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**APACHE WELLS BOARD OF DIRECTORS MEETING
THURSDAY, JANUARY 8, 2009**

OBSERVERS: Judi Teague #196, Lois Stevenson #1056, Elsie Fugman #207, Carol Pieper #1561, Gail Fassett #494, Hal Kamke #63, Barb Fancher #1171, Dee Miller #62, Walt Broden #536, Cheryl Shadle #1147, Kaira Daughton #263, Phil White #1131, Liz Mangini #1540, Carolyn Agee #415, and Walt Stromme #91.

CALL MEETING TO ORDER: Pres. Bing Miller called the meeting to order at 8:07 AM. Directors present: Ernie Shoults, Cheri Whalen, Don Fourcade, Tom Finger, Sandra Johnson, Jo Gregory, Irv St. John, and Jim Bonnell. Office Manager, Enga Bach.

BOARD APPROVAL OF AGENDA: Pres. Miller asked for a motion to approve agenda as presented. Don Fourcade made the motion. Seconded by Jim Bonnell. No discussion. Motion carried. Pres. Miller asked for a motion to approve minutes of December 18th as supplied to Board and posted. Jo Gregory noted spelling correction of Bright Pools. Correct spelling is BRIGHT not BRITE. Correction accepted. Motion to approve minutes made by Don Fourcade. Seconded by Irv St. John. No discussion. Motion carried. Cheri Whalen asked to have 2009 Exercise Equipment Maintenance Contract to be added under Items Too Late For Agenda. Cheri also asked to add Approval of Kiln Sale under Old Business. Pres. Miller asked for a motion to approve addition of items to agenda. Don Fourcade made the motion. Cheri Whalen seconded the motion. No discussion. Motion carried to amend agenda.

TREASURER REPORT: Irv St. John gave the Treasurer's Report.

	Beg. Bal.	Deposits	Interest	Disbursements	End. Bal.
Checking	\$68,344.13	\$40,885.42		\$70,080.42	\$39,149.13
Savings	\$41,376.68		\$26.30		\$41,402.98
CD 12/18/08	\$50,000.00		\$299.18	\$50,299.18	\$ 00.00
CD 12/12/08	\$50,000.00		\$1356.16	\$51,356.16	\$ 00.00
MM Fund	\$ 3,719.43	\$101,655.34	\$13.40		\$105,388.17
Total Oper.					
Funds	\$213,440.24	\$142,540.76	\$39.70	\$70,080.42	\$185,940.28
Reserve					
Acct. CD	\$ 50,493.46		\$372.96		\$50,866.42

Irv St. John reported some of the major expenses incurred during the month. \$6,761.00 down payment on well site walls; \$3,372.00 Pool Furniture; \$2,700.00 est. Fed. Taxes; \$1,500.00 est. State Taxes. He also noted December transfer fees from two home sales at \$1,900.00. Year to date there have been 55 sales for a total revenue of \$52,250.00. Pres. Miller asked for a motion to approve the Treasurer's Report. Tom Finger made the motion. Second by Don Fourcade. No discussion. Motion carried.

ENGA'S REPORT: Enga Bach informed the Board of a request by Harry Lipert of the AW Shrine Club Wheels to barricade a portion of the parking lot on the north side of the center entrance for the Shriner's Flea Market to be held on March 7th. Don Fourcade made a motion to grant permission. Jim Bonnell seconded the motion. Pres. Miller asked for public comment. No discussion. Motion carried.

Enga reported a thank you was received from Sunshine Acres for the Christmas gift bags.

COMMITTEE REPORTS:

Swimming Pool – Jo Gregory: She commended the Country Club's construction company on keeping the dust down. December sign-ins totaled 1036. Year to date was 19121, which was down slightly from 2007. Bright Pools has been hired and have taken over pool maintenance. There has not been one complaint. Now using a new test kit on the water, new locks installed on the gate and workroom. Work

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is being done on the electrical on the east wall. We have two spa motors, new buttons and signs instructing how to use them. Metal signage needs replacing. Jo discussed problems with children in hot tub. Board suggested writing letter to homeowner notifying them of the violation.

Exercise Room – Cheri Whalen: Classes are going well. Equipment is working. Attendance will be reported at Homeowners Meeting.

Architectural – Jim Bonnell: There is nothing going on. There are a couple houses in sales and people are not doing much with their homes.

Maintenance – Don Fourcade: Jo Gregory had covered the pool area activity. We are working on getting electricity and water on the south side. Otherwise, not much going on.

Activities – Bev Fourcade: In Bev's absence, Don reported there were 50 people at Movie Night. January 23rd we will have Soup, Bread, and Salad Supper on Movie Night. Christmas Dinner was a great success. 74 people were served with 3 shut-ins. Lion King tickets are gone with 145 people will be going on January 21st. Health Screenings were light this year. Bev is at a meeting on SkyMed, an organization to get you home or to the hospital when you are traveling and away from home. Hoping to set up a presentation in February.

Beautification – Tom Finger: Fountain will be operating as soon as pump is repaired. East side of pool will have stones replaced once electrical wires are buried. Wood cedar on Gazebo planter box has been replaced with permanent masonry. Christmas decorations will be taken down Saturday.

Arbitration – Tom Finger: 168 total concerns were filed in 2008. No concerns filed yet in 2009. Three complaints still open and seven properties are on the watch list. These are residents who comply but do not stay in compliance.

Publicity- Ernie Shoults: We proofread the phonebooks together with Enga. They will be coming out sometime in February.

OLD BUSINESS:

- 1) Dust Control Project: Pres. Miller stated it was basically the Elson Building area and the softball field. David Ferrell, who is in the Asphalt business in Minnesota, is heading this up and has made some great progress. The prices have fallen drastically. We are looking at an estimated cost of 50 to 55 thousand dollars and

- will be finalized with bids from contractors who will be bonded. We will possibly doing this project in the next 60 days to take advantage of the lower prices. Cheri Whalen stated that an area near the softball field would not need to be done so the contractors would be asked to include at no extra charge the parking area by the pool and exercise room. Pres. Miller asked for input from the members. Discussion regarding locking in prices, cost overruns, retention ponds, and city permits. No vote taken at this time.
- 2) Wall Around Well sites: Pres. Miller asked Jim Bonnell to comment. Powder coated gates have been ordered. Paint colors need to be selected. Ernie Shoults made a motion for Jim Bonnell to choose the paint color. Sandra Johnson seconded the motion as long as the colors coordinate with the buildings in the surrounding area. After discussion and comments from the membership regarding paint colors and cost. Motion carried.
 - 3) Election Committee: Pres. Miller asked Sandra Johnson, Election Chairperson to comment on the request for observers at the election. Ernie Shoults made a motion to designate five people as observers. Discussion by Board. Motion died due to lack of second. Cheri Whalen made a motion to allow during the election no more than five observers at a time who are HOA residents in good standing to observe the election in a designated area and be required to follow the rules and regulations for confidentiality. Jim Bonnell seconded the motion. After discussion and public comment the motion carried.
 - 4) Auditor: Pres. Miller asked Cheri Whalen to comment. She stated there has only been a response by one accountant regarding a third party audit of our financial records and the bid was \$800.00 over our budget. There have been no other responses so we will begin the search again. The audit must be done within six months of the end of the fiscal year, which was December

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31st. We will continue to search for a third party knowledgeable Homeowner Association CPA to audit our books.

- 5) Sale of Ceramic Kiln: Cheri Whalen commented that the kiln was posted on Craig's List and sold it in four days at full price of \$550.00. The money will be used to buy a new kiln when the Ceramics group have raised enough funds.

NEW BUSINESS:

- 1) Late Charge: Pres. Miller commented about the late charge on Homeowners monthly assessment. Homeowners are currently being charge 10% of the fee or roughly \$4.00, \$8.00 the second month and then \$15.00. The proposal is to charge a flat fee of \$15.00 per month if delinquent. Discussion followed. Cheri Whalen made a motion to impose a late fee of \$15.00 commencing February 1, 2009 on all delinquent accounts with the exception of those with a balance of \$5.00 or less. Jim Bonnell seconded the motion. Public discussion followed. The Board on an individual basis would handle waivers or exceptions. No further discussion. Motion carried.
- 2) Post Election Meeting Date: Pres. Miller announced that a Special Meeting of the Board would be held on Wednesday, January 14th at 8:00 AM to nominate the

new officers for the Board. The Homeowners Annual Meeting will be on January 20th at 7:00 PM in Room A and C.

- 3) Monthly Board Meeting Scheduling Change: Pres. Miller proposed changing the scheduling of the Board Meetings, rather than have two meetings per month he recommended reducing it to one meeting per month. Ernie Shoults made the motion to have only one meeting per month. Cheri Whalen seconded the motion. Discussion by the Board and Members followed. Meeting would be held the first Thursday of each month at 8:00 AM. Motion carried unanimously.

ITEMS TOO LATE FOR AGENDA:

- 1) EXERCISE EQUIPMENT MAINTENANCE CONTRACT 2009: Cheri Whalen requested a vote to change the equipment service provider. Current provider charges \$170.00 per visit three times per year for a total of \$510.00. Cheri recommended changing the service provider to Advantage Fitness who sold us the equipment. They would charge \$170.00 per visit but they recommend service four times per year for a total of \$680.00 to keep equipment in good shape and will give a detailed report of work they completed. Cheri Whalen made a motion to hire Advantage Fitness to service our exercise equipment four times per year at a cost of \$170.00 per visit. Jim Bonnell seconded the motion. No Public or Board discussion. Motion carried.

Pres. Miller informed the group that "Citizen's Time" would be scheduled on the first business day of the month beginning in February at 8:00 AM. Residents who would like an appointment should contact the Office Staff for a scheduled time to meet with Board members. Pres. Miller reminded the Board of an Executive Session following the meeting.

ADJOURN: Pres. Miller asked for a motion to adjourn. Jo Gregory made motion. Seconded by Don Fourcade. Motion carried. Meeting adjourned at 9:28 AM.

Submitted by,

Sandra M. Johnson, Secretary

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**APACHE WELLS HOMEOWNERS ANNUAL MEETING
TUESDAY, JANUARY 20, 2009 – 7:00 PM**

ANNOUNCEMENT: Pres. Bing Miller called on Ernie Shoults. Ernie reminded the group of the home fire on Player in which Betty Harper lost her husband and all her belongings. Ernie introduced Joice Lange, who with several others organized a fund drive for the Harper family. Ernie called on Joice Lange to give a report. Joice Lange read a thank you letter from Betty Harper. Joice informed the group that \$9,000.00 was raised and Mrs. Harper intends to return to Apache Wells and re-build.

CALL MEETING TO ORDER: Pres. Bing Miller called the meeting to order at 7:00 PM.

APPROVAL OF AGENDA: Pres. Miller asked for a motion to approve agenda as presented. Motion by Mickey Peterson #890. Seconded by Marv Larson #848. Motion carried.

INTRODUCTION OF DIRECTORS: Pres. Bing Miller introduced himself as President; Cheri Whalen, 1st Vice President; Tom Finger, 2nd Vice President; Sandra Johnson, Secretary; Irv St. John, Treasurer; Don Fourcade, Director; Jim Bonnell, Director; Jo Gregory, Director; Ernie Shoults, Director.

MINUTES OF LAST MEETING: Pres. Miller stated there were some corrections to the minutes and asked Sandra Johnson to announce the corrections. Sandra stated that the Beautification/Arbitration report should read: "In Arbitration there have been over 200 concerns through November 2008 and 830 concerns in the six years Tom has been on the Board." Pres. Miller asked for a motion to approve the minutes as published and corrected. Motion to approve by Jim Tilbe #922. Carolyn Agee #415 seconded the motion. Motion carried.

TREASURER REPORT: Pres. Miller called on Irv St. John to give the report.

December

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Reserve					
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Irv St. John reported the December transfer fees on two home sales at \$1,900.00. Year to date there have been 55 sales for total revenue of \$52,250.00. The significant bills this month were: \$6,761.00 on well site walls; \$3,372.00 Pool Furniture; \$2,700.00 estimated Fed. Taxes; and \$1,500.00 estimated State Taxes. Irv commented on the pro-active improvements made by the Board to Apache Wells during his time on the Board. He also stated he hoped the Board would continue to build the reserve fund for the future. Pres. Miller asked for a motion to approve the Treasurer Report. Motion made by Dick Batten #409. Seconded by Grace Hinman #1362. No discussion. Motion carried.

COMMITTEE REPORTS:

Pool – Jo Gregory: 2008 had many changes and this is Jo's last pool report. 20,000 total sign-ins for the pool. Electrical is up to code. Bathrooms have been reworked. Spa is up to code. New life rings have been purchased. Second spa motor installed. Pool Breakfast was held. New garbage cans have been purchased. Anti-vortex cover on all

drains meets Maricopa County code. Working on getting new signage. Hired new pool company. Ordered 10 new 18" loungers. Thanks to the Country Club who have tried very hard to protect the pool during the demolition. Thanks to all the volunteers who have helped with the pool during her time on the Board.

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Exercise Room – Cheri Whalen: Complaints about the Exercise Room have been replaced with Compliments. 2008 had 600-700 members a month using the Exercise Room. Cleanliness is first priority and rooms are being cleaned 5 nights per week. Shower room flooring has been replaced, coated the showers, some new fixtures installed, cleaned and replaced shower doors, refreshed storage units, and painted. Fitness center has some new equipment, new fresh air ventilation system, refreshing the paint, replacing floor covering, and addition of new TV. Three pieces of equipment replaced during the year. Expect to replace 3 more in '09. Equipment maintenance occurs four times per year. Fitness classes with a personal trainer began in December and will continue through January. They were well received. The Committee will be working on a Total Wellness program for the up coming year. Cheri thanked the many volunteers who have played a significant role in the operation of the Shower Rooms and Fitness Center.

Architectural – Jim Bonnell: Jim stated this is the last report he will give for the Architectural Committee. There have been 55 home sales during 2008. This is down from prior years. There have been 61 home inspections and 12 new homes put in.

Maintenance – Don Fourcade: Other than routine maintenance, a ditch has been dug by the Country Club to lay conduit for electricity and water on the South side of the pool. Don had nothing else to report.

Beautification/Arbitration – Tom Finger: Tom will continue to be Chairman of Beautification. They will continue to keep Apache Wells attractive. New recycle bins are for tin cans, plastic, and bottles. Put the aluminum cans in the wooden box for Sunshine Acres. Under Arbitration, in 2008 there were 168 complaints filed, three are still open. Three concerns have been filed in 2009. A new Consumer Information Committee is being formed with phone numbers of people to call if you need a handyman or yard person or other help. This is to protect residents from unscrupulous and shabby workers who overcharge for poor service. This is Tom's last report after two terms on the Board. During that time he has handled 830 complaints. Tom thanked the cooperative residents of Apache Wells.

Activities - Bev Fourcade: There are 145 residents attending the Lion King. January 23rd will be Soup and Movie Night. Turkey Soup and Bread Pudding will be served at 6:00 PM. The "Bucket List" will begin at 7:00 PM. A SkyMed Seminar will be held at February 10th at 9:30 AM in Room A. They are a medical transportation company. Check out their website at SkyMed.com. The musical "Cats" is April 7th – 12th at Gamage. A sign-up sheet will be posted. March 7th is the Flea Market and Quilt Show. Contact Harry Lipert if you want a table. March 14th is the Volunteer Dinner. Sign-up sheets will be in the Office and the Activity Bulletin Board. She also needs people for Lunch and Doughnuts at the Flea Market.

Publicity – Ernie Shoults: The Apache Wells phone directory will be coming out in about two weeks. They will be delivered to your homes. If you do not receive one you may pick one up at the Homeowners Office.

Security Report – Jim Dorrance: Thanks to the 71 volunteers. During December there were doors, gates, shed doors and car doors left open. Golf carts left out. Total of 54 reports in December. There were no stolen golf carts this year. Please secure your golf clubs. Remove them from your carts. Residents please turn off lights in Common Rooms when you leave. Activities for the month: 1 welfare check; 3 medical emergencies; 2 animal complaints; 2 resident assists; 4 vandalisms; 2 break-ins with nothing taken; and 122 phone calls in December. Mr. John Harris passed away and the family donated security cameras, monitors, VCR's, and cable to the Apache Wells Security Patrol.

OLD BUSINESS: No unfinished business from Annual Meeting of January 2008.

NEW BUSINESS: Pres. Miller asked the Retiring Directors, Jim Bonnell, Jo Gregory, and Tom Finger to leave the table and join him at the podium. Pres. Miller asked the audience to give the Directors a round of applause. Pres. Miller introduced the new Board members and asked them to be seated at the Board table. They are Carolyn Agee, Paul DeMond, and John Seader. Pres. Miller then introduced the new Board Officers for 2009. Treasurer – Paul DeMond, Secretary – Carolyn Agee, Vice President – John Seader, and President – Cheri Whalen. Cheri Whalen informed the membership that the entire

Board, not just the new members would take an Oath of Service to affirm our
commitment to execute

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the responsibilities of overseeing the management and operation of the Apache Wells Homeowners Association affairs. The 2009 Board members recited the Oath of Service.

OPEN FORUM: Pres. Bing Miller addressed the membership with remarks regarding his service as President of the AWHOA Board of Directors during the past year. Citizens Time was initiated to promote tranquility between the Board and the community.

Improvements accomplished during the past year included blacktopping the area behind the Strip Mall. Blacktopping the parking area by the softball field, and the area by the Elson Building was put on hold due to high fuel prices but should be done in upcoming year. The Hot Tub was brought into compliance. Some improvements were made to the men's and ladies locker rooms. The soffits and fascia of the Administration Building were covered with weatherproof material. The pump stations have been enclosed and new gates will be installed very soon. An Ad Hoc Committee was formed to review our By-Laws and CCR's and sometime in the coming year they will give a report. An Ad Hoc Committee was also formed to investigate whether this community needs a manager or management company to administer our affairs and to handle the community. Within the next 30 to 60 days the committee will be reporting to the Board. Pres. Miller thanked the three groups that make up the community, the Loyal Opposition, the Silent Majority, and the Value-Added Group (Volunteers) for allowing him to serve as their President. Pres. Miller asked that the membership in the upcoming year come up with a solution to fix the problems rather than place blame for the problems.

Cheri Whalen addressed the membership with remarks regarding the atmosphere of the Apache Wells Community in the past and what is the potential for the future. She asked

the membership to make a commitment to restore the “unity” in our commUNITY. She challenged the membership to unload their baggage from the past and fill it with actions of trust, kindness and belief that reflect unity, harmony, and cohesiveness so that next year at the Annual Meeting it can be said, “We’ve proved her wrong, we are united.” Pres. Miller asked the membership for comments or suggestions.

Jim Tilbe #922 asked the membership for a standing ovation to show their support and thanks to all the present and past members of the Board of Directors. **Lynn Rees #944** commented on the need for change in the Apache Wells. He referred to the Annual Meeting, the Budget, the annual assessments, operating at a profit, reducing assessments, the cost of absentee ballots, and the number of monthly Board meetings. **Bev Fourcade #299** thanked Bing and Cheri for their comments on how to find solutions to the problems in the community. **Bobbi Bany #256**, stated homeowner associations need to follow the state’s statutes and she believes our Board does follow the statutes. She thanked Cheri and Bing for their comments on issues that need to be addressed and wished them well in the coming year. **Christa Gangl #117** addressed her remarks to Mr. Rees and others who want to change the rules and governing of Apache Wells, “the democratic way is to get elected to the Board.” **Walt Broden #536** commented that too many people live paycheck to pay check and have lost their jobs. This organization needs to have money in the bank, everyone knows we need a building and we won’t get it built by one big assessment. Retired people will vote “no” on a big assessment but if you have a little bit coming in over time it makes the pain easier and it will work. **Gail Fassett #494** commented on the recycling program. Permanent signage is coming for the bins. Sunshine Acres will be getting a donation from the program. Flyers will come out in the February Roundup and there will be more details at the next meeting. **Cheri Whalen** commented on the recycling program and the details are being worked out on how it will affect Sunshine Acres. At the next meeting there will be a presentation on recycling by Abitibi. **Pat Seader #418** remarked that in Pres. Obama’s inaugural address his goal is unity for our country. That is a working goal for our community and she feels the new Board will work for this and accomplish it. Her final comment was “God Bless America and God Bless Apache Wells.”

Pres. Miller asked for additional comments. No comments. Pres. Miller then passed the gavel to the new president, Cheri Whalen. President Whalen asked for a motion to adjourn. Barb Hoffman #580 made the motion to adjourn. Seconded by Mark Bany #256. Meeting adjourned at 8:20 PM.

Submitted by,

Sandra M. Johnson, Secretary