

ABEVA BOARD OF DIRECTORS MEETING

Executive Session

Arizona Biltmore Estates Village Association Office
2525 E. Arizona Biltmore Circle D-145 Phoenix, AZ 85016
May 26, 2022

Board Members Present: Garnet Harding, Bill McKay, John Lynch, and Keith Mishkin

Board Members Absent: Tiffany Siegal, Mark Baldree, and Will Hawking

Board Members via Zoom: Wes Balmer and Mike Fallaw

Guests: Scott Carpenter, Esq.

I. **Call to Order** – Board President Garnet Harding called the Board of Directors meeting to order at **5:02 pm**

II. New Business

- **Legal**

a. **Legal Name** – Keith Mishkin motioned that the signage on the 2 corners of Thunderbird Trail and 24th St will read “Biltmore Estates” along with the other entrances and on the island the signage will read “Arizona Biltmore”. There was a second. All in favor. Motion carried.

b. **Colony Biltmore Greens Reimbursement** – CBG is requesting reimbursement from projects done previously totaling \$36,099. If ABEVA does not consider past grievances and is reimbursed, they will not sign the LOI letter.

Scott Carpenter informed the Board that they do not need the LOI signed by CBG. A letter can be sent to CBG to bring the area to ABEVA standards or ABEVA will do the work and charge it back to CBG. Scott said CBG is looking for freebies and holding ABEVA hostage.

After further discussion, **Keith Mishkin motioned that CBG signs the LOI by 6/3/2022 and provides proof of funding for a new wall and Ficus hedge along the said wall. They must use a licensed and bonded contractor and complete by 12/31/2022. ABEVA agrees to contribute \$30,000 to CBG which shall be paid upon substantial completion of the sooner of the compliant wall and the new Ficus hedge.**

AMENDED: The money will be paid directly to the contractor. The money will be distributed as follows; \$15,000 upon commencement and \$15,000 upon completion of the wall and Ficus hedge.

In addition, ABEVA’s attorney will write an agreement letter to CBG with the wording to include that this is not ABEVA’s responsibility.

All in favor. 4 votes approve and 2 abstained. Motions carried.

c. **Crocker Parcel-** Wes Balmer explained the different options with Crocker’s parcel. Any design must consider the SRP underground vault. Any construction will have to be careful not to build too close to the underground conduit lines. **Bill McKay motioned for ABEVA to fund the cost of building a wall and landscaping outside the wall on the Crocker’s parcel, using as much of the parcel as deemed necessary to conform to ABEVA standards. Wes Balmer made the second. All in favor, Motion carried.**

Approval from SRP is required because of the easement. There will be access to the transformers off Thunderbird Trail for SRP.

Scott Carpenter will draft an email to the Crocker’s attorney.

III. **Adjournment** – There being no further business to discuss, a motion was made and seconded to adjourn to the Executive Session Meeting. All in favor, the Executive Meeting adjourned at **6:38 pm**.

Respectfully,
Beth Rose