

**Minutes of Sunrise Mountain Ridge Homeowner's Association
Board Meeting, December 12, 2019**

Call to Order: President, Jim Warner, called the meeting of the SMR Board at 9:00 am, December 12, 2019.

1. Directors Present: President – Jim Warner, Vice President, Roads, Archive -John Mitchell, Treasurer – Carole Malan, Architecture – Larry Glasser, Secretary and Nominations Chair – Susan Arbuckle, Landscape – Eloise Gore, Recreation Facilities – Jay Flaherty

2. Directors Absent:

3. Committee Chairs Present: Hospitality - Marc Adams, Neighborhood Watch – Jim McAlister, SAC Representative – Cynthia Clark, Database – Herb Burton,

4. Committee Chairs Absent – Publications - Alan Frankle, Volunteer Liaison – Wendy Reed

5. Guests: Bob Shaff, Barbara Carbajal, Janet Pearce Foster, Bruce Moore

President Report: Jim Warner

We are coming to the final minutes of the 2019 SMR HOA Board of Directors stewardship of our community. There are still a few questions that we will have to address during this meeting and they will be presented by the various directors and chairs.

The HOA annual meeting had a very good attendance and many of the attendees commented that they were pleased with the way the board handled several difficult issues presented during the year. Several residents want me to express their thanks to all of you for your hard work during the year. Let me join them by saying THANK YOU to all of you for making this another successful year of self-management for SMR.

My special thanks to Susan Arbuckle as the board secretary for many years and the person who nagged...er helped me to do my best during the year.

There will be a special orientation meeting after the board meeting for the new members.

Respectfully submitted,
Jim Warner

Secretary Report: Susan Arbuckle

November SMR Board minutes presented for approval. Minutes approved.

Draft of annual minutes is now available on the website.

Susan welcomed Barbara Carbajal and thanked her for her help this past year.

Additional Comments/Discussion:

Treasurer Report: Carole Malan

Cash Balances	Account	11/30/19	10/31/19
Operating Accounts:			
	Chase Checking	\$25,575	\$29,684
	Alliance Checking	\$44,223	\$35,634
	Alliance MM	\$10,184	\$30,179
	Alliance Debit	\$ 2,000	\$ 2,000
	Total	\$ 81,982	\$ 99,498
Reserve Accounts:			
	Alliance MM	\$ 64,526	\$ 65,646

	Great Western MM	\$245,111	\$244,917
	Goldwater MM	\$101,149	\$101,049
	Total	\$410,786	\$411,612
	Total Cash Accounts	\$492,768	\$511,110

December Report:

1. Overdue Accounts Receivable – Lot #477 has filed for Chapter 13 Bankruptcy. SMR received a notice in mid-November that Lot #477 has filed for Chapter 13 Bankruptcy. Eloise, Jim, and I worked with the Cadden Collections Department to find an attorney that will represent us in this matter. An email was sent to all board members and it was approved to hire Charles Small with Maxwell & Morgan to represent us. He will be filing an objection to the bankruptcy plan this week. The bankruptcy claim includes not only past due amounts but future assessments for 5 years from this owner. I expect the attorney fees to be around \$2,000 in total.
2. HOA Assessments for January 1st – There is a new Arizona law that states that a homeowner’s prior billing activity must be included on the current statement. This means that Cadden cannot mail out HOA assessments until November balances are posted. Cadden’s software company that issues the assessment bills is backlogged because of this. Cadden is hoping to mail our HOA bills by December 13th. Since balances are not subject to penalties until January 30th, there should not be any negative impact to homeowners.
3. Bruce Moore has agreed to fill my remaining term as Treasurer. Susan sent out some information on Bruce’s background last week. I would like a motion and vote on having Bruce fill the remaining one year term as Treasurer. Bruce and I will be meeting with Cadden on December 16th and will work on updating all the bank signature cards for the new officer positions. Bruce has agreed to continue the Chase credit card. We will be transferring the automatic credit card payments out of the credit card in my name to the new credit card that will be issued in his name.
4. Please let me know if there will be any changes to the users of the Alliance Bank debit cards in 2020. I think the users will be the same as 2019. Right now cards are held by Eloise Gore, Jay Flaherty, and Marc/Leslie Adams.
5. 2020 Contracts for Landscaping and Housekeeping – We will need signed contracts for 2020 for Infinity Landscaping and Maria Haro to be sent to Cadden. They cannot receive any payments until these contracts are signed.
6. Transfer of 2018 Excess Operating Income– It was approved by the members at the SMR Annual Meeting to transfer the 2018 Excess Operating Income of \$27,730 from the operating fund to the reserve fund. We will make the transfer from operating fund to the reserve fund by the end of December.

Respectfully submitted,

Carole Malan, Treasurer

Additional Comments/Discussion:

Eloise Gore and Carole are both working with Mr. Small on bankruptcy of Lot 477. Eloise made a correction which clarifies that the future claims from the HOA were not included in recent court filings. Mr. Small filed both a proof of claim and objection within the December 7 deadline. We can claim the current debt with future adjustments as needed.

Cadden has sent out a link to going paperless for assessment statements. The deadline for enrolling is December 12, for the next billing cycle. The Arizona legislature has amended the law to require HOAs to clear previous month’s charges before they send out the next assessment. This change has caused a delay in the billing for January.

Bruce Moore and Carole Malone will be meeting with Cadden on Monday, December 16.

Herb Burton asked Carole and Bruce to question Cadden about email addresses for co-owners. His list is updated and he can send it on to Cadden.

Architecture Report: Larry Glasser

The Architecture Committee had reviewed a project application from 4301 Ferreo for ornamental wrought iron on top of the front adobe block wall next to their gate. The Committee agreed that this was not Mission Revival Style and would not approve it, but offered the owner an alternative that more closely compared to Mission Revival Style.

This month, the committee has completed two Resale Inspections with another one in process. We also discussed a few items for the 2020 ADR. The items so far are:

- Color to paint concrete stem walls that support Adobe Block Walls
- The sheen to be used on Garage doors. It seems to be hard to find in the current ADR's.
- Clarify the ADR color chart. We have had a few calls showing some confusion in interpreting the chart.
- As we do our yearly review, there may be some other modifications that are needed.

We would like to get the approximate time frame for the Homeowners Directory publication, so we can have the updated ADR's ready.

We are losing two members for 2020: Dianne Kercheval and Barbara Carbajal. Dianne is working on a large project next year and Barbara will be the Board Secretary/Director. They have been excellent committee members and we wish them the very best in their new endeavors.

Larry asked for approval of Harriet Pope and Bob Shaff to the architectural committee. The motion was carried, and the directors approved their names.

Respectfully Submitted,
Larry Glasser, Chair

Archive Report: John Mitchell

The Archive Chair continues to maintain the folders in Dropbox to ensure that the relevant documents are archived. In addition to the Dropbox cloud backup, the Dropbox files are backed up periodically on an external hard drive.

John Mitchell
Electronic Archives Chair

Additional Comments/Discussion:

New board members need to contact John Mitchell for Dropbox tutorials.

Database: Herb Burton

The database and the Mailchimp address list are up-to-date.

Additional Comments/Discussion

Herb thanked Kathleen Flaherty for assisting with annual meeting.

The current contract for Database services expires in June. Herb would like to meet with IT group to discuss direction for future database.

Larry asked Herb to give Janet P. Foster access to database.

Hospitality: Leslie and Marc Adams

DECEMBER EVENT:

Sunday, December 8th we held our annual Holiday Potluck Luncheon at the Clubhouse starting at **noon** and ending about 2pm. A great time was had by the 60+ that attended. Hospitality decorated the Clubhouse and supplied two spiral hams, all beverages, and all paper/plastic supplies. Residents brought an amazing array of appetizers, side dishes, main courses, and desserts. Those in attendance shared a great meal and most importantly, shared some time with friends and new acquaintances.

UPCOMING EVENTS:

Sunday afternoon, on January 26th, we host the annual **New Neighbors Event** welcoming all those who purchased a home in our wonderful neighborhood during 2019. This event is by invitation only for the new homeowners and our SMR Board of Directors and Committee Chairs.

Tuesday, February 11th at 5:15, we will honor all our SMR volunteers with a Happy Hour, plus a Dessert Potluck. All SMR residents are invited and encouraged to join the celebration for those who work hard to make this the best neighborhood in all of Fairfield! Allen Hile, Volunteer Liaison, will plan the recognition portion of the event.

Thursday, March 26th at 5:15, we will welcome Bruce Jacobs, COO and Executive VP of Title Security Agency. A U of A graduate, Bruce is a 30-year real estate veteran. Bruce has a vast knowledge of Arizona/Tucson real estate and he will talk to us about the past, present, and future of Tucson and its real estate market, including our wonderful Fairfield neighborhood!

Other Hospitality sponsored events:

FIRST FRIDAY OF THE MONTH HAPPY HOUR!!!

We are trying something new in 2020!

SMR will host a BYOB & BYO Appetizer Happy Hour on the first Friday of the month!

A great way to gather with SMR neighbors!

January 3, February 7, March 6 & April 3 from 5-7 pm

Questions? Contact: Kathy & Peter Dannerbeck

kdannerbeck@gmail.com or call (425) 462-9627

We sure hope you will join us!

(This will be a social time with no program. Cups, ice, napkins, and plates will be provided.)

Come! Bring an appetizer and your own beverages and get to know your fellow SMR neighbors!

Hello

SMR

Community!

It's time again to think about the coming Potluck Season 2020 - ☺! Potlucks are a great way to get to know others in our community that we would likely not have met otherwise. They've been such fun that we wanted to provide another opportunity for those who may have not signed up at our last SMR annual meeting.

On Monday, January 6th, 2020 at 6:30 PM we will have our initial meeting at the clubhouse. Mark your calendars - ☺! *Folks who have signed up* will meet their potluck groups and schedule their respective potlucks over the next few months. Be SURE to bring your calendars to help decide on your dates!! In the past, some groups have decided to eat out. Others have chosen to divide the meal 3 ways: i.e. hors d'oeuvres and dessert, with the 'host' for the night providing the main meal. There will be 6-8 people per group, likely rotating each potluck from home to home. The meeting on January 6th shouldn't take too long. If you haven't already signed up at our Annual Meeting, or let us know, please send us an email if you decide you'd like to try this opportunity. We'd *love* for you to join! If you could *let us know by Sunday, Dec. 29th,* it would be *very* much appreciated.

Respectfully submitted,

Marc and Leslie Adams

Additional Comments/Discussion

Landscape: Eloise Gore

Since the last Landscape Board Report, we have completed the new planting in and around the East Pool and commenced work on the West Pool. Our goal for the West Pool is to reduce the amount of water we use for irrigation by replacing plants and shrubs that have needed water over the years with more drought-tolerant plants. This is a work in progress that will continue in the new year. Darrin is also working closely with our zone representatives in Zones 4 and 5, which are adjacent to each other from Penoso to Vacio and along parts of Via Colorada and Trocha Alegre. In response to recent resident requests, plants and bushes in the common areas have been trimmed and some that were overgrown have been removed or cut to the ground. These maintenance and clean up activities improve the views for residents and improve the appearance of the common areas for everyone walking or driving by. This is win-win activity. Improvements to Zones 4 and 5 will continue throughout December.

In November we lost a Committee member who had been the Zone Representative for Zone 8, which includes all of Camino Ferreo. Temporarily we have part-time member Dennis Nowick and I looking after Zone 8. We do have a new member, Elaine Mathas, for whom we need Board approval. Elaine is going to take over as Committee Secretary and will provide back up coverage for Zone 3 when that Zone Representative is out of town. (Elaine cannot take on Zone 8 because her home is in Zone 8, and we have a policy to avoid having Zone Reps representing the zone where they live.) I REQUEST BOARD APPROVAL OF ELAINE MATHAS AS A MEMBER OF THE LANDSCAPE COMMITTEE.

We have negotiated a new contract with our landscape contractor, Infinity Earthworks. Last Spring the Board agreed to offer Darrin a three-year contract with an increased number of work hours for Darrin Seidel and his team. Darrin agreed to the terms. Most of the text is the same as the prior years' contracts with Darrin's company, but the new contract has a few wording changes for clarity. Of primary significance, we are specifying the hourly wage, which will be the same in 2020 as in 2019, although we are increasing the number of person-hours per month from 216 to 240. In 2021 and 2022, the number of hours remains 240, and the hourly wage increases by small increments. The number of person-hours includes Darrin and his team of four or five employees. Darrin has agreed to the terms of the new contract and is very appreciative of the three-year term.

I circulated the draft contract via email for your advance review on December 3, 2019. To assist in your review, I highlighted the substantive changes in yellow on the draft contract, which I am providing again with this Report. To further assist your review, here are the calculations of the costs for 2019, 2020, 2021, and 2022:

2019	\$31.38 per hour	216 hours a month		\$6777.00 per month	\$81,324.00 per year
2020	\$31.38	“ “	240 “ “	\$7531.20 “ “	\$90,374.40 “ “
2021	\$32.00	“ “	240 “ “	\$7680.00 “ “	\$92,160.00 “ “
2022	\$32.50	“ “	240 “ “	\$7800.00 “ “	\$93,600.00 “ “

The current contract expires at the end of 2019, so we would need to have the new contract approved and signed before December 31, 2019. BOARD APPROVAL AND SIGNATURE BY THE PRESIDENT IS NEEDED.

Earlier this year, the Committee reviewed the “Yard Appearance” rules, which were adopted by the Landscape Committee and approved by the Board in 2000. These are the Rules and Regulations for homeowners with respect to landscape responsibilities, as posted on the website and distributed to new residents. We noticed that these 19-year-old rules needed to be updated. The Committee drafted the revised rules, which are more comprehensive and clearer regarding homeowner landscape responsibilities. We renamed the rules, "Landscape Committee Rules and Regulations Regarding Homeowner Responsibilities" because they are not confined to yard appearance. I circulated these new rules to the Board on November 27, 2019, and I am providing them again with this Report. Per the CC&Rs, WE NEED BOARD APPROVAL FOR THE NEW RULES. We would like to get them approved and posted before the new year.

Respectfully Submitted
 Eloise Gore – Landscape Chair

Additional Comments/Discussion:

1. Infinity contract as presented was approved. Before vote, Jim Warner asked what procedures were in place to verify that work hours were being completed. Eloise said that a procedure is in place which has zone representatives doing a before and after meeting with Darrin to make sure project is successfully completed.
2. Eloise presented the revised Landscape Committee Rules and Regulations Regarding Homeowner Responsibilities. These were approved and will be added to current CC&R's.
3. The addition of Elaine Mathas to the landscape committee was approved.

[DRAFT 11/27/19]

AGREEMENT

Landscape & Irrigation Maintenance, Area Beautification & Enhancement

Service Provider: Infinity Earthworks Inc., herein referred to as “The Contractor”

Service Recipient: Sunrise Mountain Ridge Homeowners Association, located at
4474 North Trocha Alegre, Tucson, AZ 85750, herein referred to as
“The Association.”

Time Period: January 1, 2020 through December 31, 2022

PREAMBLE

1. This agreement sets forth the requirements for maintaining and enhancing the appearance of each improved common area within Sunrise Mountain Ridge (SMR). The Association wishes to maintain a “tailored desert “ theme, following the Board-approved *Landscape Master Plan*, using drought tolerant plants except when not feasible as determined by the Landscape Committee. Weeds will be controlled in the most efficient and cost-effective manner, using pre-emergent application as the first line of defense; erosion will be minimized by the most appropriate means; common areas will be kept free of leaves, debris and other litter; and new plants will be installed as determined by the Landscape Committee. Subject to concept approval and supervision by the Landscape Committee, the Contractor will use initiative and expertise in planning and accomplishing the desired objectives.
2. The Contractor will provide a well-maintained, healthy, attractive, cost effective landscape using techniques which retain and enhance the desert's natural beauty. This will be accomplished by trained, motivated and well-equipped personnel, using all tools and equipment in a safe, efficient, and effective workmanlike manner. Specific objectives include:
 - A. The Contractor will meet weekly with the Landscape Chair to report on completed projects and maintenance items, and to plan the following week’s work. The Contractor may be required to attend monthly Landscape Committee meetings. The Contractor will work closely with each zone representative while his crew is operating in that zone. A practical, detailed and thorough outline of zone maintenance for the current cycle will be created by the Zone Representative in consultation with the Contractor and Landscape Chair prior to work being performed in that zone. The zone will be reviewed by the Zone Rep, the Contractor and, if necessary, the Landscape Chair when nearing completion for the purpose of authorizing moving on to the next zone.
 - B. The contractor will maintain the present appearance of the common areas. In addition, he will work toward making improvements and identifying and correcting deficiencies in addition to those noted by the Committee.
 - C. The Contractor will apply appropriate fertilizers when needed to provide for healthy growth.
 - D. The Contractor will correct problems in existing irrigation system.
 - E. The Contractor will replace and upgrade inadequate and damaged irrigation lines as a part of regular maintenance, and will assure that all lines are buried.
3. Landscape enhancement projects will be defined, developed and prioritized by the Landscape Committee in consultation with the Contractor.

4. Work performed will be evaluated based on results achieved and how well objectives are accomplished.

I. GENERAL ADMINISTRATION AND SCOPE OF WORK

1. Areas covered: Those designated by the Association as improved common areas (i.e., areas in which landscaping has been done, such as rocked, rip-rapped, irrigated and/or planted areas, which are referred to as “Landscaped Common Areas” in the SMR Covenants, Conditions and Restrictions (CC&Rs)) and, only when requested by the Landscape Committee, unimproved or natural common areas (i.e., areas which are native areas and have not been landscaped or maintained).
2. Contractor Communication: The Contractor can be reached 24 hours a day via phone.
3. Contractor Management and Personnel:
 - A. Contractor is managed by two corporate officers: Darrin Seidel, President, and Selene Seidel, Secretary. Crew supervision will be provided by Darrin Seidel; corporate officers may designate a foreman or crew leader to supervise the crew(s) in his absence. This designated foreman or crew leader will work from committee-generated schedules and outlines, and will report any problems to the Landscape Chair or his/her designee. When working as a designated foreman or crew leader, that person’s time shall be applied to supervisory man-hours and not applied to the 42 crew man-hours described in Paragraph I.3-B.
 - B. Contractor and his staff shall be on the premises Monday through Wednesday, providing a total of 60 man-hours per week for a monthly total of 240 man-hours. Of the 60 man-hours per week, a minimum of 18 man-hours will be supervisory man-hours to ensure completion of, and adherence to, zone rotation plans. These hours are designated by Contractor’s Corporate Management in consultation with the Landscape Chair. They exclude material pickup and delivery except in cases of emergency to be approved by the Landscape Chair. Holidays, rain outs, emergency situations, etc. may cause disruption to the Monday through Wednesday schedule.
 - C. These days and hours are specified to ensure that the Contractor and the Association’s representative can more closely coordinate and plan their weekly activities.
 - D. A report specifying the zone (s) of work, covered types of projects undertaken, and number of work hours expended will be submitted each week, with a monthly summary, to the Landscape Chair. These reports will serve as a basis for future planning and estimating the amount of time needed to complete landscape and irrigation tasks.
4. Planning and Coordination:
 - A. The Contractor will meet with the Landscape Chair or his/her designee at least weekly to discuss current and future activities.
 - B. The Contractor may be required to attend meetings of the Landscape Committee.
 - C. Any work performed other than that outlined under **Part II. Work and Services to be Covered by Monthly Fee** shall be planned and coordinated under direction of the Landscape Chair. No work of this nature will be undertaken by the Contractor without prior approval of the Landscape Chair.
 - D. The Contractor will meet with each Zone Representative before beginning the work cycle in each zone and will review the Zone Rep’s written list of landscape concerns and requirements. He will meet with the Zone Representative upon completion of each area work cycle to ensure satisfactory completion of all items submitted.
5. Licenses and Insurance:

- A. The Contractor will continuously maintain an Arizona State Contractors License: Arizona. The current license is ROC # C21-102818. Infinity Earthworks Inc. has been a licensed contractor since May 1994. Infinity's license classification is Landscape & Irrigation.
- B. The Contractor has continuous business liability insurance coverage through Ohio Security Insurance Inc., policy # BKS52814218, which provides \$1,000,000.00 Commercial General Liability. An annual certificate of coverage showing Sunrise Mountain Ridge Homeowners Association as additional insured with respect to operations performed for the Association by Infinity Earthworks Inc. is on file with the SMR HOA Board and will be updated and maintained as needed. The local insurance agent will notify Sunrise Mountain Ridge HOA by mail if the Contractor's coverage lapses, is not renewed or is cancelled.
- C. The Contractor carries Workman's Compensation Insurance on all workers through Traveler's Property Casualty Co. of America, policy # 6JUB-2E30220-8-14. Infinity also maintains an annual certificate of coverage on file with the SMR Board. State Compensation Fund will notify Sunrise Mountain Ridge HOA by mail if coverage lapses, is not renewed, or is cancelled.
- D. The Contractor is also licensed for resale of landscape and irrigation materials & supplies: Arizona resale tax ID # 10-157887-G.

II. WORK AND SERVICES TO BE COVERED BY MONTHLY FEE

1. Fertilization:

- A The process of selective fertilization shall be used, as necessary, due to the wide variety of plants on the property.

2. Irrigation:

- A Inspection and maintenance of irrigation systems, excluding major irrigation work described in Section III.5. below, shall be included in this monthly fee service. Irrigation settings will be adjusted seasonally to insure adequate irrigation while still conserving water. A chart showing time settings for all metered areas will be maintained and provided to the Association. Maintenance of irrigation systems shall include correction of clogged or broken emitters, resetting/reprogramming of irrigation timers, replacement of timer batteries, repair of minor leaks, and replacement of sections of deteriorated poly tubing.
- B Any damage to irrigation systems caused by the Contractor shall be repaired at no expense to the Association.

3. Water Meters and Irrigation Systems:

The Contractor shall provide the Association with maps of all the designated zones, showing locations of main valves and backflow valves. The Contractor shall provide a complete list of water meters with ID numbers and the street addresses assigned by Tucson Water for all common areas. The Contractor shall provide the Association with maps of irrigation lines installed throughout the community.

4. Pest/Disease control:

- A Pest and/or fungal infestations shall be eradicated through the application of proper pest controls. Where a problem exists (e.g., a disease within a certain species of plant), preventive applications will be made.
- B The Association shall be informed where pesticides and fungicides are to be used prior to application of such products. Literature detailing product information shall be provided as requested.

5. Pruning:

- A Pruning and shaping of trees and shrubs will be accomplished as necessary. Tree pruning will maintain residential views in so far as possible, consistent with maintaining health of trees. This means that wholesale

topping of tree crowns will not be done. Trimming shrubs will be conducted to enhance natural growth habits of individual species. Trees and shrubs will be removed as approved by the Landscape Committee as a normal part of contract work.

- B The maximum height of tree trimming operations covered by this agreement shall be limited by the reach of man standing on the ground using a standard extended pole trimmer, but not to exceed 15 feet.
- C The Contractor understands that during the term of this agreement the Association may contract with other entities to perform seasonal work or tree pruning.

6. Median Lighting Fixtures:

Burned out bulbs in the Colorado median strip, at the main entrance, along Carrillo Hill, and at the pools will be replaced as requested. Replacement locations will be identified by the Landscape Chair.

7. Removal of Debris:

A Leaves and droppings from common area trees and shrubs and other debris in improved areas shall be disposed of by the Contractor as work is completed or at the end of a work day. Common areas and sidewalks/street curbs adjacent to common areas will be swept or blown clean. Debris shall be transported to the dumpster located at the East end of Loma Del Bribon. The cul-de-sac where the dumpster is located shall be kept neat, clean and free of weeds and debris at all times.

B The access gate to the dumpster will be locked each day by the Contractor.

C The Contractor will coordinate dumpster replacement with the dumpster contractor to insure prompt service.

D The Contractor has the authority to dispose of green waste from his private work in the Association dumpster. Thirty percent of the cost of each removal of the dumpster will be deducted from the Contractor's monthly billing for this privilege.

8. Tools, Equipment and Parts:

To assure full use of staff resources, the Contractor will insure that all necessary tools, equipment, and frequently used repair parts are available on-site when the work crew is present. Tools will be kept in good working order at all times. Contract hours will not be used to repair equipment.

9. Weed control:

A Weeds shall be controlled in the most efficient and cost effective manner, using pre- and post-emergent chemicals as the first line of defense and manual removal secondarily. Chemicals will be used at the direction of the Landscape Committee.

B Manufacturer literature detailing application rates, use, application rates, and material safety data sheets will be provided when requested.

III. WORK AND SERVICES TO BE BILLED SEPARATELY

1. General Provision:

To assist the Landscape Committee in meeting financial audit requirements, the Contractor will track and separately bill the labor and material expended on the services described in this Section.

2. Emergency repairs:

Emergency repairs not occurring during normal working hours will be accomplished as requested on a 24-hour basis, seven days a week. Said repairs will be billed at a charge of \$33 per hour.

3. Maintenance Labor:

Maintenance man-hours, at the hourly rate of this contract (\$31.38 in 2020; \$32.00 in 2021; and \$32.50 in 2022), can be added if the Landscape Committee determines, and the Landscape Chair authorizes, that seasonal demand or other factors so require.

4. Enhancement Labor:

Subject to approval by the Landscape Chair, staff-hours to complete an Enhancement Project can be performed and billed separately if it is necessary to exceed the contracted man-hours specified in Section I.3.b.. The Contractor will provide labor and material estimates for prospective projects.

5. Major Irrigation Repairs:

A. Major irrigation repairs or modifications shall be defined as repairs or modifications to existing PVC lines or other rigid pipes, or repair of existing valves. Major irrigation installations shall be defined as installing irrigation where no system presently exists. These are projects not covered under the regular maintenance contract as minor irrigation repairs.

B. Major irrigation repair/installation/modification shall be billed at the current hourly rate of this contract.

C. The Landscape Chair shall determine whether a project is a part of routine maintenance or is to be billed separately prior to authorization.

6. Materials:

All materials brought in by the Contractor to fulfill the requirements of this Contract (e.g., irrigation parts, chemicals, rock, plants etc.) shall be billed to the Association at wholesale cost. The Contractor shall attach copies of invoices for materials he has purchased to invoices he submits to the Association for reimbursement. The Contractor may submit a request for advance payment or deposit on materials for approved projects over \$400.00.

IV. TERMS OF AGREEMENT

1. Length of Agreement:

This Agreement shall cover three calendar years, January 1, 2020 to December 31, 2022. It may be terminated by either party with 60 days advance written notice. Discussions for renewal will commence prior to the renewal date for budget and approval purposes. The terms of this Agreement will commence January 1, 2020 and terminate on December 31, 2022.

2. Cost of Services and Payment Specifications:

A. Work and services outlined in this document shall be paid per month, payable on the third business day following the month the work is completed in the following monthly amounts: \$7,531.20 in 2020, \$7,680.00 in 2021, and \$7,800.00 in 2022.

B. Work and services to be billed separately shall be due and payable within ten working days of submitting the invoice to the Landscape Chair.

V. ACCEPTANCE OF AGREEMENT

For Infinity Earthworks Inc.

For Sunrise Mountain Ridge HOA Arizona ROC, C21-102818

Darrin Seidel, President

Susan Arbuckle, Secretary

Jim Warner, President

Date of acceptance _____

**Sunrise Mountain Ridge Homeowners Association
Landscape Committee Rules and Regulations
Regarding Homeowner Responsibilities**

The Sunrise Mountain Ridge (SMR) Covenants, Conditions and Restrictions (CC&Rs) outline the requirements and responsibilities of homeowners for yard appearance and other landscape requirements in Article XI Landscape and Exterior Maintenance, Section 3. Owners Duties.

The CC&Rs also describe the authority and responsibilities of the Landscape Committee in Article XI, Section 2. The Committee's responsibilities for the "Landscaped Common Areas" and "Natural Common Areas" are described in the Landscape Master Plan, as revised in 2018, and available on the SMR Website (<http://www.smrhoa.com/2018%20SMR%20Landscape%20Master%20Plan.pdf>) and in the Landscape section of the Duties of the Board of Directors and Committees (<http://www.smrhoa.com/DutiesoftheBoard-2017REV2.pdf> [*cite to be updated for 2019 version*]).

Article XI, Section 2 of the CC&Rs also authorizes the Landscape Committee to promulgate and amend Rules and Regulations, subject to approval by the SMR Board of Directors. On [new date for Board approval] the Board of Directors approved these updated Rules and Regulations regarding homeowner responsibilities, which expand upon and clarify the CC&Rs.

Homeowners are responsible for the appearance of their property in compliance with these Rules and Regulations at all times, including when it is rented or vacant for extended periods.

Homeowners are responsible for landscaping and maintaining their lots as follows:

1. All visible homeowner property should be landscaped with decorative rock or crushed stone in a color that blends with the desert surroundings, neighboring lots, and the SMR community as a whole. The rock should be in sufficient quantity so that, in combination with plants and trees, bare ground is not visible.
2. The plantings should blend in and generally be consistent with SMR landscaping and surroundings. (The Landscape Guide on the SMR website provides a list of plants and trees for guidance. http://www.smrhoa.com/Landscape_Guidelines_001.pdf)
3. Trees and plants should be pruned, trimmed, and thinned out regularly and removed when necessary to avoid encroaching into common areas or neighboring property, and so that the yard has a neat, tailored, and well-maintained appearance.
4. Trees and shrubs overhanging the street and sidewalk should be pruned and trimmed to prevent them from encroaching on pedestrians or vehicles. As a general rule, a minimum vertical clearance of 10 feet over the street and 7 feet over the sidewalk is suitable.
5. Tree and shrub roots should not be allowed to cause structural problems for walls, sidewalks, driveways, water, sewer or irrigation systems.
6. Weeds should regularly be removed from visible areas, including concrete joints.
7. Trees and plants must **not** be trimmed, pruned, planted in, nor removed from, Common Areas by anyone except the Landscape Committee or its Landscape Contractor.
8. Plant debris, tree prunings, shrub trimmings, and dead foliage should not be allowed to accumulate anywhere on the homeowner's lot and must never be deposited in Common Areas.

9. Invasive species (such as buffelgrass, fountain grass, and desert broom) are prohibited and must be removed. (The Arizona Department of Agriculture lists invasive species and noxious weeds: <https://agriculture.az.gov/pestspest-control/agriculture-pests>.) We strongly recommend that desert mistletoe be removed as it is a parasitic growth that can harm the host tree and spread to other trees in the community. (<https://extension.arizona.edu/sites/extension.arizona.edu/files/pubs/az1308.pdf>)
 10. Erosion control measures should be taken to prevent soil and gravel from traveling from private property into Common Areas, sidewalks, or the street.
 11. Rocks and gravel from the homeowner's lot should be removed from sidewalks, driveways, and the asphalt pavement in front of each lot.
 12. Water from swimming pools, hot tubs, or spas should be disposed of in accordance with Arizona and Pima County regulations (https://webcms.pima.gov/UserFiles/Servers/Server_6/File/Environment/Water/2014_PDEQ_SwimmingPoolWaterDischargeBrochure.pdf).
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Neighborhood Watch: Jim McAlister

1. One parking permit was issued for the East pool.
2. Six emails were sent regarding post lamps not being on. All have been corrected.
3. Thirteen Welcome packets have been delivered YTD. Five packets are pending waiting for the new residents to move in.

Respectfully submitted,
Jim McAlister
Neighborhood Watch Chairman

Nominations: John Mitchell and Susan Arbuckle

At the Annual Meeting on November 13, 2019, after a persuasive talk with Susan, I accepted the position as Chair of the Nomination Committee. Susan offered to continue to provide her valuable advice and perspective during the next year, which I greatly appreciate.

In October, Janet Pearce Foster offered to serve as Architecture Chair, replacing Larry Glasser who was serving as interim Chair. Her appointment was approved by the Directors.

At the Annual meeting the position of Treasurer remained unfilled. Bruce Moore came forward at the meeting and offered to meet with Carole about the Treasurer position. After meeting with Carole, Bruce Moore volunteered to serve as Treasurer, serving out the remainder of Carole's term. His appointment was also approved by the Directors. Currently, all of the Board and Committee Chair positions are filled. Barring any resignations in 2020, no new Directors or Chairs are needed until 2021.

Respectfully Submitted
John Mitchell – Incoming Nominations Chair

I thank John Mitchell for taking on the Nominations Chairmanship for 2020 and encourage all current directors and chairpersons to start looking to the future to prepare committee members to step into Board positions.

The nominations committee this year was tasked with filling six Board positions. Thank you to Tom Triplett, Bob Cole, Joy Greenberg, and Wendy Reed for your help in recruiting a strong and talented 2020 Board.

Respectfully Submitted
Susan Arbuckle – Outgoing Nominations Chair

Publications: Alan Frankle

Eloise Gore presented a request by Alan Frankle to change delivery of newsletters to quarterly rather than monthly. After discussion by the board and guests, it was determined that monthly news articles are appreciated and widely read. The more that we communicate, the better we are served. In addition to the monthly newsletters, Chairs can post announcements at the new boxed signposts that will be placed at each mailbox. The procedures for these postings will be determined as time goes by. Keys to signposts will be given to each board member.

Recreation: Jay Flaherty

The heat is now turned off at the West Pool until March 1st. All other recreation facilities operating without issues.

Respectfully submitted,
Jay Flaherty

Additional Comments/Discussion

Maria Haro has agreed to extend her cleaning contract for an additional year.

Resale: Cadden

Barbara J. D'Angelo - 4310 N Vereda Rosada

Roads: John Mitchell

The Roads Committee developed an RPF for the repaving of Pico del Monte, the western section of Sendero Penoso-West, and Colorada above Loma del Bribon and sent it to four companies: Ace, Bates, Sunland, and Tucson Asphalt. The contractors were invited to attend an orientation meeting on November 13 and representatives from Ace, Bates, and Sunland attended. The project was discussed.

Ace, Bates, and Sunland submitted bids by the November 22 deadline. The Roads committee reviewed the bids and met on November 26 to consider the bids. The bid from Ace was significantly lower than the bids from Bates and Sunland and was also below the Roads committee estimated cost. The committee voted to recommend acceptance of the Ace bid and submits the following motion to the Board for approval:

Motion: The Board award the contract to repave Pico del Monte, the western section of Sendero Penoso-West, and Colorada above Loma del Bribon to Ace Asphalt.

The Chair of the Roads Committee attended a meeting of SAC roads chairs on Dec 2. Many items relating to the common issues of repaving the roads in the Fairfield development were discussed. Two of the major points discussed were:

1. HA5: There is both interest and skepticism about its claims, but people generally thought it to be a beneficial product. Sunrise Territory Village has a contract for seal coating using HA5. No one else has used it.
2. Some HOAs have very low Reserve funds and are facing huge assessments for \$500,000 repaving projects. SMR is about 60% fully funded, and with the assessment increase we will reach 90% or so in 5 years. SMR is in much better shape than some other HOAs.

Respectfully submitted,
John Mitchell

Additional Comments/Discussion

The Board approved the bid made by Ace. John will complete contract and pass it on to Cadden and treasurer.

SAC: Cynthia Clark

SAC representative will serve more as a contact between SAC and committee Chairs. Cynthia will gather Board information and pass it on to Greg Moxness who will publish it on SAC website. No SAC meetings are scheduled at this time.

Volunteer Liaison: Wendy Reed

No report.

Old Business: None

New Business: Jim Warner thanked all board members for their work and gave thank you cards to retiring Board members including Larry Glasser, Carole Malan, Wendy Reed, and Susan Arbuckle

Member Comments: None

Motion was made and seconded to adjourn the meeting. Motion passed unanimously. Meeting adjourned at: 10:05a.m.

Next regular meeting of the SMR HOA Board will be held on ??????????in the SMR Clubhouse.

Respectfully Submitted,

Secretary, Susan Arbuckle _____ **Date** _____

President, Jim Warner _____ **Date** _____