

President's Report
The Springs at Santa Rita HOA
January 21, 2011 - Annual Meeting

The Springs HOA ended 2010 in excellent financial condition, well under the projected 2010 budget estimate is the good news. A \$15.00 raise in membership dues to maintain the level of the annual deposit to the Reserve Fund is the bad news.

Reserve Fund expenditures last year included Gatehouse stucco repairs, painting and trimming and sealing the rafters in addition to refurbishing Park 9 with heavier gravel. The Streets and Building Committee continues to seek proactive remedies that are expected to extend the useful life of both the streets and buildings. In 2011 *Association Reserves Arizona, LLC*, will review and update the projection in the Reserve Fund plans.

The Board further defined the duties of the Finance Committee that is charged with the oversight of all the HOA's financial records. Retiring Treasurer Joe Misinski has agreed to chair a five member committee for the coming year. The new treasurer will take over a straight forward and simplified record keeping system as suggested by the CPA audit several years ago. Since our HOA is staffed, with the exception of our part-time office manager, by member volunteers the board's philosophy has been to simplify as many jobs as possible. Financial records keeping and the website management are two of the areas where changes and updating have been made so that a knowledgeable volunteer who is not a techie can easily do the job. We want to make it easy and fun to be a volunteer.

The members of the Board of Directors were between a rock and a hard spot over the decision to support the ARC enforcements efforts vs. a home owner. Although not the outcome that was hoped for, the decision to proceed was made in what collectively they thought was in the best interests of the HOA. Because of this action in 2011 one agenda item will be the formation of an AD HOC committee to work with the ARC to review, update and suggest to the Board of Directors appropriate changes to ARC policies and procedures that would improve fulfilling the charges given to the ARC by our CC&Rs. This is to insure that properties add to and do not detract from maintaining high property values.

Completion of the Frontage Road work is expected to be in just a few weeks. The Grounds Committee has already undertaken clearing the area adjacent to the road south of the gatehouse. Plans are in progress to gravel along the outside wall to the north, add some planting and refurbish both the fountain and area around the gatehouse.

The Santa Rita Springs Masters Association composed of the HOAs bordering the Frontage Road could not legally find a way to dissolve its organization. This year \$4.50 of your dues went to support the maintenance of the golf cart path, cover liability insurance and pay the electric bills for the street lights at the Calle Torres Blancas intersection.

Please pick up your copy of the newly revised and up-to-date Springs Policy Handbook. Another goal for the Board is to publish a quarterly newsletter to improve member communication.

There will be an opportunity at the annual meeting for homeowners to volunteer to work on a number of committees. Please consider what skills or talents you might be able to share with the HOA. It is hoped even part-timers will consider spending a few hours to work with the HOA. It is an opportunity to get to know more of your neighbors, help improve the HOA and provide a financial boost.

Kaye Gray, President

**The Springs at Santa Rita HOA
Presidents Report
February 12, 2011**

- At the January Springs Pot luck \$712.00 and 16 pounds of food was donated to the GV Food Bank in Honor of Gabrielle Giffords.
- The Board will be approving several HOA committees today. Thanks to a number of volunteers signing up for various committees at the Annual Meeting. We are still in need of a chair for the ARC committee. It is hoped after the ARC Ad Hoc Committee have a chance to review and rework where needed the correspondence forms and procedures for notifying residents of ARC concerns someone will be more willing to take the position. If no one comes forward then we may have to resort to contracting with a non-resident in order to comply with the CC&Rs.
- The Santa Rita Springs Homeowners Association, the master association of the East Frontage Road HOAs will hold its annual meeting next Wednesday, February 16, 2011 at 9:00 a.m. in the Anza Room, SRS. Our HOA members are invited to attend.
- Deby Cox has made application for our HOA to adopt a section of the Frontage Road. We are waiting to hear if our application is accepted. Participating in the program requires our group clean-up our assigned area quarterly. The name is added to the sign after the first clean-up is completed. Crews are required to wear the bright colored safety vest.
- Tucson Electric Power (TEP) began survey and tree removal along their right-of-way where the access road to the new substation will be constructed this week. The right-of-way runs adjacent to the west side of the Springs property. We were contacted by one bidder for the road construction about providing access to a fire hydrant for water to be used in keeping down the construction dust. Nothing has been finalized as of now.
- Several residents have questioned the amount of funds currently held in the Reserve Accounts, believing that the current level of annual contributions to the fund keeps our membership fees (dues) unduly high. There is no Arizona statute requiring HOA have a reserve fund although (A.R.S 33-1201) states the distribution policy of annual assessments for common expenses. Common expenses are defined as including any allocations to the reserves (A.R.S 33-1255-c1). However, (A.R.S. 33-1260) HOA's must provide a purchaser with a statement regarding the total amount of money held by the association in reserve and a copy of its most recent reserve study if it has one. Directors of associations are generally held to a "prudent businessman" rule in determining whether or not they have met the fiduciary duty of their position for the association. A prudent businessman would establish a capital replacement budget (reserve study) to make sure he is generating enough revenue (reserve assessments) to provide for major repairs and replacements. Our Reserve Review Study will be done either in March or April.
- Added to today's agenda is the item to purchase a new license for our Quick Books accounting program. The Springs does not own the license for this software and would be unable to reinstall it after a computer failure. All records are well backed up so no data would be lost.

Kaye Gray

The Springs at Santa Rita HOA
Presidents Report
March12, 2011

- At the February Springs Pot luck \$511.00 was donated to the GV Food Bank in Honor of Gabrielle Giffords.
- The ARC Ad Hoc Committee is completing its assignment and will have some recommendations about correspondence and procedures to present to the board
- Deby Cox has not received a response from ADOT regarding our application for clean-up crew for the Frontage Road adjacent to our HOA
- Tucson Electric Power (TEP) addressed the concerns of our residents regarding the on-going construction work that is to be completed by mid-May. The Water tank will be removed by the end of April. TEP has negotiated with Pima County to use a construction area away from homes bordering along the construction area. When completed the access road running along behind Blue Fox to the substation will be gated.
- A representative from Reserve Associates will be here on the 15th to begin the review of our Reserve Funding.
- Due to the number of complaints about the entrance gates remaining open after 10:00 p.m. The gate service company has repeatedly checked and can find nothing amiss with the system Do we want to consider changing the opening and closing times? With the Frontage Road fully open there seems to be some security concerns.
- Pima County has indicated they may place a “*do not enter or wrong way sign*” at the grapevine tunnel on the south side. Pima also said they would check the visibility concern to the south at The Springs entrance. When exiting the HOA on to the Frontage Road please check carefully for oncoming traffic from the South.
- It has been noted that there has been unauthorized pruning and tree removal in the common areas that could result in a fine if the person or persons are caught. The HOA has posted the preliminary master plan for most of the HOA common areas on the web site: [Http://www.thespringhoa.org](http://www.thespringhoa.org). When the plan is completed later this year, a meeting or meetings will be held to discuss and review it. Comments should be sent to the Grounds Committee.

Kaye Gray
3/12/2011

**The Springs at Santa Rita HOA
Presidents Report
April 9, 2011**

- At the March Springs Pot luck \$427.00 and 22 pounds of food was donated to the GV Food Bank. The total so far for 2011 is \$1650.00 donated.
- The ARC Committee has completed the spring walk-around of The Springs. Home owners receiving letters will also receive a worksheet detailing any potential problems that were cited.
- Deby Cox has not received a response from ADOT regarding our application for clean-up crew for the Frontage Road along our HOA.
- The weekly update from Tucson Electric Power on the substation construction was e-mailed Friday. Please address any concerns to myself or Grounds Chair Lance Johnson.
- A report from Reserve Associates giving the findings of the review conducted in Marc Currently, the level of The Springs reserve funding is at 58 percent. This level is in the midrange and is acceptable, although a level of 100 percent is recommended it is up to each HOA to determine the level it feels is appropriate. A copy of this report is available to be signed out for any owner to review. Contact the office.
- Pima County has not responded with our request about the problem with the visibility concern to the south at The Springs entrance.
- Unfortunately, two incidents of unauthorized pruning and tree removal in the common areas behind Wolf Run in the Nature Park have occurred. It is on today's agenda to determine what sanctions the board may require.
- Saguaro has notified The Springs of a change in the hour of pick-up. Due to increasing business The Springs will be the first HOA serviced on pick-up days. Trash will need to be at the curb by 6:00 a.m. Recycle will be picked up early afternoon on Thursdays. We are checking to determine when this change will happen.

Kaye Gray
4/9/2011

**The Springs at Santa Rita HOA
President's Report
May 14, 2011**

- At the April Springs potluck \$197.00 and 41 pounds of food was donated to the GV Food Bank. The total so far for 2011 is \$1847.00 donated.
- Deby Cox finally received a response from ADOT regarding the delay in approving our application for clean-up crew for the Frontage Road along our HOA. The reason is Pima County has not signed off on the project and turned it over to ADOT because: First, there are potential problems with the asphalt surface the contractor needs to fix a condition called "graveling" by either repaving or resealing the road; Secondly, no decision have been made on how to address several safety concerns at the Continental intersection. This is also the reason why The Springs has not been given the go-ahead to gravel along the north front wall.
- The bi-weekly meeting with Tucson Electric Power representative on the substation construction said the wall surrounding it should be completed this week. Work to begin on installing the drop down pole with cement trucks pouring its base. 64 acacia trees and 90 mesquite trees will be planted to screen the substation. Unfortunately, the easement is too narrow to replace any of the trees removed along Blue Fox. Curbing for the road is being installed and paving of the road will be done soon. There is still concern among the nearby neighbors about the dust and the noise at 5:30 a.m. when the diesels fire up. The next meeting will be May 23 at 4181 S. Wolf Run Street. Please address any concerns to myself or the HOA office.
- There are still incidents of unauthorized pruning and tree removal mainly in the common areas behind Wolf Run in the Nature Park have occurred. This is an item for discussion today.
- Lois Vanskike has agreed to replace Carol Schmidt as chair of the Neighborhood Watch group.
- The board will not meeting during June, July, and August unless there is a need. September 10 is the next scheduled meeting.

Kaye Gray
5/14/2011

**The Springs at Santa Rita HOA
Presidents Report
September 10, 2011**

- Since January Food Bank Donations have totaled \$1986 cash plus over 100 pounds of food.
- Work on the TEP Substation is reaching the final stages with the expectation that all work will be completed soon. TEP rep Steven Eddy has met biweekly to update concerned residents and the HOA. Thanks to Sandi Stone making her home available for the meetings. TEP was persuaded to donate 50 mesquite trees that have been planted along the TEP right-of-way. Hopefully in the future these trees will disguise and restore some of the amenities of lost in the construction. The HOA owes additional thanks to Richard Olson, Sam Coggins and Vic Bignell for their volunteer efforts in working with TEP and Hot Desert to complete the tree planting and set the irrigation.
- This summer in The Springs since the May Board meeting has been hotter and drier than normal and the HOA has not had the usual weather related concerns. Recent e-mail and/or snail mail notices were send to several dozen property owners due to unchecked weed growth. The HOA received a message expressing concern about weed growth in the cracks along the streets and sidewalks a survey found there is very little stray weed growth along most residential streets with the exception of the last block of Cefiro to the east, both along the residential and the common area sides of the street. Otherwise, there was a considerable amount of weed growth along the GVR center's border. This is up to GVR to eradicate.
- In late spring the ARC sent a number of notices of property concerns that were observed on ARC walk-a-round. The majority of the concerns in these notices have been corrected. However, several owners offended by these notices. Judith Bouzoun, ARC chair met personally with these owners to review the actions requested in the notices. The majority of these were settled peacefully but several owners were abusive in comments made. This is not acceptable conduct to abuse an HOA volunteer doing a required task required by the HOA Community Documents. However, these efforts of trying to do a good, thorough job for the ARC took time away from MS Bouzoun Hospice nursing work and she has submitted her resignation. Currently no ARC member is willing to chair the committee. Therefore, I am recommending to the Directors that The Springs a criteria be developed and the HOA secures the services of a management firm to conduct the twice a year inspections. Other HOA use similar limited service. This will leave the ARC committee to set guidelines, approve or deny improvement requests and service as a hearing committee if there is objections to the inspections before referring the matter to the board. This will be discussed today.
- At this time Pima County still has not turned the Frontage Road over to ADOT. The work planned for the northern front wall and the clean-up crew project for the road is still on hold.
- There have been several unexplained problems with the gated entrance. The service company has not been able to pinpoint the problem, but the suspicion is that the software that is about twenty years old may be the problem. We will be looking at some remedies to correct the problem.
- A major concern the HOA will be seeking remedies for is what should be done with landscaping concerns in the 20+ acre Nature Park. In recent years the voluntary mesquite and Palo Verde trees growth is beginning to create thickets, some of which are both dense and growing taller. The resolve has been and probably will continue to be that this area should be a natural area, but how much taming of these unwanted growth should the HOA should the Ground Policy entail. Bernie Serek has agreed to chair an ADHOC committee that will be looking for solutions to this problem and will also address concerns regarding all our common area parks. I am looking for residents who live adjacent to common area park to volunteer to work with Bernie. The committee will be appointed at the October Board meeting. This is being started later in the year in hope of giving snowbirds the opportunity to participate.

- Sandi Stone and I met with the HOA attorney, Carolyn Goldschmidt to review several matters concerning insurance issues, and ARC and landscape concerns. It was suggested we add both a legal reserve fund to cover any non-monetary suit that might arise, and a fund to meet any exceptional landscape expenses that might be necessary in areas, such as the nature park.

Ms. Goldschmidt said that HOA policies relating to incidents such as the unauthorized trees pruning this past spring in the nature park common area do not require that the notification policy as set forth for ARC matters relating to private property be followed. Notice of the common area violation needs to be given and an opportunity for the offender to respond given. This would also relate to the HOA streets and sidewalks rules as well as the common areas.

The CC&R reference* cited below gives an easement for use to any owners where the declarant (developer) caused a wall, fireplace or other improvement to encroach on a common area. This CC&R provision give an easement to said owner or subsequent owners to use it as part of his/her property. (Property cannot be claimed under Adverse Possession)

There was also a suggestion that the CC&Rs provide the HOA can enter into a license agreement (contract) allowing an owner to control the vegetation within a defined area in a common area adjacent to the owner's property. This is an option the Ad Hoc may want to consider.

**3.3 Easements for Encroachments. The property, and all portions thereof, shall be subject to an easement of up to ten feet from the Lot lines or Common Area boundaries for the actual extent of incidental encroachments created by construction as designed or constructed by the Declarant or any Owner and for settling, shifting, and movement of any portion of the property. Such encroachments shall not be considered to be encumbrances upon any part of the Property. Encroachments referred to include, but are not limited to, encroachments caused by error in the original construction of improvements on any Lot or by settling, rising or shifting of the earth, or by changes in position caused by repair or reconstruction of any Improvements on the Property. The Board has the right to grant an additional easement for encroachment or license to a Lot owner whose perimeter wall encloses Common Area that exceeds ten feet, if such wall was constructed as part of the original construction on the Lot or is replacing such a wall in the same location as an original wall.*

Kaye Gray,
10 September 2011

**The Springs at Santa Rita HOA
Presidents Report
October 8, 2011**

- There will be four positions on The Springs Board of Directors to be filled for 2012. You may log on The Springs website at <http://www.thespringshoa.org> or contact the office to obtain a nomination form either for yourself or to nominate a neighbor.
- Volunteers in the Springs who serve on the board of directors and its various committees are saving our property owners about \$96.00 a year on our annual fee. It would cost The Springs about \$40,000 to contract for the services our volunteers provide. We currently have a proposal from Cadden Management Co. to provide ARC service. It is an obligation of the Association to see that the ARC provisions of the CC&Rs are carried out. Without the necessary willing volunteer owners stepping forward to serve on the ARC the board cannot fulfill its obligation to provide that service. Fortunately, The Springs can contract for only the ARC service. The cost for this service for ARC would add an additional \$5.00 per roof. For full ARC service the cost would be \$15.00 per roof. The ARC contract proposal is on the agenda.
- TEP is the final stage of completing the substation, all that remains to finish is the asphaltting the access road and complete a final clean up of the property. It my understanding that a TEP tree arborist is scheduled to make a PowerPoint presentation for the potluck on the 15th
- Valley Assistance Services (VAS) provides “the helping had forward” for many needs in the Green Valley area. Its senior programs include Care Management, Benefits Check up, In Home Volunteer support, Budget Assistance and a Fall Prevention Program. These programs are available to The Springs residents. Check the website: www.valleyassistanceservices.org Or call 520-625-5966.
- The Green Valley Fire District has invited our HOA members to a free pancake breakfast on October 14, 2011 between 7 a.m. and 10 a.m. at the newest fire station located at 250 North La Canada Dr. in celebration of Fire Prevention Week.

Kaye Gray,
8 October 2011

**The Springs at Santa Rita HOA
Presidents Report
November 12, 2011**

- Four positions on The Springs Board of Directors are to be filled for 2012. Contact the office to obtain a nomination form or you may log on The Springs website at <http://www.thespringshoa.org>.
- Recently the HOA office received a request for monthly payment of dues. Unfortunately this is not possible with 442 homeowners. Everyone would have to have the option for a payment plan which would make an unnecessary burden of work for the treasurer and probably increase legal expenses for past due collections. It won't be considered. Payment of the HOA membership dues will be payable in total on January 1, 2012. Annual statements will be sent by December 1, 2011.
- TEP's final status report meeting with interested homeowners will be Monday November 14 at 1:00 pm at 4181 S. Wolf Run Road. All work, including planting of the trees screening the substation and final clean up. The meeting is open to anyone wishing to attend. A special thanks for Sandie Stone and Tom Kramer for their hospitality in holding these bi-monthly sessions.
- Immediately following this meeting, or at 10:30, whichever comes first, a Q & A session will be held concerning the proposed outsourcing of a porting of the ARC duties.

Kaye Gray,
November 11, 2011

Note: A special board meeting will be held on Thursday, November 17, 2011 with the only agenda item to be 2012 budget approval and setting the 2012 membership fee. Notice of time and location will be posted on November 14, 2012.

**The Springs at Santa Rita HOA
Presidents Report
December 10, 2011**

- Thanks for the four candidates who have volunteered for slate for the 2012 Board of Directors election.
- The total for the Food Bank Donations generated by the HOA Pot Luck is over \$2,000 for 2011.
- Due to many residents being away for the holidays the Ad Hoc Committee on Common Area Concerns will not begin to meet until the first of the year. While a major concern to be addressed relates to the Nature Park, the committee will be looking at concerns for all the twenty-two common area parks.
- Several new volunteers interested in serving on the ARC will be meeting Monday to see if a working committee can be formed.
- Last month David Voisard made a presentation about refurbishing the entrance fountain. I am asking the grounds committee to review this suggestion as they plan of the use of the easement money reserved for entrance restoration.
- A complaint was received regarding Saguaro trucks turning around on Blue Fox and De Crystal and in doing so running over the curb. Saguaro has been notified and a request for this to stop.
- Several owners have questioned the \$12 - 2012 dues increase to \$455.00. The reason for this increase was twofold: First, it is the first step in balancing the annual budget using less money from the decreasing operating reserve. It was deemed that several smaller increases over the next several years were preferable to a very large increase when the operating reserve is used up. Secondly, the increase allows for a scheduled increase in the amount placed annually in the Reserve Fund. Both the Reserve Committee and the Finance Committee indicate this should be done.

Kaye Gray,
December 8, 2011