



BOARD OF DIRECTORS WORKING SESSION

Tuesday, December 10, 2024

10:00 AM – Dakota Room

MEETING MINUTES

Attendance: Carl Thoutt, Cindy Weingart, Ron Sparks, Claudia Mescher, Jayne Tiffany, Dan Borders (Zoom)

Absent: Sherri Stewart

Management: Steve Byfield, Sarah Lindsay, Roger Sanchez

Guests: 8

Zoom: 5

Call to Order at 10 am by Carl Thoutt, Vice President

Purpose: Board Working Sessions are to review and determine the Agenda and Topics for the next scheduled Open Board Meeting Open Board Meeting: December 17, 2024, 10:00AM in the Rec Hall.

Opening Remarks: by Carl Thoutt

Homeowners Associations (HOAs) in Arizona are not required to video record meetings because they are not subject to the state's open meeting law. HOAs are private entities, not public bodies, so they are not subject to the open meeting law. However, HOAs are subject to meeting requirements in A.R.S. § 33-1804, which are similar to the open meeting law but have some key differences. Per Mulcahy Law Firm, Persons attending may tape record or videotape those portions of the meetings of the board of directors and meetings of the members that are open. The board of directors of the association may adopt reasonable rules governing the taping of open portions of the meetings of the board and the membership, but such rules shall not preclude such tape recording or videotaping by those attending. Boards cannot require advance notice of audio or videotaping open board meetings. The board can pass a rule precluding those attending from audiotaping or videotaping an open board meeting if the board audio or video tapes the open board meeting and makes the unedited videotapes available to members on request without restrictions on its use as evidence in any dispute resolution process.

Our firm recommends that associations consider adopting reasonable rules and regulations regarding a homeowners' ability to tape or video record open board meetings.

From the following list, select rules and regulations the board is comfortable with:

- In order to prevent interruptions, all owner's recording equipment must be in position 5 minutes prior to the start of the meeting;
- Any recording equipment must not produce sound or distracting light emissions;
- All owners utilizing recording equipment must set up the recording equipment in the place designated by the association or in a location that doesn't disturb the board while the board is conducting the meeting;
- All recording equipment is the responsibility of the owner, the association is not obligated to provide equipment;
- If any recording equipment fails, the association will not stop the meeting while the equipment is reset; and
- No recording of a meeting shall be posted, or otherwise made available on the internet, without the written consent of the board.

Financial Report will be presented by Ron Sparks

- Accountant / CFO will be presented by Roger Sanchez

Roadhaven Management

- Manager's Report will be presented by Steve Byfield/Trish Hoagland
- Architectural Update will be presented by James Hoagland
- Security Update will be presented by Dick Rollins
- Activities Update will be presented by Jennings



Unfinished Business

- Phase II Pool discussion
 - Our regular lap swimmers are still cold. increase the temperature to 85 as a test for the next couple of weeks.
 - Open discussion by the board that different styles of lap swimmers are using this pool, some are using for physical therapy, some light exercise, and some pro athletes which all require different temperatures.
- Speeding will discussion
 - Speeding and enforcement are ongoing concerns. We need someone to run our Volunteer Security program and get it moving again. Traffic Logix -photo radar within the resort.
 - Open discussion by the board and Steve said that the most common speeders are in bicycles. We currently have 4 speed radar signs and will be looking to place 4 more. In the past we have had a volunteer using a speed radar gun, but it was ineffective to stop speeding. Speed humps helped, but additional radars will help those without speed gages.
 - It was suggested to get photo radar and post pictures of individuals speeding as public notice
 - Claudia confirmed that the front gate provides the rules to delivery service drivers and guests of the speed limit.

New Business

- Nominations and Elections Committee will be presented by Jayne Tiffany
 - Transition from Service Committee to Standing Committee
 - [motion to approve]
- CC&R topics to discuss has been motioned to table as insufficient documentation has been received. Rule request / change form has not been received.
 - **Section 5.4**
 - ~~Removal of The Board of Directors shall have the sole discretion to accept or reject the approval of candidates by the Nominations and Elections Committee.~~ Add **If more than 2 vacancies become open on the board outside the normal election season (October-March) then a special election will be held with a membership vote, however if the board vacancies become open after August 1st, then the special election would be delayed and operated through standard elections procedure.**
 - Petition Signers of 100 to 20% has been motioned to table as insufficient documentation has been received. Rule request / change form has not been received.
 - Motion to table by Claudia, Second by Ron, approved unanimously
- Land Acquisition Account will be presented by Ron Sparks
 - This fund was to purchase additional land in Roadhaven. No longer in use, will request to move the funds into the long-term reserves and close this account.
- Rules and Regulations Clarification Rule will be presented by Claudia Mescher
 - Researched to determine that although the office is closed on a number of holidays, some holidays should be accepted to allow contractors in the resort to work. Excluded holidays that do not allow contractors are: New Years, Labor Day, Thanksgiving, Christmas, Easter, Memorial, and 4th of July.
- Board Liaison Reports will be presented by All Board members

Homeowner Open Forum

- Carl said that he attended the Rec Council meeting and took notes and will provide to Dan Borders when he is back in town.
- Carl said document requests need to be submitted in written form.
- Claudia requested that when duplicate questions are submitted through open forums if the response can include where to locate previous responses so residents know that it has already been addressed and they can be educated on where to locate the original answers.



- Carl announced that the open board office hours are available for residents to come and ask questions. This opportunity is not being used effectively as very few attend. Management and 2 board members ensure to be available. If a resident does not wish to come, they can go to the main office as a walk in and if available they can be seen or they can schedule an appointment.
- 1279 Marianna Bekei- Would rather speak at open meetings to larger attendance so majority can hear the input. Open office hours is not the ideal setting to speak. Requested that the board meetings be moved to afternoons when the activities are fewer in the resort.
- 2050- Mary Elise Citton- Should try moving the board meetings around to see what is the best fit to capture the majority. It is possible January through March to arrange the meetings at 3PM. Also addressed that the questions and answer format is not productive. Answers should be given on the spot, so it reduces the ability to appear as the answers are calculated or formulated as in favor of the board and management.
- Roger Sanchez added that the answers were given at first, but an incorrect answer was provided, and the membership went in attack mode on the board and management. Now the answers are researched to ensure only facts are delivered and the board and management is getting attacked for waiting for an answer. Either way the large open forums are difficult and will be hard to move forward from.
- 2396 Joe Turner- since the open office hours are not getting a great turn out, limit the hours or not have them available every week.
- Renter Edith Lam- as a pro athlete swimmer the phase II lap pool is heated to high and should be 79-82 degrees. Temperatures higher cause overheating and dizziness. She suggested that one lane be added into the big pool in Phase I for those that want to complete laps in the desired warmer temperatures.
 - Dan from Zoom thanked Edith for not only speaking but coming with a possible solution and detailed reasoning behind her requests.
- 2285 Gisele Bann- confirmed that this last week the Phase II lap pool was a bit warmer than it has been and was not as easy to complete laps as a non pro athlete.
- 1279 Marianna Bekei- This season the printed directories were free. How was this possible? Steve said that vendors sponsored the directory which covered the cost of them and allowed to be free for residents this season.
- Cindy- Kudos to Trish Hoagland for working so hard and dedicated to the laboring efforts of the water refund. Roger Sanchez confirmed that the refund has been deposited into Roadhaven.
- 1522 Tim Lehr- discussed medications in the mail and said that the mail is closed for extended weekends when office is closed for holidays. Is it true that Deb in security is the only one who has a key? Steve confirmed that the key she used was in a lock box so all security can access. The issue with the mail is that USPS has requested Roadhaven to have a staff member present in order to deliver. This is for insurance purposes as it is under USPS insurance until delivered, then transferred to Roadhaven insurance once delivery is made. So, a paid staff member must be present as oversight rather than a volunteer. Steve did say that refrigerated medications are marked on packaging and an be looked into.

Next Scheduled Working Session: January 14, 2025; 10:00AM in Dakota

Adjourn at 11:03 AM by Cindy Weingart