

**Ventana Lakes Property Owners Association**

**May 16, 2007**

**1: 30 p.m.**

**Yacht Club**

**Minutes**

**Present:** Board Members: Chuck Hellquist, Bob DellaPia, Tony Fiore, Sue Alandar, Norman Steinberg and Manager Jack Donovan; **Absent:** Vada Bowers, Rudy Simon.

1. **Approval of Minutes.** Bob DellaPia moved approval of the following, seconded by Sue Alandar:
  - Organization Meeting March 10
  - Board Meeting April 14
  - Executive Session May 8
  - Working Session May 8All voted yes, motion carried.  
Bob DellaPia moved approval of the following, Chuck Hellquist seconded:
  - Monthly Board Meeting February 10
  - Special Meeting March 6All other members abstaining, the motion carried.
2. **President's Report.** Appears at the end of these minutes.
3. **Manager's Report.** Jack Donovan reported that the Fire Marshal had inspected and the only problem found was a lack of sprinklers in the back of the stage area in the Yacht Club. Two sprinklers were installed as directed.
4. **Treasurer's Report.** Report attached. Tony Fiore moved to accept the report, seconded by Norm Steinberg. All voted yes; motion carried.
5. **Committee Reports**
  - a. **Architectural.** None.
  - b. **Lakes.** Tim Willems reported that there is more algae in the lakes with warmer weather so they are treating more often. Signs have been put up by the waterfalls to help differentiate the lakes. Volunteers are using nets to skim debris from the lakes.
  - c. **Landscape.** Bill Barton said trees have been replaced on Lakes 3-9, and trees will be removed by the pickleball courts. The committee is recommending that grass be replaced with gravel by the Recreation Center.
  - d. **Truck Traffic.** Joe McCord reported that peaks of poor air quality occur at 10:00 at night and at 6:00 in the morning. The Mining Board is working to get the peaks reduced through recommendations to the proper authorities.
  - e. **Maintenance.** Dave Bracken reported electrical problems at the Recreation Center and reminded everyone that the maintenance committee does not paint, though there are other volunteers who do.
6. **Old Business**
  - a. **Code of Conduct (amendment to #2004-02).**

Sue Alandar moved for approval of the policy and Bob DellaPia seconded.  
Motion carried.

- b. **Rules of Conduct at VLPOA Board Meetings (new policy)**
- 7. **New Business**
  - a. **Upgrade of duplicator for newsletter.** Bob DellaPia moved this be tabled to gather more information.
  - b. **Revised Garden Landscaping Guidelines.** Tony Fiore moved to table this until the next work session. Bob DellaPia seconded. Motion carried.
  - c. **Authorization to obtain bids for an updated Reserve Study.** Bob DellaPia moved to authorize obtaining bids, Norman Steinberg seconded, motion carried.
  - d. **Future Agenda Items.** Issue of responsibility for maintenance of property between lake wall and property line on Lake 8 (submitted by Don and Joyce Lorentzen)

Respectfully submitted,  
Sue Alandar  
Acting Secretary

### **President Report – May 16, 2007**

The property on the South West corner of 107<sup>th</sup> and Beardsley will not be used for the Big BOY Toy storage unit. It has been sold and at this point we do not have any information on what is being planned. We will let you all know as soon as we know, Since most of you are aware, Mr. McCord has circulated a recall petition against all Board Members except Sue Alandar and Mr. Bob DellaPia who cannot be recalled again during his term. If successful, Ventana Lakes would have a 2 member Board (Bob and Sue) not 7. Since 4 seats are open for the March election and the recall will cost our Association thousands of dollars, I personally requested Mr. McCord to abandon this costly and negative campaign. He has refused. He has even included new Board members who never even participated yet in a Board Meeting and Mr. Fiore who received the larges number of votes in the past election.

Mr. McCord was notified in writing in December during the election process, that due to requirements of our CC&R's and By-Laws, and I quote "In summary, the proposed Bylaw amendment will be presented to the membership at the upcoming annual meeting held in March 2007. If the amendment passes, the Board will be increased to seven members via appointment by the Board of two additional directors. These two appointed directors will then serve a one year term until the 2008 election, at which time a total of four directors will be elected to serve such terms discussed above so as to preserve the staggering of terms." The only reference to electing additional Board Members was in Article 4 of the By laws and Article V Section 4 of the CC&R's which required 2 elected additional Board Members when in 1997 the developer no longer had voting rights as a Class B member. In Article 4 Section 3 gives the right to the Board to appoint new

directors and Article XV of the CC&R's gives the Board the exclusive right to construe and interpret the provisions of the Declaration.

The Board had 3 options: 1. Use the appointment process as used in the past, 2. start an election process for the 2 new vacancies, or 3. wait until the 2008 election to fill the positions. A new election was ruled out to avoid additional costs and the time required. The new elected candidates would be on the Board less than 7 months. Waiting until the 2008 election was ruled out so that we could quickly create the 7 member Board. The appointment process was the best alternative to full the desires of the community for a 7 member Board and followed a long used process.

Boards have used the appointment process in 1999 with Duane Lynn, in 2000 with William Cigoy, Don Matke and Vada Bowers, in 2001 with Don Holtzee, in 2002 with Bill Anderman, in 2004 with Chuck Schumn and Don Ziehi, in 2005 with Bill Keitel, and most recently with Mr. Simon and Mr. Steinberg. The fact that Mr. McCord came in 4<sup>th</sup> by one vote in the last election does not guarantee a seat on the Board when 2 additional vacancies occurred.

The Board in filling vacancies, request any resident to apply for that vacancy. The Board in an open meeting, interviews each candidate and each member votes based on what they believe the candidate can contribute to our community. Mr. McCord refused to be interviewed, disrupted two Board Meetings and then expected to be appointed by individual Board Members.

An attempt to recall 5 Board members at this time detracts from the positive work this new Board is trying to achieve, discourages our volunteers, and serves no community purpose since in November/December open seats will be available for campaigning.

It has been stated that Maricopa Board of elections could do the recall for about \$350.00. This is mis-information. Postage alone is about \$700, copy cost about \$125, Paper and envelopes \$200, legal costs \$500; staff hours \$250; independent counters \$300; verification of signatures \$60 as well as many hours of volunteer time.

The Board has been quiet on these issues in the past, but 7 volunteers who work hard for all of you to keep Venatana Lakes in great shape financially, provide the best of amenities, improve our facilities and common area have the right to defend our Association from the few in our midst's who hurt our property values, force us to use your retirement income on their own agenda's and in my view negatively impact the harmony of our community.

I sincerely hope that our residents look at the facts and not reduce this community to a 2 member Board.

Thank you, Chuck Hellquist, President