



**The Ranch at Prescott  
Homeowners Association  
P.O. Box 10000  
Prescott, AZ 86304  
(928) 776-4479  
(928) 776-0050 (Fax)  
January 25, 2007  
HOA Council Meeting Minutes**

Council Members in attendance were: Phil Alvarado – Unit I, Russ Parker – Unit III, Rosalie Naigle – Unit IV, Kent Robinson – Unit V, Ron Knudsen – Unit VI, Dion Mannen - Unit VII-1, Bob Tinney – Unit VII-2, and Scott Lee - Unit IX. Janet Aldridge – Unit II, was absent. 8 non-council/alternate homeowners were in attendance.

Dion Mannen called the meeting to order at 3:05 PM. Mr. Mannen then introduced the Council.

Dion Mannen requested that an addition item be added to the agenda under New Business 6(b) entitled Delinquency Report.

**Approval of the November 30, 2006 Meeting Minutes**

Scott Lee requested that a change be made to the minutes on page 1, par. 4, last sentence as follows: "Scott Lee abstained from the vote as he had not had an opportunity to read the minutes ***because he did not receive a meeting package.***"

Dion Mannen called for a motion to approve the minutes of the November 30, 2006 Council Meeting. Russ Parker moved to approve the minutes as changed; Kent Robinson seconded the motion. There being no discussion, the minutes were approved.

## **Public Communications**

Dion Mannen opened the floor to the audience.

Twyla Sizemore, Unit III, discussed her concerns regarding renters and the lack of care of the rental properties in The Ranch. Mrs. Sizemore stated she would like the Council to address the rental issue and would hope anyone on the Council that may have a conflict of interest excuse themselves from any vote.

Charles Babb suggested that it may be useful if any lease or rental contract contain a stipulation regarding the expectations of the Lessor. Dion Mannen stated that any renter is required to comply with the CC&R's and the Owners are responsible to see that their renters are aware of the CC&R's as part of a lease agreement.

Russ Parker stated that the burden of compliance actually falls to the landlord. The issue is to get the owners (landlord) to enforce the CC&R's upon their renters.

Bill \_\_\_\_, Lot 153, S. Woodridge stated this was the first he had heard of a problem with renters in The Ranch. He wants to be listed in the directory as an owner so that, if the neighbors to his property had an issued with renters, he could be advised.

## **Old Business**

### **a. HOA Web-site Update – Phil Alvarado**

Phil Alvarado reported the HOA web-site was receiving an average of 6 "hits" a day. It had 20 hits in one day after the Council meeting minutes were posted and he expected more hits once the newsletter is posted.

Bob Tinney requested that we move forward on publishing The Ranch HOA newsletter, as planned, and requested the Board establish a newsletter committee headed by Rosalie Naigle. Therefore, Phil Alvarado moved to establish a newsletter subcommittee under the HOA's Communications Committee and nominated Rosalie Naigle as the Editor and Chairman of the subcommittee to publish the newsletter within the restraints established in the 2007 budget. Bob Tinney seconded the motion. There being no further discussion the motion carried unanimously.

### **b. Bid Proposals for 2007 Weed Abatement and Nature Trail Trimming**

Dion Mannen reported that the bidders proposals had been fine tuned to incorporate the fact that some of the properties would require more and some less clearing from the curb line than the five feet originally specified. Bob Balzano provided the Board with copies of the revised proposals. Scott Lee

will work with Mr. Balzano to establish a schedule for weed cutting beginning in the spring.

Mr. Balzano distributed bid proposals for treating the cracks between curb and road surface with pre-emergent and herbicide. Mr. Balzano advised that the first application of the pre-emergent should be done in February to be the most effective. Discussion ensued. It was suggested the Council try to get the City of Prescott to do crack sealing of the roads and also seal the area between the curb and street. Mr. Balzano will call the City of Prescott in June to start working with them on sealing the cracks between the street and curbs in the fall. Dion Mannen stated that when he spoke with the City Street Maintenance Department last year, the plan to repair the streets, including crack seal, was to start on the southwest side of town (oldest streets) and work east (newer streets). His contact was David Brinkley at the City of Prescott.

Phil Alvarado moved to accept the lowest priced weed abatement proposal presented by Jonny's Tree & Maintenance as amended for one year not to exceed four cuttings a year. Kent Robinson seconded the motion. There being no further discussion the motion carried unanimously.

Bob Tinney moved to accept the lowest priced proposal presented by Praying Mantis for the spraying of pre emergent to be applied two times per year. Phil Alvarado seconded the motion and it was carried unanimously.

Kent Robinson moved to approve notifying all owners of record in The Ranch at Prescott that the Association has proposed and approved a weed abatement program wherein the owner can pay \$75.00 per year to have the easement area on the street side of their homes or vacant properties cut to compliance up to four times a year. Russ Parker seconded the motion and it carried unanimously. Homeowners and vacant property owners can choose to do their own weed abatement, instead of paying the \$75 annual fee, but must comply with Ranch requirements to avoid penalties.

### **c. Appointment of Alternate Council Representatives**

Phil Alvarado advised the Council that three members of the Association had volunteered to service as Alternate Council Representatives for Units where the Alternate position is vacant. The volunteers include Charles Babb, Unit III; Henry Lenhart, Unit VII-A; Dick Tetreault, Unit VII-B. Kent Robinson reminded the Council that it had adopted an enabling By-law regarding the appointment of Alternate Representative in August 2006. Each volunteer was invited to address the Council. Charlie Babb and Henry Lenhart both addressed the Council. Council discussion ensued regarding the importance of each Unit having an Alternative Representative, who is informed and aware of the business of the Association, so that after the election of the new

Council in September 2007, it will be more likely that business will move forward normally. Dick Tetreault was out of town and couldn't attend this Council meeting.

Phil Alvarado moved to appoint Charles Babb as the Alternate Council Representation for Unit III. Russ Parker seconded the motion and it carried unanimously.

Phil Alvarado moved to appoint Henry Lenhart as the Alternate Council Representative for Unit VII-A. Russ Parker seconded the motion and it carried unanimously.

Phil Alvarado moved to appoint Dick Tetreault as Alternate Council Representation for Unit VIIB. Bob Tenney seconded the motion and it carried unanimously.

Dion Mannen asked that the newly appoint Alternates provided Mr. Balzano with their contact information.

#### **d. Rental Property Restrictions**

Dion Mannen requested that Mr. Balzano provide the Council with examples of a rental property restriction policy for discussion. Mr. Mannen stated there was no action required on this item today, but it was merely for discussion by the Council. Discussion ensued. Mr. Balzano advised that any adoption of a rental property restriction would require a change to the CC&R's enabled by the two-thirds approval of all Property Owners of the Association and by the approval of the Declarant.

Scott Lee stated that the CC&R's do not state restrictions for property rentals. Further, he suggested to the Council that the CC&R's already provide for a method of enforcement through the Property Owner and that the Council should consider strengthening existing policies so they can actually be enforced.

Russ Parker reiterated that it was the Property Owner's responsibility for renter compliance with the CC&R's. Mr. Parker further stated that Scott's suggestion regarding the strengthening of existing CC&R's appears to be the right direction to go at this time. It is a reasonable approach to the problem and enforced by a graduated fine policy could help solve the issue.

The Council asked Mr. Balzano to develop a graduated fine policy up to \$5,000 for review at the next meeting.

Mr. Mannen thanked the audience for its input on this issue.

**e. Proposed CC&R Amendment – Staggered Council Terms**

Kent Robinson presented a brief history of this matter. The proposal to stagger the terms of the Council Representatives was brought to Council in May 2005 and a draft of the enabling CC&R change was provided to Council for consideration in October 2006. The intent of the proposed CC&R change is to keep at least half of the Council Representatives on board after each annual election so that new members on the Council have the benefit of existing, experienced members. In summary, the change would mean that the term of each Representative would be changed to two years, rather than the one year stipulated in Article 5.21 of the CC&R's, and that half of the Council Representatives, rather than all, would be elected each year. A draft of the proposed language change to Article 5.21 of the CC&R's was again provided. If approved by two thirds of the Property Owners and the Declarant,, at the next election the terms of half of the Council Representative would be extended for one additional year and half would stand election in September 2007. Thereafter, half of the Council representatives would stand election each year in September.

Dion Mannen and Kent Robinson will first talk with the Declarant, whose approval is required about this proposed CC&R amendment to find out is he is supportive. At the next meeting they will advise the Council of the Declarant's position.

**New Business**

**a. Manager's Report – Bob Balzano**

Bob Balzano summarized the Manager's report provided in the Council's information package.

As requested at the October Council meeting, samples of rental property Restrictions used by other Associations were provided to the Council for review and consideration.

Re-bids of the road easement weed cutting and spraying pre-emergent in the curb cracks were provided to the Council and vendors were approved today.

Assets and Liabilities as of November 30, 2006.

Desert Hills Bank Operating Account	\$ 16,193.96
Desert Hills Bank Operating MM Account	\$104,172.00
Desert Hills Bank Reserve Account	\$ 21,373.29
Accounts Receivable for Assessments	\$ 1,875.00

Assets and Liabilities as of December 31, 2006.

Desert Hills Bank Operating Account	\$ 61,646.59
Desert Hills Bank Operating MM Account	\$104,440.99
Desert Hills Bank Reserve Account	\$ 23,334.75
Accounts Receivable for Assessments	\$ 1,500.00

Compliance issues average 42 per month in 2006. As of January 17, 2007, 10 compliance notices had been mailed to Owners.

There was no Council meeting for the month of December 2006 and no property inspections were made in December.

The Architectural Review Committee (ARC) meetings are held the second and fourth Wednesdays of each month. Plan submissions for review are due by noon on the first and third Wednesdays of each month.

Mr. Balzano presented the Council with the November and December, 2006 financials reports for review.

Bob Tinney moved to approve the November and December 2006 financial reports. Kent Robinson seconded the motion and it carried unanimously.

**b. Delinquency Report**

Mr. Balzano presented the Council with the delinquency report for review. There is approximately \$2,500.00 in past due accounts. Mr. Balzano requested that those accounts over 90 days old and over \$100.00 be sent a notice of intent to lien.

Bob Tinney moved that those accounts over 90 days old and over \$100.00 be sent a notice of intent to lien. Russ Parker seconded the motion and it carried unanimously.

Scott Lee moved to adjourn the meeting. Bob Tinney seconded the motion and it was carried unanimously. The meeting was adjourned at 4:52 p.m.

Respectfully,

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Phil Alvarado