

APPROVED

GREEN VALLEY DMIII  
ANNUAL MEETING & BOARD MEETING MINUTES  
ABREGO SO. CTR. FEBRUARY 19, 2020 3 PM – 5 PM

Board members present were Butch Bostwick-Secretary, Jeannie Richardson-Treasurer, Randy Drenning-Architectural, Stan Baxter-Grounds, and Morris Brown-Communications.

Twenty-four homeowners who are not board members were also present.

Meeting was called to order at 3:00 pm by Butch.

Butch announced the resignation of Norma Wheeler as Vice President/Acting President effective January 28, 2019.

Butch turned the meeting over to Duane Huckleberry to announce the election results for the 2020 Board. Elected to the Board were Debra Woolley, Butch Bostwick, and Morris Brown. One candidate was found to be in violation of the CC&R's, therefore, ineligible to serve on the Board. Duane made an appeal to the members present that we are in need of volunteers.

Butch moved that Debra Woolley be elected as President. The motion was seconded and passed unanimously. Debra then took over as President/Chair of the meeting at 3:10 pm.

Since there were not enough members elected to fill the Vice President position, Butch moved that the Vice President position remain void for the present time. The motion was seconded and passed unanimously.

Stan moved that Butch Bostwick be elected as Secretary. The motion was seconded and passed unanimously.

Butch moved that Morris Brown be elected as Treasurer. The motion was seconded and passed unanimously. Jeannie Richardson stepped down as Treasurer.

Randy Drenning continues as Chair of the Architectural Committee. Stan Baxter continues as Chair of the Grounds and Weeds Committee. Morris Brown continues as Chair of the Communications Committee.

Butch read the Minutes of the October 22, 2019 Board Meeting. There were no corrections. Stan moved to approve the minutes as read. The motion was seconded and passed unanimously.

Jeannie, as past Treasurer, presented the January 2020 Treasurer's Report. As of 1/31/2020 the balance of the checking account was \$22,414.99 and the balance of the legal fund was \$13,240.83. Randy moved that we accept the Treasurer's report. The motion was seconded and passed unanimously.

John Walker, as Auditor, presented the Audit Report for 2019. The audit took place on February 3, 2020. Present were Jeannie Richardson, Duane Huckleberry, John Walker, and Mary Woods. They found all records and balances to be in agreement. John then thanked Jeannie for her exemplary work as Treasurer these past few years.

John then presented the 2019 Financial Statement and proposed budget for 2020. A question was raised regarding the legal expenses for 2019 at only \$58.00 but the proposed legal expenses for 2020 at \$3,000.00. Jeannie explained that we did not receive an invoice from our attorney's office for retainer and when she called to question why we hadn't they apologized and said we had "slipped through the cracks" and they would be getting an invoice out asap. A second question was raised regarding the dues collected in 2019 showing as larger than the proposed dues in 2020. Jeannie explained that she had been successful in collecting back dues from 2016, 2017, and 2018 which explained the difference. Jeannie was again thanked for the excellent job she had done as Treasurer.

Butch moved that we accept the Audit Report and the proposed Budget for 2020. The motion was seconded and passed unanimously.

Randy presented the Architectural Report. In 2019, there were 23 requests for permits. 22 were approved, 1 was disapproved. The work on the 22 approved has been completed. To date, in 2020 there are 4 requests for permits which have all been approved. Work on 1 has been completed.

Butch moved that we accept the Architectural Report. The motion was seconded and passed unanimously.

Stan presented the Grounds and Weeds Report in the form of a letter he had written to the homeowners regarding upkeep and maintenance of weeds as the warmer weather approaches. He requested that the letter be emailed to the homeowner's and posted on our DMIII website. There was a question from a homeowner regarding what could be done about a tree growing in one of the arroyo's, as well as, bushes and weeds in others. Stan stated that those are the responsibility of the county and that he was aware of the situation and had contacted the county to remove them.

Butch moved that the letter from Stan to the homeowner's be emailed to them and posted on the DMIII website. The motion was seconded and passed unanimously.

Morris reported that there was no Communications Report at this time.

Butch reported on an ongoing CC&R violation. A permit was granted by the Architectural Committee for a homeowner to build a single-family residence. Pima County granted the building permit for a single-family residence with garage and the house was built. When the residence was completed, the homeowner tore down inside walls to convert the residence into a large garage/shop. The Pima County Assessor's office now lists the property as garage/shop. DMIII CC&R's clearly state that only single-family residences are allowed. Pursuing legal action will be costly (approx. \$50,000.00 just to get it to court-according to our attorney) and require an initial special assessment of approx. \$200.00 per home and/or lot owner to cover legal costs. Since this matter affects all Desert Meadows III homeowners, the previous Board felt that the homeowners should be involved in the decision as to how to proceed via a ballot mailed to homeowners.

A lengthy discussion involving the board and several homeowners ensued regarding said CC&R violation and what could be done about it. Several points during the discussion were brought up.

- 1) How the Pima County Permit for single-family residence ended up being a garage/shop by Pima County Assessor's office?

- 2) Why have CC&R's if they can't be enforced?
- 3) Can we go to Pima County Records and find out when and why the permit was changed?
- 4) Suggestion was made to get advice from the Green Valley Council.
- 5) Suggestion was made to get a second opinion from a different attorney.
- 6) The homeowner in violation also transports his "hobby" cars in and out of the neighborhood via trailer. We don't own the roads. Pima County does. Can we enforce CC&R violations involving the roads?
- 7) Suggestion was made to take a vote now.

Debra informed membership that there would be no vote as not all homeowners were present to participate. If this matter went to a vote it would be done by mailed ballot.

Morris moved that we get a second opinion from an attorney and then present that to the membership to see if they want a special assessment to pursue legal action. Debra requested that the motion be amended to include consulting the Green Valley Council and getting any information we could from Pima County Records before going to the membership with a vote.

The motion was amended to get a second opinion from an attorney, seek advice from the Green Valley Council, and gather as much information as we can from Pima County Records regarding said CC&R violation before presenting a ballot to the membership to see if they want a special assessment to pursue legal action. The amended motion was seconded and passed unanimously.

Debra asked if there was any New Business to be discussed. There was a question from a homeowner regarding political signs and what authority we have as an HOA to limit their use. Also, there was a question as to whether or not the truck that displays those signs was legally parked (corner of Abrego & San Vincent). There was concern over the danger our members could find themselves in while trying to turn that corner and navigate around the parked truck especially if there was oncoming traffic. Butch stated that the HOA can limit the length of time a political sign is displayed if it is on the house or property but the roads are owned by Pima County so we cannot regulate a sign on a vehicle parked in the street. Also, the truck in question is parked an adequate distance from the corner, therefore, considered to be legally parked. A homeowner suggested that we check into the matter of parking further since it is hard to accept the fact that the



vehicle is parked legally when it clearly constricts the view of vehicles trying to turn the corner.

John Walker presented a recommendation to the Board to consider a change in the wording of By-Law Article 12 Section E. Debra stated that a By-Law change requires a vote of the membership. The Board thanked John and will take this change under consideration.

A homeowner questioned who is responsible for enforcing CC&R violations involving maintenance of stucco on houses and weeds in backyards. There are two properties of concern. One with stucco falling off of the structure and another that is in need of fresh paint. One of the properties in question had been in foreclosure but the status of that property is unclear at this time. The Architectural Committee will have to investigate the matter. The Grounds and Weeds Committee will have to investigate the matter of overgrown weeds.

Butch made a motion to breakout the \$6.00 amount from the dues that is earmarked for the legal fund so it can be deposited directly into the legal fund at the time of deposit. Debra asked Jeannie (past Treasurer) how it was being done now. Jeannie stated that it was handled as a transfer from checking to the legal fund and said she felt no need to reorganize the way it was being done. Debra said there would be no second on the motion and that as the new Treasurer, Morris could decide whether procedures needed to be changed regarding the legal fee deposit/transfer and bring it back to the Board.

Butch stated and it was agreed by all in attendance that we have a good, nice neighborhood to live in here. Everyone wants to be happy and get along with one another.

There being no further business, Debra adjourned the meeting at 4:43 pm.

Submitted by:

Butch Bostwick  
Secretary DMIII