

Q Mountain Vista HOA/Water Company
Board of Directors Meeting
Jan. 7, 2016 3:30 PM
Senior Center, 40 Moon Mountain Road, Quartzsite, AZ

Call to Order and Verification of Quorum Present:

Mike Glover – President
Nancy Winscom - Vice President
Margaret Cookston – Secretary
Cathy Siler - Treasurer
Jorge Cifuentes – Director

Minutes from Dec. 3, 2015 Open Board of Directors Meeting were approved.

Treasurer Report

Account Balances as of Jan. 6, 2016:

Water Company

Operating Funds =	\$26,109.08
Savings =	\$ 7,236.83
Total =	\$33,345.91

HOA –

Operating Funds =	\$15,860.10
Money Market Account -	\$10,089.62
HCB Road -	\$26,767.36
Total Checking/Savings -	\$52,717.08

Combined Cash-- **\$86,062.99**

Follow Up items from Dec. 3 and previous meetings:

- **REMINDER - Road Improvement Fund** Discussion on budget for road improvement is tabled until the water pipeline replacement issue is resolved.
 - **Discuss purchase of cold patch** - consensus was reached with the BOD and HOA members present to delay the purchase of cold patch and other road repairs until the water system repairs and/or replacement has been completed.

Update on Water System Infrastructure Replacement

- Still awaiting the Army Corp Of Engineers Report on Tyson Wash. Grant money is preserved and will be used to complete pipeline engineering once all requirements are met.
- In an effort to identify whether mass replacement of old meters has a positive impact to the water loss, a list of the subdivisions oldest meters has been comprised and President Glover proposed a methodical process to replace approximately 50 of them representing 20% of the meters. His proposal is to dig out the old boxes and hire Meter Services Incorporated to replace them all at once. Almost all of the meters needed have already been purchased, however, some valves are still needed. The cost to complete this replacement of meters and valves is approximately \$7,000. The cost could be reduced if work is completed ourselves.
 - The new meters will be compatible with the system when the water pipeline system is replaced and therefore, will not need to be replaced again.
 - The cost to recalibrate old meters either meets or exceeds the cost to of new meters, therefore, new meters will be purchased.
 - The meters meet standards in accordance with Arizona laws

- A tentative date of Feb .17 was set to begin with a completion date of Feb 19. and volunteers to help dig out old boxes was solicited. A list of the addresses where meters will be replaced is included with these minutes and those members whose address is designated to receive a new meter are welcome to dig out the boxes themselves. All help is appreciated. A sign-up sheet for volunteers to dig out the remaining boxes is available in the office.
- Past discussions have revealed that the present height of meters is a cause for concern regarding the life expectancy of the meters and they will need to be lowered during the pipeline replacement. Though a valid concern, President Glover believes that lowering the meters can still be accomplished with minimal cost and effort when the pipeline is replaced. Lowering meters prior to replacement may require the purchase of hardware on the meter and appropriate software for readings. Additionally, since we have not yet received an engineering report it is undetermined whether there is value or benefit to lowering the meters when the pipeline is replaced.
- Other options that may minimize the impact to financing the water pipeline replacement project are being explored but necessary details are not available to present to the Membership at this time.

Easements / Right of Ways -

Research of historical documents indicate that the Easements and Right of Ways granted for the residents living at the south end of the subdivision are for use of Cienega Ave. and Hagley Loop. The RV Park was given right of way to use all roads, and until or unless it is purchased by the HOA, access must be allowed.

Update on HOA Sign - All Quartzsite Town requirements have been met and the sign installation is nearly complete. Thank you to Bill Foote for his work and help with the installation of the base for the sign.

Traffic and Information Signs - Some of the old signs will be removed and replaced and new signs will be installed.

Update on CC&R Enforcement Letters

Letters requesting compliance with the CC&Rs for a variety of violations such as on street parking, weed removal, trash and/or debris removal and maintenance of homes were mailed to property owners.

- 37 letters sent year to date
 - 26 full compliance
 - 2 requested an extension of time
 - 1 pending payment of legal fees
 - 1 unresolved will be elevated to legal
 - 7 still within 45 day timeframe for compliance
- 9 Letters previously issued for delinquent HOA Dues more than 90 days past due totaling \$1,376.85.
 - 4 full paid
 - 1 paying installments

Leash Rule and Excessive Barking

Complaints have been received regarding pets left unleashed and unattended and have been observed depositing their waste on neighboring lots. Unleashed and unattended dogs are a risk to the HOA insurance and can't be tolerated. Association Members that rent their property are responsible for ensuring the tenants are aware of the CC&R's and their adherence to them. CC&R Enforcement letters issued for violations on any property will be issued to the property owner.

- **CC&R Article V Use Restrictions. Section 5.17 Animals.** No animals shall be kept on any Lot except a reasonable number house pets such as dogs and cats. Such house pets must be kept within the boundaries of the Lot or kept on a leash and accompanied by their owner when not on the Lot where they reside. Such house pets shall be kept solely as pets and not for pecuniary

profit or gain and shall be permitted only in such numbers and maintained and cared for so as not to unreasonably disturb the Owner of any other Lot by undue noise, odor, or otherwise. Notwithstanding the foregoing, no more than three such pets shall be kept on any Lot at any time. No pet will be allowed to waste upon any Common Area, street, vacant property, or any other Owner's Lot.

Complaints have also been received regarding stray and/or loose cats. Cat traps are available through the HOA office for any member wishing to use them to capture nuisance cats.

A Committee had been appointed to develop a fee schedule for certain CC&R Violations. No progress has been reported, therefore, the 2016 BOD will be asked to develop and enforce a fee schedule.

The CC&Rs were established in part for the purpose of enhancing and protecting the value and attractiveness of the property in our subdivision. The Board of Directors serves as the Governing Body of the Association and has the authority to allow temporary deviations to the CC&Rs when necessary. If a situation exists where special consideration is needed, contact the BOD.

Requirement to obtain Building permit

Improvements and/or structural changes to any lot must be approved by the BOD prior to beginning any project. Approval is required to ensure compliance with Quartzsite Zoning Ordinances and our CC&Rs. If approval has not been obtained, a homeowner may be required to remove the structure and/or improvement. Forms are available in the office.

- **CC&R Article V Use Restrictions. Section 5.5 Improvements and Alterations.** No Improvements, alterations, repairs, excavation or other work which in any way alters the exterior appearance of any Lot or the Improvements located thereon from its natural or improved state existing on the date such Lot was first conveyed or transferred by Declarant to an Owner shall be made or done without the prior approval of the Board of Directors, except as otherwise expressly provided in this Declaration. No building, fence, wall, or other structure shall be commenced, erected, maintained, improved, altered, made or done without the prior written approval of the Board of Directors. All subsequent additions to or changes or alterations in any building, fence, wall or other structure, including exterior color scheme and building materials, shall be subject to the prior approval of the Board of Directors. No changes or deviations in or from such plans and specifications once approved shall be made without the prior written approval of the Board of Directors. The Board shall have the right to refuse to approve any plans or specifications or grading plan which, in its opinion, are not suitable or desirable for aesthetic or other reasons.
- **CC&R Article V Use Restrictions. Section 5.3 Setback Lines.** No Improvement, building, storage room, structure, outbuilding, or appurtenance shall be located closer than fifteen (15) feet from the front property line, seven (7) feet from the side property lines and seven (7) feet from the back property line.
- **CC&R Article V Use Restrictions. Section 5.4 Structures.** No building, storage room, shed, structure, outbuilding shall exceed the roof height of eight (8) feet, and shall not exceed the size of twelve feet by twelve feet (12' x 12') without the prior approval of the Board of Directors. No such structure shall be used for sleeping or living quarters.

The CC&Rs have been amended several times since originally written and therefore, some things may be considered "grandfathered." Therefore, exceptions may be considered on a case by case basis and only with approval from the BOD.

A discussion regarding the placement of "temporary" versus "permanent" structures prompted further review of the CC&R and revealed that no such provision is allowed for. Setback lines outlined in Article V Section 5.3 clearly define where all structures must be placed. However, Article V Section 5.26 gave

exclusive power to the Declarant to make exceptions to sell the property and therefore, has resulted in the appearance of an inconsistent application of these restrictions..

Article V Section 5.26 Declarant's Exemption. The Declarant (including but not limited to its employees and authorized agents and Declarant's lender if it acquires Declarant's interest herein) shall, during the period of construction, development and sale of Lots, be exempt from these restrictions to the extent necessary for Declarant (in Declarant's sole discretion) to erect improvements and to develop and sell all Lots, including without limitation, the right to construct and operate sales offices, signs, parking areas and outdoor lighting and to do all other things relating to the foregoing.

Questions regarding zoning requirements specific to your lot may be directed to the Quartzsite Town Zoning Commission.

Yard Sale Signs

- o Thank you to those of you that are using the Yard Sale Signs. Signs are stored at the office and all members are encouraged to use them.

Clean up of the drainage lot adjacent to Spring and Apache Streets has been started and repairs have been made. Still exploring options for recouping expenses from State and options for concealing the view of their lot.

Questions/Comments from the floor:

What are the "Commons Area." The HOA Commons Areas are interpreted to be all property within the boundaries of Q Mountain Vista subdivision that are not privately owned or otherwise purchased by an individual. Examples include and are not limited to the roads, HOA Office lot, easements, drain lots, and property adjacent to an owners lot and the road. Further definition is available in the CC&Rs.

Will roads be paved following completion of water project? - Yes

Will water pressure be improved when new infrastructure is complete? - No

Suggestion to get survey for easements versus commons area of property.

Resident comment regarding weed growth on adjacent property. Wants to ensure rules are applied equitably to all lot owners. - This BOD has taken measures to address excessive weed growth throughout the subdivision. Some residents have acted quickly, others have resisted. The BOD is following the provisions in the CC&Rs to enforce compliance.

Commons areas are responsibility of lot owners to keep weed free. A common sense approach to maintaining them could be to lay decorative rock and spray with weed killer regularly. Another approach is to spray the lot with weed killer when the weeds have been removed. Both methods will keep the lot weed free for several weeks to several months and do not require a lot of physical work.

Petition regarding White House is available for signature until close of meeting.

Survey data is still being compiled. Due date for submission was Dec. 31.

Rock Fiesta - The BOD met with the attorneys and exchanged information with the Promoter and at this time it appears that measures are in place to protect the residents and property in the subdivision.

Adjournment