



The Polaris Beacon



Star Valley Estates Newsletter
September, 2011

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

Thursday, Sept 8, 2011
6:30 pm
Ryan Airfield Conf. Room

Meeting Schedule Set for The remaining months of 2011 Please Mark your Calendar

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

2011: September 8 November 10

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The President's Corner

United We Stand
(you know the rest of the story)

It seems like this entire world is divided in two sides. Without sounding too political I would like to share some of my views. Seems like one could come up with the best idea in the world and immediately

50% of the people would say that is the dumbest idea they have ever heard of. Sound familiar?

Growing up on the farm in Iowa one would always lend a helping hand to the neighbors. It seemed a neighborly thing to do. We all knew each other and had a friendly wave when our paths crossed during the day.

It would be nice if the world were friendlier. Somehow we have morphed into a tattle tail, hate thy neighbor, blame thy neighbor, shame on thy neighbor society. I believe that most of us just want to be left alone in our own little corner of this earth. There is nothing wrong with that, just be friendly when we pass. How much does it cost to smile? How much effort does it take to wave to a passer-by.

We are in dire need of a coming together as a society and not let division travel any further. I personally feel that 24-hour news was the worst thing that ever happened to this country. All you ever hear about is doom and gloom that seriously creeps into your psyche whether you know it or not.

After all (to coin a phrase) let this be your caption for next month

“Don't worry, be Happy”.

This is not directed at anyone in particular, just society as a whole. Thanks for listening.

Thanks,

Dave Blankenbaker
President, Star Valley Estates HOA

Obligation to Obtain Approval for All Property Changes

Section 9.4 of the CC&Rs states the obligation of all homeowners to obtain approval prior to initiating any alterations of your property. This obligation relates primarily to external changes. Here is a quote from the first of the four subsections.

“Section 9.4.1 No building, fence, wall, pool, roadway, driveway, or other structure or improvement not any excavation, grading, or other work, shall be commenced, erected, repaired or maintained within the properties, nor shall any exterior addition or change or alteration be made to or in any such structure or improvement, including without limitation, awnings, patio covers, antennas, exterior wall, fences, the color of any structure or improvement, or the drainage or grading on any lot, except in compliance with plans and specifications therefor that have been submitted to and approved by the Architectural Control Committee (ACC) in accordance with the Declaration and the Design Guidelines.”

Why would you want to comply with these seemingly restrictive regulations?

For one reason, lack of compliance can be expensive. Build an unapproved wall, and you may have to tear it down. Selling your home with unapproved alterations may bog down or even block the sale.

Obtaining approval for or an evaluation of your plans is a simple matter. Even if you think approval is not required, it is in your best interest to submit a request for approval and have your suspicions verified. The process is easy, and this board is trying to assure that the same rules apply to everyone. If you have made alterations without approval, it is in your best interest to submit an approval request. If no regulations have been violated, you are golden, and approval will be granted.

The Bottom Line is simply – be diligent. In 2007, Jim Williamson (serving then as

chairman of the ACC) along with Jill Chamberlain assembled all the ACC requests. They created an Excel spreadsheet displaying all the data in a searchable format listing date of request, type of request, board action, etc. Unfortunately, that system fell into disuse in 2008. The current board has reopened the file and brought it up to date with all the ACC requests since its initiation.

The spreadsheet will serve as a guide for current and future ACC members, and will be a reference for all real estate transactions. Thank you Mr. Williamson and Ms. Chamberlain for making the job of tracking ACC requests a snap.

Block Party Survey

It is evident from the two tables below that the community is not in favor of block parties. Only 24% of the homeowners responded. That in itself sends a message. If 76% of the community does not even take the time to reply to a three-question survey with a return-postage-paid postcard, then there is very little expectation for any sort of community unity.

Of those who responded, approximately 70% were in favor of a block party and 30% were opposed (see Table I). The response by street (see Table II) showed that 22% or less of the homeowners on any given street were interested in supporting a block party.

Table I – Numerical Response by Street

Street	Interested in		
	Attending?		Hosting?
	yes	no	yes
Adamsgate	3	1	0
Brightwater	4	4	1
Cherry Tree	4	1	1
Moonmist	4	1	0
RestHaven	3		0
Timberleaf	4		1
Turtlecreek	3	4	0

Totals	25	11	3
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Table II – Response relative to total homes

Street	#Houses	Response	
		Total	In Favor
Adamsgate	18	22%	17%
Brightwater	36	22%	11%
Cherry Tree	18	28%	22%
Moonmist	20	25%	20%
RestHaven	17	18%	18%
Timberleaf	20	20%	20%
Turtlecreek	20	35%	15%

Total Community	149	24%	17%
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The survey has spoken and there will be no block parties funded by the HOA.

Several homeowners, in addition to expressing no interest in a block party, submitted specific comments. The Board welcomes homeowner input – both positive and negative, but requests that homeowners be specific in their complaints, make sure complaints are significant and not focused on minimal issues, stay on point and avoid grammar school behavior like childish name calling.

Anderson (Adamsgate) said:

- Weed control (yes),
- Water plants(yes),
- Paint mailboxes (yes),
- Family community (yes).
- 55 and older community (no),
- Refreshments & Parties (NO!!)

Burton (Cherry Tree) said:

HOA funds are not for Block parties.
Shame on you.

McHenry (Turtlecreek) said:

Waste of money!!
Have guy on Brightwater take his Christmas lights down.Only been 6months.
Great job Board. Real screw ups.

Harris (Turtlecreek) said:

I do not wish HOA fund to be used for this purpose.

Board responses:

The foregoing comments are all in agreement that HOA funds should not be spent on Block Parties. Accepted use of HOA funds will be discussed in a following section.

The Anderson family’s concern regarding weed control and irrigation of plants is assumed to be related to the fact that their home is across the street from the basin lots. HOA responsibility for these tasks will be addressed in a following section.

Home ownership in our community is not under any age restriction. Our community enjoys a vertical spectrum of ages with real family groups, and there are no plans or options to change this.

Shame on you?? There is no basis for this comment. The Board has worked to spend HOA money only in response to neighborhood desires and needs, and will continue to act as a responsible custodian of HOA funds. Homeowners are encouraged to attend Board meetings and express their concerns and attitudes directly.

A survey was taken prior to committing funds for block parties. The desires of the community are clear – not from the responses, which favor neighborhood interaction, but rather from the lack of a response from those, who chose not to participate

Comments by Mr. McHenry, who is a member of the board that was recalled by a majority of homeowners in Nov. 2009 and replaced by the current Board are not worthy of a response.

How Should Reserve Funds be Used?

There seems to be some confusion about the purpose of our reserve funds. The reserve fund was originally established to serve as a buffer for both unexpected and for anticipated expenses related to maintenance of our “Common Area” – also referred to as “Our Hole-in-the-Ground” or “Area 151”. Anticipated expenses were previously as high as or higher than \$40k for erosion repair and/or basin maintenance. Those responsibilities have changed and may soon be totally eliminated.

Here is a review for the benefit of new residents. After a hydrological survey determined that two of

the lots (Lots 61 and 152) were no longer necessary for floodwater detention, these lots were transferred to SVA Corporation in accordance with the HOA Granting Deed. The HOA still has responsibility for maintaining the remaining basin lot (Lot 151), which is located alongside Ironstone at the intersection with Brightwater Way.

It has been determined that responsibility for maintenance of the county easement on the shoulder of the road along the full length of Ironstone falls on Pima County DOT. Plants, weeds, and irrigation are not now and never should have been the responsibility of our HOA.

Pima County Flood Control District (PCFCD) has stated that they will not maintain private basins. It has been established that roadside easements are not part of the basin and remain the responsibility of Pima County DOT. Homeowners who feel that county property is in a state of disrepair and is in need of weed control are advised to contact Pima County DOT.

It appears that the HOA may soon no longer be responsible for the maintenance of Lot 151. When that responsibility is eliminated, the HOA will no longer have a "Common Area". Without a common area, our HOA will no longer fall under the Arizona Revised Statutes regarding a Planned Community. Things then must change.

Homeowners are asked to begin to consider their feelings regarding either retaining some sort of governing body or abolishing the HOA altogether. Abolishing the HOA will require a positive vote of 75% of the homeowners.

Abolishing the HOA will not eliminate the governing documents. Homeowners will still be legally held to these documents, which are a part of the deed to their homes.

With no financial concerns regarding maintenance of a common area, here are some of the options to consider regarding HOA funds – including the Reserve Fund:

- 1) Continue with some sort of Association. Use the reserve as a homeowner credit to reduce the association fee to cover funding

of the management company until the reserve is expended.

- 2) Dissolve the HOA with the requirement that all HOA funds will be distributed to the homeowners in a fair manner prior to formal dissolution.
- 3) Any other possible options.

Until the basin maintenance issues are resolved, the use of the reserve funds will remain untouched.

Use of budgeted funds will follow previous guidelines. As in the case of the Block Party suggestion, funds will not be allocated for events until a viable expression of interest has been obtained from the community. HOA funds, either budgeted or reserve, will not be used to maintain county property or to refurbish personal property such as mailboxes, garage doors,

Basin Issues – Continued

In July the Board sent a letter to the SVA Corporation (Joe Cesare, Vice Pres.) with another, in a continuing number of requests that SVA provide approval for the transfer of Lot 151 to SVA. Approval by SVA is the only thing that stands in the way of our eliminating responsibility for a lot that we really do not own and only have maintenance responsibility.

For the last 15 month Cesare has ignored all attempts to set up a meeting to discuss options for the transfer and has ignored all communications from our HOA. In the latest HOA letter (signed by all Board members) Cesare was given 21 days in which to respond with the announcement that we would file a quitclaim deed transferring Lot 151 to SVA in the absence of a response (process of Tacit Approval).

Cesare responded a week later than the deadline with the statement that his lawyers would answer our requests within 15 days (15

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days – not 15 business days). Fifteen days ended on August 25. The last time a promise of a reply within 15 day was given our HOA was still waiting 15 months later.

We will not let that happen again.

Committee Members Sought

The Architectural Control Committee (ACC) is the most influential and powerful committee in the Association. It controls what changes proposed by each homeowner gets approved or denied.

The board is now seeking **new committee members for ARC**. If you are interested in serving, please notify a board member.

General Area Information

On July 25, 2011 Star Valley Estates homeowners Mr Terence Baird and his wife, Mr. Dave Blankenbaker and his wife and Dr. Marcus Borom attended a meeting of the Community Advisory Committee (CAC), which is affiliated with the Pima County DOT, to hear a discussion of plans for future construction along Valencia Rd.

Information pertinent to Star Valley Estates is that construction on the improvement of Valencia Rd. from the Casino del Sol to Wade Rd. will begin in the first quarter of 2013. Here are the highlights:

- 1) Traffic signals will be installed at Wade Rd. with a double left turn lane west bound.
- 2) Valencia Rd. will be raised above current ground level and culverts will be installed to handle floodwater.
- 3) Ten barrels will be installed at the crossing of the Blackwater Wash (a barrel is a culvert that measures 10 ft. x 5 ft – it was not clear as to which direction is up).
- 4) Valencia Rd. will not be closed at any time during the construction.
- 5) The roadway will consist of two lanes east bound and two lanes west bound with a

center turn lane.

The bottom line is that Tucson is moving west and Star Valley will no longer suffer from limited access during the monsoon.

Be patient.

Advertising in the Polaris Beacon

At the July Board meeting the Board passed a motion to allocate one page of the Polaris Beacon for business card advertising. The cost per issue for including a business-card sized ad in the Beacon will be \$15. That will provide an announcement of business services to 149 homes.

If any homeowner knows of anyone who might be interested in using this service, please have the interested party contact the Polaris Beacon through the email address given on the first page.

Have your business ad displayed here for \$15/issue. Reach 149 homes for approximately \$0.10/home. If interested email

polarisbeacon@earthlink.net

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



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Sept, 2011

Notice:Next Board Meeting

Thursday, Sept 8, 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