

SAN IGNACIO HEIGHTS HOA
Special Board of Directors Meeting
January 7, 2009
3:00 p.m.

Minutes

1. **Members present:** Bill McGovern, Jane Bryant, Jan Paulsen, Marilyn McClellan and Bob Mitacek. **Visitors:** James and Julie Horton, Bob Laine, Chuck McAninch, Cynthia Peters, Jim Pinkerton, Tom and Gloria Tye.

2. **Call to Order:** After declaring a quorum of 3 members present, Bill called the meeting to order at 3:02 p.m. Jan immediately called for a point of order. She explained that this meeting is not a valid meeting. Special meetings are only called to discuss a single topic. Bill replied he was going to proceed anyway. Jan stated: "We have seen a number of irregularities by the performance of this Board and I have taken upon myself to consult with a lawyer in Tucson, who deals primarily in homeowner association problems. Specifically I asked about special meetings. She said that a special meeting is not an agenda meeting. A special meeting is called for a specific purpose." Jan suggested that no meeting be held today and that, instead, Board members would meet at the regular meeting scheduled for January 15, 2009. Bill replied that today's meeting would go ahead as a business meeting with agendas for two parts, the first one as business and the second one as Executive Session. Jan stated: "I would like to have it go into the Minutes that I think these are unreasonable, they don't follow order, that the meaning of special meetings is not covered by 9, 10, and 11 of the agenda."

3. **Residents' Time:** Cynthia Peters complained that the Association is not using Email to communicate with homeowners the way it was done prior to 2007. She stated that everybody in this community should have an Email list provided by the Association. She did agree that only those who gave permission to use their Email address should be on the list.

Tom Tye, owner of Lot #105, said he received a letter dated May 19, 2008 advising him that the San Ignacio Heights, Inc., HOA is not responsible for the landscape maintenance behind his fence lines because his lot lines extend past his fence lines. He asked the Board to help him find the location of his property line. Bill explained the reasons for sending the letter to Tom and said the Board needs Tom's help in determining his lot lines. Jan advised Tom to use the services of Lawyers Title in Continental Plaza to determine his lot lines. She further explained the reason why the letters were sent to property owners. The reason was that the workers assigned to maintain common ground in our Association thought that all land behind fence or wall lines was common ground. However, some property owners complained that the workers were trimming and cutting vegetation on their private land which happened to extend beyond their wall or fence lines. A survey was made and the Board decided that letters needed to be sent to 30 property owners including Tom.

4. **Approval of Minutes:** Approval of the Minutes of December 18, 2008 will be on the agenda for the Regular Board meeting scheduled for January 15, 2009.

5. **Jim Horton's Letter of 11/28/08:** Bill explained that Jim Horton, owner of Lot #134, objected to the letter sent to him on November 26, 2008 by the Association. Jim says he is not in violation of any of the rules, but he has switched to Green Valley Sanitation (GVS) and has suspended the service with Waste Management. Jim asked for a letter from the Board recognizing that he voluntarily suspended service with Waste Management and has returned to

service by GVS. **Jane moved and Bob seconded a motion that the Board send a letter to Jim Horton stating that the Board recognizes that he has voluntarily suspended service with Waste Management and has returned to GVS. Motion passed.** Bill will send the letter to Jim Horton.

6. **Trash Changes:** Bob Laine, contact person from the Road Committee, read a letter dated January 7, 2009, received from Vicente Cano, owner of Green Valley Sanitation (GVS) stating that GVS would like to increase pick up days to two times per week for trash and keep one time per week for recycling. Collection days would be: Trash: Monday and Thursday; Recycling: Wednesday. This would include a rate increase of \$1.00 per month or \$3.00 each quarter in order to cover increased costs. This would bring the monthly rate to \$12.00 and the quarterly rate to \$36.00. Trash should be placed outside homes by 8:00 a.m. on scheduled days. After discussion, Bob Mitacek agreed to utilize the Block Captain process to deliver announcements of the change in service by GVS and the new rate to all residents in the Association.
7. **Storage Rental:** Bill asked Jan if the storage unit in Amado is still being rented. She replied that the Association still rents that unit. **Jan moved and Marilyn seconded a motion to defer any further discussion and action on the storage unit to the Regular Board meeting scheduled for Thursday, January 15, 2009. Motion passed.**
8. **2009 Annual Meeting:** Jan explained that the agenda for the 2009 Annual Membership Meeting is already set and it is the same agenda that is used every year.
9. **Nominations to the Board:** Jan stated that she had nothing to report; however, she assured Bill that any résumé received in the Association post box by the deadline of January 10, 2009, would be honored and included on the ballot to be sent in the January 15, 2009 mailing. She reminded the Board members that persons wishing to run for election to the Board had from December 1, 2008 until January 10, 2009 to submit their résumés. When questioned by Bob, Jan replied that write-in votes and nominations from the floor at the Annual Membership Meeting are not permitted. Jan further reminded the Board that the January 15, 2009 letters to the membership need to be mailed on time. **Jan moved and Marilyn seconded a motion that all the nominations to the Board be sent to P O Box 526. Motion passed.** Jan explained that nominations found in P O Box 526 on Monday, January 12, 2009 would be accepted, however, no nominations or résumés may be hand delivered to Jan. They must be mailed to the Association's post box.
10. **Executive Session:** Bill announced that the Board was in Executive Session at 4:20 p.m. The Board came out from Executive Session at 5:27 p.m.
11. **Date of next Board meeting:** The next Regular Board Meeting is scheduled for Thursday, January 15, 2009, 3:00 p.m. at the Ramada.
12. **Adjournment:** The meeting was adjourned at 5:28 p.m.

Minutes submitted by:

Marilyn McClellan, Secretary
SIH HOA Board of Directors