

TVPOA Board Meeting

November 15, 2023

3:30 PM

Tubac Community Center

Present: Steve Page, George Renz, Torry Johnson, Steve Morris, Maggie Steffan, Connie Schmitz

Guests: Barb Mecum, Nan Fitzpatrick, Bob Maurer, Sandy Johnson, Paula and Alejandro Hidalgo

Absent: Bob Klosek, Tracy Johnson (administrative assistant)

Members:

1. Call to Order and Call to Members

Steve P called the meeting to order at 3:35. He welcomed members and explained rules of guest participation.

2. Secretary Report

Connie had previously circulated the September 13 meeting minutes to BOD members and all edits and corrections were made. Torry's motion to approve was seconded by George and carried unanimously.

3. Treasurer Report

Torry presented a Cash Flow Statement for the POA checking account. The ending balance is \$213,911.79. This includes a CD valued at \$102,508.95 as of 9/30/2023. She highlighted a number of items from the spreadsheet. In terms of revenue, we received \$900 in late HOA dues for 2023. We also received \$3,450 in architectural review fees (only one invoice is outstanding and Steve M will follow up) ; \$250 from our first HOA Release Package (note: changes were made at our last BOD meeting to charge for this package); and \$75 in bank interest. As for expenses, Tracy's fee was slightly higher for this period (\$1,194.89) due to the amount of time she has spent working on the new website. Attorney costs amounted to \$2,151.24 for C&R enforcement. We paid our supervising architect \$2,100 for his time; \$450 for roadside clean-up, \$2,500 to our website designer; and \$60 for fees related to liens placed on five owners who have yet to pay their 2023 dues. By far the greatest expense was for road work: \$24,932.86. Patching and repair in 24 spots have been made in preparation for "chip and seal" improvements in 2024. Lastly, Torry said we have a favorable interest rate (5%) on our new CD. Steve M's motion to accept the Treasurer's Report was seconded by George and carried unanimously.

4. Report on Web Site Development

As reported by Torry, a pre-meeting with BOD members and website contractor, Kristin Miller, went well. Kristin gave a live demo of the new site. Aside from having good looking

videos and photos of our neighborhoods, the new site provides mechanisms for property owners to pay annual dues online (as reported at our last meeting). Our goal is to roll out the website by the new year and showcase it at the annual meeting in February. We want to have as many property owners paying online (e.g., via credit card, Pay-Pal) as possible. To further that goal, the website will have video and written instructions on how to submit payments. Steve P said the new technology for invoicing, collection, and payment of dues has tremendous potential for administration, but overall, the website can also promote communication with and among members, and help develop a sense of community. There will be a place for Nan to post newsletters. Members can create profiles, turn on “notifications” about community events, and post messages. The website will also make it easier for people to access important documents.

5. Road Report

George handed out a chart showing a timeline of the road committee’s projects, tasks, and decisions points for November, 2023 – March, 2024. It covers plans for “chip and seal” paving; steps to address driveways with swale incursions; wash erosion repair; and the “Kennedy ponding” problem. George said the key element that really ties everything together has been the Tucson-based engineering firm and consultant working with him and committee member Tom Orr. The firm, and especially the main guy, “knows a lot about roads and has been excellent.” George’s goal is to have a budget before year’s end to refine work schedules for 2024. The road committee will be working with Steve M on incursion problems that impact drainages on POA roads. He said they have more repairs to do along Belderrain. He is looking to the consulting firm for help with solving the “Kennedy ponding situation.” Steve P reminds us that we are responsible for 100% of roads except Otero from the frontage road arch entrance to the golf resort; for this obligation, we cover only 25% of maintenance costs. When asked whether we have started the conversation with the resort on their maintenance plans, Steve P said he had been waiting until we get a handle on the cost per mile. That said, he still intends to introduce the topic to resort.

6. Discussion / Resolution of Balderrain/Baldarrain/Belderrain/Belderain/Beldarain street name puzzle

Maggie said a lot of research had been conducted since the last meeting regarding the most historically accurate spellings [of the Spanish captain who was the first head of the Presidio]. Based on the evidence collected, it is most likely “Beldarrain.” She says a majority of the residents living on the street had previously said they preferred “Belderrain” over “Balderrain.” She proposed sending a new email to residents explaining the research on what appears to be most historically accurate. She said the decision really seems to be one of “historical accuracy” vs. “convenience of keeping things as they are.” No matter which name is chosen, we will have to register the name with the county, as they currently have conflicting names, some of which are “Balderrain.” Torry seconded Maggie’s proposal. George approved of the proposal. Steve M said if the name does change, vendors like

Amazon will eventually “catch up” and street deliveries shouldn’t be that much of a problem. Later in the meeting (when asked), Barb Mecum (street resident) said she “liked Maggie’s proposal.”

7. Status Report in re street signs

Maggie showed the three prototypes she had received from the signage company: one made of metal (which we had previously rejected); a composite with a font which got bad reviews at our last meeting; and a composite with a new font designed to look like our current font. The sign company is “ready to go,” is on hold for our decision; the price is \$15,592 and they won’t start until January.

Steve P said he had received some feedback from a few residents about why we are spending this much money on signs. One suggested we just replace the handful of missing signs in wood (like our current signs). Steve said he knew a local woodworker who could do that. If we did that, we could hold off remaking all new 64 signs until the Belderrain / Beldarrain name is settled. Maggie prefers to have the company start in all the signs at the same time: some are in “really bad shape and hanging by one hook – may come down the next time the wind blows.” She was not comfortable with a local wood worker; attaching the signs to the post “has to be done right, and we need them to last a long time.” Torry said when Maggie started her search no manufacturer was willing to make the signs out wood. Steve clarified the suggestion to use a local woodworker was for only three missing signs. Referencing an earlier idea, Maggie said it was a waste of money to have the sign company make two versions of Belderrain / Beldarrain. Torry thinks we could get quick turnaround to the email Maggie proposes to send to residents who live on the street.

Steve P then asked: “Are we ready to spend the money?” Connie said we have talked about this a lot in previous meetings and “is ready to spend the money.” George said the research on the name spelling “has been amazing” and has “gotten us this far.” Steve M said “these signs are our brand; they are a real selling point for our HOA, and we need to do it.” Maggie said she could not find a cheaper way, and there aren’t that many vendors out there. She added, “we may want to think about repainting our stanchions, some of which are pretty beat up.” Steve M said there are people in community who can spray paint; he doesn’t expect this to be a big problem. George said it might be good to repaint before hanging the new signs. Maggie will try to get a quote from the sign company on painting. Steve P feels repainted signs, along with our new road maintenance projects, will do a lot to improve our HOA. Roads will cost us half million; in the greater scheme of things, the cost of the signs is not that expensive, as they will last 20-30 years or more, and amortized over time. To conclude the discussion, Steve P made a motion to spend \$15,592, and to authorize Maggie to complete the project after getting feedback from the residents. George seconded the motion, which was unanimously carried.

8. Architectural Committee Report – Pending enforcement actions

Steve M reported that this has been a very busy period for the AC. He reported on six issues.

- a. A new house building inquiry was received by Arturo (supervising architect) from a private husband/wife company in Dove Mountain/Tucson. They offer contractor consulting services, interior design and development services. The husband has also done developments of 5 to 30 houses. This husband/wife team bought two lots on the northwest end of Calle Marquez, where it runs into the frontage road side of Belderrain, and wants to build a couple of spec houses. The developers use a draftsman who is not a registered architect, but Steve M said the homes shown on their website appear to be “high quality.” Steve held an on-site meeting with them and Arturo on 10/13 to discuss their plan. They want to build two identical homes, one on each lot, side by side. Arturo and Steve said that was not permitted. It is OK to have similar houses on lots far away from each other, sited differently, but not side by side. Arturo also said the homes could not be identical. He suggested a compromise by keeping the floorplans the same, but modifying the exteriors to make them substantially different through the use of different patio layouts, landscaping, driveways, etc. Steve M has yet to hear back from the owners.

Steve M clarified the owners do not intend to live in the homes, but sell them immediately when completed. Steve P says spec builders are trouble because they are in it to make money. They are different than people who buy homes, live here, and contribute to the community. Plans will require a diligent review so that what they do will fit with how we want our community to look. This amounts to extra work for AC to actively supervise the building process. Also, he suggests that both homes get two approved upfront, before ground is broken, so the developers can’t apply pressure for approving a second. George said up-front approval for everything this is forces their hand to see the whole package.

Torry felt that identical floorplans would make it difficult to make home exteriors look unique. She has seen developers do this before, and the differences are typically miniscule. She asked if Arturo is going to really require substantial changes to individualize them. Steve M clarified the developers cannot proceed without approval. Connie said she is glad the AC is working the process; Maggie said she has confidence in Arturo; Steve M vouched for him, said he has been a real benefit to the AC.

- b. Problems with RVs. They need to be stored completely out of sight in specially built garages; car-ports, lean-to’s are not acceptable. Unloading/loading of RVs is OK, but they can’t just be left on the street. Steve received complaints from neighbors about an

unattended RV on the lot off street. The owners asked for a week to have it commercially washed prior to selling it. That happened, but more time has passed, the RV is still there, and it appears someone may be living in it. Steve is sending another email to the owner to move the vehicle. If it hasn't been moved in another week, he will send a notice of violation and begin the process of administering a fine.

- c. A large landscaping project had to be stopped because it looked like it was over-stepping its bounds. Arturo was called into consult and is working with the owners' designer to get things fixed.
- d. A new building project in the NE corner of the HOA was found to be in violation of the C&R's and construction guidelines. Homeowners received a letter of violation and told to stop work. Enforcement action is ongoing.
- e. Ongoing litigation with the Esplendor contractor over the stalled construction on Calle Dias continues. There are two lawsuits in play, one from the buyer and the other from us. It is hard to say when there will be a resolution. Steve M hopes to hear something by the new year.
- f. The AC is working with George and the Roads Committee on the driveway drainage problems. After driving through all of the streets, Steve M and Art identified 22 or 23 "properties of interest" – meaning that the driveways or landscaping are blocking drainage, resulting in flooding on HOA roads (which leads to road deterioration). Each property will need to be evaluated for a unique solution. Our roads engineering consulting firm (EEC) will be an integral part of identifying solutions. We have not yet approached the homeowners with said problems. They will be financially responsible for correcting driveway / landscaping changes that cross the HOA right of way. We want to first identify some solutions for the homeowner along with estimated costs.

9. Tubac Application for Dark Sky Designation

Steve P said he had received a request from Homero Lopez, representing the SOAZ Chapter of Dark/Sky International, and Chair of the Tubac Dark/Sky Committee, to write a letter of support for their application for Dark Sky status as a community. The Dark Sky movement (which was presented a year ago at the Santa Cruz County Citizens Council) certifies communities, parks, and protected areas to keep areas dark through responsible lighting policies and public education. Homero is asking for endorsement from the TVPOA. Steve P proposed providing a general letter of support to them. Steve M seconded the proposal. Connie objected, saying the letter would be premature. Although as individuals we all agree with Dark Sky principles, as an HOA, we need to break this a two-step process. We need to

first educate our members about what Dark Sky means, and address concerns and questions about how endorsement would affect them. As a BOD we need to discuss what “dark sky lighting” actually means – how much is too much; what provisions we should make for grandfathering in homes with existing lights that are not in compliance. Other BOD members agreed. Steve agreed to table the issue. Connie volunteered to draft a letter to homeowners explaining Dark Sky principles and asking for their questions and feedback.

10. Other Old Business

Steve P reminded us that the end of year is fast approaching and we need to look ahead to the Annual Meeting.

- a. The Annual meeting will be held February 9 at 4:00 in the community center.
- b. Steve is working with Tracy to send members a notice regarding upcoming vacancies on the BOD: both his term and Steve M’s term are coming to an end. This notice has to be sent by December 11, 2023 (60 days prior to next year’s election). The letter will include applications and instructions for members wishing to nominate themselves.
- c. The deadline for the Nominating Committee to receive applications is December 26, 2023 (45 days prior to next year’s election).

Torry said the real way to get people to apply for vacancies is through individual phone calls. We need to actively reach out to members to get new people to join the Board.

11. New Business

No new business was introduced.

12. Adjourn

Connie made a motion to adjourn at 5:00 pm; this motion was seconded by Maggie and approved by all.

Connie Schmitz/Secretary