

Civano I, Neighborhood I Homeowners Association
Board of Directors Meeting Minutes

Date: July 24, 2007
Time: 7:00 PM
Location: HOA Activity Center

PRESIDENTS ADDRESS (Prior to calling the meeting to order)

Mr. Luis addressed the members present. He stated that there has been an issue before the Board of some rumors that have been circulating; he would like to address them. It has been suggested that the latest election was tainted because builders and other members that were delinquent in their assessments were allowed to vote. Mr. Luis explained that all homeowners were allowed to vote at both elections that the HOA has held. It has been a consistent policy within the HOA. In fact, the CC&R's, which take precedent over the By-Laws, state that the Association may in, its discretion, suspend the voting rights of any owner for delinquent assessments. In the spirit of keeping everyone involved in the Governing of our Association, everyone was allowed to vote and no one was excluded. This has been consuming a lot of the Board's time. In the end the Boards decision was that there was nothing done wrong during the latest election. There is a conflict between the By-Laws and the CC&R's regarding this, however the CC&R's trump the By-Laws.

I. CALL TO ORDER

The meeting was called to order at 7:15 PM.

II. ROLL CALL

George Luis, Les Shipley, Mark Levine, Grisela Koeppen, Lee Rayburn and Sean Purdy were all present at the meeting. Paul Coache was absent.

III. QUORUM

Quorum was established to conduct an official meeting.

IV. HOMEOWNER INPUT

Marna Peterson reported that the teen nights have been set for twice a month. The kids will be trying to raise funds for these events. They would like to solicit the Board for about \$350.00 to go towards the refreshments. The group is also looking for a ping pong net.

Ingrid Anderson thanked the Board for its contribution towards the 4th of July party.

Thais Young addressed the issues of members that had not paid their assessments. She stated that Cadden Management was given specific instructions and those instructions were violated. Because of Cadden's actions the election is invalid and therefore the Board of Directors is invalid. Currently all decisions are subject to being overturned. There was no Board policy set for delinquent members. This is a technical and legal issue that needs to be resolved. The Nomination and Election Committee needs to take appropriate action. Mr. Luis stated that however a policy may not have been in place, precedence has been set to allow all Homeowners to vote.

Jennie Lending, Nominating and Elections Committee Chair, stated that she is surprised that the Board did not contact the Election Committee regarding this issue. The Committee held an emergency meeting July 19th at 7:00 PM, from this meeting a letter was drafted which she read aloud. The letter stated the Committee acknowledges the receipt of a copy of a homeowner's letter to the President of the Board of Directors dated June 28, 2007. The letter expressed concern about the most recent general election. The Committee is ready to assist the Board as is appropriate. The Committee Members present at the meeting were Jennie Lending, Annie Angle, Larry Mardis, Ron Canady, Dave Tuggle and Patty Bathen. The Committee plans to review the entire election process in a meeting scheduled for July 31, 2007 at 7:00 PM in the Activity Center. This meeting will include a review of the letter received from Joan Tober and the Board's response to her. They will report back to the Board as soon as they have information to pass on. Mrs. Lending stated that the Committee needs to be the one to do the investigating on the issue and not the Board.

Ann Angle, Lot 102, stated that she would like the Board to reflect on a letter that was sent regarding Cadden Management's role for the 2005 election. She then stated that for the 2006 election three of Cadden Management's team signed the document saying they would abide by the rules spelled out for Cadden Management.

Mr. Tuttle, Lot 121, stated that the Committee had agreed to have a meeting prior to all these issues coming out so as to produce a post election report.

Ms. Lending asked the Board for the Committee to have the availability of the Association Attorney. Ms. Lending stated that the meeting on the 31st of July is closed unless someone has factual information in which to share.

Ron Peterson is working with Teen Night. He suggests that signage be placed on the sandwich boards to announce Teen Night. It was suggested that signs be made by the teens for an activity and placed on the boards by a supervising adult.

Ms. Young stated that the issues that did not get discussed on the last agenda were supposed to come first on this agenda but she does not see them. Mr. Luis stated that those items were not added to this agenda; however, he has added them under the business section.

VI. APPROVAL OF MINUTES

MOTION: To accept, by recommendation of the Secretary, the June 26, 2007 Board of Directors meeting minutes, as written. Motion was seconded and passed unanimously.

Ms. Rice asked for someone to read the minutes allowed. Mr. Luis stated that they will be available on the website but there are no copies available at the moment.

VII. FINANCIALS

A. Treasurer's Report – Mark Levine

Mr. Levine reported on the June financials.

The Operating balance for June is \$65,040.00, for May it was \$152,863.00. The reason for the decrease is \$50,000.00 was taken out of the Operating account and put into a CD at Compass Bank. Also, \$33,000.00 was paid to Civano Nursery for two months worth of invoices.

The Reserve balance for June is \$319,821.00, this amount is spread over seven different accounts earning an average of 5%.

Mrs. Angle asked if the financial totals could be posted on the website. A homeowner disagreed with posting numbers on a public website.

Mr. Levine announced that he is in the process of working on the 2008 budget. If anyone is interested in helping with this please see him after the meeting.

VIII. REPORTS

A. Committee and Sub-Committee Reports:

Mr. Luis stated that there have been two people that have submitted their names as volunteers for the CC&R and DRC Committees. The documents allow 3 to 12 people on each Committee. The Board agreed that there is no reason not to allow them to serve on the Committee. Oliver Vanker is interested in serving on the CC&R Committee and Brye Vanker is interested in serving on the DRC. It was noted that generally volunteers submit their names to the Committees and then the Committee comes to the Board with a request to appoint them. Mr. Luis asked Ms. Hamblin to have the individuals contact the Committee Chairs so that they can come to the Board to be appointed. Ms. Watson, Chair of the CC&R Committee made a recommendation that Oliver Vanker be appointed to the CC&R Committee.

MOTION: To appoint Oliver Vanker to the CC&R Committee, by recommendation of the Committee Chairperson. Motion was seconded and passed unanimously.

The next meeting of the DRC is August 13th. Mrs. Hamblin will ask Mrs. Vanker to contact them.

B. Landscaping Report

A written report was provided to the Board; Mr. Luis read the highlights to the audience.

- i. Civano Nursery thinned out the vegetation and added DG at the South Entrance medians at their expense, the cost was \$2,578.00.
- ii. A homeowner addressed an issue with lines breaking and dips in the road. The Board instructed homeowners to contact Tucson Water.
- iii. Discussion ensued regarding water pressure being increased by the City of Tucson from 70 psi to 110 psi. Ms. Hamblin has contacted the City of Tucson and it has been repaired.
- iv. Bob Small suggested having two plots, approximately 10'x10' each, to broadcast wildflowers as test sites. He suggests that they will tape it off so that the Nursery would not get complaints of allowing weeds to grow. Areas suggested were off Zenith and Ecu and another off of Cerulean.

MOTION: To allow the test to proceed as long as the people testing the site will clean it up at the end of the season. Motion was seconded. Discussion ensued. Amend the Motion to add: that they will need to consult with Civano Nursery on the placement of the plot and that the wildflowers are native. Motion passed unanimously.

C. Manager's Report

A written report was provided to the Board prior to the meeting.

- i. Tucson Play Systems is moving forward the next step is to send the submittal to Fannie Mae. Mr. Purdy suggested asking Tucson Play Systems to start the submittal process with the City. Ms. Hamblin stated that they told her they could not do this until they had the property owner's (Fannie Mae's) permission.
- ii. The Civano website domain has been renewed for another two years
- iii. The card readers have been installed and are functioning.
- iv. The pool furniture has partially arrived, she is still waiting for a shipment of the tables and chaise lounges.
- v. The padding has been installed on the pool railing.
- vi. Ms. Hamblin stated that she has not received a response from Mike Hogan in the Washington DC office for Fannie Mae. Another letter will be sent.

IX. OLD BUSINESS

A. Review of Contracts

The Board intends to review all the current contracts for the Community. Ms. Hamblin will supply a copy of all the contracts for the Association. Ms. Young suggested that there be a Contract Committee. Bill Herron, Mario Lanning, Thais Young, Lee Rayburn and Mark Levine all volunteered to serve on this Committee. The first meeting will be held by the Board as a work session to create a starting point. This meeting will be held August 21, 2007 at 7:00PM in the Activity Center.

B. Request from Teen Night for funds

The Committee for Teen Night has requested funds to hold Teen Night. They are asking for \$350.00 annually.

MOTION: To approve an annual amount up to \$500.00 for youth activity nights on a reimbursement basis with receipts. Motion was seconded and passed unanimously.

C. DRC & CC&R Membership

The documents define a one year term for each the DRC and CC&R Committees. The Documents also state that members will serve until they are removed or someone is assigned in their place. Mr. Luis stated that if there were ever a time that the Committee was full and there were more volunteers, the Board could then enforce the one year terms.

D. Sound System

Mr. Luis stated that he has identified some sound systems that are wireless, battery operated, systems. The costs range from \$2,500.00 to \$3,000.00.

MOTION: To approve spending a maximum of \$3,200.00 for a sound system for the Community. Motion was seconded and passed unanimously.

E. Additional Key Cards

Mr. Luis stated that there have been complaints that one amenity key card per home is not enough. A bid was received to add a second key card to each home. To add 600 cards and update the reader information will cost \$3,000.00. The cost per key is \$2.00 each and Mr. Luis feels that he can upload the information himself. Ms. Young asked about the possibility of the system taking longer when more cards are added. Mr. Luis stated that at the most it will take a couple of seconds more, it will not be a significant amount of time.

MOTION: To authorize purchasing 600 key cards so as to add an additional card to each homeowners account, Mr. Luis will input the card information into the system. Motion was seconded and passed unanimously.

X. BOARD BUSINESS

A. Mixed Use Update (Lee Rayburn & Mark Levine)

Mr. Rayburn stated that for four years there has been confusion and Ad Hoc action on the mixed use of Civano. He and Mr. Levine have attempted to get back to the original documents by meeting with the City of Tucson. They met with John Deal with the City of Tucson. Mr. Deal provided the specific plan that is in the Civano Master PAD which shows the districts that Neighborhood One is divided into. There are specific primary and secondary uses in each district. This is a common source that everyone can go to that has consistently been a part of Civano from day one. As they go forward Mr. Rayburn feels that there should be seminars and open meetings to discuss how to use that document. Ms. Tobar stated that she has a video of Mr. Rayburn teaching a class on how to use this map. The map is accessible and easy to find. There are a couple of key concepts to understand. Mr. Rayburn gave a brief general review of mixed use in Civano. Mr. Rayburn stated that they are now prepared to start a Committee to help them. If anyone is interested in volunteering please see Mr. Rayburn or Mr. Levine. Mr. Rayburn asked if anyone had actual documentation that could be useful to them, please forward it to him via e-mail.

XI. NEXT MEETING

The next meeting will be the held August 28, 2007 at 7:00 PM.

XII. ADJOURNMENT

MOTION: To adjourn the meeting at 9:18 PM. Motion was seconded and passed unanimously.