



**The Ranch at Prescott  
Homeowners Association**

**P.O. Box 10000**

**Prescott, AZ 86304**

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**May 24, 2007**

**HOA Council Meeting Minutes**

Council Members in attendance were: Dion Mannen – Unit VII-A, Scott Lee – Unit IX, Robert Tinney – Unit VII-B, Kent Robinson – Unit V, Ron Knudsen – Unit VI, Phil Alvarado – Unit I, Mike Enders – Unit IV, and Alternate Janet Aldridge Unit II. Billie Powell – Unit II and, Russ Parker – Unit III were absent. Five alternate members/homeowners were in attendance. Also in attendance were Gaye Morgan, Association Manager and Judy Connick, recording secretary from HOAMCO.

Dion Mannen called the meeting to order at 3:00 PM. A quorum was established and Mr. Mannen called for a motion to approve the April 26, 2007 meeting minutes. Kent Robinson moved to approve the minutes, Ron Knudsen seconded the motion. There being no further discussion the minutes were unanimously approved. Dion Mannen then called for a motion to approve the March Financial Report. A motion was made by Mike Enders to approve the April 30, 2007 Financial Report, reserving any contrary findings of the annual audit. The motion was seconded by Janet Aldridge and unanimously passed.

**Public Communications**

Dion Mannen opened the floor to public communications from the audience. No one requested to speak at that time.

## **Old Business**

### **a. HOA Web Site Update – Phil Alvarado**

Phil Alvarado advised the Council that the new Ranch at Prescott HOA ([ranchatprescotthoa.com](http://ranchatprescotthoa.com)) web site would be available on Tuesday morning May 29, 2007. He reported that the web site currently averaged six hits per day. He also reported that the Prescott water restrictions that became effective April 19, 2007 would be posted on the site. He encouraged all present to view the site.

### **b. Rental Policy – Legal Opinion**

Association Manager Gaye Morgan reviewed recommendation of legal council Maura A. Abernethy, Esq. of Carpenter, Hazlewood, Delgado & Wood PLC addressing the Rental Rule adopted by the Council in a motion at the April 26, 2007 meeting, pending legal opinion on the wording and liability to the Association. She stated that the rule would not be a restriction on leasing but a tracking method to identify rented properties and their tenants. Some discussion of the wording of the rule and the amount of the related administrative fee ensued. It was decided that the Association would provide the tenant with a copy of the CC&R's and maintain a data base of rental properties in the Community. Based on this additional administrative work requirement for the HOA, Gaye recommended an administrative fee of \$100. A motion was made to adopt a Tenant Administration fee of \$100 by Kent Robinson and seconded by Phil Alvarado, the motion received unanimous approval. The following is the wording of the rental/lease rule adopted by the Council.

The following rule shall apply to all of the rental/lease properties until such time as they are amended, modified, repealed or limited by rules of the Association adopted pursuant to the Declaration.

An Owner who leases or otherwise grants occupancy rights to the Owner's Residence shall be responsible for assuring compliance by the Occupants (tenants) with all provisions of the Declaration, any applicable Rules and Architectural Design Guidelines. Owner shall be jointly and severally responsible for any violations by the Occupants thereof. All Leases/Rental Agreements shall be in writing and shall not be for less than the entire Residence. Owner shall provide a copy of the Lease, complete and submit the attached "Association Notification of Lease or Rental of Residential Real Property Located in the Ranch at Prescott", and include a Tenant Administration Fee of \$100 made payable to The Ranch at Prescott, to the Homeowners Association, P. O. Box 10000, Prescott, AZ 86304.

## **New Business**

### **a. HOAMCO Managers Report – Gaye Morgan**

Gaye Morgan summarized the Manager's report provided in the Council's information packet.

**Weed abatement in Easements** – Gaye reported that over \$16,000 had been collected at the time of this meeting. She stated it was likely that some homeowners had misunderstood the scope of the program. She will review this and issue a refund where appropriate.

**Election Preparation** – Gaye reported that she had contacted the three possible locations for the Annual Meeting in September, the new Community Center, Yavapai College Auditorium, and The Prescott Resort. She was advised that the Community Center and The Prescott Resort were not available and that she had reserved the Performance Hall at Yavapai College at a cost of \$950 which is comparable to the previous years meeting cost for that location.

**Curb Crack Sealing** – Gaye advised that Tim Legler with the City of Prescott indicated the he is putting The Ranch at

Prescott on the schedule for curb crack sealing in October and/or November, 2007. Gaye indicated that she will follow up with Mr. Legler regarding this matter.

**Financial Report** – The Association account balances as of April 30, 2007 are as follows.

Desert Hills Bank Operating  
\$115,902.53  
Desert Hills Bank Operating Money Market  
105,570.15  
Desert Hills Bank Reserve  
27,263.97  
Accounts Receivable Assessments  
2,500.00

Kent Robinson expressed concern about the level of funding for the Reserve account and indicated the need for more of that money to be allocated as contingency funds in the Operating account. He pointed out that once funds are transferred to the Reserve account, their use is permanently restricted and these funds can not be used for funding unexpected costs in the operating budget. Kent felt that a maximum amount cap should be placed on the Reserve account, for example \$30,000 - \$40,000, since the HOA has no capital facilities it is difficult to imagine an emergency need higher than this amount. Gaye advised she would review this with accounting and report back at the June Council Meeting.

It was reported that some of the water and safety retaining walls at roadway curves will be needing maintenance and that there may be a need for additional walls in some areas. The funding of this work is a legitimate use of the Reserve Fund. Mike Enders and Scott Lee will review the need for additional walls and report back to the Council. It was also noted that the picnic area near the tennis court and the monument signs needed refurbishment, again a legitimate use of Reserve funds.

**Compliance report** – Gaye reported that CC&R compliance issues remain primarily concerning dead trees and barking dogs. The issue of a homeowner causing a noise nuisance by revving his vehicle's loud engine and burning rubber was mentioned. Gaye requested the location so a report could be filed and followed up on with a nuisance violation letter.

**b. Program for Trash Removal** – Councilman Scott Lee reported there was a need for trash removal in the common areas and in the washes, and that someone need to be hired to clean up these areas. Scott indicated that he had a name of someone who could do the work, would give this information to Gaye following the meeting. It was noted that anyone doing this work needed to be insured.

**c. Election Time Line** – The deadline for submittal of statements of interest for serving on the Council was set as August 01, 2007. It was requested that the election timeline be added to the web site and included in the newsletter. Kent Robinson reminded the Council that the Associations documents require that the voting be done by a secret ballot and that means a ballot that does not indicate the voter's identity. He noted that this was a controversial issue in the election two years ago. The envelope for returning the ballot can identify the property owner, but not the ballot itself.

### **Adjournment**

The next council meeting will be held on June 28, 2007 at 3:00 PM at HOAMCO.

There being no further business before the council, Mike Enders moved to adjourn the meeting. Janet Aldridge seconded the motion and it was unanimously approved. The meeting adjourned at 4:25 PM.

Respectfully submitted,

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Phil Alvarado, Secretary