

RUBY STAR AIRPARK PROPERTY OWNERS ASSOCIATION

Minutes of a meeting of the Board of Directors September 19th, 2014

A meeting of the Board of RSAPOA was held on September 19th at the home of Mike and Wendy Magras.

The meeting was called to order at 5:45 pm Mountain Standard Time.

1) Roll call

Directors Present: Wendy Magras (president), James Lyne (vice president) by phone until 6:49 pm, Randy Wells (treasurer), Ben Duncan (secretary), and Ted Stanley (director at large) by phone until 6:32 pm.

Members Present: Madonna Taylor until 6:10 pm, and Holly Smith until about 6:40 pm.

2) Welcome and call to audience for comments and presentations

- Call to audience was made late in the meeting. Holly Smith expressed four concerns:
 1. Holly stated that recently a budget spreadsheet has not been included in the minutes. Ben Duncan agreed to ensure the budget spreadsheet is included in the upcoming release of August meeting minutes.
 2. Holly reminded the Board that she made a request for audio recording of recent Board meetings but she has yet to receive them. Ben Duncan explained that he was not able to get the recording off of his phone and these recordings are not available. Holly also expressed discontent that a meeting held on February 28th 2014 did not have minutes taken. Wendy explained that this was an honest mistake since the Secretary was out of town at the time and no-one picked up that duty. The Board apologized for not taking minutes. One motion was made and approved during the February 28th, 2014 meeting. It had to do with special pricing for Tie down space if contracted during the March Fly-in. No tie downs were leased. So this motion is now obsolete.
 3. Holly asked whether there was a lawsuit filed against the Association based on a court summons former-director Rifka Boswell recently received. Wendy explained that, no, the Association has not had a lawsuit filed against it. The summons was regarding a private matter and the Association has since clarified to the appropriate officials that it does not seek to be involved in the matter. Also, Ben Duncan agreed to update officers and directors listed with the Arizona Corporation Commission following this meeting.
 4. Holly asked for an update on the chemical odor problem at the Airpark. Wendy explained that progress has been made. Mike Magras wrote up a progress report on the environmental concerns at the Airpark and his report will be attached to the September 19th, 2014 meeting minutes.

3) Approval of August 7th, 2014 Meeting Minutes

Motion by Wendy Magras to approve the August 7th, 2014 minutes as written with minor corrections made and emailed by Wendy Magras on September 14th.

- 2nd by Randy Wells
- Discussion:
 - o None
- All present voted “aye”
- Motion carried

4) Treasurer’s Report

- Madonna Taylor reported account balances and major expenses. She noted 4 delinquent dues.
- Holly Smith asked why the Board’s Treasurer does not do the Treasurer’s Report and Randy Wells explained that he will start giving the Treasurer’s report at the next meeting of the Board.
- The Board reviewed the Budget spreadsheet.
- Report is attached.
- The Board discussed the need for an annual financial audit. The Association’s accountant would require \$4000 to \$5000 to perform an audit. All present agreed that a more cost effective, perhaps free, method of conducting an annual financial audit should be found. Randy Wells, Treasurer agreed to work on a solution and acknowledged that the auditor(s) will not include a Board member.

Motion by Ben Duncan to accept the treasurer’s report

- 2nd by Wendy Magras
- Discussion:
 - o none
- All present voted “aye”
- Motion carried

5) To-Do List review

- The Board reviewed all items on the running to-do list.
- A notable completed item is that Wendy Magras has updated the deed of trust on lot 162A and recorded it.
- A notable completed item is that Wendy had a meeting with PRE (Dan White) and Magnum Paving (Lonny Catts) regarding some minor subsistence on the runway near the 60 inch drainage pipe and they’ve indicated they will attempt to provide some remedial work there with no expected charges to the Association.
- Another notable completed item is that Carl Taylor has overseen the repairs to the backhoe. A big “thank you” goes out to Carl for that!

6) Volunteer POC’s

- First the Board wishes to thank the following:
 - a) Mike Mickels for stepping in to help manage the gate repairs
 - b) Pete Stogsdill for working the gate house roof at very low cost and getting the receiver units to a repair shop, and more.
- Wendy Magras suggested that the Board solicit individual members to serve as Points of Contact for the various recurring maintenance items/issues around the Airpark.
 - o Erosion Control
 - o Fence Integrity

- Front Gate function
- Weed Control on Roadways
- Pot-holes
- Runway Drains
- Runway Markings
- Runway Sweeping
- Website Updates
- Environmental Concerns
- Etc., etc....
- Any volunteers????

7) Front Wash Crossings, Runway Subsistence Area, and Tie Down Pavement Area

- Wendy explained that she met with Dan White of PRE and Lonny Catts of Magnum Paving to talk about the timing of the Wash Crossing construction work. No dates were finalized.
- During those discussions the Runway subsistence problem was discussed and Lonny agreed to attempt a fix on the problem near the 60 inch drain pipe at no cost.
- During those discussions Wendy asked about the cost of chip-sealing or paving an area that could be used for tie-downs. Lonny indicated that paving may be no more expensive than chip-sealing if it is done while they are onsite working on the wash crossing pavement. Randy Wells noted that the area to be used for tie-downs has some old chip seal but it has been determined to be unfit for tie down use due to large holes with just dirt and general dilapidated state of repair. Wendy will get square footage requirements for the paved tie-down area.

8) Common Area Committee

- The Committee met again two weeks ago
- Randy clarified that the area which housed the old hangers is not a suitable place for any vertical development due to the lack of buildable space but it is good for tie downs.
- Randy told the board that shade ports, as opposed to “hangars” may be the most cost effective way to get planning started on the east development area. The permits for the old hangars were actually permitted for shade ports and Randy will check to see if those permits can be modified to support new development. Randy also noted that the committee suspects all new construction instead of re-erecting the old hangars may end up being less expensive. They will look into that when appropriate.
- In planning actual hangars, Randy reminded the Board that there are investors who want them and may, under certain conditions, front some of the money for construction. Agate has been asked to estimate cost of hangars but they want the engineering done first so more of the variables such as dirt work and electricity are known.
- The planning committee is working on conceptual plans for hangars, shade ports, tie downs, fuel facilities, club house and office.
- Randy explained that while planning locations for the various facilities, the committee is so far leaving the “Gomez lot” undeveloped so that conceptually it could be sold or developed depending on future demand.

9) Fuel Truck

- Once again Randy asked to clarify whether the Board thought he should tell the sellers of a fuel truck that the Association is not interested at this time so the sellers can move on with

their own plans for the fuel truck. The Board agreed that Randy should tell the sellers that the Association is not interested in purchasing. The board discussed the probability that a stand alone tank rather than a fuel truck would be used for fuel facilities in the future.

10) Hold Harmless, Liability Release, and Assumption of the Risk form for fly-in Guests

- The board discussed a new document that fly-in guests of the Airpark may be asked to sign before landing at the Airpark.
- This form, if approved, and insurance details will be the two items required of fly-in guests

Motion by Wendy Magras to show the Hold Harmless agreement to the attorney the next time she has a good list of items to see the attorney about.

- 2nd by Ben Duncan
- Discussion:
 - o None
- All present voted “aye”
- Motion carried

11) General Meeting – Agenda and Responsibilities

- General Meeting will be October 4th, 2014 at 1:00 pm at the home of Mike and Wendy Magras
- A potluck lunch/BBQ will start that day at the same place at 11:30 am. Please bring a dish or a desert or something. Wendy Magras will dust off some old (frozen) burgers and hotdogs for the grill.
- Responsibilities
 - o Randy: Bring a Common Area Development conceptual planning presentation and prepare to educate members on some of the best ideas. Also give the Treasurer’s Report.
 - o Wendy: Provide the venue and some old burgers. Also, talk to the goals for next year including CCR updates and common area improvements.
 - o Ben: Summarize this last year’s accomplishments. Also, find the meeting minutes, send them Wendy so she can send them out with the agenda.

12) Landscaping

- The Board discussed our history of controlling vegetation growth along the roadways and runway. The Association has tried various tactics including ignoring the problem, maintenance service contracts, and a la carte services. Presently there is money reserved in the budget and the Association is not under any service contract. There was a short discussion about whether we could save some money and skip it this year. However, the Board agreed that the vegetation control should happen this fall and Wendy agreed to try to get it done within budget.

13) CCR Update

- The Board discussed when to get a CCR document together for review by first the Board and then the Membership. Wendy said she may have time during the week following the annual meeting to compile the Board’s discussed changes to date and present them at the Board meeting following the annual meeting.

- The Board discussed whether to try to gain approval for the CCRs section by section, or to put a complete document up for approval. Generally the board tended to agree that a complete document should be presented by the board to the membership for comment. Then, when comments have been reasonably incorporated, the document should be put to membership for a vote.

14) Environmental Update

- Mike Magras sent a letter to the directors regarding the chemical odor and light pollution from the mining operation to the south. Some progress is being made. Ben Duncan agreed to attach Mike's letter with the minutes.

Adjournment

Next meeting of the Board will be the Annual General Meeting:

Date: October 4th, 2014

Time: 1:00pm with a potluck lunch prior at 11:30 am

Location: Home of Mike and Wendy Magras, Ruby Star Airpark, Sahuarita AZ

Motion by Wendy Magras to adjourn.

- 2nd by Ben Duncan
- Discussion:
 - o None
- All present voted "aye"
- Motion carried

Meeting adjourned at 6:53 pm.

Environmental Status Update

Dear Directors:

Odor:

On Thursday August 28th, five residents met at the airpark with Pima County Department of Environmental Quality (PDEQ) Air Quality Inspector Janice Easley to discuss their concerns over a chemical odor that some residents have smelled periodically at the airpark. Residents report varying reactions to the odor, from curtailing outdoor activities to physiological effects. Inspector Easley discussed the DEQ procedure for submitting reports of the odor and outlined the investigation that PDEQ will make. She also discussed and answered questions about Freeport mine's air quality permits, including allowed and restricted emissions and odors, and geographical limitations on same. She stated that it is important that residents report all occurrences of the odor to PDEQ so that the source can be found and the substance identified.

On Friday, August 29th, Inspector Easley communicated that she had a meeting with her management to discuss the residents' complaints. PDEQ will contact Freeport to set up a meeting and inspection of their Sierrita operation that is adjacent south to RSAP. She also stated that she would begin her own assessments of the odors around and in RSAP and the mine, and asked residents to call her at 612-9202 any time they smell the odor. Ms. Easley also clarified the limitations in Freeport's permit, as follows:

No person shall emit gaseous or odorous materials from equipment, operations or premises under his control in such quantities or concentrations as to cause air pollution... "Air pollution"... means the presence in the outdoor atmosphere of one or more air contaminants or combination thereof in sufficient quantities, which either alone or in connection with other substances, by reason of their concentration and duration are or tend to be injurious to human, plant, or animal life; or causes damage to property; or unreasonably interferes with the enjoyment of life or property of a substantial part of a community, or obscures visibility; or which in any way degrades the quality of the ambient air below the standards established by the board of supervisors

On September 5, Inspector Easley smelled the odor herself on McGee and Mission roads.

Friday September 11, Inspector Easley and Scott Porter, also of PDEQ, conducted an inspection at Freeport mine, and reported that they could smell the odor near the moly plant, which is located in the complex at the end of Duval Mine Road.

Next Tuesday, September 23rd at 0700, Inspector Easley will hold another meeting for all interested residents in the local area. The meeting will be at the Magras residence. She will report on the results of her inspection of the Freeport Mine and plans for follow-on actions.

Lights:

In an ongoing effort to reduce waste light that residents report adversely affects them, I have asked Freeport to consider relocating some permanently-mounted, high-intensity directional lights that are currently directed towards the airpark. These lights would be relocated to a position that would still illuminate Freeport's work areas but be aimed away from the park. Community Affairs manager Richard Ducote says he is in discussion with mine management on this.

Respectfully submitted,

Mike Magras

Treasurer's Report

08-07-2014 thru 09-17-2014

Previous Balance: \$44,749.27

Deposits:

Revenue	\$ 1306.03
Reversal of check #3272	\$ 95.00
Interest on savings	\$ 2.39
Total Deposits:	\$ 1,403.42

Bills Paid:

Seal Master (runway repair)	\$ 454.02
Home Depot (cold patch)	\$ 82.32
Safeway Fuel (backhoe fuel)	\$ 173.07
Waste Management	\$ 246.81
Trico	\$ 18.14
Real Estate Direct	\$ 35.00
Carl Taylor	\$ 16.00
Pima County Treasurer	\$ 4,377.36
Kenneth & Christine Huey	\$15,192.00
Total Bills Paid:	\$20,594.72

Current Checking Balance: **\$ 5,323.82**

Current Savings Balance: **\$20,234.15**

Total Cash Assets:

\$25,557.96

Bills to be paid:

Earhart Equip. Corp. (credit card)	\$1,836.11
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Dues Status:

Four members currently delinquent. Reminders sent to all. One of these is currently in bankruptcy.

Things to discuss:

Audit requirements