

Casas Adobes Terrace Homeowners Association
Board of Directors Meeting Minutes
March 25, 2014
As Approved on May 27, 2014

Present: Rich Baumann, Wilbur Beemer, Howard Buehler and Steven Utter. Also present was Heather Plunkett representing Lewis Management Resources.

Absent: All Present

Call to Order/Adoption of Agenda

The meeting was called to order at 6:25 p.m.

Guest – Jason Smith, Esquire

- Mr. Smith attended the meeting to discuss Lot 77 and buffer yard County requirements.

Buffer Yards

- Information was provided on the County requirements for the Developer.
- The County established buffer yard requirements for the developer.
- The County requirements do not apply to the Board.
- Mr. Smith recommended the Board may chose to not enforce trees in the side buffer yards on the plat and require Homeowners to submit a request for any changes to the landscaping.
- The County could require Homeowners to replace any trees that are removed.
- A Homeowner expressed concern with the County requiring trees to be planted that may cause damage to walls and sidewalks.
- A Homeowner advised the removal of the tree root will sometimes prevent further damage to the wall.

Resolution

- The Resolution for buffer yards was provided for review.
- Lot numbers will be added to the Resolution.
- Homeowners will need to obtain approval from the County for the removal/replacement of trees and landscaping in the buffer yard.
- Amendments will be incorporated into the Resolution and presented for final review.
A motion for the Board to no longer approve the removal or require the replacement of trees in the side buffer yard was made, seconded and passed with a unanimous vote.

A motion to publish the buffer yard decision via a Resolution was made, seconded and passed with a unanimous vote.

Lot 77

- The Board discussed the violations at Lot 77.
- The property manager advised the property has been cleaned.

- The property manager’s attorney conceded the violations and to an injunction to keep the property clean.
- The follow-up court hearing is scheduled for Monday to discuss the fines and attorney fees.
- The Board previously offered to settle the account for all costs, legal fees, and half the fines if the violation was corrected.
- The Board discussed settlement options.

Homeowner Forum

- No Discussion

CC&R Compliance

Final Non-Compliance Notice

- Lot 078 – Oil on driveway
A motion to impose fines for the oil violation was made, seconded and passed with a unanimous vote.
- Lot 089 – Weeds
A motion to investigate the lot to determine if there are weeds or if it is ground cover was made, seconded and passed with a unanimous vote.
- Lot 108 – Parking and weeds
A motion to impose fines for the parking and weed violations was made, seconded and passed with a unanimous vote.
- Lot 164 - Weeds
A motion to fine for the weed violation was made, seconded and passed with a unanimous vote.

Final Non-Compliance Notice – Ratify

- Lot 052 – Weeds – Fine Issued – Violation closed 03/17/14
- Lot 080 – Desert Broom – Fine Issued – Violation closed 03/17/14
A motion to ratify the decision to close violations at Lots 052 and 080 since they are resolved was made, seconded and passed with a unanimous vote.

Follow-Up

- Lot 029 – Paint satellite cables – Fines issued – Violation resolved and closed
- Lot 029 – Oil on the driveway – Fines issued – Continue fines
- Lot 047 – Home painted without approval – Home was repainted – The home was painted and received architectural final approval. The Board closed the violation and waived fines.
- Lot 052 - Parking – Fines issued – Last noted 03/08/14
- Lot 077 – Weeds & parking – Legal Action – Discussed earlier in the meeting
- Lot 084 – Missing one tree – Extension granted until March 1st – Tree planted on 03/17/14 – The violation was resolved and closed.
- Lot 111 – Satellite cables painted – Home sold
- Lot 121 – Garage door painting – Monitor per ACC project completion
- Lot 127 – Parking – last noted on 02/05/14
- Lot 168 – Oil on driveway – Closed 02/07/14
- Lot 173 – Re-rock front yard – Project completed The parking violation will be closed due to construction.

- Lot 175 – Stickers on mailbox – Noted on 03/17/14, some stickers removed
Ms. Plunkett was requested to provide the Homeowner with copies of the three violation letters with the fine letter.

CC&R Inspection Report

- The violation report was provided for the Board to review.

Correspondence/Telephone

- Lot 002 – Daughter called LMR stating all problems have been fixed, but didn't follow through with written request for fine reconsideration. In fines for parking, trash and weeds. Violation for window A/C closed.
- Lot 022 – Request for fine reconsideration
A motion to waive the fines related to the dead bush was made, seconded and passed with a unanimous vote.
- Lot 084 – Request for fine reconsideration
A motion to waive the fines related to tree suckers was resolved was made, seconded and passed with a unanimous vote.

Approval of Minutes

A motion to approve the January 28, 2014 Board Meeting and March 11, 2014 Special Board Meeting minutes was made, seconded and passed with a unanimous vote.

A motion to adopt the January 7, 2014 and February 4, 2014 approved ACC Meeting minutes was made, seconded and passed with a unanimous vote.

Financial Report

- The January 31, 2014 and February 28, 2014 financials were reviewed with those present.
- The February 2014 financials were produced using the new format.
- Delinquencies were discussed.
A motion to approve the January 31, 2014 and February 28, 2014 financials with noted amortization errors was made, seconded and passed with a unanimous vote.

A motion to not include the summary sheet with the financials in the future was made, seconded and passed with a unanimous vote.

- The delinquency/collection reports were provided for review.
- The 2013 income tax filing was approved by a unanimous email vote.
A motion to ratify the approval to pay the 2013 income tax was made, seconded and passed with a unanimous vote.
- The 2013 CPA compilation report was provided for review.
A motion to accept the 2013 CPA compilation report was made, seconded and passed with a unanimous vote.

Officer, Committee and Management Reports

Officers Reports

- No Report

ACC

- No Report

Landscape

- Up to \$500.00 will be spent to purchase/install plants, a tree and rock in the northeast corner of the park.

Website

- A written report was included in the Board packet.

LMR Management Report

- A written report was included in the Board packet.

Old Business

Waste Management Bulk Pickup Date

- The bulk pickup is scheduled for the week of April 24, 2014.
- The bulk removal flyer was provided for review.

Buffer Yard Landscaping Responsibilities – Legal Opinion

- Discussed earlier in the meeting.

Collection Attorney Decision

- Information from collection attorneys was previously provided for review.
- The Board discussed changing collection companies.
- The current contract is with the Brown Law Group.
- The Association also has a collection contract with the Brown Law Group for unlimited legal advice.
A motion to contract with Carpenter Hazelwood for collection and legal services was made, seconded and passed with one abstained vote.

Landlord Issues with Property Management Company Delegation

- The Board discussed a policy change that would allow discussions with the tenant.
- The LMR system has the capabilities of issuing mailings to an offsite address and the property address. The third letter to a management company would be issued manually.
- The Board discussed allowing LMR to charge for the third letter to the property manager.
- The Board discussed whether to require the Homeowner to provide written authorization for the Board to discuss issues with the property manager.
- Discussion was tabled for further consideration.

Adopt Final 2014 Key Dates

- The master calendar was previously provided for review.

New Business

Letter Date Archive Retrieval Method

- LMR has the ability to retrieve and print violation letters previously mailed to Homeowners.

As Brought Forth

- No Discussion

Next Meetings

- May 27, 2014 – Board Meeting

Once Around the Table

- No Discussion

Adjournment

With no further business to discuss a motion to adjourn the meeting at 8:42 p.m. was made, seconded and passed unanimously.