

VLPOA Board of Directors Meeting of April 21, 2010

The meeting was called to order by Board President, Judy **Mabie** at 1:30 p.m.

Pledge of Allegiance

Roll call: Present: President Judy **Mabie**, Vice-President Joe **McCord**, Treasurer Richard **Feyrer**, Directors Tony **Fiore** and Chet **Homan** and Community Manager Jack **Donovan**.
Absent: Director, Lori **Norris**

From the Peoria Police Department, Lt. **Yost**, Patrol Watch Commander from the North Precinct came to introduce himself and to let us know that he can be contacted by email and/or phone for any concerns or questions about violations or other suspicious activities that the residents may want to report.

1. Minutes were unanimously approved for:
Reorganization Meeting of 03.10.2010
Board Meeting of 03.20.2010
Executive Meeting of 04.07.2010

2. Committee and Liaison Reports:

- a. Architectural: Dick **Matsuishi** reported the Committee had 58 requests, 10 resale inspections and 1 denial.

- b. Maintenance: Dave **Bracken** reported that the Committee has been slow for the last two weeks. He stated there are one or two problems which Jack will go into in his Manager's Report. He also asked that residents reporting a problem to the Management Office also leave their name and phone number, so if the workmen need clarification of the situation they may contact the resident.

- c. Lakes: Jack **Donovan** reported that he had Water Resources come out because there were continued reports that there was alga on Lake #9. WC reassured Jack there weren't algae on the lake.

- d. Finance: Dick **Feyrer** reported the Committee met on March 30 and April 13, 2010. At the March session the committee reviewed the board's rules established to govern its activities and discussed the possibility of holding meetings in public, during the preparation of the 2011 budget. This way the residents could observe deliberations of the committee, if they chose to, and would be better prepared later to comment at the budget hearings or board budget sessions. Committee Members also learned that Manager Jack **Donovan** will, for his first time here, prepare a preliminary draft of that budget for the Committee.

The Committee requested that member Bob **Edenhofer** continue his study of the process of repairing the surface of the tennis and pickle ball courts by making additional contacts, obtaining references and seeking additional bids.

At the April session, the Committee began checking into how the Ventana Views is published because of the budgetary red ink involved amounting to as much as \$1,000 per month. Member Donna **Griese** volunteered and was appointed to investigate the situation and report back to the Committee in May so a recommendation could possibly reach the May Board Meeting. Converting to a cheaper in-house publishing process could, if attempted, occur during the quieter summer months.

After a discussion of how best to control association utility costs, given recent cost increases, member Larry **Englerth** volunteered and was appointed to meet with the Arizona Corporate Commission staff and to find out what procedures and regulations are under way which will affect our utility costs. He will report back to the Committee at the May meeting.

Bob **Edenhofer** reported on his continued work on the courts resurfacing issue, and the Committee then voted to recommend to the Board using reserve funds set aside for the purpose to award a contract to D.M.G. contractors. A motion will be presented to the Board today, at the appropriate time, and Mr. Edenhofer and a representative from D.M.G. will be present to answer questions.

Also the Committee voted to approve and recommend criteria and guidelines on two matters, at the request of the Board.

Motions on the Committee's recommendation for the Vada Bowers' Make a Difference Program and for the so-called pre-qualification payment program which is available to homeowners seeking to avoid or postpone more vigorous collection procedures and will be presented today at the appropriate time.

Finally, the Committee briefly discussed the problem with delinquent assessment payments and also the Committee's possible role in reviewing any expenditure for 2010 or 2011, after the Reserve Study becomes available.

e. Landscape: Jack **Donovan** reported that the landscapers are trying to get the weeds under control. Their focus is the weeds and the clipping of bushes. They radically cut back the oleanders inside the R/C pool and they are going outside the R/C pool this week and cut back the bushes there.

f. City Liaison: Joe **McCord** reported that the Peoria City Council meeting last night voted to change ambulance companies from Southwest to PMT (Professional Medical Technicians) which will take over on the first of July. Reminder about the meeting at the Yacht Club @ 10 a.m., April 29th regarding the permit for the asphalt plant.

g. **Garden's Advisory:** Newly added as an agenda item. No report at this time.

3. **President's Report:** Judy **Mabie** is asking for planning sessions, to be open to residents, to set goals, special projects and direction for the rest of the year. We don't have time at regular meetings to think ahead because we're too busy solving the immediate problems or getting reports on ongoing work in the community. I would ask that every board member come prepared to contribute suggestions at that time. Of course, we will have to prioritize just how much we can expect to accomplish after board members and residents have made known their thoughts.

We have not yet received the Reserve Study which should be nearing completion, so today's report will be based on a review of what wasn't done in 2008 and 2009, with recommendations to the board as to what the priorities should be. Cost effectiveness was strongly considered in these recommendations. Of course, these cannot be set in stone until we get the 2010 report, so this will be a preliminary report.

I'd like to remind residents that we have a ten day rule in place regarding items requested to be put on the agenda. I have honored two requests this month, but had to redo the agenda completely to place them on the agenda. My secretarial/computer skills are somewhat limited and I don't want to have to do that in the future!

Thanks to Donna **Griese**, the Architectural Committee has a new volunteer secretary. This position is vital to the work of the Committee which meets weekly most of the year and requires considerable time keeping track of requests and communicating to the residents who have asked for architectural approval on a variety of forms. I don't believe the Board needs to approve this appointment since it is for committee work, but I want to recognize Donna and express our appreciation for her willingness to serve in this capacity.

We are addressing the ongoing problem of the Canada geese and I would ask for approval of the Board to have further contact with two resources which I have identified to provide possible help in our continuing struggles with the geese who seem to like living in Ventana Lakes as much as we do.

Please remind our friends and neighbors, if appropriate, that the Board is willing to give assistance to residents experiencing financial hardship through payment of the assessment increase (Vada Bowers' Make a Difference Program) or evaluating an assessment payment plan proposal to assist homeowners to get back on track when anticipating inability to make quarterly or yearly scheduled payments.

Last but not least, please plan to be right here in this room on April 29th at 10 a.m. when we host surrounding communities to discuss the problems associated with the mining operations and the request for another asphalt plan in our backyard.

4. **Treasurer's Report:** Dick **Feyrer's** report is attached. Joe **McCord** made a motion to accept the Treasurer's Report, seconded by Chet **Homan**. The motion was unanimously passed.

5. Manager's Report: Jack **Donovan** reported the following: The fire suppression unit in the kitchen has been changed out and a final inspection of the new system was made by the Peoria Fire Marshall. The new system was approved.

The kitchen was inspected by the Maricopa County Environmental Department, and was once again given a gold star for cleanliness and equipment maintenance.

The pump on Lake 2 has not worked for two days. We had Water Resources in yesterday and they found that APS had a line burn out, causing our pump system to overheat and shut down. As soon as APS completes the repairs to their line, we will have Water Resources back to determine if there was significant damage to our equipment. If there was damage, we will place a claim with APS to reimburse the Association.

We learned last week that the wiring for the solar array at the Rec Center was never inspected by Peoria. An inspector for the City of Peoria came out last Thursday, inspected the wiring and gave us an approval ticket. I have relayed my unhappiness with the manufacturer of our solar arrays to their sales people and to their main office, for the continued incompetence in getting approvals and inspections, in a timely manner. If the Association determines to install solar on the two remaining pools, I cannot recommend that we use the same company.

As we noted before, the Rec Center portico has been repaired. New gutters will be in place before monsoon season, which should take care of our leak problems.

We have had a problem with someone using the steam room in the R/ C. The person or persons turn on the steam generator, turn the heat and the timer up to the maximum, then open the door and fills the R/C hallway with steam. My concern is for the possibility of mold developing in the bathrooms or in the hallway. I would like the Board's permission to investigate the possibility of placing video surveillance cameras in parts of the R/C. Dave Bracken brought this to my attention and our preliminary information, compiled by Dave Bracken, indicates it is feasible to do this.

We had asked a company that does repairs to pool chairs and lounges to come in and give us a price on re-strapping. We arranged to meet them at the R/C to have them price the job but they were no-shows. We are looking for a company that will pick-up, repair and deliver our pool furniture. If you can help us, it would be appreciated.

6. Operational Matters:

a. **Canada Geese:** Judy **Mabie** reported that there is a person in Mesa that makes dead geese decoys which has helped the problem of Canada geese landing in their ponds and lakes. Jeffrey Jenkins who represents Arizona Lake and Pond Management would be another resource for this problem. Bob of Water Resources has information that he would share with us about our geese problems.

b. **Tennis Courts:** Bob **Edenhofer** reported that he acquired 5 proposals. He thinks the one proposal from David Marburger, Inc. (DGM) was the best. The proposal was for \$10,800

plus \$582.66. The proposal is attached. Fourteen references were given and 4 local references were called and the company was rated as very good. The motion was made by Dick **Feyrer** to accept the proposal from DGM, seconded by Joe **McCord**. The motion was unanimously passed.

c. River Rock Proposal: The Garden's Advisory Committee deferred to the Old Business portion of the agenda.

7. **Old Business:**

a. Asphalt Plant Construction Permit: Joe **McCord** reported that the meeting on April 29th here at the Y/C was going to have representatives from the City of Surprise and the City of Peoria, and representatives of Coyote Lakes.

b. Criteria and procedures for Vada Bowers' Make a Difference Program: Dick **Feyrer** made a motion for the Board to accept the criteria which was recommended by the Finance Committee, seconded by Joe **McCord**. The motion was unanimously approved.

1. Applicants, or an advocate, must make a written request to be considered for a year's increase that an applicant is requesting.

2. Written requests or applications must contain a general statement asserting financial hardship and suggesting or requesting assistance.

3. The Community Manager will make, upon receipt of an application, any inquiries deemed appropriate and will verify the intended recipient's willingness to accept the donation. Next, the Manager will inform both the Board President and Treasurer, who have been designated by the Board for this purpose, who will authorize the Manager to direct the issuance of a check to Colby Management for the recipient's assessment account.

4. In the event of a disagreement between the President and Treasurer, the matter will be brought before a quorum of the Board in an Executive Session for a decision.

Criteria for reviewing applications for the Vada Bowers' Make a Difference Program:

1. Eligibility for a bequest from the Vada Bowers' Make a Difference Program shall be determined using written applications, following proper procedures for the program, and by using only the criteria of expressed NEED.

2. No request review shall be affected by anything other than a reasonable exercise of discretion by the Association Board President and Treasurer using the aforementioned criteria, and in no case shall any application be affected by any category of discrimination prohibited under federal law or any applicable law of the State of Arizona.

c. **Criteria and Procedures for the Pre-level VLPOA Collection Plan:** Dick **Feyrer** made a motion for the Board to accept the procedures and criteria which was recommended by the Finance Committee, seconded by Tony **Fiore**. The motion was unanimously approved.

Procedures: 1. Homeowners anticipating being unable to meet the full quarterly or yearly scheduled assessment may make a written request to make alternative payment arrangements, by submitting it to the Community Manager.

2. The written request must contain a general statement asserting financial hardship and outlining a payment plan in terms of time periods and accounts of payments. If possible, an initial “good faith” deposit should accompany the written request. The homeowner’s name, address, telephone number and e-mail address, if applicable.

3. The Community Manager will make any inquiries deemed appropriate, and inform both the Board President and the Treasurer, who have been designated by the Board for this purpose, and to review the request and make a decision about the proposed payment plan.

4. A written response will be issued to the applicant by the Community Manager indicating the acceptance or rejection of the proposed payment plan within a week.

5. No fees will be charged for this process.

6. Colby Management will be notified by the Community Manager if the proposed payment plan for the homeowner has been accepted.

7. All information presented is confidential.

Criteria: 1. Approval or rejection of payment plan requests shall be determined using written requests, assessments of payment plan proposals, and financial hardship.

2. No request review shall be affected by anything other than a reasonable exercise of discretion by the Association Board President and Treasurer using the aforementioned criteria, and in no case shall any application be affected by any category of discrimination prohibited under federal law or any applicable law of the State of Arizona.

d. River Rock Funding for the Gardens: Joe Broschka reported that at the last Gardens’ Advisory Committee it was decided to ask the Board to have the cost of the River Rock work, in the Gardens, and be charged to the Master Reserves instead of the Gardens’ Reserves. Joe **McCord** made a motion, seconded by Chet **Homan** which was withdrawn by both Joe and Chet. Joe **McCord** made another motion to have the Master Reserves pay 20% and have the Gardens’ Reserves pay 80%, as originally proposed, seconded by Chet **Homan**. The motion was passed by 4:1 abstention (Tony Fiore).

8. New Business:

a. **Appointment of Board member to complete a one year term.** This new Board member’s term would continue until March/2010 at which time the residents would be able to vote on who would be elected for a two year term. Judy **Mabie**, Chet **Homan** and Joe **McCord** asked thirteen identical questions to applications. Dave Bracken, Dick Matsuishi and Tony Vacek. Joe **McCord** made a motion to name Dick **Matsuishi**, seconded by Chet **Homan**. Judy **Mabie** made a motion to name Dave Bracken, no second was made. The motion to name Dick **Matsuishi** as a Director of the Board was passed by 4:1 abstention (Judy Mabie).

b. Oath of Office of New Board Member, Dick Matsuishi: Dick **Matsuishi** read the oath of office out loud and Jack **Donovan** stated that it was sworn to at an open Board Meeting on April 21, 2010 and then Dick set his signature and date to the Oath.

c. Gardens' Transfer Fees: The Gardens' Advisory Committee requests that transfer fees from re-sales in the Gardens be deposited into the Gardens' Reserves Account. Judy **Mabie** asked for a motion but none was made so the issue died on the floor.

d. Planning Meeting: The Board may wish to develop and prioritize goals, projects, and outcomes for the remainder of the year at a special evening meeting tentatively on Thursday, May 6 @ 6:30. Joe **McCord** made a motion, seconded by Judy **Mabie**. The motion was unanimously approved.

e. Report to the Board from the Reserves Committee: Don **Holtzee** stated that some new categories should be added to the Study which are tree/bush, granite, and furniture replacement. He gave the Board an informational sheet explaining some of the things that the Committee has been looking at for the Reserve Study. Don mentioned the Board needs to develop a policy regarding the repair and repainting of walls on common areas for which the Association is responsible.

f. Request for Gardens' Landscape Orders Revision. The Gardens' Advisory Committee requests a revision of the processing of landscaping requests necessitating significantly more steps in the process, as an attempt to keep costs within the budget. This was tabled at the request of Joe **Broscka** until the next Board meeting in May.

g. Robert's Rules of Order. Joe **McCord** stated that the Board may wish to conduct meetings using Robert's Rules of Order. Joe **McCord** made a motion, seconded by Dick **Feyrer**. There was no vote. Joe **McCord** made a motion to table this until he can provide copies of the rules to each Board Member, seconded by Dick **Feyrer**. The motion was unanimously passed.

h. A resident made a requested to speak at the Board Meeting. He has a question about the status of a prepaid law firm. This request is apparently a carryover from about four years ago. Art Pelster wants the Board to tell the truth. Judy **Mabie** asked for a motion for adjournment. Chet **Homan** made the motion to adjourn, seconded by Dick **Feyrer** and was unanimously passed. Adjournment was at 4:00 p.m.