

# HOAMCO



HOMEOWNERS ASSOCIATION MANAGEMENT COMPANY

## *From the President:*

In this issue of the HOAMCO Newsletter, we have included a variety of items of interest to homeowners' associations and their Boards of Directors. For more information of this type, check the HOAMCO website ([www.hoamco.com](http://www.hoamco.com)). Not only will we post our newsletters online as they are published, but articles of interest will be posted there on a regular basis. We welcome your questions and suggestions about items for inclusion in either the website or this newsletter, or both. Thank you for your participation in making your community a better place to live.

*Justin D. Scott  
President*

## LANDSCAPING CHALLENGES IN THE WEST: IT ISN'T JUST ABOUT GARDENING ANY MORE

Community associations all over the West are fighting to save ponderosa and piñon pines, spruce and fir trees, and junipers from the epidemic bark beetle infestation sweeping the region. There are effective measures that can be used to enhance your chances of saving your trees. However, as one Association Board President put it, "the more concern there is for the bark beetle, the more charlatans are going to be out there to rip off the homeowners." Thus, care must be taken to ensure that you are getting what you pay for. There are a variety of landscape and pest control contractors who say they can provide effective measures for bark beetles. Before you hire a contractor, check them out with the Better Business Bureau to see if there are any major complaints against them. In addition, in Arizona you can check with the Arizona Nursery Association (1430 W.

Broadway, Suite A-180, Tempe, AZ 85282, phone: 48-966-1610, fax: 480-966-0923, e-mail: [info@azna.org](mailto:info@azna.org)) to learn more about landscaping contractors. Finally, education is the consumer's best tool. There are two species of beetle attacking trees in the Western United States: the pine engraver (or Ips) and the western pine beetle. These beetles use a distressed tree as a mating and breeding site, with an adult taking up residence in the tree and then signaling to partners to join them. The mating produces numerous eggs that hatch into larvae which feed on the live inner bark of the tree, killing it. The pine engraver beetle attacks the top of the tree, killing it from the top down while the western pine beetle attacks and kills the trees from the bottom up. The most effective measures to take against these beetles are as follows:

- Thin trees and underbrush.
- Spray with an appropriate insecticide. Research has shown that injecting trees does not work. Remember that the *entire* tree (from the very top to the ground) and the bases of all branches 4" in diameter or larger must be sprayed with insecticide for this to be an effective protective measure.
- Water trees to a depth of 3 feet with a long, slow soak of 24 to 36 hours' duration every six weeks. The watering must reach the entire root zone.

- Remove dead and *dying* trees. When a tree is dead the beetles will leave it and go to infest a living tree. Remember that the wood from the trees cut down *must* also be removed from the area. This is important to control the beetles and to minimize the risk of fire.

(Excerpted from “Landscaping in Northern Arizona Offers a Different Challenge,” *Arizona Community Association Journal*, May 2003, page 42.)

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For more information on bark beetles, go to:

*U.S. Department of Agriculture Forest Service:*  
[www.naifs.fed.us/sspfo/pubs/fidls/ips/ipsfidl.htm](http://www.naifs.fed.us/sspfo/pubs/fidls/ips/ipsfidl.htm)  
*University of Arizona Cooperative Extension Office:*  
[www.ag.arizona.edu/extension/fh/pdf\\_files/preventative\\_spraying.pdf](http://www.ag.arizona.edu/extension/fh/pdf_files/preventative_spraying.pdf)

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**MILITARY SERVICE AND FINANCIAL  
OBLIGATION: AN ASSOCIATION GUIDE**

With thousands of American soldiers called to active duty in the Middle East, it is possible that members of your community are serving somewhere overseas. Active military service often results in financial hardship due to decreases in income. In addition, communication difficulties may prevent service men and women from responding to issues of fiscal responsibility in a timely fashion. Recognizing these facts, the United States Congress enacted “The Soldiers’ and Sailors’ Civil Relief Act of 1940” (SSCRA). Under the provision of this act, individuals on active military duty may petition to suspend all civil legal proceedings against them and their dependents in certain circumstances. SSCRA protects individuals on active duty in the United States Army, Marine Corps, Navy, and Air Force, Coast Guard Reservists, and National Guard members. Protection under this act may be requested by the individual, a representative of the individual, or the court itself. This protection extends from the date active service begins through 30 to 90 days after discharge.

One way that Associations can work with servicemen and women is to offer a payment deferment plan similar to those offered by many mortgage companies and other lenders. Also worthy of consideration is a policy of leniency with regard to late fees and fines incurred during the period of active service. If such policies are implemented, Associations should ask for the following supporting materials:

- Active duty orders
- Leave and Earnings Statement
- Proof of financial hardship
- Complete contact information for someone who can accept Association communications on behalf of the member

In spite of all of this, an Association may find that it is forced to file suit against an individual who is not, in fact,

suffering financial hardship due to military service, but merely shirking financial responsibilities. If this is the case, Associations would do well to hire legal counsel that is familiar with SSCRA because the requirements of this act can be difficult to follow and must be taken into consideration.

(Excerpted from “The Soldiers’ and Sailors’ Relief Act of 1940: How Does It Affect Your Community?” *Arizona Community Association Journal*, May 2003, page 6.)

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More information on the “Soldiers’ and Sailors’ Civil Relief Act of 1940” can be found online at the following sites:

- [http://www.defenselink.mil/specials/Relief\\_Act\\_Revision/](http://www.defenselink.mil/specials/Relief_Act_Revision/)
- <http://www.baseops.net/finance/sscra.html>
- <http://www.usmilitary.about.com/library/milinfo/sscra/blsscra.htm>
- <http://www.usmilitary.about.com/library/weekly/111201a.htm>

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## THE ART OF CONSENSUS BUILDING FOR EFFECTIVE ASSOCIATION LEADERSHIP

Building a consensus does not mean an Association must have unanimous, enthusiastic support for every aspect of a particular issue or course of action. What it does mean is building enough support based on a realization of what is best for the community and meeting the majority of community needs.

According to the experts, “The single most important criterion that people use in deciding whether a problem is serious is: it will, in some way, substantially jeopardize their quality of life.” The criterion that is used to determine whether a process is legitimate is: the process took into consideration the members’ input and needs early on. By building consensus through early involvement of Association members, boards can be proactive in heading off disputes and disagreements before a proposal is defeated and damage control is needed. To offer support for a proposal, Association members must believe the proposed action is responsible, responsive to the needs of the community, and effective.

Outlined below are some suggestions to help you in your consensus building efforts:

- Introduce a compelling problem – or opportunity – statement that includes possible benefits of following a particular course.
- Board members should “express their duty and responsibility for addressing the problem and their commitment to pursue the feasibility of taking action.”
- Get input from Association members about the options open to you in a given situation. Offering a variety of different options from which to choose, including the option to do nothing, will help build consensus because people feel something is being forced on them if alternatives are *not* offered.
- Provide enough time for Association members to ask questions, suggest other options, and make decisions.
- Review the proposed course of action for a final time before implementing the action. Be sure to spell intentions out in a number of different ways; be clear, specific, and illustrative so Association members will have a clear perception of the action to be taken.

In addition, there are a variety of tools you can use to increase the involvement of your Association members.:

### • *Meetings*

This is a tool effective for fostering communication and managing conflict. However, it is often overused, so before you decide to hold a meeting, be sure you know the following:

1. Purpose of the meeting
2. Ways to ensure the fulfillment of that purpose
3. Specific agenda items
4. Discussion guidelines to ensure maximum efficiency and order

### • *Forums*

These are designed to air issues through constructive dialogue rather than to accomplish a specific purpose. This is especially useful when quick action is required on poorly-defined issues. A forum is a good way to demonstrate responsiveness in an emergency situation.

### • *Open House*

This offers an informal setting that allows the Board to provide information and answer questions. An open house should be spread over enough time (preferably several days) to allow people to attend at their leisure and to avoid creating a “gang mentality” by cramming everyone into a small period of time. Be sure information is displayed clearly and have handouts at the ready for attendees to take away with them.

### • *Town Meeting*

This is a semi-informal event that allows open interaction among neighbors. Be sure to schedule it at a time that will maximize attendance and make it convenient for members to attend (e.g., convenient time and place, provision of child care, etc.). This is a great first step in a strategic planning process.

### • *Nominal-Group Workshop*

This works best by providing all attendees with the same background information and then, once they have had an opportunity to ask questions, having them break out into small groups of four or five for focused discussion. After a specified period of time, have them rejoin into one group to present their results.

In addition, it is important to recognize the primary reasons for opposition to Board-recommended activities:

- Misinformation, misperceptions, or exaggerated fears
- Unmet emotional needs (meeting these needs may be the least expensive way of countering opposition)
- Conflicts of values
- Conflicts of interest

And finally, when consensus is the *only* way to go, these four guiding principles may keep your proposal alive:

- This is a serious problem or important opportunity that must be addressed.
- The Board is the correct entity to deal with it.
- You are being reasonable, sensible, and responsible.
- You are listening to and do care about what the members of your association think and are aware of the consequences of these actions.

(Excerpted from “Consensus Building for Community Associations: Winning the Support and Approval of Your Community for Board Decisions,” *n.d.*, <<http://www.ortenhindman.com/articles.htm>> (May 15, 2003).)

## GENERAL CONSIDERATIONS IN REVIEWING YOUR OPTIONS FOR BARK BEETLE PREVENTION

### **Insecticide Strategy:**

An excellent strategy for insecticide treatment on trees includes the use of the chemical **Permethrin Plus**. While traditional thinking suggests the use of Carbaryl/Sevin, experience shows that when the legal dilution is used, the chemical has a short life span, roughly 14 to 28 days. Permethrin Plus on the other hand can last as long as 6 months (and under some conditions, even longer). Permethrin Plus is a low-odor chemical and was introduced in the mid 1990s. It is now a recognized treatment option for Bark Beetle prevention. The chemical forms a bond or shield on the bark of treated trees and assists in protection of a new bark beetle (or aphid) infestation.

### **Organic Strategy:**

The insecticide approach, on the other hand, requires the ability to reach the entire height of target trees, which may not be feasible. In those cases, you may opt for an organic treatment strategy utilizing Vita Planta products. The Vita Planta strategy to assist trees has proven to be successful in New Mexico and other areas, and is becoming more widely accepted as a good approach to assist in keeping trees healthy and more able to defend themselves. By super-hydrating target trees with Vita Planta VPX, thus stimulating increased sap and tar production, trees are better able to survive potential attacks by Bark Beetles. In addition, by using what has been described as a "saltless fertilizer," Vita products are completely organic, and do not harm wildlife or humans, which has become an increasing problem as urban areas expand into the forests. After an initial treatment of Vita Planta VPX, monthly treatments of Vita Planta Pro are suggested. Check out the following websites for more details on Vita Planta VPX, Vita Planta Pro and one of their remarkable success stories in Show Low, Arizona:

<http://www.prayingmantispest.com/Vitapage.htm>

<http://www.vitaproducts.com/vitaagri.html>   <http://www.vitaproducts.com/vitaplanta2.html>

### **Dual Strategy:**

You may wish to utilize both of the strategies described above, giving your trees an initial treatment of Permethrin Plus, followed by an organic Vita Planta program.

(Justin Scott, Managing Member of Praying Mantis Termite & Pest Control, LLC,  
is President and CEO of Homeowners Association Management Company.)

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