

**POINTE SOUTH MOUNTAIN RESIDENTIAL ASSOCIATION  
BOARD OF DIRECTORS MEETING**

Pointe South Mountain Resort Hotel

Meeting Minutes of July 13, 2004

Directors present: Kay Hatch, President  
Sunny Lee, Vice President  
Dave Harp, Treasurer  
Frank Frangul  
Mike Harris  
Jane Karkosky

Directors absent: 1 open seat as a result of Fred Huff's resignation effective 6/1/04

City Property Management Company: Renee Gordon, Property Manager

Recording Secretary: Sandra Lind

**OPEN COMMENTS (7:00 - 7:45 p.m.)**

A homeowner who lives in the last townhouse before the bridge at Arroyo, on 48th Street stated the dust and smell from the horse/walking trail is overwhelming. Management will set up an appointment with Charles Naberhaus (General Manager, Pointe Resort) to discuss the issue.

4910 E. Siesta Dr., #10 - The homeowner reported trees are dying in the wash area behind her residence. One tree has already died and another one is leaning toward her fence and yard trying to draw water from it. The Board will have the landscapers check the irrigation to see the trees get water.

8655 S. 47th St. - The homeowner would like to see the trees behind her residence removed or at least trimmed back. They are creating a mess in her yard and pool. The Board will have the landscapers trim the trees.

Jane McBee, 9216 S. 51st St. - Ms. McBee stated she has had three floods in her residence due to sewage backups. On July 8, 2004 Detection Specialties reported there is a huge block at the area where her line connects with her neighbor's. The neighbor was contacted by Management to have the line checked, but the neighbor is not responding positively. The Board is sympathetic to the issue, but stated it is not an Association issue. It is an issue to be worked out between homeowners in whatever way is necessary. **Note:** Mike Harris disagreed since the HOA is "responsible for ... the repair and maintenance of ... sewer and water lines ... serving more than one Residence even if not located in the Common Area". (Section 6.3 of CC&Rs)

Eric Griffin, 4940 E. Siesta, #1 - Mr. Griffin said that as a new homeowner he did not realize his water main was connected with two other units. While working on his bathroom fixtures he turned the water off for a period of time and left his residence. When he returned, there was a flood in his place as a neighbor reported there was no water to the property management company, who in turn sent someone out to turn the water on. Mr. Griffin had not put his fixtures back in place, leaving the plumbing exposed, thereby creating a flooding situation. He would like City Property to take responsibility for the damage. The Board stated that City Property was not negligent and that the documents address community water, placing the responsibility on the owner.

**CALL TO ORDER**

With a quorum present, Kay Hatch called the meeting to order at 7:47 p.m.

**RATIFICATION OF MINUTES**

Corrections to minutes for June 8, 2004:

- By Mike Harris:
  - Page 3, 4<sup>th</sup> Paragraph: change spelling of sub-meteorizing to submetering
  - **Note:** Mike has subsequently found additional errors (e.g. Summerville to Somerville) that have been corrected in his minutes.
- By Dave Harp
  - Page 1, under Collette Mathe: delete the sentence "The Board responded by saying it would require an approval by 2/3 of the homeowners" and replace with "The Board responded by saying it would require input from the homeowners". **Note:** Mike Harris did not agree with this correction.

**MOTION** by Dave Harp, 2<sup>nd</sup> by Jane Karkosky to approve the June 8, 2004, minutes as amended. The motion unanimously carried.

**SUN CIRCLE TRAIL EASEMENT REQUEST**

Becky Glover, representing Universal Field Services, requested the Association give the City of Phoenix an easement for Sun Circle Trail as they want to create a longer bike, hiking and horse trail in the area. The Board asked Ms. Glover to find out who would take responsibility for cleaning and maintaining the trail and how that will impact the Association. The Board would also like to know whether the City will take responsibility for the potential golf ball hazards, with the increased usage on the trail. Ms. Glover will report back to the Board once she has the answers.

#### VALLEYCREST LANDSCAPE MAINTENANCE REPORT AND PROPOSALS

Vince Rector gave the Board an overview of their findings on the property since they have taken over the landscaping job. He reported the irrigation system is substandard and not working efficiently. He presented pictures for the Board to review on how to cut back turf and implement more xeriscape without sacrificing aesthetic appeal. He recommended the Board consider future plant replenishment for areas that have holes, granite replacement, a sidewalk removal and replacement that leads up to the north pool and irrigation upgrades. His team will be putting together a five-year improvement plan.

A **MOTION** was made by Jane Karkosky and seconded by Dave Harp to allocate up to \$1,500.00 to replenish the area at the corner of 48th Street and Guadalupe and the intersection of Siesta and Hazel with granite and plants. The money will come from the common area budget. The motion passed unanimously. The project will be completed by September 30th and ValleyCrest will use 5-gallon plants.

#### FINANCIAL REPORT

Dave Harp reviewed the financials noting the common area was severely over budget for water even though overall water consumption was down for May and June of 2004. Funding to hire a maintenance man 20 hours per week can be done by slightly dropping the contributions to reserves.

A **MOTION** was made by Jane Karkosky and 2<sup>nd</sup> by Dave Harp to increase assessments for the Court Homes by \$10.00 effective October 1, 2004. Management will notice homeowners by letter explaining why this is necessary. With 6 ayes and 1 nay (Mike Harris), the motion carried.

A **MOTION** was made by Frank Frangul and 2<sup>nd</sup> by Sunny Lee to adopt page 28 of the revised 2004 budget that lessens the contributions to reserves and includes the hiring of a maintenance man 20 hours per week. With Mike Harris abstaining, the motion carried.

#### MANAGEMENT REPORT

##### SUN CIRCLE TRAIL EASEMENT REQUEST

Renee said that Becky Glover asked for the requested easement on the Sun Circle Trail be donated to the City. The Board declined. See above for more details.

##### DRAFT RESOLUTION FOR INSURANCE DEDUCTIBLE AND MOLD REMEDIATION

A **MOTION** was made by Mike Harris and 2<sup>nd</sup> by Dave Harp to have Ekmark & Ekmark draw up a document to be recorded against the CC&Rs for the Board resolution for payment of insurance deductible and mold remediation at a cost not to exceed \$300.00. The motion unanimously passed. It is noted that the Association documents do not address the issue of the insurance deductible when a homeowner is negligent. Renee will bring the document from Ekmark & Ekmark before the Board for them to review once prepared.

##### SHARED WATER METER VALVES

The Board would like all homeowners noticed via the newsletter regarding shared valves in the community.

##### REIMBURSEMENT FOR OUT OF POCKET EXPENSES

The Board approved a reimbursement to Mike Harris in the amount of \$304.11 for out of pocket expenses for small repair jobs he did throughout the Association. **Note:** Only \$230.49 paid to date.

##### TREE TRIMMING

Renee reported 124 palms have been trimmed. Management will send letters to homeowners asking them to trim their palm trees and will include a referral.

Two bids came in for Eucalyptus trimming as follows:

- M&B Tree Service - \$2,133.00
- All Year Round - \$4,500.00

A **MOTION** was made by Sunny Lee and 2<sup>nd</sup> by Dave Harp to accept the bid from M&B Tree Service for 17 trees at a cost of \$2, 133.00. The motion carried unanimously. The job should be done by next week.

##### POOL BATHROOMS AND LOUNGE CHAIRS

The Board directed Renee to have the handyman chain the bathroom at the Vantage pool as it is in such disrepair. **Note:** Mike Harris disagreed with the solution.

A **MOTION** was made by Jane Karkosky and 2<sup>nd</sup> by Frank Frangul to purchase 8 lounge chairs for Siesta Pool for \$1,124.16 including tax. The motion passed with Mike Harris abstaining.

A **MOTION** was made by Jane Karkosky and 2<sup>nd</sup> by Frank Frangul to remodel Siesta and Euclid pool bathrooms at a cost not to exceed \$2,000.00 each. Euclid will be done first and Siesta in September. With 6 ayes and 1 nay (Mike Harris), the motion carried. **Note:** Mike Harris disagreed with spending money on these bathrooms before the Vantage Pool Ramada/Cabana was repaired/replaced.

##### WEBSITE

A **MOTION** was made by Dave Harp and 2<sup>nd</sup> by Jane Karkosky to do away with the Association website. With 6 ayes and 1 nay (Mike Harris), the motion carried.

**OLD BUSINESS**

**PARKING POLICY**

A **MOTION** was made by Dave Harp and 2<sup>nd</sup> by Frank Frangul to accept the Parking Policy as modified by Ekmark & Ekmark per attached (pages 136-145 in Management Package), with condition that homeowners notify management 24 hours in advance for short term parking be deleted. Also the requirement that an authorized representative must sign for towing be waived and presented in writing. Abe will post signs in accordance with the City of Phoenix towing ordinance and provide a disclaimer for Association liability regarding all signage. With 6 ayes and 1 nay (Mike Harris), the motion carried. The Association will keep APS until the new policy is in effect on September 1,2004. Homeowners will be noticed as soon as possible. **Note:** Mike Harris voted no since this motion went against the parking policy currently in the CC&Rs.

**MAILBOXES**

Renee will send a letter to Postal officials stating the Board has not approved the mailbox plan as presented. Dave Harp will set up a meeting with Mike Jineria, Active Manager of Customer Service for further discussion.

**NEW BUSINESS**

**HOMEOWNER CORRESPONDENCE**

Cliff Lewis is requesting he come back into the water pool. The Board directed management to reassess him back to 1/1/04, taking care of a balance in the amount of \$218.00, and allow him back into the pool.

Ann Polis requested the Association pay for interior wall damage as a result of a roof leak back in 2000. The Board directed management to send her a letter denying the request.

A homeowner on 46<sup>th</sup> Street is requesting that a dead Jacaranda that was taken out in the cul-de-sac island be replaced with another Jacaranda. The Board approved the request and management will see the landscapers make sure there is water going to it. Mike Harris abstained stating he wants to see a complete tree maintenance plan.

**TOWN HOME MEETINGS**

Court homeowners will be noticed they are invited to town home meetings hosted by the Architectural Committee in July and August for input, discussion and an opportunity to volunteer for the Architectural Committee.

**BOARD SECRETARY**

A **MOTION** was made by Dave Harp and 2<sup>nd</sup> by Sunny Lee to elect Frank Frangul to the position of Board Secretary. The motion carried unanimously.

**AUGUST BOARD MEETING**

The Board will not be meeting in the month of August.

**NEXT MEETING - TUESDAY, SEPTEMBER 14, 2004 @ 7:00 PM - POINTE SOUTH MOUNTAIN RESORT**

**ADJOURNMENT**

With no further business to discuss, a **MOTION** was made by Dave Harp and 2<sup>nd</sup> by Sunny Lee to adjourn the open session meeting at 11:30 p.m.