

PRESIDENT'S REPORT

May 2009

NEWSLETTER

For various budgetary and operational reasons, we are only going to have one special "Summer Issue" of the *Ventana Views* newsletter this year – and this is it! Tina will be including all of the scheduled upcoming events in this issue, but everyone will need to watch the billboards for flyers and daily e-mails to keep up to date. **The next issue of the newsletter will be for September.**

SWIMMING POOLS

You may have seen a recent article in the Arizona Republic about a new federal law which is costing homeowners Associations a lot to keep their pools open. I am pleased to remind everyone that Ventana Lakes has been ahead of the curve on this one. We have the suction relief valves installed at all our pools that needed them; all required permits were obtained by the contractor for this work, which was done in 2008 at a cost of \$2,124.

VOLUNTEERS or HIGHER ASSESSMENTS?

As you know, volunteers do a lot to keep our costs down. As the community grows older, the number of volunteers declines. As the number of volunteers declines, we have to hire people in their place.

We are facing an extreme cost if we don't get volunteers to head up our **ELECTION COMMITTEE**. We have many volunteers who assist every year, but the chairpersons have to be replaced as they have resigned after graciously serving for far more than a normal term. **PLEASE CONSIDER VOLUNTEERING TO RUN THE ELECTION COMMITTEE.** Procedures are very clear and already in place. But if we can't find someone to lead this critical process, we may have to hire our attorney to do it for us at **\$200 per hour**. Adding this to our budget would raise everyone's assessment.

LASTLY, A PRESIDENT'S COMMENTARY: CONFLICT OR COMMUNITY?

Ventana Lakes, like any homeowners' Association, occasionally has matters to address that are controversial. We have some facing us today and it's more than likely they will come up in the future. The Board is here to listen to various sides and try to come up with a good solution that the Board's majority believes will serve Ventana Lakes best, both from a corporate **and** a community point of view.

Some people – and that may even include members of this Board – believe that the Board should hold itself aloof from controversial issues, and not go to community meetings where they are discussed, so that it can resolve these issues in an impartial manner. Some even claim "conflict of interest" when a Board member weighs in on an issue that directly affects their own home.

The fact is that the Board is not separate from the community. It cannot be, because we all live here and have homes here just as you do. The decisions we make that affect you also affect us. That is inherent to having a community that is self-governed. Personally, I think it's the way the country should be run as a whole – and it was, long ago, before Congress decided to separate themselves by having their own health and retirement systems.

(Oops. Note to self: get off soapbox.)

This issue has come up so often lately that we requested and received a written, formal opinion from our attorney regarding this. He made it very clear that there is no legally-defined conflict of interest unless a Board member is being **compensated** (paid) for something being voted upon.

But the attorney made some other very interesting points about a Board and its role. This relates to our involvement in community issues. He stated that there no legal reason for us to remove ourselves from talking to our neighbors, going to informal meetings, or even serving on an informal committee about a matter we may later vote on.

Board members **do** have a duty to use reasonable judgment and care to operate the Association. That does not mean we cannot bring issues of special interest to themselves or our neighbors before the Board. **This is part of the democratic process of community Associations at work.** What is critical is the open and deliberative process for Board decision-making . The Board does not discuss these matters with each other personally or by e-mail. They are discussed only in public, in open meeting, and we put out an agenda so that you will know it is coming up. There is a purpose in the open meeting law, and the Board addressed it fully in the Rules of Practice policy that has been in place since May of last year.

We all swore an oath when we took office. Part of it says this:

I will address the issues that concern my community with fairness, equity and applied judgment, and will not be drawn into conflicts of personalities.

I hope that everyone will try to remember that it is not "us vs. them" or "us vs. you". This community is "WE." This especially needs to be remembered when we are discussing controversial issues. Generally, the most controversial issuers are not even our own. The developers of our community caused most of our problems by leaving us questions without answers. In one case it took a Judge to give us a final answer, because the developer didn't bother filing a single, simple document with the County Recorder.

We are neighbors and our community means a lot to all of us. Let us work together for solutions.

--Sue Alandar
President