



**The Ranch at Prescott  
Homeowners Association  
Annual Meeting Minutes  
September 12, 2013**

**Call to Order**

Kent Robinson-Unit V, Vice Chairman, called the meeting to order at 3:30 pm for Dick Tetreault-Unit VII, Chair of the Council, who was out of town. The meeting took place at the Hassayampa Hotel Marina Room in Prescott A quorum was established.

**Council Introductions**

Vice Chairman Kent Robinson-Unit V welcomed members to the meeting and introduced and thanked the Council members for their service: Clark Moskop-Unit I (absent); Billie Powell-Unit II; Russ Parker-Unit III (Secretary/Treasurer); Will Hansen-Unit VI; Mike Enders-Unit IV; Maxine Tinney-Unit VII (absent) and Scot Lee-Unit IX. Kent Robinson-Unit V then introduced Tim Graves, HOAMCO Association Manager.

**Guest Speaker – Gary Roysdon, Prescott Area Wildland Urban Interface Commission**

Kent Robinson-Unit V, Vice Chairman, introduced Guest Speaker Gary Roysdon, who is the past Chairman and the current Field Activity Chairman of PAWUIC. Gary gave his congratulations and thanks and presented a plaque to The Ranch HOA certifying The Ranch as an official Firewise Community. Kent praised Chairman Dick Tetreault-Unit VII for his two years of effort towards helping The Ranch become a Firewise Community. Gary presented a brief film, "WILDFIRE: Preventing Home Ignitions" to help homeowners become aware of the things they can do to protect their homes and the surrounding areas. Following the film, homeowners had several questions regarding Firewise clearing. One homeowner questioned what could be done about vacant lots that were overgrown and full of brush and weeds. Gary referenced how the Hassayampa Community was able to have the lots cleared and owners billed when the homeowners were non-compliant and suggested The Ranch contact a Board member of the Hassayampa Community. Another homeowner was concerned that, although The Ranch did have rules to govern the lots, they were not always enforced. Gary suggested HOAMCO or Hassayampa be contacted. Kent Robinson also mentioned that there are State statutes that must be met before a lien may be placed on the property and it is sometimes a difficult and lengthy process. A homeowner from Unit IX related that they have been working with HOAMCO and achieving success in their area, but patience and perseverance were required. Gary Roysdon informed a homeowner that becoming a Firewise Community was all about what the community was **going to do** in the future to make itself more Firewise, not what had been done in the past.

## **Approval of 2012 Annual Meeting Minutes**

Kent Robinson called for a motion to approve the 2012 Annual Meeting Minutes. The minutes were unanimously approved as presented.

## **Chairman's Report**

Vice Chairman Kent Robinson discussed several areas of interest to the Council and to homeowners: **Firewise Program:** Kent explained that some of the benefits of Firewise include lower insurance rates and access to federal, state and local funding. The HOA is initiating fuel mitigation in the common areas, which will involve using Reserve Funds next year; **Road Conditions, e.g. Lee Boulevard:** The Ranch has 21 miles of roads, some of which are 24 years old, and there are no signs from the City that any repair work is planned through 2015, even though Lee Boulevard was scheduled for reconstruction in 2010. The HOA has retained an independent engineer to review the City's 2006 condition survey and supporting data for Lee Boulevard. Kent encouraged homeowners to complain to the City about the road conditions in the Ranch to help persuade City Council Members to take action. **Legislative Actions Affecting Our HOA:** Over the last five years, about 14 bills were passed into law which resulted in an ever increasing control over what HOAs are able to do. Most of the bills have been the result of a lobbying effort primarily financed and led by the State Realtors Association, which involves a large lobbying group. Examples of results affecting The Ranch HOA have been revocation of the HOA's former signage posting restrictions, changes in architectural rules enforcement and elimination of the on-street parking rules. **Real Estate Signage Litigation:** The HOA Council attempted to put in place a rule to regulate the size and position of For Sale sign frames, but not the signs themselves, due to numerous complaints regarding ugly, improperly placed and poorly maintained For Sale sign frames. However, the rule was challenged in court and the sign rule was nullified. **Unit VII Lot Assessments:** As part of the real estate signage litigation, a homeowner alleged that annual assessments were not being billed and paid to the Association for the seven (7) Unit VII lots owned by the Developer (declarant) since late 2005, when the Class B Membership of the Declarant ended and the Association was turned over to Property Owner control. At that point, the Declarant was no longer exempt from payment of the assessments. As a result of opinions from two legal firms, the homeowner's allegation is correct and the Declarant intends to pay the Homeowner's Association \$6,125 to bring the annual assessments for the seven (7) lots up to date from 2006 and will pay future assessments. **Status of Unit VIII:** An additional allegation from the same homeowner stated that Unit VIII was annexed to the Ranch in 2008 and the Association failed to collect annual assessments from these properties. The HOA governing Declaration (CC&Rs) of 1994 states that, until 2009, the Declarant can, without approval of the Association, annex additional property to the Association if a Unit Declaration for the annexed property is recorded with the Yavapai County's Recorder's Office. However, the HOA attorney failed to find, in both online and direct examination of the documents, the Unit VIII Declaration required for the alleged 2008 annexation to have occurred. Therefore, it was determined that Unit VIII property is not now, and has never been a part of The Ranch at Prescott Homeowners Association Declaration and cannot be assessed by the Association. Vice Chairman Kent Robinson, at this time, accepted questions from the floor. A homeowner questioned the number of lots in Unit VII and Kent replied there were seven (7). Kent also noted there was some confusion over the Unit VIII lots, since those lots were listed in the membership directory as part of The Ranch and that the oversight will be corrected. A homeowner requested legal fact and exact information regarding lots in Unit VII and Unit VIII. Kent replied that the HOA could not provide the "opinion letter" but could summarize the letter to give to the homeowners. **Association's**

**Emphasis for 2014:** Kent reported that, aside from overseeing The Ranch HOA's maintenance and compliance issues, the Council will focus attention on three key areas: dealing with long due street improvements; brush removal, both in the common areas and from vacant lots, a much more difficult and lengthy process, and approving a contract for fuel mitigation along the walking trail from the tennis courts to the upper intersection of Rainbow Ridge and Lee Boulevard, which is expected to be accomplished by year's end.

### **Treasurer's Report**

Tim Graves presented the Treasurer's Report, as presented in the member hand-out at the meeting. The Balance Sheet Assets as of December 31, 2012 showed that the Operating Fund was at \$403,118 and the Reserve Fund was at \$38,841 for a total of \$441,959. Tim reported on the first seven months of 2013, through July 31, with Revenues at \$133,197 and Expenses at \$57,332. Of the Revenues, Tim noted that homeowner assessments were 86% of the total, weed abatement was 12%, late fees at less than 1%, and interest income was at 1%. The Revenues for year end December 31, 2012 were at \$136,365 and Expenses were at \$96,657. A homeowner commended and thanked the HOA Council and Tim Graves for their time and integrity and in keeping the assessments at \$125 per lot. A homeowner also requested the breakdown of the Operating funds of December 31, 2012. Kent Robinson replied that financials were available in the newsletter and on the website ([theranchatprescotthoa.org](http://theranchatprescotthoa.org)) and homeowners could contact their representatives for any specific information and the Council would be happy to provide that information. The website is regularly updated with current Council Meeting minutes, monthly financials, CC&Rs, rules and Architectural Guidelines. A member questioned whether or not the Firewise certification would affect (lower) insurance rates and Kent replied that it depended on the insurance company. A homeowner expressed concern that the common areas were not better maintained, specifically, the nature trail. Kent noted that maintaining the nature trail would increase the HOA's liability rates but the plan was to use some of the revenues to better maintain the common areas, as noted earlier.

### **Election Results**

Kent Robinson-Unit V explained the ballot process for electing Unit Representatives/Council Members. The person with the most votes would become the Representative and council Member and the one with the second most votes would become the Alternate. The election results and the new Council representatives for 2013-2014 are as follows: Unit I - Clark Moskop was re-elected, no Alternate; Unit II - Billie Powell was re-elected and Alternate is Jim Lindquist; Unit III - Russell Parker was re-elected and Bill Hopper as Alternate; Unit IV - Mike Enders was re-elected and Rosalie Naigle as Alternate; Unit V - Kent Robinson was re-elected with Pum Rote as Alternate; Unit VI - Will Hansen was re-elected with Richard Muth as Alternate; Unit VII - Dick Tetreault was re-elected and Rob Spencer as Alternate; Unit IX - Terry Madeda and Alternate is Scot Lee.

### **Public Communications**

Vice Chairman Kent Robinson then opened the meeting to comments and questions from the Association Members.

1. A homeowner expressed concern regarding illegal hunting in the area and the lack of signage. Scot Lee-Unit IX reported that multiple signs were put in place before hunting season and taken down after the season was over.
2. A homeowner questioned how the Association was going to respond to the filing fee for the homeowner in the Signage Litigation. Kent Robinson replied that the Association's Directors and

Officers Liability Insurance paid for the filing fee to the homeowner as well as the civil penalty as ordered by the judge.

3. A homeowner was concerned that the site planning considerations were no longer valid in regards to the natural vegetation of homesites. Kent agreed that more guidance was needed in natural vegetation and Scot Lee-Unit IX encouraged the homeowner to attend the next Architectural Review Committee (ARC) meeting to review the vegetation plans.

4. A homeowner was concerned that no CC&Rs were filed for Unit VIII. Kent Robinson explained that when a lot is sold, the CC&Rs will be in the documents. The homeowner also asked if the HOA was going to move forward to get Unit VIII into the Association. Scot Lee-Unit IX related that it will take 67% of The Ranch homeowners vote to accept Unit VIII into The Ranch.

5. A homeowner commented that the Arizona Legislature should be praised for passing the 14 bills. Also stated was that the Unit VIII issues were confusing and needed to be addressed from a legal standpoint.

6. A homeowner commented that the HOA should be concerned with keeping weeds cut down by the creek, addressing the considerable wash-out and improving the improper crossings.

7. A homeowner commented that a homeowner should be a part of the ARC.

Scot Lee-Unit IX replied that he is the only homeowner elected to the committee and it was noted Scot Lee is also the developer.

8. A homeowner requested that all of the representatives stand and receive recognition.

### **Adjournment**

There being no further business, the meeting was adjourned at 5:07 PM.

Respectfully Submitted,

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Russell Parker, Secretary