

# **RUBY STAR AIRPARK**

Ruby Star Airpark Property Owners Association  
Board of Directors Meeting Minutes

October 21, 2024 - 3:00pm MST  
President's Home, 7702 W Lost Silver Lane, and ZOOM video access

Wendy Magras called the meeting to order at 3:04 pm.

Directors present:

President: Wendy Magras

Vice-President: Bud Robison

Member-at-Large: Carter Boswell

Treasurer: Jerry Hain

Secretary: Teresa Williams

Members in attendance:

Ken Wallingford

Holly Smith

Ted Stanley

Madonna Taylor

Ken Spaulding

Mike Magras

Comments from Members:

Holly requested that meetings be later in the day.

Minutes

Wendy made a motion to approve the minutes from the August 6, 2024 meeting.  
Jerry seconded the motion and it carried unanimously.

Treasurer's report

Jerry reported the Chase checking account has \$1970.00 and the Chase savings account has \$100.00 as of June 24, 2024. He also reported the NBKC account as of October 17, 2024 has \$61,074.54 and the money market account has \$49,518.68. Jerry said he continues to coordinate a spreadsheet with QuickBooks. He also said there are some discrepancies in the budget with overages in some accounts but there was money from last year that covered much of the discrepancies and he will be working with the accountant in November (2024) to update all the QuickBooks accounts so it will produce accurate reports.

Jerry then gave the options for payment of dues. They are mail a check, bill pay through your bank and personal delivery. One member would like the ability of ACH through Chase bank.

There was an email vote of the directors in August to change the Ruby Star Bank. The motion carried and is documented in Attachment 1 below.

Old business:

Sight lines

Wendy stated Pima County had closed the issue with the sight line at McGee Ranch Road but they were to come back for another look to follow up. She also said she will contact the property owner of that location regarding clearing brush so the visibility is improved.

CCR enforcement (this section was intended as a discussion to understand the feelings of the board and the members present)

Carter:

The discussion with the lawyer was thorough. With our history we could go around and coerce/encourage people to comply. We can have an architectural review committee, and we can make recommendations, but in most instances we cannot enforce even in the future.

Bud:

In response to Carter:

You can enforce every CCR restriction that is available. But, it will be prohibitively expensive and reduce the money available to spend on bricks and mortar. That would affect property values. Doing enforcement is going to be a lot of work to update our procedures and people are not going to like it. They are not going to like the idea of fines and notices and citations.

Jerry:

The association can enforce the rules on violations that are recent. If the member does not comply, then a lawsuit could be entered into. From the research that I have done, homeowners associations have been very successful in enforcing their rules and regulations. We can enforce our rules but it may be expensive. The member could decide that it is cheaper to fix the problem than go to court and possibly lose and still have to pay for the correction plus legal fees. The violations of our CCR's that are old, more than six years, we cannot force them by letters or suing to comply. For violations that have gone beyond the statute of limitations of 6 years, we can still send them a letter annually to

request that they correct the issue while not pursuing legally. There are things that we can do to try and get people to comply with our rules and regs. Right now, there are only a couple of properties for which there is no path to enforce until they sell. Then, the new owners could be asked and not required to comply.

Wendy:

I think we have a nice place to live in. We have rules. If someone doesn't want to abide by our rules, then they shouldn't buy here. People have said that things are too far gone. I don't believe that. Most people have complied with the rules. Last time we did enforcement, there were about 20 violations. About half, just by one simple letter from the management company, corrected their issues. No fuss, no muss. The lawyer has told us that it is our job to enforce the rules. I think we need to be doing that. I don't think we need to be pounding people over the head and agree with Bud that we shouldn't be spending tons of money on it. I think that paying for the lawyer to send a letter is perfectly reasonable. Also, if there is a violation that is a safety issue or is hurting their neighbors, then that is different. And we have to be willing to go after that.

Bud:

Some people are very soft on what is in the CCRs. Other people read everything exactly as written. When someone says that that guy has violation, why can't I have the same thing. What do we do?

Wendy: We say "well that was in the past and this is now".

Teresa:

Enforcement after 20 years is not possible. The statute of limitations is 6 years. Any enforcement after 1-2 years would be "really challenging" and a "political nightmare" . Was concerned that our lawyer wouldn't want to write these letters. Teresa said that we should concentrate on the future. And, not dig up stuff that is in the past because it will get ugly. Lawyer also said none of the processes established is binding on future boards. So, whatever board does should be well documented and communicated so that future board members understand the established processes. This will preclude having to spend money on this topic again.

Member comments:

Mike Magras questioned what Jerry meant in discussion of properties that are non-conforming changing hands. Jerry responded that they are not required to fix old issues, but anything new must conform. We could also try to persuade them to fix the old violation. Mike continues that in his experience in another community, when someone is brought to fix his non-conformance by a letter from the lawyer, others typically fall in line without have to expend more money. Most people want to comply.

Ken Spauding said that he would like to see things enforced. We all signed up for the rules when we bought here. Nothing has been done and he finds it frustrating. He thinks it might be acceptable, for those that have been grinding our teeth about the infractions, to go forward as has been discussed.

Holly feels that we need an Architectural committee for the new buyers and the new buildings taking place. Wants emphasis to be on the going forward rather than the past. The committee should be giving guidance for new projects and ensuring that they are in compliance. Agrees containers should be taken care of.

Ken Wallingford asked if it was required for owners to submit plans detailing the construction. Wendy responded that it is not required. But she has been requesting that if they would like the board to look at their plans, we will and provide feedback on issues with regards to CC&R rules. Ken said it would be easier and less expensive to owner if plans were reviewed in advance.

Madonna: I want to see the CC&Rs enforced. It is really wrong to not enforce them.

#### Committee reports

Maintenance: trees, weeds and spraying were discussed.

Facilities usage: Mike Magras has been speaking with David Rhodes about future usage of runway and payment options.

IT: Jerry reported the web page is still functioning improperly, that he is working on getting the new email addresses functional and also considering changing providers.

#### Election

David Burchell, Ted Stanley and Stuart Anderson are the 3 candidates for the election to fill the 2 open spots. The election will "go live" by 10/26 week end.

#### New business

Request to consider skydiving operation:  
This subject will be further explored including whether or not it is allowed by the runway conditional use permit.

The next meeting is tentatively set for December 12, 2024 at 3pm.

The meeting was adjourned at 4:49pm.

Note: These minutes were originally drafted by Teresa Williams, but then amended using the audio recording by Wendy Magras.

---

### **Attachment 1: Motion to Change Banks**

On 2024-08-22 19:39, Wendy Magras wrote:

Here is the motion:

>

> I move that we start banking at Chase and terminate the NBKC account  
> as soon as possible.

**From:** Treasurer <[treasurer@rubystarairpark.com](mailto:treasurer@rubystarairpark.com)>

**Sent:** Thursday, August 22, 2024 5:06 PM

I second the motion and vote aye.

---

Jerry Hain, RSA POA Treasurer

Teresa Williams

From:tbwtarheel@aol.com

To:Carter Boswell,Wendy Magras

Cc:Willis Robison,Treasurer,Vice President,Member-at Large

Fri, Aug 23 at 2:12 PM

Aye. Teresa Williams

On Friday, August 23, 2024 at 12:43:41 PM MST, Wendy Magras <[wendymagras@gmail.com](mailto:wendymagras@gmail.com)> wrote:

I vote aye.

Wendy

(520)248-6617

On Fri, Aug 23, 2024 at 11:46 AM Carter Boswell <[hfguy12z@gmail.com](mailto:hfguy12z@gmail.com)> wrote:  
I to vote Aye for the change to the new bank

Carter

On Thu, Aug 22, 2024 at 23:19 Willis Robison <[drwer2@hotmail.com](mailto:drwer2@hotmail.com)> wrote:  
I also vote "Aye".

Bud