

GREEN VALLEY DESERT MEADOWS III, INC., HOA
BOARD MEETING MINUTES **APPROVED**
May 15, 2024 3:00pm Abrego South

Board members present: Bill Mulesky-President, Dan Ives-Vice President, Debra Woolley-Secretary, Marsha Eades-Asst. Secretary, Tom Marek-Treasurer, Mike McCoy-Asst. Treasurer, and Randy Drenning-Member-at-Large establishing a quorum.

Including the Board, 16 members were present representing 15 Lots.

The meeting was called to order at 3:00pm by Bill and the Board introduced themselves.

Debra announced that there were phone books available on the back table for anyone wanting to take one. They were already delivered to members without internet and a few additional members had requested them as well.

Minutes – Debra read the February 28, 2024 Board meeting minutes. A motion was made, seconded, and unanimously passed to approve the minutes as read. Debra read the February 28, 2024 Board Organizational meeting minutes. A motion was made, seconded, and unanimously passed to approve the minutes as read. Debra stated that the February 28, 2024 Annual Board meeting minutes would be approved at the Annual meeting in February of 2025. Debra read the April 22, 2024 Closed Board meeting minutes and stated that a Closed meeting is held if the Board needs to discuss matters of a private nature concerning a member or legal advice. No voting is conducted at a Closed meeting. A motion was made, seconded, and unanimously passed to approve the minutes as read.

Reports – Tom presented the Treasurer's Report ending April 30, 2024. There is \$10,162.19 in Checking and \$17,005.76 in Savings (Legal Reserve Fund). The CD's totaling \$30,000 that were taken out in October of 2023 have earned \$778.32 in interest so far. A motion was made, seconded, and unanimously passed to approve the Treasurer's report. Tom thanked Morris Brown for the help he received when purchasing the CDs in 2023 and a discussion ensued amongst the Board and the members regarding putting more money into CDs so it could earn interest instead of sitting unused. A motion was made, seconded, and unanimously passed to give Tom permission to withdraw \$5,000 from the Checking account and \$10,000 from the Savings (Legal Reserve Fund) to purchase three (3) \$5,000 CDs which would mature in twelve (12) or thirteen (13) months.

Randy Drenning presented the Architectural Report, which had been prepared by Suzanne Stadler, Architectural Chair. Since the first of the year, there have been six (6) Permit requests with all six (6) being approved. The work on two (2) of them has already been completed. They involved Solar Panels, Exterior Painting, and an Enclosed garage.

Jan Robinson spoke on behalf of the Grounds and Weeds Committee stating that their inspections would begin in the next few days and urged Homeowners to exhibit their pride in ownership by cleaning up their weeds and trimming whatever needed trimming to avoid receiving a Grounds and Weeds Notice.

After introducing herself and Cat Frank, and mentioning Lois Norman who could not attend the meeting, Coleen Astalos presented the Social Committee Report. They hosted two (2) events in March, the “bring your drink for a walk” which six (6) members attended, and the home remodel tour which involved three (3) homes to tour with approximately twenty (20) members attending. The committee had very positive feedback from the home remodel tour so that could be repeated in the future. If there are other members who are interested in showing their home remodels, they can email Coleen at social@desertmeadows3.com. Next Thursday, May 23rd, the Carport Coffee hour from 9-10am is at 1987 S. Santa Carla Dr. Bring your own coffee and the Committee will provide the pastries. A Potluck is scheduled for June 9th at Abrego South, and a Game Night is scheduled at Abrego South for July 13th. A Wine & Cheese Social, a BBQ party, and a holiday Cookie Exchange are upcoming in the Fall. Be on the watch for more information. A motion was made, seconded, and unanimously passed to accept the Social Committee Report.

Ongoing Business – Bill presented an update on the overgrowth situation along the Freeway behind S. San Vincent Dr. He had spoken with GV Council and learned that ADOT, who is responsible for that area, does not want to clean up the overgrowth, but GV Council has been in discussion with ADOT and ADOT *might be willing* to do a one-time clean up. Discussion ensued amongst the Board and the members. The key points being; the overgrowth is a potential fire hazard but some members whose homes back up to the Freeway might not want it cleaned up because it does block and act as a safety barrier between their backyard and the Freeway. It was suggested that the Board poll the Homeowners affected to see if they want to keep the overgrowth, although, if left as is, it will only continue to spread and become more of a problem. It was also suggested that community members might want to call the local TV stations Investigative Reporters and Green Valley Newspaper to seek their help in making this situation known and hold ADOT accountable. Dan provided TV and Newspaper contact information to be distributed to members through the Eblast. The matter was tabled until the August meeting.

New Business – Debra stated that Jon Woolley, our webmaster, had received notice that our invoice from Go Daddy for hosting our desertmeadows3.com site is up for renewal on May 17th. Jon originally paid for it for a five (5) year term. The cost for another five (5) year term is \$120.27 (\$24.05 p/year) The motion was made, seconded, and unanimously passed to allow Jon to renew the hosting and submit the invoice to the Treasurer for reimbursement.

Members’ Voice – Bill presented a complaint from a member regarding an ongoing situation of speeding and reckless driving in the neighborhood, loud music creating a nuisance, illegal

drug dealing, and children under the age of 18 living at a residence resulting in non-compliance with the CCRs for several years. Discussion ensued amongst the Board and the members about remedies for this ongoing situation. The key points being; there should be no tolerance for speeding, reckless driving, loud nuisance music, or illegal drug activity in our neighborhood. Members should report any and all instances of this kind of activity to 911 immediately. We should consider contacting the Sheriff to see if they could allocate SAV to monitor vehicle activity in the neighborhood because these behaviors are a safety issue for our residents and can no longer be tolerated.

To minimize legal costs, Bill and Debra will make an appointment with GV Council to discuss options for dealing with the Homeowner who is housing children under 18, thereby ignoring the CCR prohibiting this. In the past, the Homeowner was sent a letter from our attorney informing her of the CCR violation. The Homeowner denied that the children reside there and ignored our request for CCR compliance. Legal counsel, at a cost, may have to be relied upon again to try to resolve this issue.

Debra informed the Board and members that Mike Norman, a past Board member and Nominations Committee member passed away last Friday. Rest in peace Mike.

Debra reported that she had received an inquiry from a member about what they could do regarding their across the alley neighbor shining two strong spot lights into their back yard that light their yard and shine into their windows until 11pm and sometimes also come on at 2am waking them up. Pima County is designated as a dark skies area and, per regulation, homeowners are supposed to use lower lumen night lighting and/or place shades on top of their lighting to direct them downward. The Member recognized that there was no mention of this type of lighting regulation in the CCRs but requested any ideas the Board might have to resolve the issue. She had previously written and mailed a letter to the offending Homeowner with no response. The Board's consensus was that the lighting could be interpreted as a nuisance and loosely covered under CCR #9 so it would investigate the matter further. Randy will stop by the residence and, with the homeowner's permission, assess the lighting situation.

Debra reported that she had attended two webinars recently hosted by Scott Carpenter Law. The April webinar was on Neighbor vs Neighbor which was only helpful if the dispute involved a Protected Category. Under the HUD Fair Housing Act, protected categories are Race, Color, National Origin, Religion, Familial Status, Disability, Gender Identity, or Sexual Orientation. If under a protected status, victims can seek help from the Civil Rights Division of the Attorney General's Office, HUD, or the AZ Superior Court.

The May webinar was on Amending Governing Documents. Since the AZ Supreme Court decision on Kalway vs Calabria Ranch HOA prohibits HOAs from amending the CCRs unless they have 100% vote of the membership, which is not realistic, Scott Carpenter has seen a flood of HOAs wanting to update their CCRs because they are old (as is ours). He doesn't

recommend updating them unless there are provisions causing Governance Difficulty or there are no provisions in place. Scott admitted that, taking into account the AZ Supreme Court decision, even the law offices really do not know how to proceed with any kind of CCR amendment process at this time.

Our previous attorney recommended revising our CCRs to clarify the poorly written ones so a CCR Revisions Committee was formed last year to work on updating and rewording the CCRs which is a long and tedious process and not yet completed.

Knowing we would never get 100% of a membership vote to amend the CCRs and heeding the recent recommendation of Scott Carpenter during the webinar, Debra suggested that the CCR Revisions Committee not proceed with their work at this time. Hopefully, something will change within the court system in the future which will allow a more reasonable way to amend CCRs.

There being no more business before the Board, a motion was made, seconded, and unanimously passed to adjourn the meeting.

Bill adjourned the meeting at 4:37pm.

Respectfully Submitted,

Debra Woolley
DM3 HOA Secretary