

**Q Mountain Vista HOA/Water Company  
Board of Directors Meeting  
Aug. 6, 2015 3:30 PM  
Senior Center, 40 Moon Mountain Road, Quartzsite, AZ**

**Call to Order and Verification of Quorum Present:**

**Mike Glover – President  
Cathy Siler - Treasurer  
Margaret Cookston – Secretary  
Jorge Cifuentes – Director**

**Not Present - Nancy Winscom – Vice President**

**Meeting minutes from May 4, 2015 Open Board of Directors Meeting were approved**

**Treasurer Report - As of July 31, 2015:**

Water Company –

Operating Funds = \$31,598.01

Savings = \$6,753.68

Total = \$38,371.69

HOA –

Operating Funds = \$30,150.98

Money Market Account - \$10,084.53

HCB Road - \$23,761.14

Total - \$63,996.65

**Follow Up from May 4, 2015 BOD Meeting**

- **ACTION:** Mike Glover appointed Nancy Winscom as Committee Chairperson to research and identify the number of property owners unable to physically or financially maintain the commons area of their lot, the area needing maintenance, and the anticipated cost for the HOA to provide this service. The information was requested to be presented at the next BOD meeting.

**Due to the absence of Nancy Winscom, the issue is tabled until the next BOD meeting.**

**REMINDER - Road Improvement Fund** Discussion on budget for road improvement is tabled until the water pipeline replacement issue is resolved.

**New savings account for Water Co.**

As a result of receiving several refunds from the State of Arizona Tax Commission, Mike Glover and Cathy Siler inquired with the agency and made multiple visits to their office to determine the validity of the refunds. The visits revealed that the Transaction Privilege Tax (TPT) assessed to the water users has been incorrectly calculated for many years. Mike and Cathy Siler amended 4 years of monthly tax returns and recovered \$6,753.68 in over assessed tax. The funds will remain in the savings account until a legal determination is made for the distribution of the funds.

**Increase in HOA Membership Dues**

**Resolution 1507 to approve** an increase in HOA Membership Dues by \$4.00 monthly or \$48.00 annually for an amount less than 20 percent of the current membership dues was passed by unanimous vote. The increase will become effective Jan. 1, 2016.

**COMMENTS** – A question was raised whether or not the dues can be increased without a vote of the membership. **ANSWER** – increases less than 20 percent of the current membership dues does not require a “Special Assessment Meeting” for approval by the Association Members. Increases can only be requested

once annually. Frustration was expressed that although dues are increased there are no amenities for the members. The frustration is recognized and shared by the Board.

### **CC&R Enforcement Letters**

Even though the requirements regarding weed growth, parking on the street, excessive clutter, requirement to obtain building permits, etc., has been an agenda topic for Open Board Meetings consistently throughout the last several years, it has become necessary for the BOD to issue formal letters of enforcement in an effort to bring violations into compliance with the CC&Rs. The initial cost for the issuance of one letter may include a photograph of the violation, proof of financial responsibility (property profile from County Assessor) operating costs such as ink, paper, and postage often totaling \$25. The BOD has already sent several of these enforcement letters and to this point, is pleased with the response. However it must be noted that once this expense has been incurred, and the property brought into compliance, the cost is not recovered. Issuance of the letters will continue and will initially target chronic and egregious offenders.

- **Process and adversity imposed when not in compliance** - The process is lengthy and can be costly. If the violation goes unresolved and the BOD is forced to take corrective action, a court proceeding could allow for the BOD or its agent to retain a licensed professional contractor to remedy the situation. State laws governing HOA's no longer allow for imposing fines for non compliance, however, our CC&R allow for the recovery of costs associated with enforcement including administrative costs as identified above, costs incurred to remedy the offense or violation, legal fees, property lien filings, etc. that will be imposed.
- **Members not in compliance at time of BOD elections will not be issued a ballot** – In accordance with Article II Property Rights; Section 2.1(b) Association members that are not in compliance with the CC&R which includes being current on HOA dues and Water bills will have all voting privileges suspended until brought into full compliance. **NOTE – a member is not required to have received a letter of non compliance to be considered in non compliance with the CC&R. It is the responsibility of all Association Members to be familiar with and in compliance with the HOA CC&Rs.**

**Resolution 1508 to approve** release of funds of unspecified amount not to exceed \$3,000.00 for the purpose of providing legal assistance to enforce compliance with HOA CC&R for the remainder of calendar year 2015 was passed by unanimous vote.

**COMMENTS** – A question was raised whether or not we can pursue enforcement with properties outside of our subdivision. **ANSWER** – The HOA CC&R are only applicable to Q Mountain Vista and do not govern properties outside of the Association. Issues related to property outside of the HOA jurisdiction must be raised with the Code Enforcement Officer at the Quartzsite Town Office. Any observation of criminal activity should immediately be reported to the local police department.

**QUESTION** – will letters be issued to winter visitors who have been away from their property for 6 months?

**ANSWER** – Properties determined to be in violation will receive a letter. Attempts will be made to exclude those that have been cleared of weeds within the last year. Mike and the other Board Directors have been in Quartzsite for all or most of the last 9 months and are aware of those properties that were cleared of weeds that may now have growth as a result of the spring and summer rain. Property determined to be in violation may include visitors that are only present during the winter, but may not have cleared the weeds from their lot or adjacent commons areas for more than 1 year.

### **Update on HOA Sign**

A delay was encountered regarding the permit, however, Mike is working with the Planning and Zoning Office to obtain the proper permit.

### **Update on Water Pipeline Upgrade/Replacement Project**

As we near completion for the release of funds for the engineering phase of the project, Mike will begin to coordinate and meet with Government and Private officials to obtain long term financing and design the process for re-payment of the funds that will be needed to conduct the capital improvement for this project. The goal is to secure the necessary money to complete the project while maintaining a fund for operating costs and create a saving for future capital improvements.

**Resolution 1509 to approve** Michael A. Glover, President as the representative to act on behalf of the Q Mountain Vista Water Company and Board of Directors to meet with private and or government entities to initiate and complete a rate structuring mechanism that will provide the necessary funds to complete our pipeline upgrade/replacement project was passed by unanimous vote.

**COMMENTS** – A question was raised whether or not a grant can be obtained to assist with costs. **ANSWER** – there are several agencies that are willing to and have offered assistance to research funding options. Mike has contacted several federally funded programs and state and private entities and is working closely with them to get the best financing available. If there is potential for grant funding, it will be pursued.

### **New HOA/Water Employees**

Cindy Church terminated her employment with Q Mountain Vista HOA/Water on June 30. The BOD has conducted interviews to fill the position. There are 3 applicants that are qualified for the position. Two positions will be filled on a probationary basis for 90 days and will be converted to permanent upon completion of the probationary period.

Director, Jorge Cifuentes recognized that there may be a perceived conflict of interest with the employment of his son and stated there would be no preferential privileges extended to him because of this family relationship.

**Resolution 1510 to approve** the employment of Ms. Alexis Ashley as Lead Office Assistant was passed by unanimous vote.

**Resolution 1511 to approve** the employment of Mr. Jorge Moreira as Office Assistant was passed by unanimous vote.

**UPDATE – Jorge Moreira declined the offer of employment.**

### **Office Computer Malfunction**

A computer malfunction has resulted in the loss of membership email addresses. There may be another request for updated email and mailing addresses soon.

### **Letter and thanks to Marie Tarpley**

Marie Tarpley was recognized by the BOD for her initiative to improve the aesthetic quality of the commons areas located on Falcon St. Marie independently cleared the weeds from 6 properties along the street. THANK YOU, MARIE!!

### **Board of Directors**

The BOD wants to encourage Association members to deploy their knowledge and skills on a voluntary basis for the purpose of improving the Q Mountain Vista HOA. Positions are voluntary and Directors should expect to be active in the overall function and business of the Association. Board members are not allowed to accept pay for their position on the Board, however, reimbursement for expenses is allowed.

### **OPEN FORUM**

Concern was raised that the July HOA and Water bills were mailed individually when in the past they have been combined into one envelope. The BOD noted the mistake and assured the membership that the new Office Assistant will be trained to combine mailings where possible.

The cost associated with postage is acknowledged as a significant operating expense for the HOA. The potential for mailing HOA and Water bills using post card rate was explored through the Post Office early this year. A “post card rate” is no longer available through the Postal Service. To receive this rate, the HOA must obtain a contract with an approved provider, purchase required equipment and pay monthly fees and associated postage costs. Therefore, it was determined that this service is not cost effective for our HOA.

**NOTE** – Most financial institutions offer on line bill pay or electronic bill pay that is available to submit your HOA and Water bills. Use of this service would reduce administrative costs associated with processing these payments; therefore, you are encouraged to explore these options with your financial institution. Horizon Bank

of Quartzsite provides a computer for personal use by its members. The Library also provides a computer for personal use.

\*\*The BOD will research the availability of paperless billing through the HOA/Water billing vendor.

**Dennis Kuehl – Guest speaker**

Desert Gardens will be hosting a Latin Music Festival March 18/19, 2016. The event will require the installation of a temporary fence that will run south from Kuehn Rd. to Q Mountain at the border of Desert Gardens and BLM land. A previous request by the event organizer to use our roads was withdrawn.

**Motion to Adjourn by Mike Glover**

**A second by Cathy Siler**

**Meeting adjourned**

***Change is a stepping stone to success...***