

SONORAN DESERT WILLOW HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS MEETING

DATE: August 24, 2006
TIME: 7:00 PM
LOCATION: Pyramid Credit Union
8235 S. Houghton Rd., Tucson, AZ 85747

CALL TO ORDER

The meeting was called to order at 7:05 PM.

ROLL CALL

Members Present: George Collaco, President
Ken Moyes, Vice President
Christy Griffith, Treasurer
Drew Neptune, Director at Large

Members Absent: Phyl S Kabins, Secretary

Management: Scott Miracle, Cadden Community Management, (Minute Taker)

QUORUM (3)

A quorum was present to conduct an official meeting.

APPROVAL OF MINUTES

MOTION: The motion to approve the meeting minutes of the June 22, 2006 Board of Directors Meeting and Executive Session was seconded and PASSED unanimously.

VICE PRESIDENT'S REPORT

The duties of management of the landscaping contractor have been transitioned to Cadden Management.

The Vice President worked with Lennar Homes to obtain installation of 7 trees to complete the commitment of initial plantings in the community. The trees have been installed, but work on the irrigation for the trees is not complete. A discussion was held and it was determined that a follow-up should be made in 7 days to 2 weeks to ensure completion.

TREASURER'S REPORT

Account Balances	
Operating Account	\$22,911
Reserve Account	\$2,170

The Treasurer indicated that the amount of delinquent assessments dropped from \$10,779 on July 19 to \$5,415 on August 21. The outstanding amounts are primarily third quarter assessments. There are 10 homeowners with assessments greater than 90 days past due and no homeowners with over \$200.00 in outstanding assessments.

The Treasurer discussed the performance of several operating accounts. Collection of assessments is 16% over budget, but this number may be misleading due to monthly accounting of assessments billed quarterly. Generation of the newsletters accumulated \$783 in expenses and generated \$855 in revenue.

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The irrigation water was \$319 over budget in July, but \$1,700.00 below budget year to date. The landscape expenses were \$1,500 over budget due to herbicides and irrigation repairs. The landscape expenses year to date are \$1,200 under budget, but invoices approved in August will increase the year to date expenses.

MOTION: The MOTION to approve the Treasurers Report was seconded and PASSED unanimously.

PRESIDENT'S REPORT

The President announced his resignation as President of the Board of Directors. He indicated that he would remain as a member of the Board.

SECRETARY'S REPORT

None Provided

MANAGER'S REPORT

Scott Miracle, Cadden Management indicated that there were multiple repeated or continuing occurrences of violations of the governing documents where the existing process has been exhausted. It was requested that Cadden Management locate the fining process instituted at a Board meeting in 2005.

OLD BUSINESS

No old business discussed

NEW BUSINESS

Election of President

The MOTION to elect Ken Moyes as President of the Association was SECONDED and APPROVED unanimously.

Terms of Board Seats

The MOTION to RESCIND the MOTION made at the February 23, 2006 Board of Directors Meeting that entered into record the review of the January 19 Organizational Meeting was SECONDED and APPROVED unanimously.

The MOTION to enter into the minutes the following term expirations, which align with the requirements established in the Bylaws, was SECONDED and APPROVED unanimously:

The seat occupied by George Collaco to expire in December, 2006, (elected in 2004)

The seat occupied by Christy Griffith to expire in December, 2006, (elected in 2004)

The seat occupied by Ken Moyes to expire in December, 2007, (elected in 2005)

The seat occupied by Phyl Kabins to expire in December, 2007, (elected in 2005)

The seat occupied by Drew Neptune to expire in December, 2007, (elected in 2005)

Potential Resignations

A discussion was held regarding the potential resignations of multiple members of the Board of Directors. It was requested that Cadden Management send a postcard to homeowners soliciting nominees for the Board of Directors.

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Location for meetings of the Board of Directors

The MOTION to RESCIND the MOTION made at the May 18, 2006 Meeting of the Board of Directors to hold meetings at a local school was SECONDED and PASSED unanimously.

The MOTION to hold Board of Directors meetings at the Pyramid Credit Union was SECONDED. A discussion was held and the MOTION was AMENDED to include the payment of a donation of \$200.00 to the credit union. The AMENDED MOTION was APPROVED unanimously.

Meeting Scheduling

A discussion was held on the rescheduling of the monthly Board meetings. It was requested that Cadden Management determine the availability of management and the Pyramid Credit Union for meetings on Wednesday evenings from 7:00 PM to 9:00 PM.

On Street Parking and Vehicle Storage

A letter from the Pima County Attorney's office was read. The letter indicated that "the mere fact that the streets in a subdivision are public, rather than private streets: does not prevent private CC&R's from imposing conditions and requirements on subdivision lot owners that are more restrictive than existing traffic laws, provided that the conditions do not conflict with such laws; does not negate the validity or affect the enforceability of private CC&R's against lot owners in the subdivision; and has no effect on the right of the homeowners' association or other property owners in the subdivision to bring a private civil action to enforce the recorder CC&R's."

The MOTION to start a process to enforce violations of the CC&R restrictions on parking with regard as to the procedures and policies to identify the offending party, enforce the restrictions and determination of fining levels was SECONDED and APPROVED unanimously.

Solar Device Regulation

A proposed resolution to not apply CC&R Section 10.24 to ACC requests for installation of solar equipment was read. **The MOTION to APPROVE the resolution was SECONDED. A discussion was held and a CALL FOR THE QUESTION was MADE and SECONDED. The vote for approval of the resolution was 1 FOR and 3 AGAINST. The resolution was DEFEATED.**

CC&R Requirements for an Architectural Control Committee

A proposed resolution to establish an Architectural Control Committee in compliance with CC&R Article 9, Section 9.1 was read. **The MOTION to APPROVE the resolution to form an Architectural Control Committee was SECONDED and discussed, then APPROVED unanimously. The approved resolution is an attachment to these minutes.**

Posting of Signs in the Community

A discussion was held on the placement of signs on common areas. It was requested that Cadden Management research the application of CC&R Article 10, Section 10.19, Signs, to the placement of signs on common areas. The topic was TABLED until the next meeting of the Board of Directors.

Newsletter

This topic was TABLED until the next meeting of the Board of Directors.

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State Required Review of Account

It was requested that Cadden Management research whether the state required financial review was completed in 2006.

Request for Extension of Period to Meet Requirements for Home Occupation

A request was received from the homeowner that was granted conditional approval at the June 22, 2006 Board of Directors Meeting for operation of a home business. The request was for an extension of the period in which to fulfill the requirements. A discussion was held on the requirements and the time period provided. **The MOTION to deny the request for extension and uphold the deadline of 90 days from the June 22, 2006 meeting date was SECONDED and APPROVED unanimously.**

Committee Formation

A committee was appointed by the Board of Directors to provide recommendations on procedures and policies to enforce violations of the CC&R restrictions on parking with regard as to the procedures and policies to identify the offending party, enforce the restrictions and determination of fining levels. The following members were appointed to the committee:

John Passarella
Jim Johnson
Ken Moyes
George Collaco

HOMEOWNER INPUT

Homeowner comments were provided as several of the topics were discussed.

NEXT MEETING

The next Board of Directors meeting will be Wednesday, September 27, 2006 at 7:00 pm at the Pyramid Federal Credit Union.

ADJOURNMENT

MOTION: The motion to adjourn the Board of Directors meeting at 8:45 PM was seconded and PASSED unanimously.