

**STONEGATE COMMUNITY ASSOCIATION  
11551 E MOUNTAIN VIEW ROAD, SCOTTSDALE, ARIZONA  
BOARD OF DIRECTORS MEETING  
JULY 26, 2018**

**APPROVED MINUTES**

**Present:** David Allen, President  
Jim Bissonett, Vice President  
Tom Schaefer, Treasurer  
Carolyn Norris, Secretary  
Nancy Ford, Director  
Craig Zirbel, Director

**Absent:** Luc Ducrocq, Director

**Staff:** Larry Paprocki, Director  
Catherine Bryson, Communications

**Also Present:** Tradewinds Residents

**CALL TO ORDER**

President Allen called the meeting of the Stonegate Community Association Board of Directors to order at 6:00 p.m., noting the presence of a quorum.

**RESIDENTS' FORUM**

Jeff Gruber, Tradewinds, expressed his concern regarding the height of a homeowner's unattractive hedges on Sorrel Lane. He advised that the homeowner next door feels they got termites because this house is like a jungle. He reported this same homeowner in Tradewinds is feeding the pigeons and providing water to the wildlife. He further reported that this is a major issue because of the number of animals coming into the neighborhood because food and water is being provided. He added feeding and providing water to the pigeons and wildlife is uncalled for, not healthy, unsanitary, and this issue needs to be taken care of as soon as possible.

Mr. Gruber inquired about the protocol for lights on the front of houses and if the Association checks the houses to ensure all lights are on. Mr. Paprocki advised a member of the maintenance crew does a drive of the neighborhoods once a month. Mr.

Gruber stated the lights on this particular house have been out for a minimum of two months.

Mr. Gruber stated he would recommend putting flowers in front of the structures in each section where the names are. He further stated that the appearance of the common areas is terrible because there is so much dead grass. He suggested removing grass and putting in artificial grass.

Mr. Gruber stated he would also recommend putting GPS in Stonegate vehicles.

Mr. Gruber stated he felt the community needs better management. He further stated there are residents who are willing to help manage. He further stated he would like to see Stonegate managed like it was 20 years ago.

Mr. Gruber expressed his concerns regarding the cleanliness of the pool.

Jeri Siegel, Tradewinds, stated the landscaping is horrible and it is embarrassing. She further stated that instead of continually replacing the plants we need to make sure the plants are getting water. She added that she does not mean to be disrespectful but do your job.

President Allen thanked Mr. Gruber and Ms. Siegel for their comments and advised the Board will discuss the issues and come to a resolution to improve the situation.

## **MINUTES**

### **May 31, 2018, Board Meeting**

Ms. Ford moved the Board approve the May 31, 2018, Board of Directors meeting minutes as presented. Seconded by Mr. Bissonett. The motion passed unanimously.

## **TREASURER'S REPORT**

Mr. Schaefer reviewed the Association financial statements, as prepared by Association staff, for the period ending June 30, 2018. He advised that he has reviewed the bank statements and they are in order. He responded to questions and comments from the Board members regarding the financials.

Mr. Bissonett moved the Board accept the Treasurer's report. Seconded by Ms. Ford. The motion passed unanimously.

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Paprocki provided an update on A.R.S. 1803. He reported the Arizona Supreme Court voted against the Turtle Rock decision made by the Appellate Court. Pursuant to Rule 111 of the Arizona Supreme Court Rules, a non-published opinion is not precedent.

It is always inappropriate to cite an unpublished opinion or any portion of that opinion. He further reported that Stonegate's legal counsel Carpenter, Hazelwood, Delgado & Bolen is advising their clients the Turtle Rock III is not in effect.

Mr. Paprocki provided a 10-Day Notice Letter Update. He reported the Board decision and correspondence, email exchange, and three photographs provided by the homeowner were included in the Board packet regarding homeowner, Retreat Lot 98. The homeowner is in partial compliance and feels the fines should be waived. He further reported the homeowner failed to exercise their rights, which were provided to them.

The consensus of the Board is the homeowner needs to be in total compliance. The assessed fines will continue.

Mr. Paprocki reported regarding homeowner, Retreat Lot 90. In the correspondence dated July 2, 2018, five fineable issues had occurred that were stated and a completion date of July 17, 2018 was given. He further reported work is continuing and he would estimate at approximately ninety percent completion.

Mr. Paprocki responded to questions and comments regarding this property. The consensus of the Board is to direct Mr. Paprocki to proceed and impose the fines.

Mr. Paprocki reported regarding homeowner, Saddleback Lot 60. This property has been abandoned by the owner. The assessments are four months delinquent. He further reported that he has spoken to the owner on two occasions to discuss assessments and maintenance. It was expressed they abandoned the property due to health care financial hardship and their lender was informed of the situation. He stated the lender has been contacted, who indicated they were unaware of the status of the property.

Mr. Paprocki advised the water was turned off at the meter. When Stonegate Community Association turned the water on, at least four leaks existed in the front yard and more in the back. He asked maintenance to make the necessary repairs. He further advised that since the water was turned off and Stonegate Community Association does not have access to the house, SCA would isolate the water supply from the house and direct the water to landscape only. If SCA gains access to the house and can verify if it is safe to turn the water on, SCA will do so and will perform routine checks.

President Allen stated he felt the Association should start foreclosure based on the homeowner's delinquent assessments in order to protect the Association.

Mr. Paprocki responded to questions and comments from the Board members regarding this property.

On the direction of the Board, Mr. Paprocki advised he would contact the Association's lawyers and start the foreclosure process.

Mr. Paprocki reported that sixty palm tree compliance 10-day notice letters were sent and approximately two-thirds have responded, and should be resolved shortly. He further reported that the 20 plus remaining properties did not respond. He is recommending a \$150.00 fine to each homeowner per the Stonegate Community Association Fine and Collection Policy, which requires the fine to be paid, and the property brought into compliance or their access control devices will be turned off. The homeowner would gain access into the community via the main gate and guest lane.

Mr. Paprocki reported PMIS inspected the Retreat Street sealing work and submitted a punch list to our contractor Pinnacle. All punch list items have been addressed and the project is complete.

Mr. Paprocki reported that someone ran into a resident's car and did not leave a note and nobody knows who it was so the resident came to the Association for help and was advised it not the Association's responsibility.

Mr. Paprocki reported Butler Roofing has re-roofed the following: Recreational Area, two small Ramadas, one large Ramada, pool equipment/bath house building, Main Gate, and East Gate building, and the small Ramada at the Retreat tennis courts. He further reported the roofing project is complete.

Mr. Paprocki reported the East Palomino Landscape Enhancement at the subdivision entryways for Tamarack and Windemere water systems have been replaced. Lateral water lines will be replaced in September and October. New plants will be added in October. He further reported afterwards, granite would be refreshed. The project will be complete no later than November. He added that this is an on-going project.

Mr. Paprocki reported that three bids were obtained for the Stonegate Circle and Regal Intersection speed tables. The three bids were reviewed and discussed by the Physical Property Committee and the Finance Committee.

Mr. Paprocki responded to questions and comments from the Board regarding the intersection speed tables.

James Eaneman, Regal, stated that he is here on behalf of his neighbors and he would like to bring up an issue of public safety and speed control. He further stated that the consensus is that excessive speed is a significant problem and safety issue in the Regal. He advised that they are in favor of the proposed speed tables being approved and installed. He further advised he would appreciate the Board making the decision tonight. He noted that he appreciates all the responsiveness and efforts by Mr. Paprocki to look for a solution.

Ms. Ford moved the Board approve the full bid submitted by Pinnacle Paving for the Regal Roadwork and striping of Stonegate Circle in the amount of \$14,945.00. Seconded by Ms. Norris. The motion passed unanimously.

Mr. Paprocki reported there is an unplanned Reserve expense for the Community artwork bronze statues. He further reported that Joe Lindsay of Sculpture Smart provides restoration service throughout the valley, to city of Scottsdale and SCA, for the last 20 plus years. He has time in late September or early October. He advised the annual cost has varied from \$900.00 - \$1,200 depending on condition. The work to be done is a full restoration, which includes sand blasting, metal fatigue repairs if required, and full patina restoration. The cost is \$9,000. He further advised this restoration work was done approximately 15 years ago. This restoration work will help preserve our bronze statues with annual touchups for another 15 years.

Mr. Paprocki responded to questions and comments from the Board members regarding this request.

The consensus of the Board was to direct Mr. Paprocki to do research and seek out a competitive bid.

Mr. Paprocki reported the chipper needs to be replaced. He further reported the Stonegate Community Association purchased a 2009 Model BC 600 chipper in the amount of \$18,178. This equipment needs to be replaced due to growing maintenance cost. In the past two years, the repair costs have been \$4,278.63. This equipment is down for repairs. The estimated repair cost is \$5,448.53. A 2018 BC 700 base cost is \$16,272.00, plus a three year extended maintenance plan \$3,131.00 less trade in value and customer loyalty \$1,425.44 plus tax for a total cost of \$19,803.68. He advised that this equipment is used at least three times per week. It reduces the number of trash pulls when you can fill the containers more completely. Each dumpster pull is \$350.00.

Mr. Paprocki responded to questions and comments from the Board regarding this request.

The consensus of the Board was to direct Mr. Paprocki to do some additional checking but authorize the purchase up to a specific dollar amount.

Ms. Ford moved the Board approve the purchase of a chipper up to \$20,000.00. Seconded by Mr. Schaefer. The motion passed unanimously.

Mr. Paprocki reported Stonegate Community Association uses Cox for the following services: telephone, Internet, and TV. The monthly charge is \$1,589.44, which includes \$251.13 in fees. He further reported that he has met with a Cox representative and they have offered a reduction of approximately \$380.00. He stated that he believes we can reduce the charges another \$100.00 - \$150.00. The Cox representative was unable to meet with him again until next week. He further stated that he is confident we can get the additional reduction, which will lower SCA monthly cost by one-third. He added this matter was brought to the attention of the finance committee at its last meeting.

Mr. Paprocki advised that a Belcourt resident is concerned with air traffic noise and feels increased seasonal traffic noise will occur. Ms. Norris stated that the information regarding the flight path is included in the home disclosure.

## **EXECUTIVE DIRECTOR'S REQUESTS**

Mr. Paprocki reported that after careful review of the City of Tempe's city ordinance regarding excessive feeding of wildlife, especially birds, and careful review of Stonegate's CC&R's, he believes we can draft a rule supported by our existing documents. He requested the Architectural Committee be instructed to draft a rule for Board approval.

After a brief discussion, the consensus of the Board was to forward the Tempe Ordinance to the Architectural Committee for review and the next step would be to create a rule that can be enforced.

Mr. Paprocki requested the Board direct CC&R 7.2 titled Lots to the Architectural Committee to draft specific landscape maintenance standards for Board review. The criteria should include groundcover, shrubs, and trees encroaching neighboring property. He reported the standard for trees should not be enforced by SCA but to remind homeowners of their maintenance obligations. He further reported that State law provided for neighbors dispute.

Mr. Paprocki reported the Architectural Committee has requested a legal review regarding APS solar panel lease program. He further reported the request received appears to be a commercial venture and he supports the review.

Mr. Paprocki responded to questions and comments from the Board regarding this request.

President Allen stated the Board could take the opinion that this is a commercial activity, but would suggest obtaining a legal opinion to determine whether it would be within their right to deny this request.

Mr. Zirbel moved the Board authorize up to \$500.00 to obtain a legal opinion whether the Board is within their right to deny the solar panel request. Seconded by Ms. Norris. The motion passed unanimously.

Mr. Paprocki reported there have been personnel changes with two landscape employees being terminated for cause. He further reported that he requested that two irrigation techs be used. He advised the extreme heat, lack of rainfall and eight mainline breaks in the last 90 days have cause havoc on our landscape including our turf area.

Mr. Paprocki reported the weekend part-time employee accepted a full-time position and was no longer available to work on Saturday. He further reported that he is recommending the office be closed for the four hours on Saturday. He stated that he has

checked with other Community Associations and found they do not provide weekend coverage.

Mr. Paprocki responded to questions and comments regarding this request.

The consensus was to delay hiring a part-time employee until 9/15/2018.

Mr. Paprocki provided information on the tennis court expert who works with the City Of Glendale. He stated he would suggest hiring this person as a consultant to assist with the tennis courts.

Mr. Paprocki responded to questions and comments from the Board members regarding the expert.

The Board authorized Mr. Paprocki to spend \$400.00 to hire the consultant to review the tennis courts and provide his opinion.

Mr. Paprocki reported that a homeowner has quick claimed a property multiple times to multiple buyers.

President Allen stated there are at least two transfer fees that need to be paid.

### **COMMITTEE REPORTS**

President Allen noted the Committee reports were included in the Board packet for Board members review and comment.

### **DISCUSSION / NEW BUSINESS**

Ms. Ford commented at the last meeting it was stated that the community website needs a facelift and she wants to ensure this happens. Ms. Norris stated that she has agreed to assist with this matter.

A Tradewinds resident expressed his concerns that 117<sup>th</sup> Street is a speedway. He stated that his other concern is our grass, and he would suggest the Board take another look at putting in artificial grass. He noted that the cost of water will be going through the roof. He further stated that there are a lot of dead birds in his area and he feels the Board should do something about this.

### **ADJOURNMENT**

Mr. Bissonett moved the Board adjourn the meeting at approximately 7:50 p.m. Seconded by Mr. Schaefer. The motion passed unanimously.