

**CONTINENTAL RANCH COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – COMMUNITY CENTER
THURSDAY, 17 MAY 2012 – 6:30 P.M.**

The Board of Directors of the Continental Ranch Community Association met on Thursday, 17 May 2012 at the Community Center. Directors present: Mr. John Lambert, President; Ms. Peggy Bracken, 1st Vice President; Ms. Connie DeLarge, 2nd Vice-President; Mrs. Marilyn Stimpson, Secretary; Mr. Larry Lemieux, Treasurer; Mrs. Gladys Pope, Director; Ms. Roxanne Ziegler, Director. Also present: Mr. Josh Seng, Assistant Manager; Mr. Clint Goodman, attorney; Mr. Don Mady, DLC Resources; and approximately 30 residents.

I. CALL TO ORDER:

Mr. John Lambert, President, called the Board of Directors' regular meeting to order at 6:31 p.m.

II. ROLL CALL/QUORUM:

All members of the Board of Directors were in attendance. Quorum of four required for the conduct of Association business.

III. GUESTS:

Mr. Don Mady, DLC Resources.

IV. AGENDA:

Mr. Lambert requested item XII. b. be moved to first position in the agenda in deference to a scheduling conflict of the guest and the Landscape Committee chairperson. He further noted new business items to be added to XVII. e. Windmill Park upgrade, f. Removal of shade structure at Center kiddie pool, and g. pool security camera concern. One new letter received regarding purchase of pool furniture, and one new letter regarding a minutes' amendment to be considered when minutes are approved. Under Activities, DLC will host an informational meeting with complimentary breakfast, omitted from agenda. Items to be moved to the Consent Agenda include X. a., XI. d., e., f., XII. c., d., and XIII. b., c., e. **MOTION made/seconded (Ziegler/Pope) to approve the agenda as amended. Unanimously approved.**

(XII.) LANDSCAPE: (moved out of original sequence):

B. REPLACEMENT OF SYCAMORE TREES:

Mr. Lemieux acknowledged to Mr. Mady, DLC Resources that landscaping throughout the community for the most part was receiving many compliments. He thanked DLC and the Landscape Committee for persevering in the beautification project. Mr. Ron Palfreyman, Chairman of Landscape Committee, indicated that the trees in question only have a 50% chance of survival, even with extreme costs in watering,

turf rebuilding, on-going care, etc. This was confirmed by Mr. Mady who explained that treatment would need to be done in stages over the next couple of years at initial cost of approximately \$8,000 plus an additional \$1500-2000 in cost annually after that, with no survival guarantees. Moving the distressed trees in question is not a viable option because of similar soil/ water difficulties in other areas; the problem would continue. Therefore, the proposal is to replace the five struggling Sycamore trees (cost \$2,087, code 83002) with five Swan Hill Olive trees in raised planters at the Windmill Park field (cost \$14,943, code 83005). This includes the cost of the raised planter box with proper soil and water treatment. Residents questioned the overall watering schedule, and it was noted that this information would be available from the Landscape Committee. **MOTION made/seconded (Bracken/Lemieux) to authorize DLC Resources to remove the five distressed sycamore trees at cost of \$2,087 and install five Swan Hill Olive trees in raised planter at cost of \$14,943 all within the current budget of the Landscape Committee.** Discussion: Residents acknowledged the overall landscaping improvements throughout the community, and reviewed costs involved in the current proposal, etc. **Unanimously approved.**

VI. HOMEOWNER FORUM:

Ms. Dorothy Bruce, Long Creek Drive, read a prepared statement concerning a letter and possible lawsuit sent to Mrs. Sandy Padilla by the Association attorney. As her allotted time ran out, Mrs. Joyce Grosso, Redcliff Way, finished reading the prepared statement. Mr. Walter Ross, Veridian Drive, commented on the need and expense of replacing flowering plants in the entryways. Mrs. Debra Davis, N. Stonebrook, commented on parking and weeds. Ms. Laura Dawes, Parcel 40-264, presented compliments to the Board for efforts in supporting the community. Mr. Admando Carillo, Colony Park and Waste Management employee, commented on the upcoming trash contract. Mr. Shane Lindstrom, Parcel 43-045, discussed a personal economic situation concerning his assessments due.

V. APPROVAL OF MINUTES:

It was noted that meeting minutes are not verbatim, but condensed to highlight pertinent information. Roberts' Rules of Order were referred to by Ms. DeLarge, who suggests removing Home Owner Forum topics from minutes entirely. There was lengthy discussion about dealing with facts vs. opinion, false or misleading statements, filing complaint forms, committee charters, Board authorization/actions, etc. Ms. Ziegler indicated that the Board endeavors to treat everyone fairly, and positive evidence of questionable situations needs to be presented, not hearsay or opinion. It was reiterated that the purpose of the Board meetings is to handle factual Association business, and not consider false statements or share opinions. Mr. Lambert assured that minutes of the meetings are not altered or sanitized by the Board, but published as received in draft format and approved/amended at the next appropriate meeting. Mr. Pete Muench reminded that this is not the proper forum for other than actual Association business. In a letter from Mrs. Joyce Grosso, referred to

during Home Owner Forum, it was requested that all reference to the attorney's letter to Mrs. Sandy Padilla and Mrs. Grosso's comments and be stricken from 19 April 2012 minutes, VI. **MOTION made/seconded (Lambert/ DeLarge) to amend 19 April 2012 minutes by removing any mention that Mrs. Grosso said and the reference to Mrs. Padilla in Item VI. as requested. Affirmative votes, four; negative votes, two (DeLarge/Stimpson); one abstention (Lambert).**

MOTION made/seconded (Bracken/Stimpson) to approve the 19 April 2012 minutes as amended. (Note: written by Management.) **Unanimously approved.**

MOTION made/seconded (Lemieux/Stimpson) to approve the 10 May 2012 Emergency Meeting minutes as presented. (Note: written by Management.) **Unanimously approved.**

VII. LETTERS TO THE BOARD:

A. D.S. RESCUE, TUCSON—DEANNA HASMAN, FOUNDER/DIRECTOR:

Ms. Hanson requests permission to conduct a monthly adoption event near Twin Peaks and Coachline. D.S. Rescue is an accredited non-profit foundation (501c3) which places rescued and needy animals in "forever" homes. A small petting zoo may be enjoyed by children and adults and allows the foundation volunteers to educate the community about care of all animals. **MOTION made/seconded (Bracken/Pope) to approve the request for D.S. Rescue, Tucson to conduct monthly adoption events in an open area near Twin Peaks and Coachline.** (Note: No starting date indicated.) **Unanimously approved.**

B. ANNA KLINE:

Letter from Ms. Anna Kline, Parcel 19, indicated appreciation for overall beautification efforts; however, pointed out areas of concern with trash and other litter, weeds, street parking, etc. throughout her neighborhood. Since Ms. Kline was not in attendance, Mr. Lambert asked Mr. Seng to contact Ms. Kline and suggest she visit the office to present detailed locations of concern with Covenants' personnel, or attend a Covenants Committee meeting.

C. MR. DAVE HELGEVOLD:

Letter of appreciation and encouragement received from Mr. Dave Helgevold, Saucedo Drive, for beautification achievements and the neighbors-helping-neighbors program. Comments appreciated by the Board.

D. MR. MIKE TREFRY, POOL CONCERNS:

Mr. Mike Trefry, Parcel 11-020, indicated overcrowding for pool lane swimmers, pool cleanliness, opening Center pool earlier in the season, etc. Since the Center pool is currently being heated and scheduled to open on 21 May, the issue of opening the Center pool earlier will be submitted to the Pool Committee to consider for next year. Other issues will be discussed in committee immediately.

E. MR. PAUL YUEN, TREE REMOVAL:

Mr. Paul Yuen, Sayante Way, submitted photos of a Palo Verde tree outside a perimeter wall with exposed roots pushing against the wall foundation. Mr. Yuen requests removal of this tree. **MOTION made/seconded (Pope/DeLarge) to approve Mr. Yuen's request for tree/root removal. Unanimously approved.**

F. CANYON TERRACE HOA, FURNITURE PURCHASE:

Letter offers purchasing remaining expired pool furniture in storage for \$185.00. **MOTION made/seconded (Ziegler/DeLarge) to approve sale of remaining stored pool furniture for \$185.00 to Canyon Terrace HOA. Unanimously approved.**

VIII. LETTER FROM BOARD FOR OWNER TO APPEAR:

By letter of 2 May 2012, Mr. Jamie Nelson/Ms. Leah Everson, Parcel 04-031, were encouraged to attend the BOD meeting of 17 May 2012 to speak in behalf of violations of published pool rules documented by camera on 29 April 2012. Possible sanctions such as fine and/or loss of pool privileges to be considered. Addressees were not in attendance. **MOTION made/seconded (Lemieux/Pope) to impose a 30-day suspension of pool privileges.) Affirmative votes, six; one negative vote (Lambert).**

IX. CONSENT AGENDA:

Minutes of the following committee meetings were received: ARC—19 April and 3 May 2012; Landscape—1 May 2012; Activities—2 May 2012; Covenants—2 May 2012; Pool—7 May 2012; Finance—8 May 2012.

Board action items:

ACTIVITIES/ARC—Addition of Ms. Karie Westphall to both committees.

POOL—Accept proposal from Cummings Plumbing to remove existing evaporative cooler and install two 300cfm exhaust fans, one to each restroom, at cost NTE \$2,814.61 including tax. Accept proposal from Oasis Pool Service for replacement of bypass valves and unitherm governors for two heaters at Windmill Park at cost NTE \$549.92 including tax and for replacement of bypass valves and unitherm governors for two heaters at the Community Center pool at cost NTE \$549.92 including tax.

LANDSCAPE—Accept proposals of DLC Resources to prune 57 Oak trees along Coachline Boulevard at a cost NTE \$2,394.00; to remove the mesquite tree near the wall on Twin Peaks Road near August Moon Place at a cost NTE \$435.00; and remove Palo Verde tree on Coachline near Deimos Drive at cost NTE \$365.00. DLC to host information meeting for residents; date to be announced.

COVENANTS—Account #17790 weeds, Account #22541 construction debris, Account #18926 weeds; Account #21132 weeds; Account #20240 weeds: All \$25.00 fine and 30 day pool suspension. Account #17846 weeds, Account #18794, and

Account #19796 to receive lot cleanup and pre-emergent application, costs to be assessed to the accounts.

X. ACTIVITIES COMMITTEE:

MOTION made/seconded (Ziegler/DeLarge) to accept proposal of DLC Resources to host an informational meeting for Continental Ranch residents with breakfast provided, at the Community Center; date to be announced. Unanimously approved.

XI. POOL COMMITTEE:

A. EARLY OPENING OF COMMUNITY CENTER POOL:

A suggestion had been received regarding opening the Community Center pool on 18 May 2012 due to the unusually warm temperatures. Official opening on 21 May 2012 had been previously announced and published, and pool monitors will begin work on that date. Heat has been turned on and the pool will be warmed and ready for use. With only a 3-day differential in announced opening date, **MOTION was made/seconded (Ziegler/Pope) to not change the current scheduled opening date of 21 May 2012. Unanimously approved.**

B. REPORTING POOL VIOLATIONS:

Committee recommends announcement in *The Windmill* that pool rule violations may be reported to the CRCA office 24/7 by leaving a voice message on the general mailbox. Violations noted while monitors are on duty should immediately be given to those monitors. Lengthy discussion indicated that safety and health issues concerning pool usage cannot wait for a formal written complaint form to be turned in. **MOTION made/seconded (Lemieux/DeLarge) to approve the recommendation to report pool violations 24/7 to the CRCA office. Affirmative votes, six; negative vote, one (Lambert).**

C. DISCIPLINARY ACTIONS FOR VIOLATIONS:

Committee requested specific information on disciplinary action to be taken for pool rules violations. There is no firm policy guidance in effect, and assigned monitors need to receive direction in how to handle individual situations. The Board would like to discuss proposed policy handling on both overall and/or case-by-case basis depending on existing circumstances, to include disciplinary action, fines, pool-use suspension etc. and then can provide adequate guidance/authorization for pool monitors on pool rule enforcement. Committee to be asked to provide more information/policy and recommendations for Board consideration as soon as possible.

XII. LANDSCAPE COMMITTEE:

Committee recommends changing half of the gopher plants on the list with different plants from the plant palette, such as red yucca or blue emu, at the discretion of DLC Resources, and accept the proposal to install 38 five-gallon plants. **MOTION**

made/seconded (Lambert/DeLarge) to accept proposal of DLC Resources regarding replacement of half of the gopher plants from the plant palette at the discretion of the contractor, and proceed with installing 38 five-gallon plants at a cost NTE \$836.00 replacing identified dead plants along Coachline Boulevard.

Discussion: A few questionable plants identified in the proposal are being scrutinized for sustainability and replacement consideration. **Unanimously approved.**

XIII. COVENANTS COMMITTEE:

A. STREET PARKING COMPLAINT:

Mr. Bill Cicala, Covenants Committee Chairperson, indicated lack of complete information (Account #20121) in originally assessing an on-going parking situation and recommending a fine. Since then, those involved have shared additional information and the committee is attempting to understand all points of view. A resident added that eleven complaints were originally issued, including numerous photos, beginning in 2010. A complaint with 20 homeowners' signatures substantiates the original complaints. The owner indicates one car is parked on the street during morning hours to avoid moving cars around for work and school activities; however, some photos disprove this statement, plus one car is sometimes parked facing the wrong way, a Town of Marana infraction. **MOTION made/seconded (Pope/DeLarge) to agree with the recommendation for a fine of \$25.00.** It was also pointed out that area inspection times during the day have not necessarily proved/dissolved the problem. Evening/early morning inspection may need to be reinstated in the future, since during the day most vehicles are moved throughout the community. This resident has had ample time to correct a long-standing situation. **Unanimously approved.**

B. LOT CLEANUPS FOR OCCUPIED PROPERTIES:

Timeline recommendation for weeds in occupied properties is: following the second letter a fine is recommended. If, in 30 days following second letter issue, the weeds have not been removed, Management notifies homeowners that a lot cleanup will be scheduled, with costs assessed to the account. In discussion, the Board suggests amending this timeline to two weeks (vs. 30 days). **MOTION made/seconded (Lemieux/DeLarge) to accept the second letter and fine proposal, but amend the committee recommendation to two weeks following the second letter for scheduling lot cleanup with cost assessed to the account.** Discussion: At time of home resale closing, lot clean-up fees may be recouped. **Unanimously approved.**

XIV. FINANCE COMMITTEE:

A. APRIL 2012 FINANCE REPORT:

The April 2012 Finance reports were sent to the Board and the Finance Committee, which approved the reports as follows: Operating Cash--\$502,381.45; Total Cash Reserve--\$931,280.94; Restricted Sunflower Mitigation Fund--\$13,676.45; Accounts Receivable--\$85,367.77; Other Assets--\$181,239.96; Prepaid Income Tax--\$6,569.00. 30 April 2012 Total Assets--\$1,720,515.57. **MOTION made/**

seconded (Lemieux/Bracken) to accept the April 2012 Financial Statement as presented. Unanimously approved.

B. PRO CARE CONTRACT REVIEW:

It was requested that the Pro Care contract be reviewed by the Finance Committee. **MOTION made/seconded (Lemieux/DeLarge) to have the Pro Care contract reviewed as recommended by committee as to scope of contract, duties, cost, for upcoming budgetary consideration.** Discussion: Consider having the Finance Committee review all contracts for cost growth, especially when recommending a new budget. Mention was made of building-use contracts and who determines reimbursement of damage and clean-up deposits. **Unanimously approved.**

XV. ELECTION COMMITTEE:

A Board study session was held on 10 May 2012. Action postponed until the June Board of Directors' meeting.

XVI. REQUESTS TO PURCHASE: None.

XVII NEW BUSINESS:

A. APPOINTMENT OF NOMINATING COMMITTEE:

A committee of five is authorized according to bylaws of the Association. Six residents volunteered. **MOTION made/seconded (DeLarge/Stimpson) to approve appointments of Mr. Bill Cicala, Ms. Peggy Bracken, Mr. Dave Lawrence, Mrs. Jan Mann, and Ms. Barbara Herron as the 2012 Nominating Committee.** Discussion: First meeting scheduled for 25 June 2012. **Unanimously approved.**

B. BUDGET INFORMATION REQUEST:

Committees are reminded to submit 2012-2013 budget recommendations to Management prior to 22 June 2012.

C. BROKEN EQUIPMENT AT PARCEL 15c TOT LOT PLAYGROUND:

MOTION made/seconded (Lemieux/Stimpson) to remove and not replace broken equipment at the tot lot playground, Parcel 15c at this time. Unanimously approved.

D. POOL CLEANING BEING INTERRUPTED BY LAP SWIMMERS:

Oasis Pool requests guidance for scheduling when lap swimmers ask them to re-schedule cleaning services rather than be interrupted in the pool. It has been noted that Oasis makes a considerable effort to schedule daily pool cleaning services during pool closure times, which is not part of their contract; however, weather, wind and other natural causes often creates scheduling difficulties for this service and they cannot always find staff to work graveyard hours. Oasis's staff does not wish to offend any swimmers and often begins cleaning services at 2 a.m.; however, may not be completely done by 5 a.m. pool opening time, and recently left when told to do so

by a swimmer. Because there are health and safety issues involved with an unclean pool, it is necessary for Oasis or any other pool cleaning service to do the job contracted for. Posting a closure sign appears to be a solution. **MOTION made/seconded (Bracken/Pope) to authorize Oasis to secure the gate and post a "Pool Closed During Cleaning" sign when necessary. Unanimously approved.**

E. POSSIBLE UPGRADES AT WINDMILL PARK:

It has been noted that a swail in ground surface in Windmill Park makes it difficult for handicapped persons and equipment to reach the ramadas. The original concept when re-paving the area leading to the Windmill office complex was to continue the paving around to the other side of the building and continuing to the ramadas. It has been suggested that a culvert be considered with appropriate paving to make the area ADA accessible. Also noted was the rusted-out barbeque. Mr. Seng was requested to get bids for both projects, to be considered at the next Board meeting.

F. KIDDIE POOL SHADE STRUCTURE:

The shade structure at the Center kiddie pool was not made for pool cover. It is showing signs of rusting and needs to be moved to an area where water will not cause continuing damage. In order to save the shade, relocation needs to be done as soon as possible, with bids to be requested immediately. Possible action-in-lieu by the Board was indicated in order to move the existing shade structure to the Mountain Sky Pocket Park and contract for a new shade structure at the kiddie pool.

G. BETTER USE OF SECURITY CAMERAS AT POOLS:

Ms. Stimpson suggested better utilization of the pool security cameras instead of hiring a staff of pool monitors who work only during peak pool-use times, at cost of about \$30,000. Mr. Seng was requested to get cost estimates on upgrading the equipment currently installed. Postpone action on this suggestion until the June Board meeting.

XVIII. UNFINISHED BUSINESS:

A. SUBMISSION OF CANDIDACY FORMS:

In discussion, it was indicated that Board seats with terms expiring 31 October 2012 and open for re-election consideration are those held by Mr. John Lambert, Ms. Connie DeLarge, Mr. Larry Lemieux. Since Ms. Ziegler was appointed to a vacated Board seat, it was asked if that seat needed to be opened for election. Bylaws will be consulted. A candidacy form was published in *The Windmill*, or may be requested from the Management office. Submission deadline is 22 June 2012 with deadline to petition to run 15 August 2012.

B. BUDGET/WARRANTY INFORMATION REQUEST:

At the April Board meeting, Management was asked to obtain additional warranty input for replacement of electrical lines to the breakers for both pools. Castle Electric

had proposed cost for Windmill Pool at \$3,180 plus \$229.60 tax, and for the Community Center pool, a cost of \$2,785.00 plus \$201.08 tax, but did not include warranty information. **MOTION made/seconded (Lambert/Lemieux) to postpone action pending study. Unanimously approved.**

XIX. MANAGER'S REPORT:

Mr. Seng presented a detailed written report but highlighted removal of the shade tarp at the Community Center pool; marquee repair to fix damage from graffiti; upcoming Finance Committee's budget sessions; monitoring of work with DLC throughout the community; hiring of pool monitors with added discussion that monitors would be prohibited from using personal cell phones for other than work-related needs during working hours; presentation to residents in Parcel 8 by the Town of Marana regarding upcoming road work; letter of thanks received from the Girl Scouts; and trash service presentation to residents on 23 June 2012 at Twin Peaks Elementary School.

XX. ADJOURNMENT:

With no further business, meeting was adjourned by **MOTION made/seconded (DeLarge/Stimpson) at 9:00 p.m. Unanimously approved.**

Executive Session with the attorney followed.

Upcoming dates:

Residents' Meeting with DLC Resources and Landscape Committee: Date/place TBA.

Board of Directors' Meeting: Thursday, 21 June 2012, 6:30 p.m. in the Community Center.

Trash Service Forum with Interested Providers: Saturday, 23 June 2012, 3:00 p.m. in the Twin Peaks Elementary School.

First Meeting of the Nominating Committee: 25 June 2012, place TBA.

MARILYN STIMPSON, Secretary

Attachments for file:

Sign-in Sheet
Amended Agenda
Committee Minutes: Finance, ARC, Activities, Covenants, Pool, Landscape
Consent Agenda Documentation
Financial Statement
Correspondence
Landscape proposals
Covenants documentation
Pool Cleaning documentation
Manager's Report
Any other documentation as needed

(Minutes by Edna M. Coburn; draft reviewed by Management)