

# Saguaro View Management, Inc

## Annual Meeting

Saturday, March 18, 2023

9:00 AM – Hampton Inn Hotel

14783 W Grand Ave, Surprise, AZ 85374

Meeting called to order at 9:00a.m.

President Harper led us in the Pledge of Allegiance

Prior to the commencement of the meeting, Member Smith insisted that the meeting was only to appoint new board members and that the current board had no right to have anything else on the agenda. President Harper called him out of order 5 times. Member Smith persisted in being loud and disruptive. Member Smith very loudly voiced an obscene 4 letter word heard by the Board and all members in attendance.

- Motion to accept Draft Agenda & confirm quorum – Secretary Oldham made a motion to accept the draft agenda, Treasurer Greenawalt seconded, all approved. Motion Carried.
- Director Westwood made a motion to confirm the quorum which for the annual meeting is 10% of all available votes (25 votes). There were 55 votes represented by ballot, 14 members present at the meeting and all 5 board members present. Director Rankin seconded and all approved. Motion Carries.
- Motion to approve the draft minutes of the February 11, 2023 BOD meeting. Member Smith addressed the members to protest that the statement in the draft minutes regarding adding fines to our CC&Rs was untrue. He insisted the board is able to do this on their own, but was reminded by a member (Darla Holguin) that According to the Articles of Incorporation, Article VII, Paragraph 3: The Board of Directors above elected (Krutel, Grimshaw and Culbertson) shall have full power to draft and adopt the By-Laws governing this corporation. **However, the power to adopt, alter, amend or repeal the original By-Laws of this corporation shall be vested solely in the members of this corporation.**

Secretary Oldham made a motion to approve the minutes as written. Treasurer Greenawalt seconded; all approve. Motion carried.

- Review Treasurer's Report – Treasurer Greenawalt reviewed the balance sheet that was given to the BOD by Colby Mgt on 2/28/2023. There is one remaining unpaid annual assessment from 2022. Secretary Oldham made a motion to turn this account over to the lawyers for collection. Treasurer Greenawalt asked for 1 week to try to contact this person and collect. The board agreed to this, Treasurer Greenawalt seconded, 4 BOD members voted yea and 1 voted nay. Motion carried. This account will be turned over to the lawyers after 1 week for collection by Treasurer Greenawalt if contact and resolution is not accomplished.

action was taken at this meeting. There was further discussion concerning condition of the paved roads maintained by City of Surprise. It was agreed that Secretary Oldham, Members Mike Payne and Tim Clemit will arrange to meet with our City Councilman to attempt to facilitate the city again undertaking repairs to the roads paved by the City.

- A person associated with property owner Stacey Bentley (Mr Brian Allen, who is also the builder of her house employed by Gorilla Builders), stood and asked why “he” has had no resolution on the movement of Ms. Bentley’s water meter (Ms. Bentley has not made a proxy request to have Mr Allen address the Board in her absence)
- Dirt Road maintenance was completed February 17<sup>th</sup> 2023, Member Smith then addressed the board as to why it was done again two weeks later and was informed that since the first grading was unacceptable, Ed Smith Paving re-graded the north side roads AT NO CHARGE.
- The two remaining meeting dates for 2023 were discussed and it was decided the Board would try to set them up for the 3<sup>rd</sup> Saturday of July and November. Treasurer Greenawalt has volunteered to do this and the dates and times will be posted on the website as soon as reservations are confirmed.
- Finalize 2023 SVM Board Member Vote to fill 3 open seats –
  - Call to assembly for final ballots to be cast
  - Secretary Oldham made a motion to close the vote, Treasurer Greenawalt seconded, all approved. Motion carried.
  - Secretary Oldham asked for a volunteer to complete the ballot count – Thank you to Director Pat Westwood and member Darla Holguin for accomplishing this.
  - Secretary Oldham made a motion to accept the final official vote count, Treasurer Greenawalt seconded, all approved. Motion carried.
- Final vote count was as follows:
  - Mary Greenawalt – 46
  - Mike Holguin – 20
  - Jim Smith – 14
  - Rick Molera – 13
  - Marc Vangorp – 2
  - Carol Nickens – 1
- Member Rick Molera asked about the water test that was performed last summer concerning PFAS (chemicals used in fire-retardant and stain resistant materials). – the test was performed at no cost to the association by AZDEQ just to see if it was a problem in our area. We received an email stating there were no PFAS found in our water.
- President Harper announced the vote tally and invited the newly elected board members to come forward. Many thanks to Jack Harper and Pat Westwood for your service on the board.

- At the insistence of newly seated Director Smith, the meeting was adjourned at 10:13a.m. and then re-convened at 10:14a.m.
- Director Smith nominated Director Rankin to serve as President, Director Holguin seconded, all approved. Nomination carried.
- Director Oldham nominated Director Holguin to serve as Vice President, Director Greenawalt seconded, 4 board members Yea, Director Smith, Nay, nomination carried.
- Director Oldham nominated Director Greenawalt to serve as Treasurer, President Rankin seconded, 4 board members yea, Director Smith, Nay. Nomination Carried.
- Treasurer Greenawalt nominated Director Oldham for Secretary, Vice President Holguin seconded, 4 board members yea, Director Smith, Nay. Nomination Carried.

Director Smith then proceeded to announce a Topic of Discussion concerning what the community wanted as far as an Architectural Review and stressed what would happen if a property owner did not comply. At this time, Mr Allen again interrupted the meeting. He said that previously at the November 2022 meeting the board stated that it was unclear who decided to put the meter at its current location 600 feet down the street from Ms. Bentley's property. Mr Allen insisted that it was the Board's responsibility to install the meter on Ms Bentley's property at no cost to her. He also stated that the Board had paid for connection to distribution lines on other properties but could not site any locations where this was done. At that time, it was decided someone from the board would assist in locating a company to bore across Peakview Rd so that the meter could be installed closer to Ms Bentley's property. The board found that it would take approximately 6 months to do the boring. Mr Allen then told the board he had 4 or 5 people who could do the boring "tomorrow". The board asked him if he would give them the names and phone numbers of these people to which he at first replied he would. Member Darla Holguin read from the CC&R's Section 3 related to the installation of water meters. Per the CC&R's the property owner is responsible for the expense of connecting the water meter to the nearest distribution line originally installed by the developer. Later in the meeting, Mr Allen again stood and began arguing that he had to have a resolution immediately, and threatened to drill "his" own well and make the association pay for it. After much back and forth, Director Smith once again began asking about Architectural Reviews and imposing fines on Members that he found were in violation of Sections 16 and 17 of the CC&R's. Vice President Holguin inquired as to what point he was trying to make as he was not introducing a motion. There was no response from Director Smith. Director Smith made a motion to adjourn, Secretary Oldham seconded, all approved. Meeting was adjourned at 10:56a.m.

After the meeting adjourned Mr Allen came up to the board and informed them that "he was done" and that Monday morning he would start legal proceedings against the Association. He

left the meeting upset and the hotel Concierge came running into the room asking if everyone was ok because the “big guy” that had just stormed through the hotel lobby spewing foul language very loudly. She then told us to inform Mr Brian Allen that he is NO LONGER WELCOME AT THE HOTEL.

Respectfully submitted by Trish Oldham  
Secretary  
Saguaro View Management, Inc