

**ABEVA BOARD OF DIRECTORS MEETING**  
Arizona Biltmore Estates Village Association Office  
2525 E. Arizona Biltmore Circle D-145 Phoenix, AZ 85016  
March 20, 2023

**Board Members Present:** Garnet Harding, John Lynch, Mark Baldree, Phil Lovell, Karin Olson, Mike Fallaw, and Bill McKay

**Board Members Absent:** Tiffany Siegel and Wes Balmer

**Management via Zoom:** Beth Rose

**Homeowners via Zoom-** Judith Shafkind, Jason DeMont, Rosemary Robinson

- I. **Call to Order** – Board President Garnet Harding called the Board of Directors meeting to order at **5:31 pm**
- II. **ABEVA Governing Documents**
  - a. CC&Rs - Amendments require a simple majority of 51%
  - b. By-Laws
    - changes require a majority of the Board
    - At the January meeting the requirement to serve on the Board for a number of years before becoming an officer was removed
    - It is clearly stated that the Board members are not liable if acting in good faith
  - c. Expenditures – The documents are silent regarding how much money is spent by the Board. All that is required is there are funds available and the approval of the majority of the Board.
- III. **Committee Assignments moved to the Executive meeting.**
  - **Mike Fallaw motioned to nominate Karin Olson as Secretary to replace Tiffany Siegel. Bill McKay made the second. All in favor. Motion carries.**
- IV. **Homeowner Forum**
  - There is a problem with the email blasts for owners with a cox.net email address.
  - Fine policy was not discussed during the Open meetings –  
*The FINE POLICY was discussed during the Open Meetings September 2022 – January 2023*
- V. **Approval of Minutes**

**Mark Baldree motioned to approve February 20, 2023, Open Meeting minutes. John Lynch made the second. All in favor, the motion carried.**
- VI. **Financials – Karin Olson motioned to approve the January and February 2023 financials. Bill McKay made the second. All in favor. Motion carries.**
  - a. Currently, ABEVA has 2.8 M in the Alerus bank. Alerus is an HOA-style bank and offers a program called “SWEEP”. The program will spread ABEVA’s money around to make sure the money is protected under the FDIC limit of \$250,000 protection.  
**Mike Fallaw motioned to enter into a management program at the cost of \$100 per month with Alerus bank. John Lynch made the second. All in favor. Motion carries.**
  - b. There are 2 CDs maturing at the beginning of April. **Mike Fallaw made a motion to roll the CDs into the money market upon maturity. Phil Lovell made the second. All in favor. Motion carries.**

## VII. Old Business

- **Legal Costs** – There are 3 positions that may contact the attorney, not to exceed \$500 without Board approval. They are the President, the Treasurer, and the Chairperson of the Legal Committee.
- **Hiring Vendors (Update)**
  - a. Copies of all proposals must be sent to the ABEVA office for documentation.
  - b. Contracts can only be signed after Board approval and only by the Board President
  - c. All new vendor paperwork must be submitted to the ABEVA office prior to receiving any invoices
- **Financial Review & Taxes** – Copies of the Financial Review are available upon request. The taxes have been paid.
- **Water Line Replacement** – The replacement of water lines around Biltmore Estates may start at the end of 2023. The schedule will be determined after the City of Phoenix completes its budget. More details will be provided as time is closer. The hotel has been contacted about this since they scheduled seal coating work for June this year.

Mike Fallaw left the meeting at 6:27 pm.

## VIII. New Business

- **Landscaping**
  - a. The work currently being done is not to ABEVA's satisfaction.
  - b. Possibly look at different companies
- **Crocker Agreement**
  - a. An easement agreement has been drafted by ABEVA's attorney but there has not been any response from the Crockers or their attorney.
  - b. ABEVA will have to go through the process of obtaining approval from 2/3rds (or 1125) of the owners in ABEVA before moving forward with the work.
  - c. A telemarketing company would be hired to make calls to the homeowners, send out mailers, and more. This will ensure the homeowners are educated and understand what is being voted on. A proposal for this telemarketing company came in at the cost of \$6000. There will also be the cost of the mailings, postage, and the actual voting.
  - d. Taliverde has notified the Crockers about the condition of their parcel.
- **Records Request & Inspection** – AZ statute allows owners to examine the association records per a written request. Under AZ law, there are some documents the Association cannot provide such as Executive minutes. Upon receiving a request, the Legal Committee will be notified and review the request prior to providing any documents.
- **President's Expenditure** – This would allow a small amount to be approved in between meetings. The amount is usually \$250 - \$500. In addition, there would be parameters of what could be approved. Possibly there is a resolution already in place.
- **Board Contact** – An email with the correct information will be sent to each Board member to verify if the information is correct. This information is for the Board ONLY and will not be given out to anyone else.

## IX. Committee Reports

- **Architectural**
- **Beautification**
  - a) Construction documents will be completed in a couple of days.
  - b) Bid packets are ready to go out. Bill confirmed a copy of the packet will be sent to the ABEVA office.
  - c) **Bill McKay motioned to approve \$4850 for the 3D scanning of the Biltmore Block molds. Phil Lovell made the second. All in favor. Motion carries.**

Approved 4/14/2023 – BOD Meeting

- d) Airpark Signage will create proposals to be sent directly to each entity. One for the hotel's signage, one for the Golf Course signage, and one for ABEVA signage. Currently, it is all in one proposal. **Bill McKay motioned to approve up to \$16,000 for ABEVA's portion way signage that has an illuminated top and the current monument bottoms. (No proposal was available to present). Mark Baldree made the second. All in favor. Motion carries.** This money is not allocated in the Reserve Study for 2023.
  - e) The proposal broken down between the 3 entities will be available on Tuesday with all the details and will be emailed to the ABEVA office upon receiving it.
  - f) Bill McKay stated there are additional signage issues that will be part of Phase II or Phase III.
- **Communication Committee**
    - a) The new website is up and running.

**X. Adjournment – There being no further business to discuss, Mark Baldree made a motion to adjourn the Open Meeting and go into the Executive Meeting. John Lynch made the second. All in favor, the Open Meeting adjourned at 7:23 pm.**

Respectfully,

Beth Rose