



The Polaris Beacon



Star Valley Estates Newsletter
November, 2011

VOL-II-ISSUE-05

A publication of the Star Valley Estates Home Owners Association Webpage: www.starvalleyestates.org
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Next Meeting

Thursday, Nov. 10, 2011
6:30 pm
Ryan Airfield Conf. Room

Meeting Schedule Set for Entire 2011 Please Mark your Calendar

Normal starting time of 6:30 pm may vary and will be announced prior to each meeting:

2011: November 10
2012: Jan 12

The President's Corner

JUST HOW INTERESTED ARE YOU??

If you've never read another article about the HOA please, please read this one.

As you know this board has taken on the challenge of trying to get rid of all the common areas in Star Valley in order to reduce or eliminate future maintenance and liability costs, etc. We have succeeded in getting rid of two of the three basin lots associated with the drainage channel along Ironstone, but the Pima County Flood Control District says we have to keep Lot 151 because a portion of that is still needed for floodwater detention.

Herein lies the problem. We are now in the process of trying to get SVA Corporation (the developer) to accept ownership of the lot that was

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originally theirs. To strengthen our position in seeking a deed transfer, and to be on firm legal grounds, we need approval of 2/3rds of the membership to continue with our efforts. Membership approval is a requirement in the CC&Rs. A 2/3rds vote constitutes a vote of 99 residents approving the transfer of ownership of Lot 151. Having your positive vote is not a guarantee of success, but without your required approval, the process is dead. Transferring Lot 151 to SVA could be a win-win situation. You get to keep floodwater protection without having to pay for the upkeep of the basin, and your association fees can be reduced.

Why am I telling you all this? This is YOUR neighborhood. There is a minority of about 20-25 people here out of our 149 membership that adamantly wants to maintain strict adherence to regulations. They want to run your life rigidly. The way things are set up, 20 to 25 people can control elections, but only if the rest of you choose to sit on your hands. I for one don't want 20-25 people running my life or spending my money. I will live by the rules. Just leave me alone.

The question is, **can we get 99 out of 149 votes from the membership to approve getting rid of the remaining basin lot.** I have been unimpressed with the local participation and

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doubt that we can get 99 votes. Please, prove me wrong.

Mailing out a voting card for this issue will be an agenda item for the November board meeting. If approved, you will receive a voting card. Please, **DO YOUR PART AND VOTE**. This will not be an anonymous vote. Your signature will be required. If you want things to go back to the old way of receiving nastygrams for things like a few weeds in your yard or leaving your garbage container out too long, just keep on doing what you are doing, - NOTHING -, and, believe me, things will be back to the old way very shortly. If you want this board to continue on the present path, then you need to step up and get involved.

In addition, **two board positions are up for election in March** and we need participation. Actually, we need candidates who favor our position. If you believe in our position, you need to step up, and let anyone on the board know that you are willing to serve so we can get your name on the ballot. I can assure you that there will be candidates from the minority. If we do not get the votes needed to approve transfer of Lot 151, we do have better things to do with our time and we will gladly step aside and yield to those anxious few who want to control your life.

Sincerely Yours

Dave Blankenbaker
President, Star Valley Estates HOA

Letters to the Editor

Dr. M. Borom,

Would you be able to explain in the next news letter why we are now considered to be in the 100 year flood zone or who to contact about this? When we purchased our homes 10 years ago we were not considered to be in the flood zone. What changed? Pro and cons to getting flood insurance?

Sincerely, Sharon Morales
~~~~~

Dear Mrs. Morales,

Thank you for bringing this issue to my attention. Although it is not an HOA issue, the question affects 80 of our homes and deserves comment. I was not aware of the letter you, and evidently others, received from Pima County

Regional Flood Control District (PCRFCFD) back in April, 2011 indicating that FEMA might have changed the status of the flood risk for your property. I did not receive such a letter since my home lies east of Ironstone and is not shown in the "100 year floodzone".

You received a letter because your home, along with all those in Star Valley Estates west of Ironstone (Lots 71 thru 150), lies in a designated Shaded X floodzone defined by PCRFCFD. as "areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood". That may be as confusing to you as it is to me.

The important thing is that, since you moved in, **NOTHING has changed**. Your lot, according to PCRFCFD, was excluded from being in a Special Flood Hazard Area (SFHA) in 1995. That exclusion still pertains. Homeowners in your area, therefore, are not required to have flood insurance even if a mortgage is held by a federally insured lending institution. Flood insurance is at your discretion.

**It is up to each person to do due diligence and confirm the previous information before drawing any personal conclusions or taking any action.** I am only reporting what I have interpreted from the PCRFCFD website. To access the same site, go to: <http://rfcd.pima.gov/dfirm/> and select Viewing DFIRMS, enter your street address number in the "Street Address Number Search" box./ click on Parcel Info. then select FEMA Flood Hazard Zone-Zone X/Map.

The rest is straightforward. Check boxes on the left side of the map to view different features. To view lot lines, check "Parcels/Parcels-Pima". To view an aerial view of your lot, check "2010 Spring Pictometry Color Orthophoto Imagery – 4 inch Resolution". To confirm that your home has been removed from the SFHA check "Floodplain Change Areas". Right click on the image area to select special tools like: Pan, Zoom, Measure Distance, etc.

Have fun. Hope this helps.

## Letter from Pima Co. Regional Flood Control District

Dr. Borom, requested and received a letter of explanation from Ms. Marinda (Mindy) Cox of PCRFCFCD regarding maintenance responsibilities along Ironstone and Brightwater in Star Valley Estates. Ms. Cox explained that the flood control district has full maintenance responsibility for the drainage-way that begins immediately south of Lot 151 and then runs east-west south of Lots 63 through 70. Furthermore Pima Co. DOT is responsible for maintenance of the 40-foot public-road right-of-way throughout Star Valley. That means that weed control and erosion repair all along the shoulder of Ironstone and the Brightwater side of Lot 151 is the responsibility of Pima County.

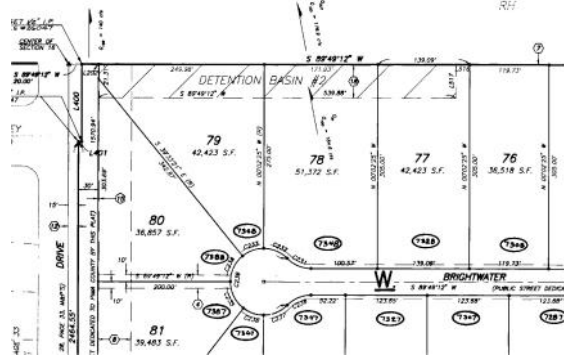
## **Detention Basin #2 The mystery basin**

Boards have for many years addressed the problems associated with our basin lots, Lots 61 and 152 (now eliminated), and Lot 151 (still under contention). But hanging in the background and virtually ignored has been **Detention Basin #2**. How many knew that it existed or even knew where it is located. At least one of the affected property owners did not even know that it was in his backyard.

For those of you who do not know about Detention Basin #2 here is a brief description. It exists only as an easement 539 feet long by 50 feet wide, and is located along the back of Lots 77 (Capiola), 78 (Hodge) and 79 (Williamson).

What this means is that, if there is any flood damage to **this easement area**, the repair will be covered by our HOA. This might be surprising to those of you whose dirt and gravel ends up in the street or in your neighbor's yard after a downpour. You, of course, will have to repair your property damage without any financial help from the HOA.

Here's the story as the editor has gathered it from personnel working for Pima County. But first, let me show you a graphic of the area.



There is no depression OR any sort of basin. The only structure is a buried concrete barrier – which the flood control district tells me was installed as a weir. Two board members visited “Basin #2”, one of our **common areas**, looking for our club house and tennis courts, but found none.

On request, Bill Zimmerman, Deputy Director of Regional Planning and Capital Improvements at PCRFCFCD, sent a copy of the original weir design. It is a “gutter” 565 feet long by 50 wide and 1.5 feet deep. The walls and floor are constructed of six-inch thick gunite. As far as some board members have been able to determine, this “common area” was never properly constructed. The name of the person who inspected and approved this construction has been requested of PCRFCFCD as well. The design is posted on Page 4.

Additional questions have been posed to Mr. Zimmerman:

- 1) Was Detention Basin #2 ever really constructed?
- 2) Who from the county inspected and approved the construction
- 3) If it was never built and never approved,

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how could other construction in the development have been allowed?

- 4) Who would be responsible for correcting such a violation?

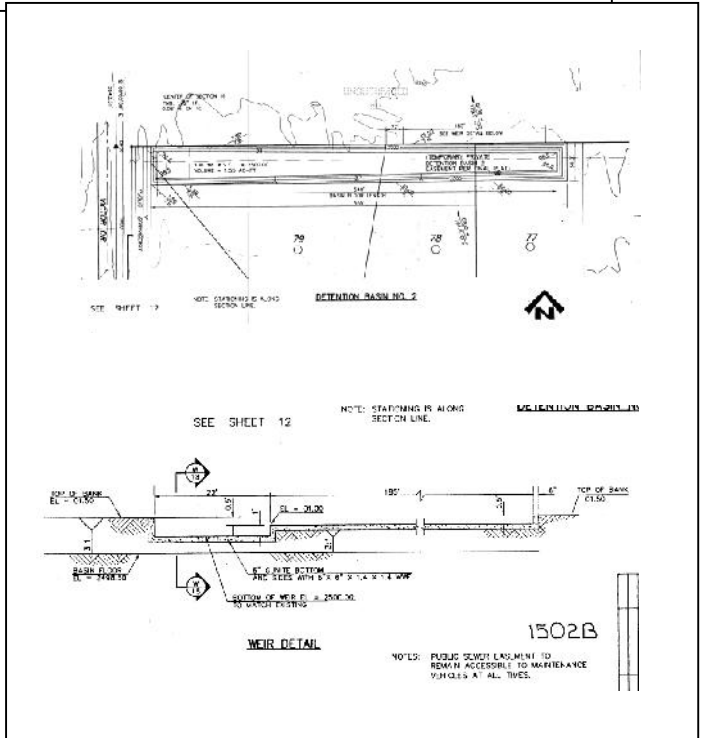
Ms. Debbie Marchbanks, of Pima Co. Development Services – Subdivision Section, explained that designating the weir as a separate plot would have compromised SVA's required minimum lot size for the development. Consequently, "Detention Basin #2", recorded in 1995, became an easement at the rear of three lots. This easement can be removed by PCRFC, but its removal, according to Zimmerman, would require another hydrological study.

It is interesting to note that the remaining lot associated with Detention Basin #1 serves to mitigate floodwater damage to our neighborhood, but the easement for Detention Basin #2 serves only to mitigate floodwater damage to Star Valley West Estates. Detention Basin #2 does nothing for our neighborhood.

Neither of these "Common Areas" meet even the minimal requirements defined in either our own CC&Rs ["for the common use or benefit of the owners"] or Arizona Revised Statutes [42-13402] in which "common area" is required to meet the following criterion: "All members of the association or residential property owners in the development, their immediate families and, if provided by rules of the association or corporation, guests must have a right to use and enjoy the common areas."

When was the last time you played tennis or basketball or walked your dog in either of our common areas?

It is very likely that you will be receiving in the near future **an opportunity to approve or reject a proposal to transfer the deed of Lot 151 and the easement for Detention Basin #2 to another party** – such as SVA Corp. or Pima County. As President Blankenbaker indicated in "The President's Corner", transferring these ownerships "could be a win-win situation. You get to keep floodwater protection without having to pay for the upkeep of [either] basin, and your association fees can be reduced."



### Error Correction in the September issue of the Polaris Beacon (PB)

In the September Polaris Beacon (PB), a comment on the Block Party Survey was attributed to **Anderson (Adamsgate)**. That is in error. There are two Anderson families living in Star Valley Estates and neither family lives on Adamsgate. The correction is **Anderson (Brightwater)**. As was noted in the Sept. PB, the home of the Anderson in question is located across the street from the basin lots (on Brightwater).

At the September Board meeting Mr. Williamson objected to the error, which has now been corrected. At the same meeting, Ms. Chamberlain expressed concern that "many people" were offended by the editor's replies to the Block Party comments. She indicated that the comments made homeowners look stupid.

Williamson and Chamberlain were, with the exception of one other person, the only non-board-member homeowners present at the meeting. They presented themselves as being the voice and spokespeople of many people even though Ms. Chamberlain refused to quantify "many". Until direct responses are received from others, her comments will be taken as hearsay.

## **The Polaris Beacon**

After reviewing the comments and the responses published in the September PB the editor does not agree with Ms.Chamberlain's objections and stands by the responses as made.

Comments will continue to be addressed with the objective being to clarify incorrect statements and to recognize correct ones. Constructive criticism is always welcomed and will be addressed. Comments that are scurrilous, demeaning and rude will continue to be ignored.

**When you are saying the blessing  
On Thanksgiving Day,  
Don't forget to thank the turkey.**

## **Paid Advertisements by Local Vendors**

**Star Valley Estates  
1870 W. Prince Road, Suite 47  
Tucson, AZ 85705**



Star Valley Estates Newsletter

July, 2011

**Notice:Next Board Meeting**

Thursday, Nov. 10, 2011; 6:30 PM

Conference Room  
Tucson Airport Authority Building  
Ryan Field  
Near intersection of Valencia and Ajo

**Input from Homeowners is requested.**

Homeowners –This is YOUR NEWSLETTER

Your input is requested. If you have an item of interest to the community, please send it to the editor either in WORD format, or just as email text to the email address shown in the title header. Let your feelings and input be heard.

**Please report any evidence of criminal activity to the Polaris Beacon.**  
**Homeowner details will be kept confidential.**

Looking forward to hearing from each of you.  
The Editor