

Rules and Regulations: Serve as design guidelines or clarification of the CC&Rs to assist homeowners in regulating exterior design, appearance and use of the property. Rules and Regulations are adopted by the board of directors.

2. Know where to find the state statutes that govern your association or condominium and have a working knowledge of them:

Arizona Revised Statutes: www.azleg.gov

To access Arizona Revised Statutes (A.R.S.) online. From the home page, select "Arizona Revised Statutes" at the side of the page under "General Information". Scroll down the new page to the title you want to search, select and click on the actual title (i.e. title 33) to have the title open. The chapters, articles and sections follow, each listed respectively in numerical order. You can also find A.R.S. information on the MULCAHY website at www.mulcahylawfirm.net.

The following Arizona state statutes may govern your community association:

Title: 10 Corporations and Associations

Chapter: 24 General Provisions – Non Profit Corporations, A.R.S. Sections 10-3101 - 10-11635

Title: 33 Property

Chapter: 9 Condominiums, A.R.S. Sections 33-1201 -33-1270

Chapter: 16 Planned Communities, A.R.S. Sections 33-1801 - 33-1816

Not on-line? Most libraries have computers and will help you with a search or they may have the Arizona Revised Statutes in bound editions.

3. Learn

- The board should set up a mentoring program to have experienced members train new board members.
- The board should maintain a board book of resolutions, and important actions taken by the board for review.
- Use professionals to help train board members. Many professionals associated with community associations will attend a board meeting to educate the members. For example: ask a landscaper to come talk about maintaining trees, an attorney to talk about the importance of boards, etc.
- Learn the basics of parliamentary procedure.

BOARD MEMBER RESPONSIBILITIES

President - The community association president is required to fulfill many different roles, but the primary role is leader and manager. The president does not have the authority to do anything beyond the approval of the board.

The president is the official spokesperson for the board and the association who will work closely with the board, manager and residents to establish the overall goals of the association. Working cooperatively is essential to the success of the association.

The president should come to the meetings prepared. He/she should understand and use parliamentary procedures and be an effective communicator. The president of the board of directors has a difficult task in that he must conduct a productive business meeting of the board of directors in front of the owner members. The meeting may contain items that are controversial and upsetting to board members and owner members.

The president is responsible for the association's fiscal well being, including directing the budget process, collecting assessments, ensuring that reserves are adequately funded and that insurance coverage is sufficient to protect the board of directors and the association.

The president cannot do everything, he/she will need to delegate to knowledgeable people and use committees and their findings for the good of the association.

Vice President - The vice president substitutes for the president in his/her absence. He/she conducts meetings and presides over the board meeting when the president chooses to stand down from the chair. The vice president should keep himself/herself up to date about programs and agendas so that he/she is prepared to chair the meeting in the event of an emergency. Association bylaws may list additional responsibilities.

Secretary - The association secretary is the official recorder of the association's activities and is responsible for ensuring that accurate board meeting minutes are taken, error free, safely maintained in a notebook and kept indefinitely. Once recorded, the minutes are presented for approval by the board at a subsequent meeting. Once approved, minutes may be posted, placed on the website or in the newsletter for owner/members to review. Minutes are the official record of the association and as such can be used by a court of law in court proceedings. It is important to remember that minutes should contain what actions the board takes, not who said what in a discussion. Executive Meeting Minutes are not subject to review by owner members and should be maintained in a separate notebook.

The board of directors may choose to have a professional minute taker. A professional will compile the minutes and ready them for the board's review at the next meeting. Other secretarial duties will include filing documents and attesting to the validity of the documents by signing them. The secretary prepares and distributes board meeting notices, and also notes actions taken on authorized projects. Additionally the secretary is responsible for all board of directors' correspondence.

Treasurer - The treasurer shall have the responsibility for association funds and shall be responsible for keeping and maintaining a complete set of financial and accounting records, ensuring the financial stability of the association. The treasurer is responsible for reviewing and understanding the association financial records each and every month, being able to give a complete review as to the association's financial status to the board at the board meeting. Additionally, the treasurer has the responsibility for overseeing the preparation of the annual operating budget. Other key responsibilities include monitoring the progress of the annual audit or financial review and ensuring the timely filing of appropriate tax returns and monitoring insurance for the board as well as the association.

The treasurer should also oversee a reserve program and assure adequate funding. If a management company maintains the association accounts, it remains the treasurer's responsibility to review and have a working knowledge of the accounts. The treasurer should also put in place safeguards and internal controls to protect association assets and prevent the misuse of association funds. The treasurer must be able to ask probing questions to receive answers regarding association funds and accounting procedures.