

GENERAL MEETING MINUTES OF THE LPGRA

Website lpgra.org

Email address lpgraboard@gmail.com

DATE: September 2, 2021

LOCATION: LAS PALMAS GRAND (LPG) BALLROOM

TIME: 9:35 AM

President, Margaret Jacoby called the meeting to order welcoming all residents in attendance at the Ballroom requested that everyone stand for the Pledge of Allegiance.

The meeting was not being live-streamed to the LPG Community with 52 residents in attendance at the ballroom.

MINUTES:

August 5, 2021 minutes - A motion was made to adopt the minutes as distributed, seconded and adopted by all present.

INTRODUCTION OF BOARD OFFICERS:

Margaret Jacoby introduced each board member and stated their position.

President Margaret Jacoby

1st VP Peg Marcone

2nd VP Sue Smith

Secretary Pam Williams

Treasurer Walt Smiles ABSENT

TREASURER'S REPORT: Margaret Jacoby reported the balance as of August 12, 2021, \$649.79 with deposits of \$50.70 and no expenses. The current balance as of September 2, 2021, \$700.49.

A motion was made to accept the report, seconded and adopted by all present.

Margaret stated the only ways to increase the board treasury are through recycling program, 50/50 raffle and donations. The funds are used for updates to the web site, door prizes and future donations to local community non-profits.

OLD BUSINESS: Committee Reports

NEIGHBORHOOD WATCH (LPGNWP): Peggy Marcone presents for Sally York who was absent.

Peggy thanked Sally York for all her hard work. The Neighborhood Watch was officially launched August 23, 2021, with street captains wearing IDs on a red lanyard introducing themselves and handing out helpful hints from the Mesa Police Department.

Peggy mentioned that on the website Foundrop.com residents can register their valuables description with picture confirmations. This information is very helpful to the police if a burglary occurs.

Volunteers are still needed, if interested see Peggy after the meeting or contact Sally at LPGNWP2@gmail.com.

Margaret mentioned there are still a few magnets at the table with the Mesa Police Departments contact information. If more are needed, she will contact Dawn Blake, Community Relations Mesa PD.

NEWSLETTER *LPGRAObserver*: Sue Smith stated that she hoped everyone enjoyed and liked her first try as editor. She didn't know anything about putting out a newsletter, just that she wanted to use pictures.

The next edition will be a "Holiday Theme" for publication the middle of November. Please send anything of interest, clean jokes, ceramics projects, recipes, recent vacations, by November 1st to lpgraBoard@gmail.com. The forms for submitting articles are on the front table at all general meetings and posted on the website lpgra.org.

The newsletter and all information from the Board are posted on the website and e-mailed to the LPGRA e-mail list. If you would like to be added to the mailing list, please email your information to lpgraBoard@gmail.com. You must request to be added, your information cannot be taken from the resident directory.

RECYCLING: Sue Smith reported for Alan Smith who is on vacation. The total proceeds raised so far \$135.60 from aluminum cans. A total of \$160.00 collected is the amount of 200 lbs. of cans recycled that are not going to our landfills, we are doing an awesome job. Keep recycling your clean/rinsed aluminum cans, please NO plastic bags in the barrels.

As of September 1, 2021, Alan Smith launched phase two of our recycle program. Clean/rinsed CLEAR PLASTIC DRINK bottles. NO MILK JUGS or plastic bags. Margaret posted to the face book pictures of the new barrels for plastic. Please squash the bottles down and place the cap on, this will allow for more bottles to be collected at a time.

Margaret stated in order to keep our recycling program going with the approval of management all items need to be clean/rinsed otherwise the barrels will attract vermin. If this happens, we will lose the recycling program.

The question was asked if the green 7-up bottles may be recycled? Margaret will clarify with Alan Smith.

AAMHO: Margaret reminded all residents of the upcoming training on October 28, 2021, 9:00-11:00 AM LPG Ballroom. AAMHO will be conducting a two-hour training of the Landlord Tenant Act. Margaret, Peggy, Latson have taken this class twice and feels it is very valuable; hope we have a great turn out. The Board will provide coffee and donuts.

OPEN ITEMS LIST: Updates from Margaret, meeting of the Board with Thesman Management on August 12th.

LEASE SIGNING LINES 3-8: Dated 12-10-20, 2-14, 4-8, 5-13-8-12-21

Line3: Dated 12-10-20, 2-14-21, 4-8-, 5-13-21-This has been pushed back into January and new vehicle stickers will be in the packets. Packets not received from Corporate yet; will include car stickers & phone books; will be delivered to residents by LPG staff. UPDATE?

Line 4: Dated 6-10-21- No update - Mr. Thesman is reviewing everything.

Line 5: Dated 7-8-21-Referring to Landlord Tenant Act 33-1413H the fact that residents' leases have expired, it is required that management provide a new lease upon request by residents. As of today, **management is in violation of the Landlord Tenant Act.**

Line 6: Dated 7-8-21-Kerin responded that with the "changes in the Landlord-Tenant Act" and Operations changes, the leases had to undergo many revisions. Mr. Thesman has also had some "personal challenges" that have prevented him from reviewing and approving the documents. There have been 214 new residents since January - any resident can request a copy of the lease **in writing and a response will be given within 14 days.** After some lengthy discussion, Todd stated he would press Mr. Thesman about residents' concerns on a management call scheduled for that day. A follow-up email from the Board to Todd did not provide any further information or date for completion of the leases.

Line 7: Dated 8-12-21-Update from Mr. Thesman after the management phone call last month???

Line 8: Dated 8-12-21-Christie reported no further information from Mr. Thesman on when leases will be ready.

Dated 9-2-21-Margaret reported that she received an unsolicited phone call on August 31 from Kerin MacWilliams-Glavin, VP of Operations, Thesman Corp. Kerin spoke with Mr. Thesman yesterday, she wanted to impress upon him the resident's concerns about still no leases and are worried he may be selling the communities. Mr. Thesman assured Kerin he has no intention of selling.

Kerin stated all leases as December 31, 2020, are now a month to month which can have rent increased with a 90-day written notice. The new leases will be dated January 1, 2022, they will not be back dated to January 1, 2021. The leases will be for four years ending December 31, 2025. Only new residents may choose a one-, two-, or four-year lease. 174 homes are on old original leases that were not included in the changeover for all leases to expire on January 1st. They expire at various dates in the year and are receiving letters of rent increases during various months during the year.

Kerin still doesn't know when the leases will be available due to all the new COVID protocols and restrictions that have been added.

Dated 9-2-21-Peggy stated Christie told her residents may request either a copy of an old lease or a copy of the new draft. If the residents requisition the new lease, they will be told there is no new lease yet. They need to specify a copy of the old lease or a copy of the draft of the new lease. Several residents have asked and been told by staff "NO" we don't give them.

This will remain as an Open Item.

WATER RUN-OFF AND WASTE LINES 10-12: Dated 7-8, 8-12-21

Line 10: Dated 7-8-21- We have received 35 concerns about the excessive water run-off when the grass is being watered daily. With the severe drought here in AZ, residents are concerned about this "waste". Can the watering cycles be adjusted to eliminate the excessive runoff?

Line 11: Dated 7-8-21-Todd stated that with the high temps the grass needs additional watering and the mounds and contours in the landscaping design cause water to run off before the grass and plants have enough water. Thesman is testing artificial turf in other communities, but it is very costly. He noted that there is a staff shortage in the grounds and landscaping department but they are working to ensure the best care for the landscaping.

Line 12: Dated 8-12-21-Christie reported that they have cut back somewhat on the watering. When asked if there is a "rain delay" built into the system, Christie said she didn't know but would check with Adam and report back.

Dated 9-2-2021-Margaret reported not sure what else can be done?

The question was asked could the management make sure that the timers are adjusted to not run at 2:00 Pm the hottest part of the day? Maybe run dawn and dusk.

It was suggested that maybe it is time to write to our city and state representatives about making laws for wasting water.

DOGS LINES 14-19: Dated 2-4, 3-11, 5-13, 6-10, 8-12-21

Line 14: Dated 2-4-21-On-going concerns by residents about dogs not leashed, chasing bike riders, running loose on streets; owners who do not clean up after the pets; multiple dogs in homes; dogs over 25 pounds living in LPG.

Line 15: Dated 3-11-21-What is criteria for "emotional support" animal vs "service" animal?

Line 16: Dated 5-13-21-Complaints received regarding dog owners using grassy areas around clubhouse to walk dogs and taking dogs into the mailroom. Still questions regarding "emotional" vs "service" animals.

Line 17: Dated 5-13-21-Christie sent an email blast regarding using the dog park only for dogs to relieve themselves and prohibition on taking pets into mailroom and she was not going to send another at this time. She referred to the ADA and Fair Housing regulations regarding service animals. The office does verify the paperwork designating service animals when they are aware of such an animal. She noted that some residents do NOT report their pets and unless the office is notified, they can't follow up.

Line 18: Dated 6-10-21-Since this is an on-going issue with no clear resolution, we will leave it on the Open Items List for now.

Line 19: Dated 8-12-21-Board member reported that there is a resident who allows his large dog off the golf cart to mess on home properties. When confronted, he becomes obnoxious, cursing his neighbors and refusing to clean up after his dog. Christie advised that those neighbors call the office and identify the man and his dog.

Dated 9-2-21-Margaret reported there is a gentleman who allows his dog to be off a leash and takes to the Southwest end of park who allows his large dog to poop and never cleans it up. He drives a golf cart, several people have tried to get a photo or follow him home, if you know who he is or where he lives, please contact the office or security so they may contact him.

This will remain as an Open Item as Dogs are ongoing problem.

FEE FOR PRIVATE SALE OF HOME LINES 21-27: Dated 6-10, 7-8, 8-12-21

Line 21: Dated 6-10-21-Is the \$400 fee for private sale of home new? Do all such sellers have to pay the fee? Is this in the lease?

Line 22: Dated 6-10-21-CLOSED-Christie reported the activities that LPG must undertake when any home is sold and that this fee was to cover those. She did note that this is a NEW fee imposed by Thesman Management around March 2021. It was also noted by the Board that no notification was given to residents/owners that this new fee was being imposed on those folks selling homes outside of the realty office. Christie felt that sellers could include this fee to the buyers if they wish. The Board requested that a notice be sent to all homeowners advising of this new fee.

Line 23: Dated 7-8-21-RE-OPENED-In the Landlord Tenant Act ss33-1452 Rules & Regulations #B, D & E - essentially states effective 5/31/2016, that management **may not** adopt a new rule after execution of the initial rental agreement that imposes a financial obligation upon the tenant and if such a rule change is made, the tenant must be given a notice in writing by 1st class mail, **at least 30 days before they become effective**. We believe that this fee is in violation of the Landlord Tenant Act and should be refunded to those from whom it was collected.

Line 24: Dated 7-8-21-Kerin stated that in a memo issued by LPG Management dated June 2015 it was stated that Section 17.1 of the Lease Agreements was modified to address future "Intent to Sell Agreements" by adding language that LPG could impose such a fee although no amount was noted. She stated that new language is being added to the new leases addressing this fee. She felt LPG was not in violation of the Landlord Tenant Act because this notice was provided in 2015.

Line 25: Dated 8-12-21-The Board is keeping this on the list until some type of official communication regarding this fee is provided to residents.

Line 26: Dated 8-12-21-In response to questions by the Board Members, Christie stated that there is a checklist for inspections upon sale of any home and inspections are done by her or someone from office staff. LPG holds that the seller is responsible for repairs of deficiencies that are uncovered by the inspection. Christie explained that in the past when homes were sold, several deficiencies were not corrected and homes were sold out of compliance. Unfortunately, current owners are responsible for repairs to bring home into compliance.

Line 27: Dated 8-12-21-Board Members asked if an email blast could be sent to current owners advising of this fee as a courtesy since many current owners were not at LPG when the 2015 memo was distributed. Christie responded that the "Intent to Sell" form contains this information.

Dated 9-2-2021-Margaret stated this still is an unresolved issue. Most residents who lived here in June 2015 don't remember receiving this memo referred to by Kerin, and it is not in our leases dated 2017-2021 Section 17 Approval of Purchaser and Subsequent Residents 17.1.

This will remain as an Open Item.

GUARDS ABSENT FROM FRONT GATE LINES 29-32: Dated 7-8, 8-12-21

Line 29: Dated 7-8-21-When guards are on rounds or away from gate, how are guests or deliveries able to enter?

Line 30: Dated 7-8-21-Management there is a keypad at the front gates that have specific codes assigned to each resident. Those codes can be given to family who may be visiting when the guards are out patrolling. The whole system is being reviewed for updating, such as temporary codes for vendors. Management will keep the Board updated.

Line 31: Dated 8-12-21-Update on updates or replacement of the entry system???

Line 32: Dated 8-12-21-Christie stated she had no update on this issue or a new system.

Dated 9-2-2021-Margaret report the Board and resident do not feel giving out the gate code to family or vendors is an acceptable solution. The codes can be kept and passed along to any non-resident. What kind of security will we have? Resident can always drive up to let visitors or vendors in.

The management is looking into revamping the whole system.

This will remain as an Open Item.

ONE-CALL COMMUNICATION SYSTEM LINES 34-37: Dated 7-8, 8-12-21

Line 34: Dated 7-8-21-It has been suggested that a community-notification system be considered to notify residents of critical events such as a gas leak, water main break, prowler, etc. There is a system available for consideration:

<https://www.onsolve.com/platform-products/critical-communications/one-call-now/industry/senior-living/>

Line 35: Dated 7-8-21-Kerin reviewed the system noted and will research a system that might be compatible with the current "Rent Manager" system.

Line 36: Dated 8-12-21-Update from Kerin on this issue??

Line 37: Dated 8-12-21 CLOSED-Christie reported on behalf of Kerin that they feel the system suggested is not appropriate for LPG, but LPG would continue to use the current "Rent Manager" email system. The Board noted that Neighborhood Watch had safety concerns about the notification system.

NOTIFICATION OF LOT RENT AT CLOSING LINES 39-40: Dated 8-12-21

Line 39: Dated 8-12-21-Resident has concern about accurate lot rent amount. One amount provided by sales agent, first rent statement (May) was \$10 higher, and contacted Lorie in the front office, who was rude and unhelpful. Then in June she contacted both Christie and Kerin but feels she did not receive an adequate response as to the discrepancy in rents quoted.

Since she did not receive a lease with the correct information, how does LPG Management inform new residents of their correct lot rents? The Board feels like problems like these can be avoided if residents would be provided leases ASAP.

Line 40: Dated 8-12-21 CLOSED-Christie reported that the case reported was an "isolated case" and was resolved prior to the Open Meeting of August 5th. She felt it was "a mistake" and no harm was intended.

Dated 9-2-2021-Margaret reported this was a mistake and management has taken care of the issue.

OLD ISSUES CLOSED PREVIOUSLY LINES 42-49: Dated 8-12-21

Line 42: Dated 8-12-We have received additional resident concerns forms addressing excessive watering, Bill Harrison tickets, condition if grassy areas (pet stains, weeds)

Line 43: Dated 8-12-21-As for the Bill Harrison events, the \$12 charge still stands whether an attendee eats the meal or not. Dated 9-2-21-Margaret reported the price is \$12.00, it will be taken off the agenda.

Line 45: Dated 7-8-21 CLOSED-Todd agreed that the contractor did a sloppy job and they are coming back to clean up those areas. He also agreed to review the request to paint the recommended white lines at stop signs in phase 2. He will send the board a map with the indications.

Dated 9-2-21-This item was not discussed.

Line 46: Dated 8-12-21 REOPENED-Board Members informed Christie that the condition of the resurfacing is still not corrected and Christie will report this to Todd.

Dated 9-2-21-This item was not discussed.

Line 48: Dated 8-12-21-White Line Painting in Phase 2 as requested by Board previously. Todd - update??

Dated 9-2-21-This item was not discussed.

Line 49: Dated 8-12-21-No update from Todd on the white lines at stop signs.

Dated 9-2-21-This item was not discussed.

YARD ORNAMENTS LINE 51: Dated 8-12-21-The Board asked for clarification of the Rules & Regulations regarding lawn ornaments and the definition of a "theme" for yards. Christie referred to some yards with "excessive" yard art and reminded the Board that the definition was "at management's discretion." The purpose is to reduce yard art to give a "cleaner" look to the community. For example, plastic flowers are permitted until they become faded then they must be removed or replaced.

Dated 9-2-21-CLOSE-Margaret reported that over-decorated yard letters are being mailed. It is stated in the Rules and Regulations what is and isn't allowed. It is up to management's discretion.

ELECTIONS: Margaret reported November 4, two positions are expiring and the deadline to fill the vacancies and file is October 1. Ballots will be published on October 14, 2021, and available on the website or by the email list. Residents may vote by absentee ballot by dropping them at the secure box at Activities or by mail. ALL BALLOTS MUST HAVE THE LOT # to be counted. Each person listed on the lease has a vote (i.e. 2 on lease 2 votes). Please mail to the LPG Residents Board at 2550 S. Ellsworth Rd. #666 in a sealed envelope, as the Board doesn't want to know who you voted for until November 4th election. At the Board meeting scheduled for November 11, Board Members will select amongst themselves who will fill each Officer's role as prescribed in the By-Laws.

See or contact Pam Williams at 429lpg@gmail.com. if you are interested or have questions. The forms are at the front table or you may get them from the LPG Residents website.

NEW BUSINESS: None

RESIDENT QUESTIONS/COMMENT: Please fill out any concerns, complaints or complements form and return to any Board member, email to lpgrboard@gmail.com, or mail to LPGRA Board at 2550 S. Ellsworth Rd. #666, Mesa, AZ 85209.

Complaints need to be in WRITING, verbally doesn't work. Resident's names are not shared with Thesman management. The forms are also posted on the LPGRA website lpgra.org.

QUESTIONS: Pam Williams asked what is being discussed at the New Residents meetings? Since there are no new leases, rules and regulations, landlord and tenant act, architectural standards.

Dated 9-2-21-Peggy stated that Christie is going over some of the Rules and Regulations, what and when permits are required and the rules about dogs and pets. Christie advised new residents that there are no new leases but that all new

residents are on a month-to-month lease. Nancy, from Activities, reviews the upcoming activities and suggests everyone picks up the *Thesman Communities* Newsletter.

COMMENTS: 9-2-21-Several residents had comments on being charged \$40.00 for replacement of old square, gray gate clickers that don't work on the Guadalupe gate.

Dated 9-2-21-Margaret reported Todd Lutz, VP Development Services, Thesman Corp., stated no resident was going to be charged for the sensor issue. The office staff is telling residents the clicker is old technology have to buy new clicker. The office is then charging to rent account statement.

Margaret is to let Todd know what is happening.

NEXT MEETING: The next Resident Association Meeting will be held October 7, 2021, at 9:30 AM, to be lived streamed and with residents in attendance at the ballroom. Margaret hopes to see more residents in attendance next month as the ballroom is now open.

Thank you, Karen Hartigan, for helping with the 50/50. The 50/50 drawing was held with \$31.50 awarded to Nancy Eckert, a total of \$63.00 was collected. The drawing for two door prizes was held.

MOTION TO ADJOURN: Since no further business/questions a motion was made to adjourn the meeting at 10:44 AM.

Respectfully submitted:

Pam Williams, Secretary