) in favor, one (1) opposed (Stead) to approve the survey for the CC&R’s amendments.
- G. Perimeter Walls Resolution-**
Action- A motion was made, seconded and carried four (4) in favor, one (1) opposed (Cordell) to approve the perimeter wall resolution.(Lambert/DeLarge)
- H. Request from Long Realty-**Ms. Lebsack stated that Long Realty is requesting the use the Community Center for First Time Home Buyers Forums without paying to utilize the space.
Action- A Motion was made, seconded and *failed* unanimously to approve Long Realty’s request as submitted. (Stead/Cordell)
- I. Appoint New Board Member Discussion-** Mr. Lambert stated that information would be going into the newsletter where interested applicants could apply and would need to submit a 150 word essay along with the application.
- J. Bicycle Safety-** Ms. Lebsack stated that a community group wanted to hold bicycle safety classes at the Community Center. The classes would be offered to the community free of charge and requested that the Association waive the fees to rent the Community Center.
Action- A motion was made, seconded and unanimously carried to accept the agreement to allow Bicycle Safety classes be held at the Community Center free of charge.(Cordell/DeLarge)
- K. Daisy’s request-**Ms. Lebsack stated that Daisy’s (girl scout group) has requested the \$150.00 deposit be waived for the use at the Community Center but understands that Continental Ranch will be held harmless during their times of use. The Board agreed to waive the deposit for the Daisey’s.
- L. Karate Classes-** Ms. Lebsack informed the Board that the Director of Karate for Kids wants to extend their agreement through the fall of ’09 and spring ’10 every Monday evening between 6:00PM and 7:30PM. Mr. Lambert stated that the request would be granted as long as Karate for Kids is willing to adjust scheduling to meet the needs of any events or meetings that need to be scheduled on those days.

XII. FUTURE MEETING SCHEDULE

Board Study Session – August 19, 2009 6:30 P.M.
Board Meeting– August 26, 2009, 7:00 P.M.

- XIII. ADJOURNMENT-** A motion was made, seconded and carried unanimously to adjourn the meeting at 9:22 P.M. (DeLarge/Cordell)

Respectfully Submitted,

Leilani Silva

Leilani Silva
Assistant Manager, Stratford Management
For Continental Ranch Community Association