

# Road Maintenance Meeting Minutes

## Mission Hills Condos

## Mission Hills Estates

March 5, 2024

Prescott Public Library – Bump Room

Meeting was called to order at 11:17 a.m.

In Attendance:

Bruce Klein – Mission Hills Secretary

Steve Borge – Mission Hills Interim President

Brenda Heath – Mission Hills HOA Management

Michaela Alanis – Mission Hills HOA Management

Kimberly Stiller – Mission Hills Estates Secretary/Treasurer

Don McChesney – Mission Hills Estates President

Dave Wheeler – Mission Hills Estates Board Member

Ethan Wolfinger – Mission Hills Vice President

1. The Arbitration Agreement: Page 2. Subsection 2. was read aloud and interpreted within the group.
2. The meaning of Homeowners Vs. Property Owners was discussed and defined.
3. The Mission Hills Estates' Board feels that they should only be charged for the common road area used from the Mission Hills Estates Mailboxes to the beginning of Pulliam Road. They will not pay for any other road work done in the Mission Hills Subdivision. This area constitutes their ingress and egress.
  - a. The Mission Hills Condo Board Members along with the Bear Creek Representatives agree that Mission Hills Estates should only be billed for the portion of roads that they use for ingress and egress. They also stated that shoulders of said road would be included in cost assumption.

4. The Mission Hills Estates' Board feels that they are entitled to a discount related to Mission Hills Condos choosing and contracting with a more expensive road contractor without gaining the approval of the Mission Hills Estates' Board. They were also upset that Mission Hills Condos did not coordinate with Mission Hills Estates regarding road closures and start dates.
  - a. The Mission Hills Condo Board members along with the Bear Creek Representatives agree that Mission Hills Estates should have had an input on who to hire to do the roads and that Mission Hills Estates should have been notified regarding progress, start dates, and road closures, although the original agreement doesn't specifically provide for that.
5. The Mission Hills Estates' Board stated that the pro-rata share owed to Mission Hills Condos should be charged per the past estimates from Turco and not from the invoice generated by Seal West.
  - a. The Mission Hills Condo Board Members along with the Bear Creek Representatives disagreed with this as the Arbitration Agreement is in place, the work has been done, and an invoice has already been generated by Seal West. In addition, an estimate was not done by Turco and thus becomes a moot point.
6. All parties present agree that a(n) codicil/addendum should be written to the Arbitration Agreement to define more clearly how road expenses will be split.
  - a. The Mission Hills Condo Board Members along with the Bear Creek Representatives agree and a codicil/addendum will be written by Mission Hills Estates. This codicil/addendum will be presented to Mission Hills Condos for approval and/or modification. Once the codicil/addendum is approved, both parties will sign and the codicil/addendum will be recorded with the Yavapai Counties Office of the Recorder.
7. Both parties shall measure the road length of Mission Way versus total Mission Hills Condo roads (Mission Hills Estate's Ingress and Egress) and come together to share their findings at a meeting to take

place in April 2024. This ratio will be relevant if road work is done on Mission Hills Condo property and the vendor could/did not separate out the costs of Mission Way only.

8. Both parties outlined the ratios presented in the Arbitration Agreement and have agreed to keep the ratios the same.
  - a. Mission Hills Condos are 36 units, Mission Hills Estates are 27 properties. Mission Hills Condos Ratio to be:  $36/63 = 57\%$  of the cost, when work is done on Mission Way.
  - b. Mission Hills Estates Ratio to be:  $27/63 = 43\%$  of cost on Mission Way (ingress and egress) and to include shoulder work done on common roads.
  - c. An additional ratio will be established to determine how much Mission Way constitutes the percentage of all Mission Hills Condo roads.
9. Both parties agreed to get quotes and potentially rehire Turco for future road work after the two (2) year warranty expires with Seal West.
10. Bear Creek Real Estate returned a check in the amount of \$1,400 to Mission Hills Estates Treasurer until a resolution is met regarding payment by Mission Hills Estates for common road maintenance costs. The Mission Hills Board Members along with the Bear Creek Representatives will take into consideration the fact that another company was chosen and the fact that Mission Hills Estates was not notified of the new company, the schedule, or road closures when making this decision.
11. Snow removal costs were discussed amongst the members present and it was decided that Mission Hills Estates would split the costs for snow removal on the common road only (Mission Way) . We all agreed that Cutting Edge would bill each subdivision separately for their share of the plowing. Both parties agreed that the plow could be called each time the area received 3" of snow or more with a clear understanding by Cutting Edge that if the plow was delayed and the snow had melted, Cutting Edge would not plow. Approval from

Mission Hills Estates is not required before sending the plow if there is more than 3 inches of snow.

The meeting was adjourned at 12:45 p.m.