

La Canada Norte
Homeowners Association
P.O. Box 641
Sahuarita, AZ 85629

LA CANADA NORTE HOMEOWNERS ASSOCIATION (HOA)
ANNUAL MEETING OF JANUARY 21, 2023

The annual meeting of the La Canada Norte HOA membership was held on January 21, 2023 at the American Legion Post 66.

CALL TO ORDER

The annual HOA meeting was formally called to order by President Louis Butler at 12:00pm. Seventeen (17) homeowner lots were represented.

READING OF MINUTES FROM MEETING JANUARY 22, 2022

The minutes of the last annual HOA meeting held on January 22, 2022 were read by Secretary Sandra Reith. A motion to accept the minutes from the January 22, 2022 meeting with no corrections was made by President Butler and seconded by Board member Melhorn.

TREASURER'S REPORT

Treasurer Joe Melhorn reported that as of December 31, 2022, the "Total Liabilities and Equity" is \$4,300. Renee Le Cours asked what dates the report represented. Joe Melhorn replied that it was from 11/1/21 to 10/31/22. Joe Melhorn reported that the HOA changed banks from Bank of America to Chase. The reason for the change was because Bank of America was going to charge the HOA \$16.00 per month for upkeep. Joe Melhorn also reported that deposits from 2010 were dropped out of quick books, due to this error he had to now go back over the information from November 1, 2021 to January 1, 2023 to make corrections. A motion was made by Present Butler not to accept the Treasurers Report until corrections were made and a new report was sent out to homeowners. The motion was seconded by Dan Sumerfelt.

COMMITTEE REPORTS

Association Architectural Control Committee (AACC) chairman Linda Mangini reported that two general notices were sent this year. The first was with reference to lawyers fees, the HOA will not be responsible for paying lawyers fees. The homeowner will now pay for their own lawyers fees. The second was for realtor discrepancies in the description of properties listed for sale. Linda explained the problem that this created. The prospective buyers were confused by what the description of the home said and by what the By-Laws and CC&R's stated. She had received phone calls from prospective buyers to confirm the La Canada Norte's HOA By-Laws and CC&R's. Linda Mangini directed the prospective buyers to the La Canada Norte HOA site. Other phone calls from the prospective buyers were made to Linda, the prospective buyers were upset with the fact that the realtor had misrepresented the La Canada Norte's HOA By-Laws and CC&R's, that earnest money had been paid and shared concerns that the money

would not be refunded. Linda Mangini stated that this not only happened once but twice and that the realtor was at one time a homeowner in the community as well a member of the Board. This situation would have caused ill will going forward if the new buyer was unaware of the La Canada Norte HOA By-Laws and CC&R's.

A report of homes sold during the 2022 year was reported by AACC committee chairman Linda Mangini. Linda stated that five (5) homes were sold. Prices ranged from \$379 to \$400. So far in 2023 one house has already sold for \$379.

Linda Mangini also thanked Joe Melhorn for assisting her in updating the La Canada Norte HOA on-line site as well as assisting her in setting up the scanning feature on her printer. Setting up the scanning feature will save money when sending documentation and permits to the other AACC members for approval or disapproval of modifications rather than mailing the information. This also speeds up time notifying the homeowner on the status of their project. Board member Rick McCallum stated that he has not been given modification or violation letter information and as a Board member he was entitled to this information. Linda Mangini stated that she was unaware that this information was to be provided by her, but that she has maintained the Board of Directors briefing books for the last four years and that if information was needed by the Board that they could have reviewed the briefing books at any time. President Butler stated that he would see that the board receives this information in the future because it was his job to do so.

Linda Mangini stated that from 2019 to 2022 five (5) briefing books have been kept for the President and Board of Directors. Starting this year 2023, and in an effort to save money, only two briefing books will be maintained. These books, as always will be available to the President and Board members for their review.

Linda Mangini stated that in the near future, the town of Sahuarita would be revising their Zoning and Building codes. She advised homeowners, that if they were contemplating modifications to their home to go to the Town of Sahuarita to check to see if they need any permits, approvals or inspections concerning their project, the town is very helpful. Linda Mangini stated that before the La Canada Norte HOA can approve a project that requires approval and permits, the town of Sahuarita has to approve it first. This is to protect not only the homeowner but the La Canada Norte HOA as well.

Linda Mangini gave a report on what letters are routinely sent to homeowners each year, monsoon yard cleanup, HOA meeting notice which includes the agenda, HOA meeting minutes and the Treasurers report. This cost the HOA approximately \$157 per year. "Welcome to the Neighborhood" packets are still being sent to new homeowners at a cost of \$9.31 per mailing.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

President Butler asked a representative from the town of Sahuarita to attend our annual

meeting to explain the rules and workings of the town of Sahuarita zoning, building codes and permits. The town's employees for the most part live in Tucson and work Monday thru Friday. Present Butler stated that they most likely would want to be paid to attend and speak, therefore no town employee would be at the HOA meeting.

Homeowners Liz and Emil Puhak, Lot #28 asked about public funds, President Butler explained that we are public funds, and that this is because of our tax status, we are exempted from paying taxes on the money we collect. Reason for tax status, for expenses only, no profit for the HOA. Liz Puhak stated that she has received no response to letters sent to the HOA. Linda Mangini AACC Chairman responded stating that letters were sent, Liz referred to a letter that Emil wrote with reference to disabilities. Linda Mangini read the reply from the HOA from the briefing books dated September 12, 2022, which was sent to the Puhak's in response to the disability letter. President Butler apologized and offered to set a date and time for the Puhak's to review their HOA file, which Liz Puhak requested. Mrs Puhak also stated that she was not able to find the CC&R's on the La Canada Norte HOA site as well as the notice for this annual meeting. Linda Mangini stated that both she and Joe Melhorn worked on the site to insure that all information was there including the notice for the annual meeting and that it is possible that Mrs. Puhak was on the incorrect site. There are three La Canada Norte sites for the three La Canada Norte communities.

President Butler stated that there is one homeowner that has not paid HOA dues for the last three years. President Butler stated that the HOA has been in search of a new lawyer to represent the HOA with legal matters since our former attorney has retired. Linda Mangini stated that she has been in search of an attorney and has called several, the only attorney that would take the La Canada Norte HOA as a client was one that charged \$425 per hour. Q&A began from the homeowners as to why we need an attorney. Joe Melhorn stated that he has sent registered letters to the homeowner who owes three years of HOA dues, as well as knocking on their door to collect the money, but to no avail. At this point the only way to collect the money is to put a lien on the property, which most likely would not be collected until the house is sold. Liz Puhak questioned as to way we would pay an attorney when the homeowner at this point owes \$195, and the attorney would cost \$425 plus court cost, fines and fees. President Butler stated why would we allow one homeowner to not pay when everyone else pays their dues as required. Renee Le Cours asked if we have ever filed a lien before, Louis Butler replied he had filed three in the past with an attorney. Terry Pickrell stated that anyone can file a lien against someone, why doesn't the HOA and that there is a on-line site that provides information on how to file a lien. President Butler stated that we would not do this without a lawyer. Reason being liens have changes and date limitation and it is the lawyers responsibility to respond to these changes.

Terry Pickrell questioned the Treasurer's report and cost for landscaping. Terry stated that he had already sent a letter concerning his matter to the President and Board of Directors. Bill Grinley addressed Terry's concerns stating that he had called three landscapers, only one landscaper had responded and that others most likely would want a contract which does not suit the HOA needs. The landscaper is called only when needed. Terry Pickrell asked what this money represents, what was it actually spent

on and that he would like to see the receipts with a reply in writing from the Treasurer. Terry also stated that in the past members of the La Canada Norte HOA had volunteers to do the clean up. President Butler stated that after the volunteers did the landscaping he had to call a company to come back and complete the clean up work. Renee Le Cours stated that \$2,000 annual costs was absurd.

SPEED BUMPS, at the January 20, 2019 annual meeting speed bumps were discussed and resolved. Renee Le Cours stated that, that was four years ago and that the issue should be revisited. Homeowner Henson stated that 60% of homeowners should be allowed to vote and that he never had the opportunity to do so. Louis Butler questioned if that 60% is actually required and stated that if you do not attend annual meetings, you have no way of voting or participating in the conversation. Board members Bill Grinley and Rick McCallum both volunteered to go to the town of Sahuarita and gather the necessary information needed for the La Canada Norte HOA members to make a decision.

Jim Mangini stated that radar would be something to be considered. Perhaps this is a law enforcement problem, not a speed bump problem. Jim said that he would go to the police department in Sahuarita to see if he could get a police car to patrol the area and perhaps ticket the speeders, which would put the word out that speeding is not tolerated in the La Canada Norte community.

Renee Le Cours questioned the Christmas decoration expense, and why it was so much money. She also questioned why no decorations were put up this year. Board member Rick McCallum said that he had purchased the decorations and just forgot about putting them up this year. Renee Le Cours asked Rick McCallum if he had the decorations in his possession, Rick McCallum replied yes. Adam Stuflick stated that next year he would help Rick put up the Christmas decorations.

Adam Stuflick stated that he was resigning as a volunteer from the Architectural Committee due to the greenhouse issue. He felt that his integrity was blemished due to this issue, and that he admits that he was wrong in the way the greenhouse was installed. Adam explained that the greenhouse issue has been corrected but is offended on how President Butler and Linda Mangini handled the issue. President Butler apologized and asked Adam twice if he would reconsider, Adam declined. Rick defended Adam stance.

Larry Bailey addressed the meeting reading a letter with reference to a Board member. Larry felt that there were considerations given to Rick McCallum that should not be given and read a description of a board members duties. One issue was that since the HOA community does not have street lights, and adequate lighting is an issue Rick should not have a red light on his lamp post, it does not provide adequate lighting. Both Bailey and McCallum live on the same cul-de-sac and that adequate lighting should be provided by all homeowners. Bailey also had issue with the sign in Rick McCallum's window stating "my dog bites racists". Bailey feels that the sign is divisive and that as a Board member he should not have such a sign. Rick McCallum stated that he would not apologize for the sign and that he feels he has the right to have it in his window.

President Butler awarded Renee Le Cours a plaque for past service as a La Canada Norte HOA secretary, Lou stated that without Renee's help he would not have been able to keep the HOA functioning. President Butler stood and thank Renee for all of her help and told Renee how much he appreciated it.

Homeowner Ed Henson complained that he was given a letter about a trailer on his property, when the trailer was only there for three days. He was angry that the letter arrived so quickly. He stated that perhaps the AACC should not send letters out so quickly and perhaps the issues should be looked at more carefully. He also stated that President Butler had a port-a-potty and dumpster outside of his home for three months. He wanted to know how fair that was. Lou Butler stated that construction was not an overnight endeavor and that it was required to retain the debris from the construction site which took over ten months. The port-a-potty was for sanitation. President Butler apologized and stated that he would send Mr Henson a letter of apology and would remove all correspondence pertaining to this issue from his homeowner file.

Janet Melhorn stated, once again, that she had gotten two nasty letters from the HOA with reference to having a motor home/trailer on her property. Linda Mangini stated that she received those letters, due to the fact that at the time of the letter (August 22, 2019) the notice to all homeowners "72 hour rule for loading and unloading RV's" had not been issued, it was issued October 22, 2019. At the time of Janet Melhorn's letter of August 22, 2019 this was also a violation of Article VII, Section Six of the La Canada Norte HOA, CC&R's. Linda Mangini took offense to the phrase "Big Brother" that Janet Melhorn used, especially when Janet is on the AACC committee.

MOTION TO ADJOURN

President Louis Butler made a motion to adjourn, the vote to adjourn was unanimous.

Respectfully Submitted,

Sandra Reith
Secretary

Louis Butler
President