

Green Valley Fairways Property Owners Association

Green Valley's Oldest and Largest Homeowners Association



NEWS & VIEWS Fall 2011

MEETING PLACE FOR MONTHLY BOARD MEETINGS

The Board of Directors meets at the First American Title Company (FATC), 101 S. La Canada Drive in the Green Valley Mall, now renamed the Green Valley Village. FATC can be found next to the Laundromat on the west side of the Village. Homeowners in the Green Valley Fairways are encouraged to attend the Board meetings.

Meetings dates and times remain the same – **on the fourth Wednesday of each month from 9:30 – 11:00**. The Board does not meet in June, July, and August.



on. We promise – no spam from us! Just good stuff that you should know about.

Please go to the home page for the property owners' association (<http://gvfairways.com/>). On the lower right side, you can send an email to the webmaster.

Give us your email address and you will be added to the list. If you would also like to receive the newsletter via email, add that information. If you would like to opt out of getting it in real mail and just get it via email, please indicate this. That will save us \$\$!

MARK YOUR CALENDARS!



plan to attend!

The Annual Meeting for the Homeowners' Association will be held **on February 24, 2012**, from 1:00 to 3:00, at the GVR East Center on Abrego. Please, please

WE NEED YOU...R EMAIL ADDRESS

Yes, we really do! We currently have email addresses for less than 100 of the 759 property owners in the Fairways. We use these to send out meeting notices, general information, and alerts to the members. For example: the revised contract with Waste Management, burglary alerts, information on Median Green, and on and

WHY BOTHER TO BE A CANDIDATE FOR THE BOARD OF DIRECTORS!

It's that time of year again! Time for people in the Fairways to step forward and volunteer to run for a seat on the Board of Directors. And yet, every year we run into trouble! No one wants to take the time. No one can be bothered. Very few people actually seem to care! So please step up to the plate! Please volunteer! If you would be willing to run, please call **Carol Kay** (625-9014).

You will need to provide us with 3 or 4 sentences telling us (and the membership) about yourself. You can email that to **Carol Kay** at **labpeep@aol.com**. That information will be included in the ballot. Potential candidates need to have their 3-4 sentence resume sent to Carol and the Nominating committee by January 18.

WHY WE PUT YOUR RETURN ADDRESS ON THE RETURN ENVELOPE OF YOUR BALLOT!



Not everyone in the Fairways is eligible to vote! If you aren't paying your annual assessment (what we used to call annual dues), you may not participate in our elections. When we hold an election, we verify that all returned ballots are eligible by checking the return address on returned ballots against a list of people who owe dues. If we find a ballot has been returned from someone who owes the Association money, we do not include that ballot in the final tabulation.

So please make sure you're paid up, and please vote. Ballots will be mailed out on January 30th and need to be returned by February 18th.

TWO CC&RS NEED AMENDING

Earlier this year the CC&R committee turned over the CC&Rs that we all approved to a new attorney. We had received bad advice from our previous attorney and we wanted to be sure we were still on the right path. Our new attorney came highly recommended.

Although she made a few minor changes in wording, only one CC&R was changed in such a way as to require amending. By the way, she also agreed to the "no legalese" policy we are firm about, and I think you will agree when you see the final results that she did an excellent job. At the same time, she was very careful to word things in such a way as to protect us in case any of our CC&R issues end up in a court of law.

She also added a section at the beginning entitled "Definitions." We agree that this is most worthwhile. And she changed the term "dues" to "assessment."

The CC&R she amended – and one of the two you will need to vote on in January when we send out ballots – is entitled NO RIGHTS OR

WAIVERS FOR GVFP OA. Here is the old version and below it the proposed changes.

Old:

a. If the GVFP OA or any homeowner in the Green Valley Fairways Subdivision fails to act in a timely manner or fails to act at all with regard to carrying out any right, power, or remedy that is provided in the CC&Rs, the failure cannot be construed as a waiver.

b. No action shall be brought against the GVFP OA because of its failure to exercise any right, power or remedy.

Proposed change:

a. No delay in the enforcement of any provision of these CC&Rs shall be construed or deemed to be a waiver of such provision.

b. Subject to the foregoing, any controversy, claim or dispute arising out of or relating to these CC&Rs may be first submitted to arbitration before the Green Valley Council ("GVC") in accordance with the Arizona Uniform Arbitration Act. Judgment rendered by GVC may be confirmed, entered, and enforced in any court having jurisdiction. Pending a ruling by GVC, the parties may be equally responsible for the arbitrator's fee and costs.

*c. An arbitration award may be appealed to a court of competent jurisdiction as a trial de novo. (*Note: Trial de novo is a legal term meaning "new trial.")*

d. Despite anything to the contrary in the CC&Rs, claims relating to the failure to pay Assessments and foreclosure of a lien for Assessments may be brought in any court of competent jurisdiction without first resorting to arbitration.

e. The prevailing party in any arbitration and/or litigation shall be entitled to an award of all taxable costs, including the arbitrator's fee, and attorney's fees incurred.

This new CC&R wording includes the option of using arbitration to settle a dispute. If that is not successful, then obviously a dispute may be taken to court. However, we have not had the option of arbitration in our CC&Rs before and the committee felt this was a very valuable alternative.

The second CC&R that needs amending is the one regarding the size of sheds. Here is the old one and the proposed change.

Old:

b. The shed or other such additional structure may not be bigger than one hundred (100) square feet and no more than six (6) feet high.

Proposed change:

b. The shed or other such additional structure shall not be bigger than one hundred twenty (120) square feet or more than eight (8) feet in height.

Obviously bigger is better, so we hope you will all vote yes to change this CC&R.

PROCESS FOR AMENDING THE CC&RS

One of the most important things the CC&R committee did was to make sure we included wording that would allow members of our homeowners' association to amend the CC&Rs in the future. After all, this document will need to be updated from time to time to reflect changes in laws, statutes, and more.

So saying, we have come up with a method for that amendment process. A homeowner who wishes to amend one or more of the CC&Rs must do the following:

- Be in good standing in the association (i.e. be up to date with dues payments).
- Write the amendment statement, knowing that the Board and/or our attorney may rewrite the statement to make it clear and concise, but retaining the essential meaning.
- Collect the signatures, printed names, and addresses in a petition of 75 members of the GVFPOA. (Note: These members must be in good standing in the association. The number 75 is 10% of the number of homes in the Association.)
- Present the amendment and the petition to the Board of Directors at a monthly Board meeting. The Board must then

authenticate the petitioning names and addresses and status of membership.

- Once these have been authenticated, the Board must present the amendment to an attorney to be certain that the amendment adheres to County Ordinance, and/or State and Federal Law.
- The amendment may then be placed on the next available ballot, such as the ballot for the election of Board Members. There shall be only one annual balloting of amendments.
- Once it is established that the amendment has passed in accordance with the provisions of the CC&Rs, the amendment must be signed by both the President and Secretary of the GVFPOA before a notary public and then filed with Pima County in a timely and legally binding manner.

GVC BACK ON THE BALLOT

The Green Valley Council (GVC – formerly known as GVCCC) will be back on the ballot again this year.

According to their website, “Since 1973, the Green Valley Council through its member Homeowners Associations (HOAs) represents over two-thirds of all Green Valley residents and is as close to a local government as exists in this unincorporated retirement community. Frequent communication with County, State and Federal government officials and involvement by GVC leadership on decision making bodies on all levels of government has proved effective in getting things done.”

However, some years ago GVFPOA homeowners voted to withdraw from GVC. It was felt that GVC was not being responsive to our needs. Last year several of our Board members requested that we rejoin. At the annual meeting, two representatives from GVC spoke about the benefits of GVC and answered questions from the audience.

The matter was placed on the ballot and members voted for or against rejoining. The issue lost by 4 votes. Because the vote was so

close, the Board was asked to put it on the ballot once again. Therefore you will be asked to vote again for or against rejoining GVC.

FPOA Board Member **Chuck Johnson** writes: "Our streets in the Fairways are in deplorable condition. When our developments were completed, Pima County accepted our streets for maintenance. The County has collected our tax payments for all these years, yet failed to maintain our streets. We need strong representation with the County and our best way to get that representation is to rejoin the GVC, giving us the biggest voice in Green Valley to demand the service to which we are entitled."

It costs \$5.50 per homeowner per year to belong to GVC. However, if the issue passes this year, the Board will NOT raise dues to compensate. We will pay the dues from the annual assessment we collect each year.

For newcomers to the Fairways, you can learn more about GVC at their website (gvccc.org) and also by talking to some of your neighbors.

TIMELY REMINDERS



Please be sure that the lights on your light post in the front of your house are turned on at night. This is both a safety issue as well as a requirement in our CC&Rs.

Please keep your yard free of weeds. Not only is a weed-choked yard an eyesore that devalues your property, it is also a health hazard. Dangerous critters love weed-choked yards!



Please do NOT put out your trash and/or recycle bin earlier than the evening before your scheduled pick-up day. If you are going to be out of town, perhaps a kindly neighbor will help by putting your trash and recycle bins at curbside for you. We've received complaints from homeowners about trash cans put out on Sunday mornings.



NATURAL WAYS TO GET RID OF ANTS WITHOUT USING PESTICIDES

Pour any of the following over the ant hill:

- Boiling water
- White vinegar
- Dry grits, cornmeal, or cream of wheat
- 2 ounces of Simple Green mixed with 1 gallon of water
- Soapy water



ATTENTION: LANDLORDS!

If you own a property that is used for rental purposes, that parcel must be listed on the notice of value as legal class four. If your rental residential property is not so listed, you must register the property with the County Assessor pursuant to section 33-1902 or you may be subject to a penalty. Out-of-State owners are required to assign a statutory agent who resides in AZ and will accept legal documentation on behalf of the owner. For other information contact the County Assessor's office. AZ Revised Statutes (ARS) 42-15103

NEW CONTRACT WITH WASTE MANAGEMENT

Our president, **Len Defendorf**, has negotiated a new contract with Waste Management. Rates will be the same for everyone and are now set for the next five years, although there will be adjustments to cover the cost of fuel.

Pick-up days also remain the same; Mondays are trash and recycle pick-ups and Thursdays are trash pick-up only. However, in the event of holidays, the schedule can change. We will post schedules and holiday changes online.

ARE YOU LITTERING THE FAIRWAYS?

A number of people are trying to advertise business services by tossing flyers into homeowners' yards. **Please be advised! That is littering and it's against the law and against our CC&Rs.** If you are one of those flyer-tossing people, please stop doing this!

Not only is it messy, but also dangerous. Would-be burglars drive through our neighborhoods looking for homes where newspapers, flyers, and phone books have been left out, uncollected! That's a clear sign of an empty house!

If you notice that newspapers or flyers are collecting in someone's yard, please be a good neighbor and remove the litter.

MEDIAN GREEN

By Bettye Jo Preis

Median Green is making great progress in Green Valley with new plantings on La Canada moving north through medians planted with desert adapted plants paid for out of the many fund raising efforts of the committee.

Originally, to get the program off the ground, chair-person Susanne Blodgett, asked key donors in Green Valley to sponsor a median. The price for the plants, planting them and water and maintenance was \$5000 per donor. Donors included Green Valley Gardeners, La Posada, Green Valley News, Rotary Club, Lion's Club and others.

This was the beginning of the movement to make the median areas something that residents could be proud of...that were green and thriving with desert plants. Since that beginning, many fund raisers have been held and now Median Green has some money in the bank to cover medians that no one seems interested in developing.

But, we homeowners in Fairways are interested in improving our desolate looking medians and are taking action. The Board of Directors has initiated a fund with money from newsletter advertising as the first basis. Combined with contributions from homeowners we hope to grow enough money to start removing dead plant material and replacing it with desert adapted plants that will lend beauty to our old, tired medians. Some of the plants growing there are worth keeping such as the bear grass and prickly pear cactus but others are long dead and need to be removed. We will work with the county on this which will be a Spring removal project in 2012.

All of our medians involve "traffic sight lines" which means that we cannot use plants which would block the view of on-coming traffic. However, in a meeting with Susanne Blodgett in November, she indicated that she would ask the county for approval of willow trees which are not bushy and can be trimmed up as they grow older. Wouldn't the medians look wonderful with blooming willow trees each summer!

We plan to start with the worst median which is the one most northern of all of them across from Verde Vista. Since there is no water available, we will probably have to avail ourselves of the cisterns filled by the fire department for the first two years. By then the plants will be established and can exist with monsoon and winter rains. **Civano Nursery** supplies the plants at less than wholesale and takes care of the initial planting process. After that it will be up to us to form a committee to water weekly. Susanne estimates that each median's plants will cost in the neighborhood of \$3000 depending on what we choose. Perhaps we will only be able to plant four willow trees...but that would be a beginning.

FAIRWAYS FOLKS

By Bettye Jo Preis

Have you ever wondered who the artist was who drew the outline of the stately Santa Ritas that tops our Fairways stationery? Maybe not...but I'm here to tell you that it was Los Arcos past homeowner, John Page.

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John and Marylu Page lived at 114 Los Arcos for many years before buying a garden home at La Posada about seven years ago. During the time that they were Fairways residents they were very active serving on the Board of Directors as well as the Architectural Review committee. When members of the Board realized what a fine artist John was they requested that he design a letterhead whenever he had time. Eventually he

brought a drawing to the Board that included not only the mountains but golfers at Haven as well. Through the years and endless printing, the golfers have disappeared from his drawing...the Santa Ritas remain.

Originally from Iowa, John taught print making and art at the University of Iowa and like many of us he and Marylu came to Green Valley and rented a place for awhile to see if it was to their liking. Apparently it was since they purchased their home on Los Arcos.

Coincidentally with this issue of our newsletter, John Page has just placed a showing of his water color abstracts at Posada Java. They will be there through the end of the year and include sale prices should you be interested.

And, maybe we could ask John to find that original drawing that included those golfers....

HAVING A PROBLEM WITH BEES?



Call **Avalon Organic Gardens**. They will remove the bees for a minimal donation, and instead of killing them, the bees are relocated to the gardens where they do what bees do best – pollinate! **Call 603-9932!**

BURGLARIES IN THE FAIRWAYS ON THE RISE

Recently, in less than a week a burglary and an attempted burglary occurred in Fairways One. In the first instance, a woman found that her house had been broken into while she was away. In the second instance, a homeowner was awakened in the night to find someone trying to break into his storage shed.

More recently, a rash of break-ins took place in Country Club Estates. Some of the homes broken into were empty, but at least one was occupied, and the owner woke up to find the burglary in progress.

We all need to realize that break-ins are not just occurring when homeowners are away for the summer; they are taking place year around. All of us are at risk all the time and we need to take precautions.

Having a dog may not be enough. In the instance where the shed was being broken into, the owner has two dogs, neither of which was awakened. Apparently that owner had an alarm rigged to the door of his shed and the alarm going off woke him. And in one of the burglaries in CCE, the



robbers let the dog out. The homeowner is heartbroken because as of this writing the dog has not yet been found.

One of the most important things for you to know is that many of the break-ins occur because people get careless and leave doors and windows unlocked and/or windows open at night. **PLEASE LOCK DOORS AND WINDOWS AT ALL TIMES!** Don't leave valuables in an easy accessible area where robbers may quickly find them. Ladies, don't leave purses out in plain sight. Hide them!

It's sad that many of our members remember a time when it was safe to leave your home unlocked; when neighbors could just walk in; when you never bothered to lock your car. But those days are long gone! Be nosy about what's going on in your neighborhood. If you see people you don't think belong, **CALL 911!**

These robbers know the difference between costume jewelry and the real deal. They also steal cell phones, computers, wallets, cameras – anything of value.

Stay safe and be watchful! Talk to your neighbors about what's going on in your neighborhood. Lock your doors, even during the day, even when you are home! Take precautions to make your house as safe as possible. And if possible, volunteer to help with the Neighborhood Watch in your neighborhood.

If your block doesn't have a Neighborhood Watch, call **Carol Kay** at **625-9014** and organize one. Plan a Block Party to discuss ways to stay safe. Ask SAV to talk to your neighborhood about making life as difficult as possible for burglars. Know the phone numbers of your neighbors. Also, keep storage sheds and cars locked as well. No sense in letting valuable tools or your car get stolen either. Let's scare off those bad guys by being alert and watching out for our neighbors.

NEW WEBSITE MAY HELP YOU FIGHT CRIME....

...or at least keep track of it!

www.crimereports.com

When you click onto this site, you have to type in your address. You will be shown a map of Green Valley. Each burglary is indicated with a large capital letter B. When you put your cursor on a B, a window will pop up to tell you the address of the robbery and if this was an invasive or non-invasive break-in.

Sad to say, people who leave keys under the front mat or over the door OR who don't bother to lock doors and/or windows at all are inadvertently inviting in burglars!

You can sign up to receive alerts to the crimereports.com web site. You can choose to receive alerts through a variety of date ranges – every 3 days, once a week and so on.

FINES COMMITTEE

In October, **Len Defendorf**, **Carol Kay** and **Bob Stenz** met to formulate a plan for assessing fines for CC&R violations.



All fines will be \$100.

If someone violates the CC&Rs, the Deed Adherence Officer will send the homeowner a letter, warning him or her to comply with the CC&Rs within 30 days OR be fined \$100.

At the end of the 30-day period, if the homeowner has not complied with the warning letter, the Deed Adherence Officer will notify the Bookkeeper to send a bill for \$100.

If the CC&R being violated is weed abatement, the Deed Adherence Officer will send a second letter telling the homeowner that he/she has two weeks to correct the problem (i.e. get the weeds removed) OR the Deed Adherence Officer will hire a landscape company to clean the property AND there will be another fine of \$100 plus the cost of the clean-up. The Deed Adherence Officer will hire a legal, licensed and/or bonded landscaper.

Other violations of the CC&Rs will either be referred for a lien or small claims court.

COLUMN TO HELP US FIND HELP!

by **Jan Lorimer, Editor**

WE DO NOT ENDORSE THESE PEOPLE OR THEIR BUSINESSES. WE NEITHER SANCTION THEM NOR DO WE DISAPPROVE OF THEM.

If you have had a great experience with a local businessperson and you want to share that information with us, you can email me at **janlor6897590@yahoo.com** or call me at **399-2563**.

- **Jose Lopez (Licensed landscaper):** 398-9713 or 440-2180
- **Curtis Masterson (Unlicensed, painter):** 241-7441
- **Lori Neal (House cleaner):** 247-4315
- **Russ Demarco (Upholstery and window coverings):** 370-4700
- **Ron Hudson (Handyman, electrician, but not plumbing):** 237-6226
- **George Veliz (Landscaping and yard work):** 270-3980
- **Margarita Jacome (Pet sitting in your home):** 399-0652
- **J.D. McGrew (HAVE TOOLS, WILL TRAVEL; General Contractor, Welding, Plumbing. Not licensed):** 404-3952

NEIGHBORLY ACTS OF KINDNESS



And a **virtual halo** goes to:

Bob Kay, who has helped at least 4 neighbors clean their yards. Bob deserves not only a halo, but also a set of virtual wings!

Marty Coleman on Verde Vista bought gravel and used it to fill in holes along his alley.

Frances and Bea Rania, Manny Gonzalez, and Gene Freisen – all these good neighbors helped clean neighbors' yards.

FREQUENTLY ASKED QUESTIONS...AND FREQUENTLY GIVEN ANSWERS!

Q: *Why do I need to hire people who are licensed to do things like yard work?*



A: Recently a homeowner hired a very inexpensive landscaper to cut down three very tall palm trees in her front yard. The landscaper was neither bonded nor licensed nor insured. Only by a miracle was no one injured or killed,

and no damage done to property or passing cars when the fly-by-night landscaper and his helpers cut those three trees down. Further a big mess was left for others to clean up! Had there been an injury or worse, the homeowner would have been held responsible!

Save yourself a lot of grief. Hire reputable people who are insured, licensed, and bonded. You may pay a little more, but cheaper is **not** always better! And it is certainly not safer!

Q: *Who do I call about cracks in my sidewalk or other sidewalk problems?*

A: Pima County. They own our streets and sidewalks.

BLOCK CAPTAINS!

Block Captains can be very important in our fight against crime! Does your street have a Block Captain? Will you volunteer? Call **Carol Kay** at **625-9014** for more information.

Carol is also looking for a **Chairman to coordinate and work with** the Block Captains. Can you help? Call Carol if you can.

ADVERTISE WITH US!

Are you a businessperson living in the Green Valley Fairways? Want to advertise your business? Well, now you can. For **\$40.00 a year**, your business card will be printed in two issues of the newsletter PLUS will be displayed at our Website (**gvfairways.com**). To advertise in the newsletter, come to one of our Board meetings with check or cash and a copy of your business card. We'll get the card to Chuck Hill who will post it on the web and will also email an e-copy to your faithful editor.

FAIRWAYS REAL ESTATE
By **Sue Jones, Managing Broker,**
Century 21



As of November 29, there are 22 homes on the market ranging in price from \$75,000 to \$189,000. Two are under contract and 15 have sold.

The homes that sold ranged in price from \$75,000 to \$155,000. The total number of homes for sale in Green Valley is 823.

(Information obtained from the GV/Sahuarita Association of Realtors.)

DON'T FORGET TO CLEAN UP AFTER YOUR PET IF IT POOPS IN SOMEONE ELSE'S YARD OR IN AN ALLEYWAY. THAT IS THE LAW! IT IS ALSO THE CONSIDERATE THING TO DO. AND KEEP YOUR PET ON A LEASH WHEN YOU TAKE IT FOR A WALK. THE PET WILL BE KEPT SAFER AND THIS, TOO, IS THE LAW.

Green Valley FPOA
PO Box 28
Green Valley, AZ 85622

FORWARDING SERVICE REQUESTED

**FPOA BOARD OF DIRECTORS
PO Box 28
Green Valley, AZ 85622**

Carol Kay: 318 Los Rincones - 625-9014
labpeep@aol.com

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preis1210@aol.com

Jim Ellis: (Deed Adherence Officer) - 625-3199

Joyce Mohr: (Bookkeeper) -399-2949



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Ocotillo Enterprises

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 Jim Love
 520.904.5658

References
 Sue Colley
 520.275.3521



Sue Jones
 Associate Broker



Sue 520-603-5451
 Stu 520-247-5336
 Fax 520-648-6521
 email: Sjonesy@cox.net
 www.Sue-Jones.com

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 ROC 240906 K39 Fax: 520-399-9897

**WE DO NOT ENDORSE THESE
 BUSINESSES. We neither
 sanction them nor do we
 disapprove of them.
 (The Board of Directors, GVFPOA)**



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