

Star Valley Estates Homeowners Association

P.O. Box 14198 Tucson, AZ 85732 Phone: (520) 623-2324 Fax: (520) 722-5039

February 5, 2018

Dear Association Member,

A total of eleven changes have been proposed to be incorporated into the Association's By-Laws governing document. These changes are based on recommendations made by an independent review committee appointed by the Board this past summer.¹ Administrative updates, which are changes made to simplify or to add clarification to the document and do not change requirements, have already been incorporated into the document. These updates were approved by the Board at the November 4th Association meeting. However, amendment updates, which are more than administrative in nature and impact requirements, require homeowner review/approval (ref: Section 15.1.1 (By-Law Amendments Requirements)). This is the first update to the document since 2010. At the January 22nd Association meeting, the Board voted to forward each amendment change to homeowners for review and approval.

As such, you are encouraged to vote either "for" or "against" each proposed change in the attached ballot. A "for" vote approves the update; an "against" vote disapproves the update. Simply mark one "x" in either the "for" or "against" block. After marking the ballot, mail it in the stamped return envelope to Platinum's mailing address on the front. **Votes will be tallied 15 days after the mailing and the results posted on the Association's website (<http://starvalleyestates.org>).** The Board and Review Committee members encourage a vote "for" all proposed updates.

For further information regarding the specific changes made, a copy of the draft By-Laws is available to be viewed on the Association website.

Sincerely,

The Board of Directors
For the Star Valley Estates Homeowners Association

Enclosure

¹ The committee included Bonnie Dukes, "Ozzie" Nelson, and Dr. Marc Borom.

Change	Section	Paragraph Update/Change	Vote	
			For	Against
1	Article V: Nomination and Election of Directors, Section 5.1 Nomination	Deleted reference to <i>corporate, partnership and non-individual Members</i> . Members being nominated for board director positions must be homeowners residing within the association.		
2	Article V: Nomination and Election of Directors, Section 5.3 Right of Appointment	Sec 5.3 Deleted. References Declarant's right to nominate, appoint, or remove a Declarant-approved Director. (Note: Declarant refers to the Star Valley home builder.)		
3	Article VI: Meetings of Directors, Section 6.1 Regular Meetings	The wording at the end of this section is confusing. In-lieu voting requirements are specified in Section 6.4. Section 6.4. This statement needs to be removed.		
4	Article VII: Powers and Responsibilities of the Board of Directors, Section 7.1 Powers, Sub-bullet 4.	Paragraph 4 (Declare the office of a member) has been rewritten and moved to the end of the section. It provides the board discretion whether or not to remove a member of the board from an appointed office if three meetings are missed. The original paragraph implies that the board <u>must</u> remove the member.		
5	Article VII: Powers and Responsibilities of the Board of Directors, Section 7.2 Duties, Sub-bullet C.	Delete and change reference to "property owned by the Association"; the association owns no property; however, the Association does have oversight and maintenance responsibility to insure that unsafe property conditions noted within the association are properly addressed by notifying responsible agencies of any need for repair and upkeep.		
6	Article VIII: Officers and Their Duties, Section 8.8 Duties, Sub-Para E (newly added), Director at Large	Section (E) describes the duties of a 5th Director, the "Director at Large".		
7	Article IX: Committees	Added the reference requiring the Architectural Control Committee (ACC) to be chaired by a member of the board (in accordance with Arizona State Statute requirements).		

8	Article X: Hearings, Section 10.1 General Sanction Hearings	Deleted the reference to (2) and its reference to “Common Area” (Note: The “common area”, i.e., Lot 151, is a drainage basin with no entertainment value). Also, deleted the timeline specified for granting a hearing of “no less than five days” after notice is given. For our association, hearings are scheduled after a second violation notice has been issued for a repeat offense. In the second notice, the homeowner has 10 days to correct the infraction. If uncorrected, the hearing letter notifies the homeowner that the board, at its discretion, may schedule a hearing.
9	Article X: Hearings, Section 10.2 Architectural Control Committee (ACC) - Non- Conforming, Improvement Hearings	Highlight added for clarification. Also, timeline specifying the hearing period was deleted. ACC hearings adhere to the same scheduling criteria that is used for general sanctioned hearings. For this association, there is no distinction between ACC and Board initiated hearings.
10	Article XII: Assessments	Updated assessment fines and interest penalties to comply with Arizona Revised Statutes (ARS) 33-1803. Also deleted reference to “Common Area”.
11	Article XIV: Corporate Seal	The Association does not have a corporate seal. This section implies it must. Article XIV needs to be deleted.

[illegible]

Summary:

1. Eleven updates recommended by independent review committee (considered to be more than just administrative in nature).
2. Recommendations sent to homeowners on 5 Feb 18.
3. Results tabulated 15 days later (20 Feb 18)
4. Updates incorporated into document on 23 Feb 18.
5. 30 day grace period before implementation.
6. Document implementation date effective 23 Mar 18.
7. Forwarded to website for archiving.

