

Minutes of the Meeting
Three Canyons Ranch Master Homeowners Association (MHOA)
Board of Directors Meeting / Wednesday October 12th, 2011

Board members present: Greg Chouinard (22), Mike Needham (23), Jack Lang (27), Connie Slay (20E), Gary Brock (19)

Officers Present:

President: Greg Chouinard

Vice-President: Mike Needham

Treasurer: Jack Lang

Secretary: Gary Brock

1) Call to order

The meeting was called to order at 5:31pm.

2) Introduction and review of ground rules

3) Revision and/or acceptance of agenda

A motion was made and seconded to adopt the meeting agenda. The motioned carried by a unanimous vote.

4) Revision and/or acceptance of July 16th 2011 board meeting minutes

A motion was made and seconded to accept the minutes from the July 16th 2011 board meeting. The motioned carried by a unanimous vote.

5) Call to membership

No members requested the floor.

6) Treasurer's report

The Treasurer's report was given by Jack Lang, Treasurer.

Financial Statement as of September 30, 2011

Commercial Checking: \$133,793.84

Outstanding Checks: \$1,080.50

Commercial Savings: \$200,136.81

Capital Savings: \$71,706.63

Total: \$404,556.78

7) Committee Reports

a) Road committee: Report given by committee member Tom Pickering. (See attached report).

b) West Gate Committee Report: Report given by Tom Pickering, committee chairman. (See attached report).

c) West Gate Administrator's Report: Report given by John Stone, Gate Administrator.

Topic: Issuing New Gate Codes – all mailings are now complete as of October 13th, 2011. The scheduled plan is to update the new gate codes into the system at midnight Friday October 28th 2011; with activation of the new gate codes immediately after the update which should be early Saturday October 29th, 2011. John Stone reported a new email address: jkzmstone@netzero.net.

d) Master Design Committee: Report given by Jack Lang, committee chairman. The Master Design Committee (MDC) received and approved six (6) applications this quarter (August – October). Two applications were for new construction.

The MDC collected \$540.00 in fees this quarter. MDC expenses for this quarter were \$45.07.

The MDC inspected one new construction completion and the construction deposits are in the Association's account.

The MDC has completed the update of the Master Design Guidelines and the Guidelines are pending Board approval.

The MDC welcomes the opportunity to assist the Association's members, our neighbors, to improve their property while complying with the Association CC&R's.

e) East Gate Design Committee Report: No report submitted. Greg Chouinard will contact the committee members to see if they have selected a chair-person.

f) Governing Documents Committee: No report submitted.

OLD BUSINESS

8. Revised Master Design Committee Guidelines

A motion was made and seconded to adopt the Revised Master Design Committee Guidelines as amended. The motion carried by a unanimous vote. (See attached adopted amended Master Design Committee (MDC) Guidelines).

9. Collection of Delinquent Assessments

A motion was made and seconded to commence standard collection procedures through the associations' attorneys' office on five (5) MHOA members (Almeida, Crowley, FNMA, Gomez, Granillo) for delinquent assessments (2009-2010). The motion carried by a unanimous vote.

10. Consider Options for Controlling Trespassing / Speeding on the Primary Roadway

After discussion, the consensus of the board was that the East Gate Design Committee should put a priority on researching the options for a gate or gates for the east end of 3 Canyons Ranch MHOA, as the major option for controlling trespassing and speeding on the primary roadway. Greg Chouinard will be contacting the committee members to see if they have selected a chair-person and to update them on this discussion.

NEW BUSINESS

11) Flooding of 3 Canyons Road

a) Report of Emergency Funding - Report given by Greg Chouinard, President.

Emergency Road Clean Up

Road clean up of rocks, dirt and mud west of gate on 3 Canyons Road.

Materials:		\$0
Labor:	8/9/11	\$300.00
	8/15/11	\$300.00
	8/21/11	\$300.00
	<u>9/14/11</u>	<u>\$350.00</u>
	Total	\$1,250.00

b) Course of Action for Future Flooding

After discussion and review of the Castle & Cooke "Gate Relocation, Lease, and Reciprocal Easement Agreement" contract, it was agreed unanimously by the board that Greg Chouinard will set up a meeting with Castle & Cooke representative(s), along with MHOA members Rich Frederici (road committee chairman), Tom Pickering (gate committee chairman) and himself (president), to discuss the flooding, erosion, maintenance and future repairs issues/concerns related to 3 Canyons Road between the West Gate and Highway 92.

c) Amend Road Committee Budget to Cover Additional Expenses

After discussion, it was decided to table this issue until the next board meeting.

12) Appoint Interim Board Representatives

A motion was made and seconded to appoint Richard Sontheimer, as a 3 Canyons Ranch MHOA board member, representing Section 21. The motion carried by a unanimous vote. (The term for board members in odd numbered sections is through annual meeting May 2013).

13) Maps Committee

Greg Chouinard reported that David Angell, Maps Committee Chairman, has regrettably passed away. David served this community and association with great pride and never ending support for many years. The entire board has the deepest regrets and sympathies to his wife Pat and family.

14) Call to membership

No members requested the floor.

15) Adjournment

A motion was made and seconded to adjourn the meeting. The motion carried unanimously. Meeting adjourned at 8:12pm.

Submitted by Gary Brock, Secretary

GATE COMMITTEE REPORT

OCTOBER 12, 2011

On July 20, 2011 Rich Frederici and I met with Lt. Gregory and Deputy Commander Buckner of the Cochise County Sheriff's Department. The purpose was to discuss the speeding and trespassing occurring on 3 Canyons Rd. We explained that our gate and road monitoring has shown that most of the problems originate from Rio Santiago South of 3 Canyons Road.

We asked what they could do to help us and could we hire an off-duty deputy to assist us. We also asked if they could give us or our attorney the owners name and address of violators we identified. They advised that their policies do not allow them to do so.

There suggestion were that as long as the East end of 3 Canyons Rd. remains open that there is nothing they could do but they could probably provide some assistance once 3 Canyons Rd is gated at both ends.

RECOMMENDATIONS:

It is recommended that the East Gate Committee finalize plans to install an East Gate.

Respectfully submitted by

Tom Pickering

Chairman of the West Gate Committee

ROAD COMMITTEE REPORT

OCTOBER 12, 2011

The Monument Fire allowed flooding filled with rocks and debris to occur several times across 3 Canyons Road on the Castle & Cooke property between the gate and Hwy. 92, making the road impassable.

The "gate relocation, lease and reciprocal easement agreement" recorded on August 6, 2008 and amended May 6, 2009 was developed by members of the gate committee in conjunction with officers of Castle & Cooke Arizona, Inc. After being reviewed, revised and approved by our attorney and the 3 Canyons Board of Directors, it was signed by Castle & Cooke and our President before being recorded.

Areas identified in the document include the "Oaks Roadway" which is the 3 Canyons Road from Highway 92 to the gate monument, the "Gate Monument" which is from the gate area East to Fairfield Rd. and "3 Canyons Roadway" which refers to 3 Canyons Road from Fairfield Rd., East to Palominas Rd.

Paragraph 7 of the Gate Agreement states the following: "Castle & Cooke shall have no obligation to share in the costs associated with the maintenance or repair of the New Gate, the New Monument, the Gate Area or any improvements thereto or thereon or the Oaks Roadway, except that Castle & Cooke or its designee shall be responsible for repairing and top coating the Oaks Roadway within six months after the completion of all site and street improvements for construction of Phase 1 of the Oaks development. The 3 Canyons HOA will assume maintenance responsibility after Castle & Cooke has completed the repairing and top coating described above."

The Road Committee in conjunction with the Gate Committee strongly believes that paragraph 7 of the Gate Agreement is very clear in that Castle & Cooke is responsible for maintenance of the Oaks Roadway since they have neither repaired or top coated the road.

Simply clearing the Oaks Roadway of stone and debris is clearly not the final solution. Serious drainage problems that originate on Castle & Cooke properties need to be rectified by Castle & Cooke. Such costs are unknown and could exceed thousands of dollars.

It is my understanding that members from the 3 Canyons Master HOA including our president have all ready met with Castle & Cooke concerning this problem. This meeting was held without notified any member of the Road Committee or Gate Committee and without a copy or understanding of the original gate agreement. Further it is my understanding that Castle & Cooke advised those attending the meeting that in their opinion that they are not responsible for and road or drainage repairs.

RECOMMENDATIONS:

It is recommended that a member of the above group set up another meeting with Castle & Cooke along with a member of the Road Committee and Gate Committee and advise Castle & Cooke of our understanding of the contract. It is imperative that this issue be resolved since it is a safety issue, affects the response of emergency services and could open us up to litigation should an accident occur.

Respectfully submitted by

Richard Frederici

Chairman of the Road Committee