

Buckskin Artists Community, Inc.

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Board Meeting Minutes

04-24-2021

9:10am – 11:30am

Board Members Attending:

Steve Stearns	Mark Hullinger
Jim Albu	David Bachman
Denise Stearns	Frank Davis
Kelly Fletcher	Jack Haenichen
Ted Mathias	Bob Piazza

Notified - not able to attend:

Doug Eddy
Cully Howland
Diane Dahlin
Maggie Dahlgren

Call to Order @9:10 - Steve

- In opening remarks, thanked everyone for attending

Secretary-Treasurer's Report – Denise

- Reviewed minutes from 05-25-2019 Board meeting
- Discussed current treasurer's report of 11-30-2020 to 04-19-2021
- Denise and Steve discussed the checking account balance and the CD value on April 1, which gave a better idea of the spending/revenue for the fiscal year and cash value of BAC at the end of the fiscal year (April 30) than using the checking account balance at the end of April which is increased significantly because of dues payments.
- Denise and Steve spoke of the dues late payments and collections status. Members paying late dues fees have been about 30 each year in the last few years and will probably be about that this year. At this time, there are no accounts in collection by the legal firm we use, but we anticipate 4 to 5 after May 15. The collection process and associated actions and fees were questioned and discussed by several members. The consensus opinion was to continue with the current process that has been successful for us.

Motion to accept Denise's minutes review and treasurer's report – Mark. Seconded – Jack. Motion carried.

Committee Reports

Water Committee – Jim, Mark and Steve

- Jim reported on the following that he has completed the last two years: 1) Sold unused storage tank at the lower well; 2) Had a storage shed built where the tank was; 3) Added four small, insulated sheds with ceramic heaters over wells and major piping at the well sites; 4) Had the well sites cleaned up and graveled and the tanks and buildings painted; 5) All exposed piping was winterized; 6) Acquired spare parts for nearly all vulnerable equipment; 6) Added one new service to a property on upper Artists Draw; 7) Prepared and submitted all required ADEQ reports.

- Jim discussed the water usage by BAC users and the associated pumping electrical costs. He explained the timing strategy of the three wells operation related to changing electrical rates and how it has saved us several thousand dollars in the last few years.
- Mark mentioned that his State water operator license has been renewed for another three years.
- Jim and Steve briefly spoke of looking into the use of remote sensing at the well sites to monitor on-line, well status and other operating data. Jack mentioned the use of DVR cameras.
- Steve thanked Jim, Doug and Mark for their work. The water system during the past winter has been the most reliable it has ever been, with no freezing or unscheduled downtime problems.

Road Committee – Bob and Steve

- Bob reported that with the driest Monsoon on record and minimal rain/snowfall through the winter, the roads have required minimal maintenance. The major expenditure has been on material purchased, at low cost through Brian Kennison, placed on Artists Draw and spread at no cost to BAC by Brian. The freezing and traction problems ongoing for many years on Deer Hill Road have been worked on through the winter and effectively maintained under Diane Dahlin’s auspices.
- Steve spoke of culverts that have plugged by flooding in the bar ditches in BAC and how Robin Peterson easily and quickly cleans them out, charging BAC along with his roadwork, thereby relieving the cost to homeowners.
- Bob spoke of speed bumps and dips on Artists Draw and the effectiveness they have provided in slowing and quieting traffic for the homeowners along the road. He reviewed the status and effectiveness of each 5mph dip/speed bump area on Artists Draw Road.

Architecture Committee - Steve

- Diane and Maggie were not able to attend and reported nothing to discuss in relation to New Construction or Architectural Change Requests.
- Steve spoke of their dedication in maintaining consistent building guidelines in BAC, giving specific examples of their successful work.
- Steve, Bob and Frank spoke of ongoing questions with architectural change reporting by two homeowners. Steve will follow up with Diane and Maggie.

CC&R Committee – Steve

- Steve spoke of reforming the committee, so that he and Jim would write CC&R changes, then send them to the Board and the HOA attorney for edits and approval before seeking a vote from all BAC property owners. The idea is to change some CC&R’s to make them more realistic for our rural, forested area. After discussion of several ideas and past problems, a Motion was made to approve committee change – David. Seconded - Mark. Motion carried.
- Steve will contact our attorney and find out voting percentage required for change, procedure for formalizing and recording the approved changes.

Motion to approve Committee reports – Ted. Seconded – Frank. Motion carried.

New Business

- 1) The Board discussed the Annual Membership Meeting and Picnic that will be held at Tall Timbers Park, Saturday, May 29, from 11:00 am until ~2:00 pm.
 - a) Denise and Steve will order the chicken, get the utensils, water and soft drinks. Attending members are asked to bring a pot-luck dish. As usual, Doug will pick up the chicken and deliver it minus a few pieces to the picnic.
 - b) Membership Meeting Agenda
 - i) Call to order, welcome, opening remarks and Board member status – Steve
 - ii) Secretary/Treasurer’s report - Denise
 - iii) Water committee report – Jim and Doug
 - iv) Road committee report – Kelly and Bob
 - v) Architecture committee report – Diane and Maggie
 - vi) CC&R committee report – Steve
 - vii) Motion to approve committee reports
 - viii) Old business members may want to discuss
 - ix) New business
 - (1) Discussion by Board members of problems with weekend rentals (renters and owners), ATV abuse and noise, what has been done and what the Board is looking at to better control the problems (fines, more restrictive CC&R’s, etc.).
 - (2) Other new business members may want to discuss.
 - x) Motion to adjourn
- 2) Board member status after the membership meeting.
 - a) Leif resigned last year and Maggie will be off the Board for tenure, leaving two openings.
 - b) Discussion was held about Steve’s status as president and Board member. Motion was made for Steve to continue as Board member and President – Kelly. Seconded – Mark. Motion carried.
- 3) Jim started and led a discussion to begin paying the BAC HOA President. At present, the Water System Operator, Assistant Operator and Secretary-Treasurer are paid as outside contractors. Several Board members joined in the discussion, made several comments and raised several questions. BAC financial status allows the expenditure. Kelly made a motion that the suggested amount should be \$500/month if the discussed concerns were resolved. Jack seconded. Motion Carried. Kelly volunteered to research the concerns relating to the payment questions and report back and make a recommendation at the Membership Meeting, May 29.
- 4) Mark questioned Maggie being off the Board. Steve stated that because of tenure requirements in the Bylaws, she has to be off the board for one year after serving six. It was agreed that she can be off the Board and still remain a committee member. Steve spoke of the value she and Diane are to BAC because of their excellent work together on the Architectural Committee.
- 5) Steve spoke of 30+ properties changing hands in BAC over the last year and asked the Board what can be done to ensure the new owners have important information. Several members commented and made suggestions. It was agreed that a welcome letter should be written to new owners containing information about the following: description of ourbac.com website and navigating through it; contact information; architectural requirements; respect for fellow

owners; fire regulations. The letter will be prepared quickly by Steve, Denise and Jim and sent to Board members for edit/approval.

- 6) During the discussion in (5), a Board member objected to his phone number as a Board member being posted on the Board member page of our website. The rest of the members present did not object to theirs being posted.
Part of the discussion was how BAC HOA members can contact other members. Denise detailed the procedure which was agreed to by the Board: Member #1 is to contact her at the BAC phone and she will contact member #2 requesting permission for member #1 to contact him/her. She will then call member #1 back and either provide or not provide contact information.
- 7) Steve began a discussion of past and ongoing actions taken by BAC to respond to owner and renter problems (CC&R issues; discharging firearms; AIRB&B, VRBO renter abuses; excessive noise; ATV abuse of roads and others properties, etc.). Some of the items introduced and discussed by all present are: Letters sent and verbal communications with some owners are not consistently effective; stop or work to control renting; setting up a fine protocol and structure; question of evidence needed as part of protocol; some owners feign ignorance; continuing to call the Sheriff; Sheriff will ignore or slap on hand if there is no injury/damage; owners post “no trespassing” signs; build fencing; moving concrete and log barriers; add to CC&R’s to ban ATV’s and/or tracks in HOA.
Steve asked that the discussion be tabled until the membership meeting and board meeting after because we are dealing with several different layers of behavioral problems and solutions. Steve will contact our attorney concerning a fine structure and procedure. A reference was made to people simply “having respect” for others and their property. Motion to table discussion – Mark. Second – Dave. Motion carried.
- 8) The potential of increased liability to BAC of the speed bumps/dips on Artists Draw Rd. was asked to be discussed by Doug (in absentia). Steve related that when the issue was first raised, he contacted our insurance agent, asked him to drive the road and provide his opinion concerning liability. He wrote that some of the bumps were a little rough, but it was up to the board to determine any action. He did not state that the bumps/dips increased liability. Bob spoke of the work Brian did on some bumps/dips when he spread the cinders and that Brian’s wife drives a small car across them almost every day. He stated that the dips are slowly refilling with use as they did when first installed and continue to require occasional cleaning. The Board agreed that the signage is adequate and that the speed bumps/dips have been effective. The consensus of the Board was that drivers should “slow down.” No Board action was taken.
- 9) BAC acting on AIRB&B and VRBO rentals and abuses was asked to be discussed by Maggie (in absentia) and introduced by Denise. Maggie would like to see leases of no less than 30 days, and stated that several other HOA’s are banning AIRB&B and VRBO rentals. Comments and opinions of several of the members were: Get ahead of the wave (dealing with the problem) or be washed away; the administration of a rent and policing procedure would be cumbersome and costly to BAC; ban rentals completely; some owners buy a retirement home here and then rent until retirement; because of past practice with owners renting over the past many years, it would be difficult to legally ban the practice; the rental business and businesses are growing and multiplying very fast - stop it or nip it in the bud; it is difficult to balance owner’s rights to rental income and HOA’s rights to limit or eliminate

it; change the CC&R's to include scheduled fines and lawsuits for abuses; before these problems get away from us, we need to address this within the next couple of years.

Action: Steve will contact our attorney and get information on strategies HOA's are using to deal with the problem. He will also work on contacting other HOA's and find out about a State-wide HOA site to gain more information. He will report findings at the discussion during the membership meeting May 29.

- 10) Jim discussed working with the County, Shane and Kelly on the abandonment of Cedar Rd. across Shane's property, leading into our well site. He explained that this will curtail unwanted traffic and Steve stated that the County will not allow Shane to combine his two properties until that section of Cedar is abandoned. Kelly has an existing easement to access his properties from Green Valley. Jim will ensure BAC has an easement to the well site from Green Valley before allowing the County to abandon. The County also wanted to ensure that the BAC Board voted on abandoning the road. Motion to abandon the section of Cedar Rd. – Jim. Seconded – Dave. Motion Carried.
- 11) Next Board meeting will be immediately following the Annual Membership Meeting, May 29.

Motion to adjourn – Mark. Seconded – Dave. Motion carried at 11:30.

Action items agreed to during and after the meeting:

1. Steve, Denise and Jim - Letter to new property owners containing information of website, local fire ordinances, architectural requirements, and etc. Send out quickly.
2. Steve - Question two owners related to building without Architectural Committee approval.
3. Denise, Sue – Prepare and send out a newsletter to all members after the membership meeting.
4. Steve and Jim - Contact our attorney concerning BAC's dealing with rental properties and establishing a system of fines for CC&R issues and infractions, and also the process of changing and recording CC&R's, required membership % for approval, etc.
5. Steve - Contact one homeowner who may not know of the deteriorating condition of his BAC house that is being rented here.