

**WILLIAMSON VALLEY RANCH ROAD ASSOCIATION  
MEETING MINUTES  
April 8<sup>th</sup>, 2010, 7:00 p.m.**

<b>Present:</b> John Weaver, President; Brian Howell, VP; Bev Higley, Secretary; Jim Pool, Webmaster; Rosie Carroll, Special Events Coordinator.		
<b>Absent:</b> Dennis Jeffery, Road Manager; Joyce Pritts, Treasurer; Joe Pritts, Member at Large; Tom Boelts, Contractor Liaison.		
<b>Guest:</b> Rich & Gayle Rumble, Debbie Verna, Debi Weaver, Stan Schambach, Jim Carroll.		
	<b>DISCUSSION</b>	<b>ACTION</b>
<b>CALL TO ORDER</b>		The meeting was called to order by President Weaver at the Carroll residence at 7 p.m.
<b>APPROVAL OF 03/12/10 MINUTES</b>		Mr. Pool moved that the minutes of March 12, 2010, be approved as presented on the website. Ms. Carroll seconded; motion carried.
<b>VP REPORT</b>	Mr. Howell didn't have any new liens to report on tonight.	
<b>WEBMASTER REPORT</b>	Mr. Pool stated he updated the email addresses. He has 146 addresses that do not get bounced back to him out of 184 property owners. We will try to get Art and Jim Savoini's email addresses.	
<b>SPECIAL EVENTS COORDINATOR</b>	Ms. Carroll has gotten approval to have a "Bazaar" (swap meet) at the Old Stage Stop market on the south east corner of Williamson Valley Rd. and Outer Loop Rd. on 05/08/2010. We will have a 50/50 raffle. It will be held from 11:00 a.m. to 3:00 p.m. We will charge \$25.00 non-refundable charge for each space. There will be room for approximately 25 to 30 spaces. Checks will be made out to WVRRA. We are very thankful to John Hunt, Jr. for letting us do this. Ms. Carroll will call the county to see if we need a permit. Ms. Carroll will also check the price for a banner that says "WVRRA Annual Bazaar". Mr. Pool will put the flyer on the website when it becomes available.	

<b>ROAD MANAGER REPORT</b>	<p>Mr. Weaver will give the report tonight since Mr. Jeffery was called into work.</p> <p>Basically, we cannot get any contractors to come out and give us a bid.</p> <p>We were able to get three phone bids based on a one mile section of road, 24' wide, single chip seal. Turco's bid was 35,000.00 plus tax. APS's bid was \$33,074.66 plus tax and a \$1,500.00 mobilization fee. If we want to go to double chip seal, double the price. Grady was \$31,979 including tax. L-Bar-L Rd. is 1.1 miles in length, so we need to add 10% to all of these bids. Oil prices are going up, so bids will also go up and we need to make a decision soon.</p> <p>We also have some pot holes that need attention. Lonely Trail has 2 pot holes. Calais has a pot hole on the north end. We will probably need to saw cut a 20x22' section and concrete it at the entry (Williamson Valley Rd). We need to tear up a 24x10' and replace it.</p> <p>We need to find out what it would cost to do these repairs before we decide what to chip seal on L-Bar-L. Mr. Weaver will try to get a bid next week from Turco. They did work for us last year and they did a good job.</p>	<p>Ms. Higley made a motion we repair these pot holes. Mr. Howell seconded; motion carried.</p> <p>Mr. Weaver will schedule a special meeting to decide on these urgent matters when we can have 8 or 9 board members there.</p>
<b>TREASURER'S REPORT</b>	<p>As of 3/31/2010</p> <p><b>Current</b></p> <p>Bank Account-Savings: \$47,538.46</p> <p>Bank Account-Contingency: \$10,000.00</p> <p>Accounts Receivable: \$ 9,000.00</p> <p>5 Properties in Escrow</p> <p>8 Liens (I guess, as I have no information on past liens.</p> <p><b>Paid:</b></p> <p>Rise Rlimley, CPA for Income Taxes: \$350.00</p> <p>National Bank of AZ Cashier's Check \$5.00</p> <p><b>Pending:</b> Mr. Pool \$46.00 for website expenses.</p> <p>Jim Atkinson for \$146.25 for a consultation last week.</p>	<p>Ms. Higley moved to pay Mr. Pool \$46.00. Ms. Carroll seconded; motion carried.</p> <p>Mr. Pool moved to pay Mr. Atkinson \$146.25.</p> <p>Mr. Howell seconded; motion carried.</p>

<p><b>TREASURER'S REPORT, CON'T.</b></p>	<p>Mr. Weaver feels we need to increase our operating budget, as we probably do not have adequate liability insurance. He will meet with an insurance agent, Mr. Bill Weber, next Tuesday to discuss the matter. Ms. Pritts will give our insurance policy to Mr. Weaver for Mr. Weber to review.</p> <p>We will open a checking account with National Bank with three signatures, Mr. Howell, Ms. Pritts and Mr. Pool.</p> <p>Ms. Pritts would like to put the \$10,000.00 into a CD.</p> <p>Liens: there are some interesting things going on with some of our liens. There is one title company instead of a bank on a property that has foreclosed and that is puzzling. We need to check on that. There was discussion of small claims court to address these liens. We could file a small claim action for up to \$2,500.00. Or we could have an attorney send a letter for approximately \$100.00. We have the right to foreclose on a property owner for non payment of dues within a three year limit. But, it would cost the association approximately \$25,000.00 to do so. We have 22 property owners who have not paid their dues this year (2010). After 45 days of mailing the bills out, the account becomes delinquent. At that time the VP will try to make contact with the property owner to discuss the problem. If they do not pay, we will file a lien with a late fee and interest.</p> <p>Mr. Stan Schambach of 11355 N. Waylands Trail stated he nor his son-in-law, Mr. Cargill on L-Bar-L Rd. received bills for their association fees. Mr. Weaver will meet with him to attend to the matter after the meeting or at a later date.</p>	<p>Ms. Higley moved to open a new checking account at National Bank, put the emergency fund into a better saving account or CD and to add signatures of Ms. Pritts and Mr. Howell to Mr. Pool on the accounts. Ms. Carroll seconded; motion carried.</p> <p>We will table the decision on when to file a small claims action to the special meeting on April 18, 2010.</p>
<p><b>OLD BUSINESS</b></p>	<p>Results from the meeting with association attorney, Jim Atkinson: see attached. Discussion followed. Mr. Weaver attended a local HOA presidents' monthly meeting. There is</p>	<p>Mr. Howell moved to pay the one time \$35.00 HOA fee. Ms. Carroll seconded; motion carried.</p>



## Meeting with Attorney Jim Atkinson

Friday, March 19, 2010

**#1 Can we require a property owner to move a fence that is within the road easement and hindering our ability to maintain the road and weed control.**

**Yes. Per the "General Restrictions and Declarations," #3, "Fences must be set back so as not to encroach on any easement."**

**I'm not sure that we want to handle this issue by demanding that the fence be moved. Mr. Arthur is very supportive and indicated that he installed the fence to keep people from parking on his property. He has indicated that he plans to keep the weeds trimmed around his fence and we could meet with him and ask that he keep the weeds trimmed and we can still spray.**

**#2 Bank owned property, can we collect past due assessments from the Bank or past property owner.**

**NO, once they foreclose, we have lost our past dues assessments, but the bank is now responsible to pay "prorated" assessments after taking the property.**

**#3 Should we change the sign on Friendly Meadow that indicates "Dangerous Curve."**

**No, we have already decided that the road is dangerous and posted it. If we change it to a lesser warning, we would be negligent and probably liable.**

**#4 Can we enforce our CC&R's**

Yes, under Section 10.2.11 Fines and Penalties, we have the “right, subject to applicable law, to levy reasonable fines or penalties against an Owner for any violation of the Declaration or the Governing Documents, by the Owner, any other residents of the Owner’s Lot or any of the Owner’s family, tenants, guests, contractors or agents. The amount of the fine or penalty for each violation shall be established by the Board.” Mr. Atkinson indicated that we could fine per day, week, or month.

EXAMPLE: CC&R’s dictate that “Principal residences must contain a minimum of one thousand five hundred (1,500) square feet of living area.” If there is only one structure on the lot, that would then become the “principal residence.”

#5 Collection of past due assessments. Does Section 17 E, CC&R’s prohibit our ability to collect past due assessments, after three years.

NO That section applies to “foreclosure” rights. We can file a “small claims action” for up to \$2500. The process is fairly simple and we would be able to handle it ourselves. If we wanted his help, he would start with what he calls “a pay or die letter.” It informs the delinquent property owner that we are about to file a small claims suit against them and if we prevail, we can “garnish” their wages or checking or savings accounts. The first level is an “arbitration hearing” which, if both parties cannot agree, it goes to a hearing where he feels that we would prevail about 90% of the time. We probably should establish a Board policy on future time limits before we file small claim suits. All expenses in this process are recoverable. Section 10.2.14.5, gives us the authority to institute an action at law.

#6 One time dues.

Why, it makes no sense.

**#7 Can we make a property owner move a trailer which has been parked on the property and lived in for an extended period of time?**

**The County prohibits this if it exceeds 90 days. You can contact the County and they will enforce this prohibition.**