

**Tatum Ranch Community Association
Architectural Committee Meeting Minutes
March 28, 2022 – 6:00 PM**

	Parcel/ Lot	Request	Decision
1	500463	Install patio structure/garage door at Dynamite Beer	Approved
2	500463	Install pendant lights at Dynamite Beer	Approved
3	500463	Install mist system, tables/benches to Dynamite Beer	Conditionally Approved
4	500463	Install plants in planters to Dynamite Beer	Approved
5	400004	Install pergola RESUB	Approved
6	312059	Install gazebo	Conditionally Approved
7	020043	Install lower retaining wall to view fence	Approved
8	010049	Installed generator	Cond. Approved \$25 fine
9	010049	Install privacy wall South side home	Approved
10	120047	Install stone veneer	Approved
11	070015	Install lights to fascia Tabled	Conditionally Approved
12	241076	Install spa	Approved
13	300068	Install artificial turf	Approved
14	431084	Install landscape	Approved
15	431084	Install landscape lighting	Approved
16	300068	Install landscape, travertine & gravel	Approved
17	070116	Install pavers on walkway	Conditionally Approved
18	241076	Install travertine pavers	Approved
19	312047	Install granite front yard	Approved
20	241076	Install sunshades	Approved
21	321076	Install windows	Disapproved Ins. Info.
22	321178	Install windows	Approved
23	060148	Install security door	Approved
24	431084	Install rain gutters	Approved
25	060230	Existing playset E/C	Approved \$25 fine
26	400094	Install coach & front porch lights	Approved
27	060227	Install garage doors	Disapproved
28	322010	Install garage door	Approved
29	300010	Existing hinges to garage doors E/C	Approved
30	070098	Paint scheme color #2	Conditionally Approved
31	060232	Paint scheme color #2	Approved

32	050103	Paint scheme color #17		Approved
33	311109	Paint scheme color #20		Approved
34	190081	Paint scheme color #24	E/C	Approved
35	311195	Paint scheme color #25		Approved
36	330023	Paint scheme color #31		Approved
37	431034	Paint scheme color #35		Approved
38	092008	Paint scheme color #35	E/C	Approved
39	432003	Paint scheme color #35		Approved
40	322036	Paint scheme color #37		Approved
41	242051	Paint scheme color #37	E/C	Approved
42	330025	Paint scheme color #38		Conditionally Approved

E/R=Existing/Resale Resub=Resubmitted App Ext=Extension E/C=Existing/Compliance

- ❖ Meeting Called to Order: **6:02 PM.**
- ❖ Quorum was met with the presence of: **Diane Turner, John Burghoffer, Lisa Kuhlman, Greg Duff, and Robert Snyder.**
- ❖ Approval of March 14, 2022, Meeting Minutes: Amended application #1: was tabled to total Committee not here also to provide more time for investigation on light system. **Motion Made** to approve March 14, 2022, Meeting Minutes as amendment, **Motion Approved.**
- ❖ Documentation provided by Robert Snyder to the ARC Committee:

Statement Regarding Chairmanship of ARC Committee

OUR CC&Rs:

The 5th Amendment to the Tatum Ranch CC&Rs was adopted on November 22, 2002. In that 5th Amendment, the Architectural Committee (ARC) was changed from 2 committees consisting of 1 residential committee and 1 commercial committee to only one ARC to serve both residential and commercial interests.

Further, language was adopted that subjected the final passage of any guidelines used by the ARC to the final approval of the Board of Directors (BOD), and provided that the ARC “shall have sole & exclusive authority with respect to all approvals & use decisions...” subject to a member’s rights to appeal to the BOD.

This was necessary because there was language in the original CC&Rs that indicated that the ARC was completely autonomous, and not answerable to the BOD at all.

STATE STATUTES:

In 2016, the Legislature being apparently concerned over the issue of Architectural Committee’s powers, amended ARS 33-1817 to prevent these committees from unreasonably refusing to grant applications for new construction.

Then in 2017, the 55th Legislature of the State of Arizona passed another amendment to ARS 33-1817. Within this statute, section (B)(1) was added which states that an ARC “shall include at least one member of the board of directors who shall serve as chairperson of the committee.”

RULES OF PARLIAMENTARY PROCEDURE:

So, let’s look at what being designated as a chairperson actually encompasses:

Under accepted rules of parliamentary procedure, the role of a chairperson includes these 5 as the most salient responsibilities besides setting the agenda (which in our case is done by the Community Manager’s Office):

1. To facilitate the committee meetings
2. To report the committee findings to the BOD
3. To ensure that the committee members are aware of their obligations & comply with their responsibilities
4. To keep the committee on topic & make certain that the agenda items are fully discussed
5. Procedurally, to call the meeting to order, take the roll, establish a quorum, and accept a motion to approve the minutes of the prior meeting

ARGUMENT:

After the roll call, and adoption of the Minutes of the prior meeting are accomplished, how the meeting is run administratively, I would submit, is within the exclusive purview of the chairperson.

I do not believe that it was the intention of the Legislature in passing the amendment ARS 33-1817 (B)(1) to create a “revolving door” of chairpersons each of whom may conduct the business of this Committee in a different manner, thus creating a burden on the members of this Committee to adhere to the wishes of each individual chairperson, and further disturbing the continuity of the bimonthly meetings that this committee holds by not allowing the ARC to establish its own process and its own leadership.

And, it certainly was not the intention of the Tatum Ranch CC&Rs to have individual BODs rotate the chairperson seat. In fact, the original CC&Rs, as earlier stated, that created the ARCs made them independent of the BOD. It was in the 4th Amendment to the CC&Rs in 2000 that the autonomy of the ARC was redefined to require that it seek BOD approval for changes to or additions to guidelines as a means of checks and balances, but the ARC retained its “sole & exclusive approval” of all Applications for Design Review subject to the Applicant’s right to appeal to the BOD.

CONCLUSION AND ACTION:

For these reasons, I feel both comfortable and within my authority to relinquish the floor to Diane Turner to perform the functions designated to this Committee under the CC&Rs.

One final proviso: As the chairperson designated by Statute, I reserve my right to vote only to break a tie, and further, if I determine that at any time this Committee has strayed from either its purpose or its obligations or responsibilities, I reserve my right as statutory chairperson to exercise my authority to comment in order to fulfill my parliamentary obligations as chairperson to keep the ARC on course.

Respectfully submitted,

Robert W Snyder/Treasurer

Tatum Ranch Community Assoc. Board of Directors

❖ Review Sign Criteria DRAFT for LED illuminated can signs March 13, 2022.

❖ Meeting Adjourned: **7:58 PM.**