

**RIVERS EDGE ESTATES  
BOARD OF DIRECTORS  
APPROVED MEETING MINUTES  
September 11, 2024**

**CALL TO ORDER:**

President Steve Martinez called the Rivers Edge Estates Board of Directors Meeting to order at 9:00 am Arizona time via Zoom.

**PRESENT**

President	Steve Martinez	Lot 4
Secretary/Treasurer	Sue Jackson	Lot 3
Director	John Brendlinger	Lot 2
Director	Jackie Brendlinger	Lot 2
Director	Rhonda McDonald	Lot 5

**NOT PRESENT**

Director	Mark Walton	Lot 1
----------	-------------	-------

**OTHERS PRESENT**

Community Manager/ Recording Secretary	Heather Wilson
---	----------------

**APPROVAL OF THE JUNE 2024 MEETING MINUTES**

John Brendlinger made a motion to approve the June 12, 2024 Board Meeting Minutes. Sue Jackson second the motion and the motion passed unanimously.

**APPROVAL OF THE FEBRUARY 21, 2024 SPECIAL MEETING MINUTES**

Sue Jackson made a motion to approve the February 21 2024 Special Meeting Minutes. Rhonda McDonald second the motion and the motion passed unanimously.

**DISCUSSION**

- **35' Height Limit**

- John Brendlinger shared his concerns with regards to the 35' height limit and allowing three stories, without going below the water level, which is where we are starting to experience issues. John feels that we should re-evaluate the three-story build outs by having a third party visit the site, give us an evaluation as to how we go about a three-story build without going below the water tables.

Rhonda McDonald stated her three story build out is above ground, therefore she will not be going below the water table.

## **APPROVAL OF THE FEBRUARY 21, 2024 SPECIAL MEETING MINUTES CONT'D DISCUSSION CONTINUED**

- **35' Height Limit**

- Sue Jackson reported her original build out included a basement, which is no longer the design, and she has redesigned her build out which does not include a basement that goes below the water table.

### **FINANCIAL REPORT**

#### **Arizona Financial Credit Union Bank Account**

Heather Wilson reported she has shared the June, July and August 2024 bank statements with the Board and as of September 11, 2024 the balance in the Arizona Financial Credit Union Bank is \$4,619.00.

Heather Wilson reported she will put together a proposed Budget for 2025 outlining the actual expenses for 2024 for the Board to review. Heather also suggested that the Board start to consider building up a reserve account for future projects/maintenance of the common area. Heather stated she will submit the reports at the December 11, 2024 Board Meeting.

Rhonda McDonald made a motion to approve the September 2024 Financial Report. Sue Jackson second the motion and the motion passed unanimously.

### **MANAGERS REPORT**

#### **Entrance Sign**

Heather Wilson reported the new entrance sign has been installed. Thank you John Brendlinger for donating the new sign. Heather noted the poles still needs to be painted brown and she will reach out to Otis to get them painted.

#### **Monthly Trash Service**

Heather Wilson reported she has reached out to Republic Waste to see if they will set up individual home trash service versus the community dumpster and they have confirmed that individual home service is available and when we are ready to setup individual home service, I will call them back at that time so they can give us the current trash rate. The Board agreed to just leave the large dumpster for the time being.

### **OLD BUSINESS**

#### **Location of Trash Enclosure**

The trash enclosure is tabled at this time until the Board approves the design and location.

#### **Common Area Concrete Cracking**

John Brendlinger reported prior to purchasing his lot he expressed his concerns to Scott Goodman regarding the cracking of the concrete in the common areas and at

## **OLD BUSINESS CONTINUED**

### **Common Area Concrete Cracking Continued**

that time Scott Goodman verbally told him once all of the homes are built, he is willing to replace any damaged concrete, however he did not get anything in writing from Scott Goodman.

John Brendlinger noted he took his own pictures of the existing cracking in concrete prior to starting the buildout of his project so he will not be held liable for the existing cracking of the concrete in the common areas. Last year when we approached Scott Goodman about the cracking of the concrete, Scott Goodman hired a geo technical company out of phoenix to come out to the property to take photos and samples of the existing concrete in the common areas and the long driveway leading up to the property and that report stated the cracking of the concrete has no effect on the integrity of the concrete.

John Brendlinger noted, basically Scott Goodman's position is based on the report back from the Geo Technical company which is the integrity of the concrete has not been compromised therefore he is not willing to pay for any repairs to the existing concrete.

John Brendlinger reported he met with a local concrete contractor and his verbal response was it appears to him that a bad batch of concrete material was poured which was supplied from the local concrete plant, however we were not able to get a written statement. John Brendlinger noted not all of the concrete needs to be replaced, it starts in the middle of Lot 3, goes all the way down to Lot 1 and goes out the main gate all the way down to the main road.

John Brendlinger also suggested to everyone to have their soil tested throughout the project to ensure you have good compaction prior to pouring concrete.

John Brendlinger reported one of two things that need to take place, which is hire an attorney so we can go after Scott Goodman, or we need to start accruing money in a reserve account so when the time comes to repair or replace any concrete, we have the funds available in our reserve account.

Sue Jackson stated the concrete issues that we are experiencing with the concrete in the common areas could also tie back into the issues that we are experiencing with our lots, which is due to the original compaction of the soil not being compacted properly.

Heather Wilson suggested the Board reach out to our attorney Krupnick and Speas via a Zoom meeting, so you can present your concerns to them and get their feedback as to whether or not you have a case and if so what do we need to do next.

## **OLD BUSINESS CONTINUED**

### **Common Area Concrete Cracking Continued**

Sue Jackson agreed that we should get on board with our attorney so our attorney can be put on notice as to what we are dealing with. John Brendlinger stated he is willing to get some advice from his personal attorney as well.

Steve Martinez stated if we are not able to get a written document from the local concrete contractor regarding our concrete issues then he suggested we consider getting our own soils report. Heather Wilson stated she will reach back out to Steve Stanton to see if he is willing to give us a written report noting the concrete material that was used was a bad batch and needs to be replaced.

### **No Trespassing Sign for Entrance Gate**

Heather Wilson will find a standard no trespassing sign online and submit it to the Board for approval.

## **NEW BUSINESS**

### **ARCHITECTURAL REVIEW DESIGN PROCESS**

Sue Jackson expressed her concerns in regard to the submission of the interior finishes to Brian for approval, it takes weeks to get a response back from him and it is her understanding that Brian's position as far as the "Design Review Committee", is to verify the structure, height limits and setbacks, verify the project complies with the cohesive look of the other homes as far as the exterior design of the house, and that it is not his responsibility to approve all of the interior finishes.

John Brendlinger stated, originally Brian was brought on board as the architectural review design person was due to the position of the lots, we wanted to be sure when everyone was finished building their house, we would all maintain our view.

Rhonda McDonald stated she also feels Brian is going beyond what is required, causing the hold up of getting our drawings approved.

Sue Jackson reported for example, Brian is continuously asking for resubmission of any change when it comes to design choices for the interior i.e., color of interior walls, window samples, doors, interior hardware, pool tile, landscape selections, which is very little, etc.....

Both Sue Jackson and Rhonda McDonald agree that Brian is overkilling the approval of the interior finishes and that he has drawn out their project due to constantly requesting samples of interior finishes. For example, if you should change your mind later on down the road as far as the color or the style of the interior finishes, he is requesting that you resubmit those changes to him for approval.

## **NEW BUSINESS CONTINUED**

### **ARCHITECTURAL REVIEW DESIGN PROCESS CONTINUED**

Heather Wilson suggested we send Brian a letter redefining his scope of work as far as the approval process of the interior finishes and to only hold him responsible for the exterior design, structural engineering design, height limits, setbacks and insure that everyone is complying with a cohesive look as far as the exterior design of the house, the letter will also notify him that it will no longer be his responsibility to re-review all of the interior finishes should anything change from the original drawings.

Steve Martinez asked the Board for their feedback as to what everyone's thoughts are in regards to eliminating Brian as the Design Review Committee and allow the Board to approve drawings.

Steve noted we have the CC&R's as the guidelines for construction drawings and the building department approval, as long as the house is esthetically acceptable, per the CC&R's and they meet the height and setbacks is basically what we as homeowners are concerned about.

John Brendlinger reported he disagrees due to the fact we are now going to create neighbors against neighbors, we are not engineers, this is why we originally agreed to use Brian as the Design Review person to oversee the design process. We all know that a lot of things can happen during construction, and he does not want to personally be sued, nor does he want the association to be sued if we as homeowners start approving drawings and something were to go wrong. John also stated if you want to hire someone else, he has no problem with that, however we need to protect ourselves.

Rhonda McDonald noted it is typical for HOA's to have a Design Review Committee, however she feels we need to limit Brian when it comes to interior work and agrees we should send him a letter modifying his scope of work requirements.

John Brendlinger noted if we are going to hire a new Review Design Committee we need to put together a list of items that we expect of a Review Design Person i.e.:

- \* Foundation is solid
- \* Verify Heights and Setbacks
- \* Not Blocking Neighbors View
- \* Exterior of the house is to be cohesive with the rest of the houses
- \* Structural Design/Engineering

John Brendlinger reported he also feels asking for the color of pool tiles is excessive.

All Board members agree to redefine Brian's scope of work when it comes to the approval of the interior finishes. Heather Wilson noted she will draft a letter for the Board to review.

## **NEW BUSINESS CONTINUED**

### **2024-2025 BOARD OF DIRECTORS**

Heather Wilson reported is has been four years since we last voted in the Board of Directors, so for a matter of formality we need to vote in a new President, Vice President and Secretary/Treasurer.

#### **President**

John Brendlinger agreed to serve as the President.

Steve Martinez made a motion to elect John Brendlinger as President. Rhonda McDonald second the motion and the motion passed unanimously

#### **Vice President**

Rhonda McDonald agreed to serve as the Vice President.

Steve Martinez made a motion to elect Rhonda McDonald as Vice President. Sue Jackson second the motion and the motion passed unanimously

#### **Secretary/Treasurer**

Sue Jackson agreed to serve as the Secretary/Treasurer.

Steve Martinez made a motion to elect Sue Jackson as Secretary/Treasurer. Rhonda McDonald second the motion and the motion passed unanimously

## **CONSTRUCTION UP DATES**

### **Mark Walton Lot 1**

No Up Date - Not present at the meeting.

### **John and Jackie Brendlinger Lot 2**

John Brendlinger reported he is going to enclose that area. He has hired Lambert to get the drawing approved by the Building Department.

### **Wade and Sue Jackson Lot 3**

Sue Jackson reported her original build out included a basement, which is no longer the design and she has redesigned her build out which does not include a basement that goes below the water table.

Sue Jackson noted once the contractor started to dig down and hit water, she was notified by the contractor, so she stopped construction, and called out a geo technical company to test the soil and has decided to re-design so that the build out will start at grade level.

## **CONSTRUCTION UP DATES CONTINUED**

### **Wade and Sue Jackson Lot 3 Continued**

Sue Jackson also noted she has since filled up the hole re-compacted and re-tested the soil before she moves forward with the ground level build out. Sue also noted the pool design is still up in the air as to whether or not they are going to move forward with the pool.

Sue Jackson reported we are back to square one with the drawings, they are eliminating the basement and the drawings are being re-engineered to reflect the no living space in the basement and that she is waiting on the changes from the engineer so she can send her drawings back to her Architect to make the necessary changes, and once that process is complete the drawings will be resubmitted back to the La Paz County Building Department.

Sue Jackson noted once they receive the revised drawings reflecting the elimination of the basement she will then resubmit them to Brian for approval prior to resubmitting the drawings back to the building department.

### **Steve and Jennifer Martinez Lot 4**

Steve Martinez reported his "I Beams" are being delivered and two weeks after the "I Beams" are installed they will start the framing. Steve also noted he is waiting for an updated construction schedule from his contractor and is anticipating a completion date late February 2025.

### **John and Rhonda McDonald Lot 5**

Rhonda McDonald reported she will have her engineered drawings back and she is talking with builders, once she has a complete set of plans she will put them out to bid in search of a General Contractor. Rhonda also noted she has not yet submitted her drawings to Brian, the Architectural Review Committee.

Heather Wilson noted when drawings are redesigned structurally, they are to be resubmitted back to Brian for his architectural review prior to resubmitting the new designed drawings back to the building department.

**Meeting adjourned at 9:37 am - Next Board Meeting is December 11, 2024.**

Submitted by Recording Secretary, Heather Wilson