



The Polaris Beacon



Star Valley Estates Newsletter
January 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, January 13, 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: January 13	March 10 (Annual)
May 12	July 14
September 8	November 10

Board Position Up For Election

The board position currently held by Jimmie Williamson will be up for election at the annual meeting on March 10, 2011. Anyone interesting in serving on the board should contact Dan Harper (board@starvalleyestates.org) and express your interest. The position will require a MINIMUM of 2 hours of your time every two months serving on the board during the board meetings. If you are really serious about participating in board functions, it will require more of your time. The job requires a detailed knowledge of the governing documents and background documents provided by the State of Arizona relating to Planned Communities. This knowledge will be gained in training sessions provided by Cadden management in addition to your own studies.

Inside This Issue

Meeting Time and Location.....	1
Board Position Up for Election	1
HOA's - The Good, the Bad, and the Ugly.....	1-2
Credit to be Shown on your HOA Bill.....	2
Fence Damage Along Ironstone	2-3
Results of Straw Poll Regarding the Future of the HOA.....	3
Holiday Light in Star Valley Estates	3
Transparency Required in Election Results!	4

HOA's – The Good, the Bad, and the Ugly!!

by Dave Blankenbaker, Pres.

HOA's in themselves are not an inherent problem. They have their place and in some cases are wonderful sources of security for those who feel they need it. In other cases they are not wanted or needed. What happens to HOA's that give them a bad name are the people who run them. These people many times have nothing else to do except stick their noses in other peoples business. Most are older people who are bored to death, so they drive around the neighborhood looking for things that are in violation of the rules. They then contact the management company and demand that a letter of violation be sent. The owner receives the letter and becomes upset because it is usually a silly reason. My experience was the same when I bought my house in Star Valley. I was moving in when the first letter arrived and it said I had a trailer in my driveway, which was against the CC&R's. NO KIDDING I'm moving in, HELLO the trailer has my stuff in it. Then not long after I get another letter with a picture of my hot tub roof taken from the street. With it

came the section in the CC&R's that documented the violation. HELLO, the hot tub and roof were here when I bought the house. The management company signed a form that said this house had no outstanding violations when I bought it. Not long after that I received another letter saying my trailer was parked illegally along side my house. HELLO, it says you may park there for 24 hours if you're leaving for a trip, which I was. I had just pulled it out the night before and was leaving the next day. Not long after, I get another letter saying the car parked on the rocks was in violation, hell I couldn't even remember when a car was parked on the rocks. Not long after I received another letter saying I had a debris pile behind my wall that was in violation. Yep! It was there when I bought my house and it's still there. No one can see it unless they drive down the dirt road behind my house. I have received enough letters to know that this HOA seemed to be run by zealots who pleased themselves in trying to run other peoples lives. That is the real problem with HOA's. The people who run them get this ego thing going on and feed off the power trip that "they are in control". Then they start thinking of things to do to justify their positions. Most of the things only benefit a select few people but they make it out to be something fantastic. The true job of a board member is to enforce the rules, CC&R's and manage the common property. That's it, nothing more, no garage sales, no trash pick-ups, no block parties and no nothing.

Since taking over as your President I have been involved with the management company doing the drive bys. We have softened our letters and looked the other way several times to ease the burden brought on by these notices. If you have weeds you're probably going to receive a friendly reminder. What you do in your back yard is mostly your business, some our business and some your neighbors business. We don't want something present that's against the rules and annoys your neighbors. You will probably get called on for such items. Remember we still have to enforce the rules but our approach will be softened and I hope as we go along you all appreciate that. Your business is not really my business.

Credit to be Shown on your HOA Bill

The statement of account that you will receive in March for 04/01/2011 will show a credit of \$2.01/qtr, retroactive to Jan. 01, 2011. You might wonder what that is for. It is not a gift from Santa Claus unless his name was Dave. During the November board meeting, Dave Blankenbaker volunteered to take over the community inspection tours and eliminate that task from Cadden's list of duties. His effort resulted in the reduction in your assessment. Thanks, Dave. The reduction will show up as a credit rather than a reduction in assessment because it is due to a voluntary action of a homeowner (who is also your board president). Its continuation will depend on the willingness of a homeowner to continue the practice, and, therefore, is not a permanent change.

Fence Damage Along Ironstone

Sometime around the 25th of October, a northbound car veered off the road and struck the drainage canal fence along the east side of Ironstone and destroyed more than 80 linear feet of chain link fencing. The fencing kept the car out of the drainage canal. Debris found at the crash site indicated that the damage was done by a canary-yellow vehicle, which may have already had some bondo repair work done. The vehicle drove away with a broken passenger-side, side-view mirror and a broken yellow, right-turn signal, and probably had significant damage to the passenger side of the car.

An email was sent to homeowners who had provided one to the Beacon asking if the identity of the vehicle or driver was known. No identity was obtained. Hopefully no one was injured in the crash. Both the Sheriff's office and Pima County Maintenance were contacted.

The point to note here is that this fence is on county property and Pima County has responsibility for its repair. The county has placed a work order in its records. To date, the only repair that has been done was done single-handedly by Dave Blankenbaker shortly after the

damage occurred. The repair is temporary and is not complete. Photos of the damaged fence before and after Dave's repair follow. Thanks again, Dave.

The county will be contacted again.



Before repair



After temporary repair by Blankenbaker

Results of Straw Poll Regarding HOA Future

Response was good - 82 out of 149 homeowners (55%) returned the straw poll post card. The tally is:

55 say do away with the HOA

27 say keep the HOA

The vote is two to one in favor of eliminating the HOA. Extrapolating the results to the whole community gives a 66.7% vote in favor of elimination. The CC&Rs, however, require a vote

of 75% (hardly democratic rule) to eliminate the Association. Those who are interested in eliminating the HOA have their job cut out for them, if the issue ever comes up for a vote.

A note on the postcard indicated that failure to respond would be taken as a vote to keep the HOA. That note was an unfortunate error and makes interpretation of the results questionable.

Holiday Lights in Star Valley Estates



Whether you install lights to celebrate the birth of Jesus, the arrival of Santa Claus, the winter solstice or just to provide cheer during our extended winter darkness, they did brighten up our neighborhood. Thanks to all who took the time and effort to decorate their home.

Now, says Scrooge, "Don't forget to take them down."

Transparency Required in Election Results!

Recent disclosures have highlighted what appears to have been electoral fraud in the election of directors in November 2009. Why has it taken so long for this to come to the surface? The key was hidden in the minutes of the closed-door, October 2009, Executive Session, which was held just prior to the recall of the previous board. Those secret minutes were recently reviewed by the current board and were made public by a vote of the board during the October 2010 board meeting. The minutes of both the October 2009 Executive Session and the October 2010 Board meeting have been posted on the HOA website. The facts will be presented here without accusing any individual or group of individuals of wrongdoing. It will be up to the reader to draw his or her conclusion based on the facts.

Even though the following information can be found in the HOA website, it was felt that the newsletter was a better medium for distributing the information to the community.

During the October 2009 Executive meeting, board members were advised by the lawyer hired with HOA funds that, since the three basin lots (lots 61, 151 and 152) were still listed in the name of the HOA, the board was authorized to vote those three ballots. The board passed three motions (one for each lot) to vote each lot against the recall. That act appears to be legal even though it was done in secret. The information had never been publicly disclosed until now, even though it was a board action taken on the behalf of the community, and the community was entitled to know.

The **secret ballots for the recall** were hand-delivered by Cindy Borquez, HOA manager, to then-president Jimmie Williamson at his home. The ballots were voted by some person or persons and **mailed** to Cadden. On receipt, the ballots in the envelopes exhibiting the basin lot numbers were opened, recorded by lot number as received and as containing secret ballot envelopes. The secret ballot envelopes were held for opening at the recall election.

At the Board meeting (see minutes posted on the website) Dr. Borom asked the three members of the recalled board who were present at the meeting (Mr. Jimmie Williamson, Ms. Jill Chamberlain, and Ms. Pat Linn), who physically filled out and cast the ballots. None of the recalled board members present remembered casting the ballots.

In addition to the basin lot ballots for the recall, Cindy Borquez also later hand-delivered the basin lot **ballots for election of directors** to Mr. Williamson at his home. Note that there is no record of any board action authorizing the use of the basin lot ballots in the election of directors. In truth, the ballots should never have been distributed, and, on receipt by Cadden, should have been immediately disqualified.

The basin lot ballots were reported to have been **hand delivered** to the front desk at Cadden Mgmt. There is no record of who returned the

envelopes, but they were received and treated as described above.

Since the recall was successful, neither the recalled board nor any group of recalled board members nor any individual recalled board member had the authority to cast those ballots. The casting of those ballots constitutes a breach of electoral procedure. It should be noted that those ballots contained 15 votes for director since cumulative voting was still in place prior at that time. That was enough extra votes to swing an election.

When asked at the board meeting who physically cast the basin lot ballots for the election of new directors the recalled board members present denied any knowledge of such voting action.

Ms. Chamberlain challenged the evidence by stating that there was no proof that the opened envelopes even contained ballots.

Ms Linn claimed that she had no knowledge of whether the ballots were cast or not, but proclaimed that the board had the authority to cast them because the ballots were filed out prior to the board being recalled. Dr. Borom challenged Ms. Linn's statement as being misguided.

Mr. Williamson denied any knowledge of the voting of the basin lot ballots.

Here are the facts for your consideration.

- 1- No one had the authority to use any votes from the basin lots in the election of directors.
- 2- Basin lot ballots for directors were personally handed to Mr. Williamson.
- 3- An unidentified person delivered the basin lot ballots, containing 15 votes for directors, to Cadden Mgmt.
- 4- Basin lot ballots for directors were counted and included in the election of directors.
- 5- None of the three recalled board members questioned had any recollection of the voting of either the recall ballots or the election of director ballots.

Some person or persons violated ethics, but who it was remains a mystery.

Star Valley Estates
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Star Valley Estates Newsletter

January, 2011

Notice:Next Board Meeting

Thursday, January 13; 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. Details will be kept confidential.

This is YOUR NEWSLETTER

Looking forward to hearing from each of you.

The Editor