

## **PINE MEADOWS COUNTRY CLUB ESTATES**

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### **MINUTES OF THE BOARD OF DIRECTORS MEETING**

**September 17, 2022**

#### **OPEN MEETING**

The Regular Board of Directors Meeting for September 2022 was held on September 17, 2022 at 9:00 a.m. at the Heber-Overgaard Fire Station.

1. President Phil Sanders called the meeting to order at 9:00 a.m.
2. The Board of Directors present were Jerry Funk, Donald Leonard, Maria Bauman and Tim Morgan. Counsel Steve Feola participated by phone.
3. There were 5 member guests present.
4. The first order of business was to review and discuss the draft of the August 20, 2022 Board of Directors Meeting Minutes. After a brief discussion, upon motion made and seconded, the August 20, 2022 Minutes were approved.
5. The next item of business was review and discuss the Treasurer's Report prepared by Don Leonard. After a brief discussion, upon motion made and seconded, the Treasurer's Report from the period of August 1<sup>st</sup> through August 31, 2022 was approved.
6. The next item of old business dealt with the question of removal or reconstruction of the Pine Meadows Country Club entrance sign. Upon motion made and seconded and upon unanimous vote of the Board, the Board authorized Phil Sanders to arrange for the removal and the hauling away of the existing sign. The Board authorized the expenditure of up to \$400. The Board also decided as part of the unanimous vote that a new sign would not be constructed.
7. The next item of business was a report of the Architectural Committee presented by Jerry Funk. Jerry outlined the number of homes listed for sale and recent sales in the development including the listing prices or actual sale price of any home recently sold. Bruce Klewer's storage shed request submitted to the Architectural Committee was approved by the Board.
8. The Board then noted that with regard to the placement or construction of storage sheds upon any property, that storage sheds made of composite materials (i.e. Rubbermaid) or metal sheds were not permitted and the Members are reminded that before placement or construction of any shed is undertaken that a request must be submitted to the Architectural Committee for its review and approval (or denial if appropriate). The Board further noted that

shed must be constructed of wood and all wooden sheds must be painted or stained in the same color as the primary residence.

9. For those Members reading these Minutes on our website, the Board asked to remind all Members before any improvement project, painting project or renovation project that effects the exterior of your home that plans must first be submitted to the Architectural Committee for approval. The Board next wanted to remind Members reading these Minutes that substantially all CC&R's restrictions are consistent with Navajo County Building Code Requirements and that any owner that feels that any construction or renovation project anywhere in the development that is being undertaken in violation of our CC&R's, should report it to not only this Board but to the Navajo County Building Department as well.

10. The next item to be discussed was removal or the mowing of high grass and weeds on some of our lots. The Board noted that it was a very wet, rainy season and that the growth of grass throughout the community, including our development, was significant. The Board did not take position on whether we can require homeowners to mow the grass on their lots but the Board would note that Navajo County in certain circumstances may take action against homeowners who allow dead grass to accumulate on their property because like dead trees and shrubs, dry and dead grass may possibly represent a fire hazard.

11. The Board next discussed the current status of the Trustee Sale of the golf course and surrounding properties, including the property upon which the sewer plant is situated. Steve Feola appearing by telephone noted that he had sent a letter to Rick Koberna and Diane Hunter dated August 25, 2022, a copy of which was sent to the Board Members. A copy of that letter was also sent to Assistant Attorney General, Jeffrey Cantrell, Esq. regarding foreclosure proceedings. A copy of the August 25, 2022 letter is attached to these Minutes and once approved may be posted on our website. Essentially, the August 25, 2022 correspondence notes that if a foreclosure occurs on the property upon which the sewer plant is situated, that would result in another change of ownership.

12. The Board asked Steve Feola to contact A.G.G. Jeff Cantrell, Esq. and/or ADEQ employee, Mr. Andrew Kelley (Ground Water Protection Inspection and Compliance Unit) regarding the current status of the transfer of ownership of the sewer plant from Diane Hunter to either Mr. Koberna or a related entity. Steve will report back to the Board once he hears back from Mr. Cantrell.

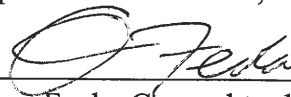
13. The Board noted that due to the recent resignation of John English, Joe Studnek was under consideration for appointment as an Alternate to the Board. Efforts to contact Mr. Studnek have been unsuccessful and therefore the Board has decided not to vote to appoint Mr. Studnek as an Alternate Board Member.

14. An issue was brought up about a recent Arizona Supreme Court Decision regarding short-term rentals. Based on the court opinion as read and interpreted by the Board Members, the Board has decided that the enforcement of any of the CC&R's prohibiting property owners to utilize their property for short-term rental will NOT be enforced.

15. The next item of business to be brought before the Board was a suggestion that Board Meetings be held on a year-round basis. Currently, Board Meetings are held from April through October each year. It is noted that a Special Election may need to be held if the CC&R's are going to be amended. The Board then decided to defer this issue until the October 15, 2022 Board Meeting.

16. The next meeting (the final meeting of the year unless the Board decides otherwise) is scheduled for October 15, 2022 at 9:00 a.m. at the Heber-Overgaard Fire Station.

There being no further business to be brought before the public portion of the Board Meeting, upon motion made and seconded, and upon unanimous vote, the meeting was adjourned.



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Steven Feola, Counsel to the Board of Directors  
Pine Meadows Homeowner's Association