Woodland Valley Ranch POA

# Board Meeting Minutes

# August 29, 2015

## Call to Order

The regular meeting of the Woodland Valley Ranch POA Board was called to order at 10:15am on August 29, 2015 at Chandler, AZ by Board President Dean Rachwitz who presided this meeting.

## Present

Dean Rachwitz-President

Zolin Moses -Vice President

Bonnie Tormohlen-Secretary

Gary Bowers-Treasurer

Anne Fesler-Butts-Member at Large. A quorum of directors was present, those present arrived on time and the meeting duly convened.

**Number of Members in Attendance:** 5

## Approval of Minutes

The minutes of the June 23, 2015 annual membership meeting held in St Johns, AZ were read and approved as submitted.

## Report of Officers, Directors and Committee Chairs

Treasurer’s Report- Gary Bowers provided a review of the WVR POA financial highlights, income and expense analysis. After some discussion regarding the road sign budget, the treasurer’s report was approved as submitted.

**Open Issues/Discussion Topics:**

1. Bonnie Tormohlen gave an overview of the Apache County “N” number system. “N” numbers are county assigned numbers appointed to sections of non-maintained roads in the county and used by emergency services to locate the road closest to your property. It is a member’s responsibility to clearly post information at your driveway for emergency service personnel to locate your property. It was agreed that Bonnie will provide the Apache County Sheriff’s Office with the most current copy of the WVR map.
2. As this was the first Board meeting of the newly elected Board, President Dean Rachwitz gave assignments to the Board members for 2015-2016.
3. The Board had some discussion regarding the current status of the mapping and sign project headed by Zolin Moses. Zolin has completed a thorough list of all roads in WVR and documented all those that will need signs and/or posts as the project progresses. Some members expressed a desire to post their own additional signage with county “N” numbers for their roads. This is a matter to be discussed with the county (to obtain specifications for such a sign) and with Zolin Moses regarding placement/attachment to existing sign poles.
4. A brief discussion and clarification of certain portions of the WVR Bylaws was had to address some issues brought up by Board member Anne Fesler-Butts. In summary, the Bylaws cannot be amended without a majority vote of the WVR membership.
5. Zolin Moses presented an update regarding the courtesy well at WVR. Zolin received conflicting information from two different well companies regarding why the well is not pumping enough water. One company states the well needs more solar power and some parts, the other company (who supplied the current pump) states the pump is only rated for 2.2gpm and recommends a larger pump. At this point, Bonnie Tormohlen questioned why the current pump’s gpm as stated by the supplier is inconsistent with the gpm listed on the well registration documents. A copy of those documents was provided to Zolin. The Board determined that at this time, the discussion regarding the well would have to be tabled until Zolin can determine what the actual gpm of the pump is. Zolin projected he would need 2 more weeks to sort the issue out. The Board also agreed that member Steve McMahill will hold a spare key to the well enclosure because of his proximity to, and knowledge regarding the well.

**The meeting was adjourned by President Dean Rachwitz at 11:50am for a break, and reconvened at 12:05pm.**

1. Member Jim Lowden was present in the audience and this being the time set aside to further discuss his complaint regarding the closure of Rosie Rd and the legal opinion offered by counsel for the Board, discussion commenced. Board member Gary Bowers read some of the highlights of the legal opinion given by counsel. In summary, while some interpretation of the WVR CC&Rs is necessary, a judge would ultimately have the final decision in any action brought before him regarding the matter. The WVR Board of Directors does have the authority to close roads in WVR under certain conditions, and has the authority to determine what the “necessary and appropriate” level of maintenance is for the WVR roads. A.R.S 10-3830 is the cited authority for the Duties of Directors. In the opinion of counsel in this matter, the Board acted reasonably when deciding to discontinue maintenance of Rosie Rd. and create an alternate route.

Currently, Mr Lowden has taken it upon himself to clear the Blanco wash which crosses Rosie Rd and make is passable for himself and a handful of his neighbors. The Board has previously determined that owners wishing to traverse this area will do so at their own peril.

Gary Bowers motioned that the Board choose one of three options regarding the Rosie Rd issue, to wit: 1) Maintain status quo; 2) Create a new road on the north side of the wash. This assumes the owners of the affected properties on that side agree to such action; 3) Resume annual grading of the road and wash, make necessary repairs, but reserve the right to not maintain the area during monsoon activity.

Prior to any vote, members were invited to speak. At this time Mr Lowden stated that he preferred to just drop the matter. With no other comments offered, the Board voted to maintain the status quo and leave Rosie Rd closed with 4 ayes and 1 nay vote. RESOLVED: Rosie Rd will remain closed to through traffic. Anyone traversing this road will do so at their own risk.

1. Anne Fesler-Butts recommended that a link for the road contractor’s website be provided on the ranch website. The Board agreed with the proviso that such a link is prefaced with language noting that the contractor’s site provides examples of road maintenance activities provided by the contractor’s company.
2. Discussion was had regarding the road contractor’s request to change his contract period from November 1 to October 31 rather than the current January 1 to December 31 period. This request is made to afford the contractor more favorable weather conditions to complete his contracted duties on time. Treasurer Gary Bowers reported that there shouldn't be any additional cost to the POA as a result of this change; however, further examination and analysis of the new grading contract (when available) and the WVR POA budget will be necessary. Due to time constraints, it was decided to table this discussion for a later time.

**Open Forum/Q&A**

**Q.** Having heard about vandalisms and thefts occurring at the ranch, a member wanted to know what part of the ranch most of these were occurring at. **A.** To the Board’s knowledge, most of the thefts and vandalisms have occurred on the north half of the ranch.

**Q.** How many full time residents are at the ranch? **A.** Anecdotally, about 30-40.

**Q.** How many lots remain unsold? **A.** Unknown

**Q.** Does First United Realty pay dues on the properties they hold? **A.** No. They are not required to per the CC&Rs.

## Agenda for Next Meeting

To be announced.

**Executive Session**

No Executive Session was held.

## Adjournment

Meeting was adjourned at 1:48pm by Board President Dean Rachwitz. The next regular meeting of the Board is to be announced and will be held in St Johns, AZ

Minutes submitted by: Bonnie Tormohlen-Secretary

Approved by Board: November 7, 2015