



Highlights from the Condo Board Meeting, October 19, 2006

President's Report

Mr. Thiessen welcomed everyone and commented on the many improvements made to various facilities and administrative procedures over the summer. He noted that in the coming months, the Board would need to deal with issues pertaining to drainage, weed control, palm tree refuse, as well as the completion of the goals it set for itself last spring.

Mr. Thiessen outlined the status of Venture Out's legal case against Joy Osborn and Bev Pinney as it relates to the violation of the park rule that no unit may be occupied unless at least one occupant is 55 years of age or older. The court has issued a preliminary injunction preventing Joy Osborn from residing at 222 Debonair. A subsequent Osborn/Pinney technical appeal of this decision has been denied by the court. Venture Out has applied for a permanent injunction to be heard on October 20. Mr. Thiessen indicated that our legal fees to withstand the Osborn/Pinney challenge are now approximately \$50,000 or about \$30.00 per lot not to mention the countless hours of management time which otherwise could have been better used for the benefit of Venture Out.

As a cost saving measure, the Board did not convene summer teleconferences, instead carrying out its necessary business electronically. Mr. Thiessen remarked that he was continually impressed with manager Mary Schmit's commitment to consult before any significant decisions were made. She made contact with the president almost daily and maintained an ongoing effort to keep the whole of the Board informed on all aspects of Venture Out business.

In closing, the President stated his optimism for the coming season and asked that all residents put their collective energy into making our park an even better place for all.

Manager's Report

Ms. Schmit asked Larry Rives, Security Chief, to give a report on recent Security Department activities. He indicated that the new drop arm barrier at the Broadway gate was effective in stopping vehicle tailgating, but the unauthorized access by pedestrians should still be monitored. He outlined the procedures taken to deal with weeds and debris resulting from summer storms. He also reported on several instances of theft in the past 3 months, including the theft of two computer systems from the Electronics Building. He also presented his 2006 Security Incidence Report.

Ms. Schmit gave additional details on the storm damage and described the actions taken by both staff and summer residents to deal with it. The summer projects completed include the following: completed finish work in the coffee shop; paved the barbeque area, resurfaced four tennis courts and laid concrete on the west side of the community center. She observed that the current \$60,000 CC&R limit on annual total capital spending by the Board continues to result in deferral of identified beneficial projects from year to year.

With the assistance of Ms. Beally, our Activity Director, additional furnishings were purchased for the community center from Brick Fund money. Also, the "green room" behind the ballroom stage may now be used as a meeting area.

Ms. Schmit gave a special thank-you to all of the staff for their work during a challenging summer.



Residents' Comments

Residents raised questions including the inadequate supervision of very young people using the pool room; a proposal that the additional swim hours for children during school vacations be withdrawn; appropriate resident action when observing violation of rules/regulations; overgrown area in drainage basin at 900 block Aztec; adequacy of size of Oasis for open Board meetings; risk to cats and dogs from wild foxes; clarification of purpose of rules requiring registration of small business services. The President gave preliminary comments on these issues where appropriate.

Residents providing Professional Services Registration

The Board approved the use of 13 specific lots for providing services of a professional nature to other residents, with the understanding that the Board does not take any responsibility for the quality of the services provided. A record of the names, addresses and services is available at the Administrative Office. Other residents, who intend to provide professional services for residents, and have not yet applied, are encouraged to do so as soon as possible.

New Cable TV Contract

Vice-President Ron Luciuk gave a preliminary report on the renewal negotiations for the current 15-year TV contract which expires next April. Venture Out is awaiting proposals for changes and improvements in the existing system. Park residents will be consulted.

Tennis Hitting Wall

This project, previously approved by the Board, hit a snag when the City of Mesa insisted that only a licensed Arizona contractor, not a community volunteer, must be used to install it. Since the total cost would be more than three times the Board-imposed limit, the project has been shelved at this time.

Community Center Mural

The Board established a committee, chaired by Doug Gale, with several non-Board representatives, to evaluate mural proposals for the lobby area of the community center and to make recommendations to the Board as to whether the project should proceed.

Resignation of a Director; Appointment of a Replacement Director

The resignation of Director Pauline Nielsen, due to family circumstances, was accepted with regret. Her contributions to V.O. will be missed. Jean Scribbick, a close fourth place finisher in the February, 2006 elections for Director, was appointed to fill the vacancy for the balance of 2006/07 term.

Weeds and Palm Trees

The 2006 summer storms and their aftermath have shown that our approaches to the safety and appearance issues of our weeds and trees need to be reconsidered. The Board will seek resident input on new procedures, including costs, at a Work Session on November 9th.

\$25 Third Party Rental Agreement Registration Fee

This fee was introduced as part of the 2006/07 annual budget. The collection of this fee has since been suspended until the Board has completed a full impact study of its implementation. While the fee was intended to better allocate among V.O. owners the administrative costs of processing rental agreements, a very large range of the circumstances of rentals have surfaced and the matter needs further review. The Board appointed a committee of two Board members and two management members to make a recommendation no later than the November 16 regular Board meeting.

Drainage

In the past two summers, the runoff rainfall from short, high-intensity storms has resulted in the flooding of a number of Arizona Rooms in the park. While an engineering report received in August, 2006 stated that such flood damage cannot be avoided without incurring tremendous expense not justified by benefit-cost evaluation, some potential flooding risk may be reduced by under-taking certain measures. The Board appointed a committee to meet with affected Lot owners and make recommendations which might alleviate some of the problems. Copies of the technical report are available at the Administrative Office.

NOTICE TO ALL RESIDENTS

SUBJECT: VENTURE OUT vs. OSBURN/PINNEY

On Friday, October 19, 2006, Judge Michael D. Jones of Superior Court of Arizona, Maricopa County, ruled in favor of Venture Out in all aspects of the Osburn and Pinney court case. Joy Osburn, an unmarried woman of age 48, supported by her mother, Bev Pinney, had claimed that Joy Osburn should be permitted to reside alone at 222 Debonair while currently not meeting Venture Out's 55 + age restrictions. Venture Out opposed this position and proceeded to court to enforce its Bylaws.

At this point in time, the judge needs only to sign the permanent injunction order preventing Joy Osburn from residing at 222 Debonair alone until such time as she attains the age of 55 and to impose reasonable attorney's fees owed to Venture Out by Osburn and Pinney. Venture Out has expended approximately \$50,000 to date in defending its 55 + age restriction from the challenge of Osburn and Pinney.

The Board hopes that this will finally end this matter. The Board is aware, however, that any decision made by a court may be challenged to the Court of Appeals by the filing of an appeal notice within 30 days of the final judgment. The Board is unaware if Osburn and Pinney will be exercising this costly and time-consuming option.

Submitted by the Venture Out Condo Board.