

**POINTE SOUTH MOUNTAIN RESIDENTIAL ASSOCIATION**  
**BOARD OF DIRECTORS MEETING**  
Pointe South Mountain Resort

Meeting Minutes of March 9, 2004

Directors present: Fred Huff, President  
Sunny Lee, Vice President  
Dave Harp, Treasurer  
Kay Hatch, Secretary  
Frank Frangul  
Mike Harris

Directors absent: Jane Karkosky

City Property Management Company: Renee Gordon, Association Administrator  
Patty Garman, Senior Manager

Recording Secretary: Paula A. Ripp

**CALL TO ORDER**

Fred Huff called the meeting to order at 7:08 p.m.

**HOMEOWNER SESSION**

John Benedick spoke regarding the code of ethics brought before the Board members for review submitted by Lynn of Ekmark and Ekmark. John explained the transition from a homeowner to a Board member and the responsibilities of each Board member to the homeowner association.

John requested that the code of ethics open issue be brought to a close.

Patty Garman explained a Board member's fiduciary duty to the homeowners association is to act as a unit instead of as an individual. The code of ethics mirrors the Bylaws of the association.

John spoke of an incident that occurred wherein a Board member authorized landscape work without ACC or Board approval.

Per Fred, Lynn of Ekmark and Ekmark submitted a new code of ethics for the Board member's review under executive session.

John requested a meeting with Fred and City Property Management Company (CPMC).

**RATIFICATION OF MINUTES**

The corrections to the February 10, 2004 minutes will be made and forwarded to CPMC.

Mike Harris made a motion, seconded by Kay Hatch, that the following resolution be adopted:

RESOLVED that the minutes of the Board of Directors of the Association held February 10, 2004 is true and accurate record of the meeting and is hereby ratified as corrected.

The motion was carried and the resolution adopted by a unanimous affirmative vote.

Renee will make the corrections to the February 19, 2004 meeting minutes.

Dave Harp made a motion, seconded by Frank Frangul, that the following resolution be adopted:

RESOLVED that the minutes of the special Board of Directors meeting held February 19, 2004 is a true and accurate record of the meeting and is hereby ratified as corrected.

The motion was carried and the resolution adopted by a majority vote. Sunny Lee abstained from voting.

**ARCHITECTURAL CONTROL COMMITTEE MINUTES**

Sally Huff is no longer the Architectural Control Chairperson. Sally did report that the ACC feels that the court homes maintenance issues need to be a priority along with building maintenance.

The ACC will recommend appropriate court home landscaping. The ACC recommends a landscape architect to plan the court home yard areas or at the very least obtaining suggestions/options with plant material.

Sunny inquired about the mature trees and if the ACC had any plans or recommendations. Renee will have an arborist evaluate the community.

**TREASURER'S REPORT**

Dave Harp reviewed the February 28, 2004 financial report and informed Board members that funds have been invested in thirty-day intervals.

#### LIGHTING

Mike Harris made a motion, seconded by Dave Harp, that the following resolution be adopted:

RESOLVED that the Association approves the bid from Central Plastic & Rubber Co., Inc. for \$37.81 plus tax per light fixture for a total of 59 fixtures including the prototype already installed in front of the Euclid pool. Additionally, the bid from the Handyman in the amount up to \$59.93 for labor and painting of each light has been approved. The project is to be completed by June 2004.

The motion was carried and resolution adopted by a unanimous affirmative vote. Note: Mike Harris only wanted to do 55 fixtures, since 4 were at the Vantage Pool Cabana, which will be refurbished separately.

Paradise Enterprises: When Renee forwarded the termination to Paradise Enterprises, Paradise sent several invoices for payment. Dave requested a check on previous invoices to make sure the work was completed and all future work to be inspected prior to payment. Kay suggested Dave and Renee audit all invoices for comparison to make sure there will be no duplicate payments.

#### OLD BUSINESS

Futurescapes submitted an invoice in the amount of \$1,300.00 for the clean up of the N. Winston wash. Per Dave, Futurescapes missed 150 ft. of the wash.

Renee had McKeon remove the stumps, as Futurescapes does not have the capability to remove the stumps.

The Board members discussed the plant material at the gate. Renee will have Futurescapes replace the plant material under warranty at the gate.

#### WATER SUBMETERING

Dave Harp made a motion, seconded by Kay Hatch, that the following resolution be adopted:

RESOLVED to approve the revised (third) contract with Water Submetering Systems.

The motion was carried and the resolution adopted by a majority vote. Mike Harris **strongly opposed**.

#### INSURANCE

Per Dave, the insurance renewal was accepted with Farmers Insurance for both policies and the D&O coverage. Per the legal opinion requested and received, liability coverage was kept at 1 Million per occurrence/2 Million aggregate with a 15 Million dollar umbrella policy **OVER** increasing liability coverage to 2 Million per occurrence/3 Million aggregate without an umbrella policy.

#### RDA STUDY

Renee will forward the modifications to Reserve Data Analysis for the update.

#### NEW BUSINESS

Per Renee the courtesy patrol can ticket/tow vehicles in the fire lane on 48th Street. The Fire Marshall will determine if the fire lane is compliant with the City of Phoenix code.

The Board of Directors reviewed the bid submitted by American Handyman in the amount of \$535.63 to repair the carport slab damaged by tree roots at 8622-1 S. 51<sup>st</sup> Street. Renee will obtain three bids from cement companies for the carport slab area at 8622-1 S. 51<sup>st</sup> Street.

The Board of Directors discussed the encroachment issue by residents of the PSMRA onto the golf course and the golf courses use of areas owned by the PSMRA.

Dave Harp made a motion, seconded by Mike Harris, that the following resolution be adopted:

RESOLVED to have Fred speak with the association attorney regarding prescriptive easements.

The motion was carried and the resolution adopted by a unanimous affirmative vote. Frank Frangul will attend the meeting with Fred and the attorney.

#### MANAGEMENT REPORT

The Court Home Committee and Renee will develop a list of concerns and forward along with recommendations to the Board of Directors.

#### ROOFS

Kay will be comparing the roof reports submitted by SPI and JP Perry. Kay will be meeting with both vendors to determine the warranty work that will be completed per SPI's contractual agreement. Once determined, three bids will be obtained for review and a vendor selected to complete the work.

The Board of Directors requested a research of the prior roof repair work on the rental unit Renee visited with a cracked ceiling and mold.

#### ADJOURNMENT

There being no further open session matters to discuss, the Board adjourned the meeting at 9:06 p.m.