

# MOUNTAIN TRAILS COMMUNITY ASSOCIATION

% Kinney Management Services  
6303 S Rural Road  
Tempe, AZ 85283

## OPEN SESSION MEETING ZOOM MINUTES

JUNE 20, 2023

### CALL TO ORDER:

The meeting was called to order at 6:04pm. Board members present are Valerie Flower, Robert Anderson, Diana Buchbinder and Kristen Mattes. Jayna Van Den Einde is present from Kinney Management. There are 2 homeowners present.

### MINUTES:

Motion to approve the April 2023 minutes. Kristen mentioned that she was present for the meeting and Jayna said she would revise the minutes to reflect Kristen's attendance. Motion, seconded and all say "I".

### FINANCIAL REVIEW:

Jayna discussed the April and May 2023 financials. MTD Residential Assessments were slightly down due to timing; May MTD those assessments were received and YTD right on track to Budget. For April, there was a double hit for the landscape contract service, but YTD is on track. Gate Maintenance we did have some overage due to the East Side crack seal project. The gate had to be manually opened and closed once the project was complete. Variance in Irrigation Repairs due to the sensors approved in March's meeting and a couple of 2022 invoices that were carried forward. There were also 2022 Legal invoices from Carpenter Hazelwood that Jayna had made the Board aware of. Postage also was over budget due to the mailing of Ballot for the Annual Meeting. That concludes the review for April. May, the Residential Assessments were recouped the shortage from April and YTD now back in line to Budget. Bottom line income YTD is positive \$9K. Variances for the new monthly and existing quarterly Pest Control contract; 2<sup>nd</sup> quarter Playground Inspection hit in May, but budgeted in another month so it reflects as a variance. Gate Repairs reflected for the sensors the Board approved due to vandalism. There was an overage in Legal due to a violation notice sent by the attorney for a theft. Under Collections, there were 25 homeowners sent late letters. The Audit expense was budgeted in another month but hit in May. Total MTD and YTD expenses under Budget.

### OLD BUSINESS:

**Agave NAOS Area Clean Up** – Area "A" has been cleaned up. We also had proposal for Area "B", but that is being deferred due to the unexpected Legal expenses carried over from 2022.

**West Side Pool Fence Repair** – The repairs to the West Side pool fence, and East Side pool fence were completed by Regal Fence. Diana asked if Val had looked at the repair. She had inspected it and the proposal did not include the painting. Kristen commented that it appeared the work was not completed to the scope. If Regal took before and after photos, could they provide those to us. On the East Side, the work wasn't even asked to be repaired, but was. Diana volunteered to take pictures and send to the Board.

**Reserve Study** – Val asked if the Board members had an opportunity to review the Study. Diana expressed concern that the timespan of the life on some of the items listed in the Study seemed to be optimistic. Kristen asked if we could find out where their estimates for the life of the asset comes from. Jayna mentioned the recommendations made in the Study may not line up with the "real life" depreciation of the assets Mountain Trails is experiencing. And that the Study is recommending an increase to the Reserve Allocation to \$7K per month to achieve the set aside for the necessary Reserve expenses projected. Will the community require a Special Assessment to achieve the results? Diana asked if these reports are consistent with what Jayna has seen from other HOA's. Jayna mentioned that she has another Study in process for a 146-unit community so she will be interested in seeing the comparison between the two. But the other site has considerable deferred maintenance and will absolutely require Special Assessments. Jayna asked the Board to formulate questions for what the Study was recommending for the next 2, 3 or up to 5 years and if the Board is comfortable with the recommendations made for that timeframe. And if you don't align with their recommendations, send those questions to Jayna to follow up with Association Reserves. The Board agreed to submit their questions to Jayna and she will compile a cumulative questionnaire to submit back to Association Reserves.

**Insurance Claim** – Val discussed that we had submitted a claim for the BBQ grilling station, Backflow replacement and Pedestrian Gate repairs. Both Val and Jayna have been aggressively pursuing the status of the Claim. Jayna submitted the online request to Phoenix PD and the Claims adjuster stated that she needed the Police Report to process the Claim. Jayna sent the information for the Phoenix PD Report request to the adjuster and they said when they had that information, they could process the Claim. Jayna logged back into the system to check on the status of the report and found that they had closed out the request and were refunding her a portion of the fee paid. Jayna asked the adjuster to consider the claim with all of the other information she had, without the Police Report. All of the items that were vandalized have been repaired because we knew we could not wait. So, it is just the reimbursement we are waiting for.

#### **NEW BUSINESS:**

**HOA Playground** – Proposal submitted to the Board for signage replacement at the entrances to the playground areas and for rototilling and sifting of the sand. Val said she will go and look at the signs. Diana mentioned she thought the signage on the West Side did have a jagged edge and you could be cut on it. Val said she will look at it and let Jayna know. If there are two different size signs, the Board voted for conditional approval of that proposal. Val mentioned if the bid meets the requirement of the pounds per square foot. Jayna will ask for clarification on the bid. Robert recommended conditional approval based on the response from HOA Playground if it includes the testing and certification required. Motion, seconded and all say “I”.

**Regal Fence Painting** – Jayna thought she had attached the bid for the paint in the packet, but had not. The bid to paint the replaced sections was \$1,500. Board asked to table that proposal until they verified the work was completed to scope. Jayna said an Action in Lieu could be done outside the meeting and have it ratified at the next meeting.

**Signature Gates** – Proposal for combo locks for the pool bathrooms/equipment rooms are pending. The lights are out in the bathrooms; however, the breaker boxes are located in the equipment rooms that the Board does not have keys to. Kristen believes the cleaning crew has keys to that area. But Jayna had reached out to Poolwerx regarding the keys and they stated they did not have access to that area or keys. And if they have the combination to the additional lockbox to provide that to us. Just the lights at the West Side pool bathrooms are out. The East Side are functioning.

**Moving the Monthly Meeting** – Diana has accepted a position with her Synagogue that directly conflicts with the Monthly HOA Board Meeting. So, she has asked for consideration to change the date of the Meeting. Jayna stated that if the Board wants to keep it in the third week of the month, that any day but Thursday works. Diana also asked if the time can be changed to help accommodate homeowners. Val recommended perhaps having the Closed Session Meeting at 6:00pm and then have the Open Session Meeting following at 6:45pm. So, it was decided that the July Closed Session Meeting will now take place on the 19<sup>th</sup> at 6:00pm with the Open Session Meeting will begin at 6:45pm. Jayna asked if the Board wanted a postcard notifying the homeowners. The Board agreed that if it is posted on the website, at the Message Boards and on Facebook that will be enough.

#### **HOMEOWNER SESSION:**

Larry asked if the notification could be sent out on the Monthly Statement. Jayna mentioned that the statements had already been sent out for July, so the earliest it could be sent that way would potentially be August.

Robert commented that there have recently been a lot of people in the community, parking at and using the pool that he does not recognize and that may not be homeowners. Val additionally commented that the numbers of guests that the homeowners are bringing to the pool are increasing. She communicated that the Board look at new signs/rules for the pool areas. Diana inquired about changing the Guidelines to reflect the concerns about the common area usage. Kristen asked if those requests for functions in the common areas can be run through Oversii. Val said that they are only contracted for parking/patrol service. Robin said that the Guideline changes proposed sounded very restrictive. Kristin mentioned that the plant material on the outside of the West Side pool is suffering. Jayna will reach out to Henry from Agave to make him aware and ask his irrigation tech to look at these areas.

Val said that the HOA is acquiring more and more rentals. She would like to see something where the renters are tracked for contact information, license plate/vehicle registration, etc. Kristen mentioned that the HOA consider limiting the number of renters allowed in the community. Robert said there was a case on the Federal level deciding that the number of renters cannot be limited. Val would like that question answered.

Val asked if there are any other homeowners that had questions or would like to share and there were none. She made a motion to adjourn the Open Session Meeting.

Jayna read the ARS guidelines to move into the Closed Session.

\*\*\*\*Planned Communities Act New Legislation:

The board is adjourning to go into the closed session and will be discussing items: Personal Financial Information ARS Section 33-1804(A)(4)

Pending or contemplated litigation Section 33-1248(A)(2)

**The Open Meeting adjourned at 7:11pm.**