

# Apache Wells Newsletter

March 21, 2008 Issue 80

## Bylaw Election Results

The March 11, 2008 special meeting to vote on changing the wording of the bylaw regarding special assessments did not pass. 735 homeowners (64.1 percent) were in favor of the change, 414 were not. Changing a bylaw requires a two-thirds vote (66.6 percent) in favor of the change by all homeowners voting.

## Woodworking Shop Fundraiser

On behalf of all the AW Woodwork members, we thank you as individuals and collectively as citizens of this caring Apache Wells community for your very generous outpouring of support for the Pancake Breakfast Fund Drive. We now have enough money to buy the Safety-Stop Table Saw. Thank you one and all!!

Sincerely, Walt Plavljanich - President, Jeanne Sticht- Vice President,  
Jim Moffat - Secretary, Don Voita - Treasurer

## Recent Homeowner Board Action

**Elections** - The Board approved having Maricopa County conduct elections in the future.

**Administration Building Usage** - The Board discussed and seeks more input from homeowners, regarding how best to utilize that portion of the building that is not used for the office functions.

**Speed Limits**- A motion was passed to set the speed limit on Homeowners Property at **10 miles per hour**. Please pay attention for posted speed limit signs.

The public streets are regulated by the City of Mesa and posted at **25 miles per hour**. Speed humps are under consideration on some streets.

**Walls around Well areas** - In order to correct what many feel are unsightly areas to our community, the enclosing of the two well sites, one in the parking area next to the Administration Building and the one by the Library is under consideration. The expense will be shared by the Golf Club and the Homeowners.

**Pool Area Repairs and Closures** - The shower rooms will be remodeled in mid-April and closed for approximately 10 to 14 days. The toilet facilities next to the Gazebo will be open.

The Hot Tub will also be rebuilt in mid-April to comply with safety regulations. This repair could take 30 or more days.

**Hazardous Waste** - The city of Mesa will hold a Household Hazardous Waste Collection on **Saturday April 19, 2008** at the Center Street Facility, 2412 N Center St. 8

AM until Noon. Collected paint is recycled and available to residents of Mesa and non-profit groups for exterior home and community improvement projects.

## **DEPARTURE FORMS**

With absentee ballots being sent out to every property owner, the importance of Apache Wells residents filling out **departure forms** and **arrival forms** takes on new importance. Every year there are complaints about not receiving mail from the Homeowners Office only to find that the resident's current address is not on file. Many residents are heading North about this time of the year. **Add departure forms** to your list of things to do as you turn off the telephone, stop the paper, etc.

**A copy of the departure form is in the March and April Roundup and available at the office.**

In the same manner, be sure that you sign an **arrival form** when you return.

The Homeowners Office should be aware of the address of your current residence, as well as the name of your caretaker, in the event there is problem with your home.

## **UP COMING EVENTS**

**Sunday March 23, 2008 - The Colorado Picnic** previously scheduled for this date **has been canceled**

**Wednesday March 26, 2008 - Wings Dinner Fund Raiser** - The Annual Wings dinner will be held at Apache Hall starting at 5:00 PM. Raffles, Cash Bar, All you can eat !! Donations \$10 per person. Contact Bernie Connors at 981-5345 for tickets

**ALL HOMEOWNERS ARE WELCOME**

**Monday April 7, 2008, 11:15 AM Room C-** T'ai Chi, an easy exercise program based on ancient Asian medicine will be demonstrated at a free presentation class. Classes will begin April 14<sup>th</sup> and conclude on May 5. Class time will be 11:15 until 12:30. Cost is \$40. Student guide option \$15

**Friday March 28, 2008 Room A, 5 PM-** Apache Wells Potluck. Bring a dish to pass.

**Library Food Drive continues through the month of March.**

## **OBITUARIES**

**Francis Schrage** - Passed away recently

**Kay Shuman** - Former resident died on March 10, 2008 in Dallas TX. Memorial service to be held in Texas on April 12. Donations in lieu of flowers may be made to King of Glory Lutheran Church, 6411 LBJ Freeway, Dallas, Texas 75240.

**Clyde (Bill) Shadle** - Died on March 13, 2008 No services are planned

**Wilmer Fricke** - Former resident died on March 13, 2008 in Michigan

We encourage those of you that receive this newsletter by e-mail to use this communications link to contact the Homeowners Board or the Homeowners Office with any questions that you may have. Your message will be forwarded to the Director associated with the area of your question for a response.. Send your message to [media@awhaoffice.phxcoxmail.com](mailto:media@awhaoffice.phxcoxmail.com)

**APACHE WELLS HOMEOWNERS BOARD MEETING – FEBRUARY 7, 2008**

**OBSERVERS:** Cheryl Shadle #1147; Lois Stevenson #1056; Judi Teague #196; Mickie Jung #1437; Bobby Golden #1106; Kristin Hansen #230; Phil White #1131; Bill Dixon #826; Bev Fourcade #299; Walt Broden #536; Clarence Lamers #1367; Harold Meyer #1375; Bob Risset #86; Walt Stromme #91.

**MEETING CALLED TO ORDER** by Cheri Whalen, 1<sup>st</sup> Vice President at 8:10 AM. Board Members present were Jim Bonnell, Jo Gregory, Don Fourcade; Tom Finger, Ernie Shoults, and Sandra Johnson. Absent: Bing Miller, President and Irv St. John, Treasurer.

**MEETING AGENDA:** The Board was asked to review and approve the Meeting Agenda. The SAW Committee proposed bylaw amendments would be added to the agenda under New Business. Motion was made and seconded to approve the amended agenda. All Board members present approved the agenda.

**SECRETARY’S REPORT:** The minutes of the January 17<sup>th</sup> meeting had two wording corrections. After review a motion was made and seconded to accept the minutes as corrected. All Board members present approved the filing of the minutes in the record book.

**TREASURER’S REPORT:** Cheri Whalen gave the Treasurer’s Report in the absence of Irv St. John. Motion made and seconded to approve report as presented. All Board members present approved. Report to be filed.

Balance Checking 1/1/08	\$75,653.66	Balance Savings	\$13,644.87
Deposits	\$243,761.53	Interest	6.54
Disbursements	\$100,085.70		
Ending Balance 1/31/08	<u>\$219,329.49</u>	Ending Balance	\$13,651.41
\$100,000.00		2 CD’S @ \$50,000.	

Total Operating Funds 1/31/08      \$332,980.90

**Total Reserve \$50,000 CD**

**ENGA’S REPORT:** Received an insurance quote of \$4085. For an additional \$10,000,000.00 umbrella liability coverage. Following discussion a motion was made and seconded to purchase the additional coverage. All Board members present approved the motion. Room A is in need of a new 100-cup coffee pot. Approval given to make

purchase. 9 Hole Swingers requested use of two Gazebo coffee pots on March 5<sup>th</sup> for their invitational tournament. Request granted. Room C short on chairs. They are currently being shared with other activity rooms. New chairs are on order. This will correct shortages. Ceramic ladies request for new kiln was tabled last month. No new information at this time. Ceramic ladies will be asked to work on their bid and re-submit request at a later date. The Parkinson's class coordinator had requested accessible handicap ramps by activity rooms. Don Fourcade to get bids and will address under Maintenance at next meeting.

#### **COMMITTEE REPORTS:**

**Swimming Pool:** Jo Gregory reported 19,744 sign-ins for 2007. January 08 count is 1231. Skimmer lines have been cleaned. Harry and morning ladies continue to keep blue line cleaned. Tom and crew will take care of weeds on east side. Don made electrical changes in storeroom. Got rid of old supplies from storeroom. Barrel contents in storeroom are being used so not yet removed. Needed tile repair is on hold as well as spa bubblers and timers. Have a new broom, dustpan, and wastebasket. Hot tub will be discussed under old business.

**Exercise Room:** Cheri Whalen reported 1061 residents and 8 guests registered in exercise room for January. Annual numbers were reported in December per Jo Gregory. Contacted cleaning company due to substandard work being done. We have a new crew and instituted a cleaning checklist. Changed cleaning product to include an antifungal disinfectant and antibacterial component. We are monitoring them closely. They reduced their bill for the month by 50% in consideration of the poor performance. Getting bids to spiff up signs on doors, cleaning carpets, refreshing the floors and fixtures, and the shower rooms. Also getting bids to replace storage lockers. Three bids were presented to replace one of the treadmills in the exercise room. Bids ranged from \$3299. to \$3750. plus tax, delivery and installation. Motion was made and seconded for the Exercise Committee to purchase a new treadmill within the price range of the bids. All Board members present approved motion.

**Architectural:** Jim Bonnell had little to report. Been fairly quiet. Going well.

**Maintenance:** Don Fourcade reported blacktopping of road is completed. Contractor is installing new soffits on Admin. Bldg. Second ceiling fan in exercise room to be installed today. Written bids to be obtained to install new ceiling in exercise room and painting exercise room and shower rooms. Ernie's verbal bids to be reduced to writing for consideration. There are some electrical problems in the exercise room that will need to be addressed at a later time. The usage of the south half of the Admin. Bldg. was discussed. To meet Mesa Fire code proper ingress and egress needs to be addressed in this part of building. A motion was made and seconded to form an ad hoc subcommittee to address the usage and reconfiguration of the south half of the Admin. Bldg. to meet fire code. All Board members present approved motion

**Eaves Project:** Bob Ressett reported the project is progressing nicely. Should be completed in two weeks. New lights and bulletin board will be installed upon completion. Asphalt is down but project is not quite completed. Nice job and good drainage. Putting up tents by softball field. Parking bumpers will be put down. Have some rock to add, projects are coming along good.

**Activities:** Bev Fourcade reported Barbershop show was a sell out. Sunshine Acres drive raised \$22,844.35. Approximately \$1500. of total came from the Village at AW. Great

response from the community. Working on Volunteer Dinner caterer, entertainment, etc., sign up sheets are out there. She, Bev, would like to continue as Activity Director next year. She will be in the HO office Tuesday mornings. Open for suggestions for possible events and activities.

**Beautification and Arbitration:** Tom Finger reported 12 valid concerns in 2008. Mostly yard violations. Stray cats are being handled by Joice Lange. Discussion on handling of architectural complaints. Need to research additional remedies. Beautification inventory completed. Assembling fence sections along #1 fairway. Putting in desert landscape plantings around Admin. Bldg. Usual trimming and trash removal. Removing all but two horseshoe pits, others no longer used. Stationery benches to be rebuilt and relocated along walking paths or wherever.

**Publicity:** Ernie Shoults had nothing to report.

### **OLD BUSINESS:**

**\*Hot Tub: Regarding the Maricopa County's inspection report and code requirements Cheri Whalen gave a statement of facts.** A motion was made to have Jo and Jim prepare a written scope of work for the Hot tub to address the Oct. 06 violations and bring it into compliance with the health codes and then present it to three contractors for bidding purposes. Motion seconded and approved by all Board members present.

**\*HOA Management Proposal:** Reminder that Rossmar, Graham will be making a presentation on Feb. 21<sup>st</sup> to the Board regarding the services they provide to Homeowner associations. Please review the manual they provided and be prepared to ask questions.

**\*Shower Rooms:** Mickie Jung and Cheri Whalen are meeting with a contractor today to start getting bids to refresh the fixtures and flooring and get bids for storage lockers.

**\*Fitness Center Equipment:** Sharon Curtis and Colleen Maceachern will continue to review the proposals for updating other equipment.

**\*Citizens Time:** Seven residents attended the first Citizens Time. Several issues were brought up: Lack of children's car seats; value of management company; audit of financial records; new construction and lot coverage compliance, correct information on HOA improving CC property; and bylaw amendment and restatement of CC&Rs. The next scheduled date is March 3<sup>rd</sup> from 9 am to Noon. Time slots of 20 mins. will be scheduled. Call the HO office to schedule a time.

**\*Bylaws:** The attorney's opinion and recommendations on our Bylaws and CC&Rs should be received within the next two weeks. Per Cheri Whalen, President Bing Miller had suggested at a previous Board meeting that a subcommittee of residents be formed to review the opinions and recommendations of the attorneys. At the January 17 meeting a bylaw amendment proposal was presented by Kris Hansen. The language has been reviewed by the attorneys for compliance with AZ law and for clarity purposes. The proposed bylaw amendment was read. Discussion was held on what options were before the Board on how proposals could be handled. A motion was made by Jo Gregory for a resolution to proceed with an election on the proposed bylaw amendment of Article X "Special Assessments". Motion was seconded by Jim Bonnell. After further discussion the vote was taken by raising hands. Board members voting in favor were Jo Gregory, Jim Bonnell, Don Fourcade and Sandra Johnson. Board members opposed were Ernie Shoults and Tom Finger. Cheri Whalen as presiding officer did not vote. Bing Miller, President and Irv St. John, Treasurer were absent. Motion passed 4 to 2.

**NEW BUSINESS:**

**Standing Committee Members:** Enga requested that the Chairman of the Standing Committees assemble the names and phone numbers of the committee members and turn them into Enga for publication.

**SAW Committee Bylaw Amendment Proposals:** Judi Teague in behalf of the SAW Committee had presented Nine Bylaw Amendment Proposals. Each Board member present signed a proof of receipt form indicating their receipt of the proposals. Cheri Whalen will deliver proposals to attorney for review of language compliance with Arizona State law and clarity purposes. It may take approximately two weeks to complete and we will then proceed in the same manner as with the other proposal.

**ITEMS TOO LATE FOR AGENDA:** Nothing to be covered.

**ADJOURN:** Motion made to adjourn the meeting and seconded. All Board members present approved. **Meeting adjourned at 10:09 AM.**

**Respectfully submitted,**

**Sandra M. Johnson, Secretary**

**APACHE WELLS HOMEOWNERS MEETING  
FEBRUARY 12, 2008 – 7:00 PM**

Cheri Whalen, Presiding Officer and 1st Vice President made opening remarks. President Bing Miller was absent. The meeting is being recorded for reporting purposes.

**PRESENTATION:** Sunshine Acres Fund Drive. Bev Fourcade, Activities Director, introduced Carol Whitworth, Director of Sunshine Acres. Kris Hansen, Co-Chair of the Sunshine Acres Fund Drive presented a check for funds raised in the amount of \$22,844.35. The portion of the total raised at the Village of Apache Wells was approximately \$1500.00. Carol Whitworth informed the membership that since 1969 approximately \$400,000.00 has been donated by Apache Wells.

**CALL MEETING TO ORDER:** Cheri Whalen, Presiding Officer, called the meeting to order at 7:06 PM.

**APPROVAL OF AGENDA:** A motion to approve the agenda was made by Jim Tilbe, Lot #922. Mona Ziegler, Lot #317, seconded the motion. The membership approved the motion to move forward with the agenda.

**INTRODUCTION OF DIRECTORS:** The Directors introduced themselves. Directors present: Cheri Whalen, Sandra Johnson, Irv St. John, Jo Gregory, Jim Bonnell, Don Fourcade, Tom Finger, and Ernie Shoults. Bing Miller was absent.

**MINUTES OF LAST MEETING:** The minutes from the January 8<sup>th</sup> meeting had been posted and available for review. Bob Kiely, Lot #1447, made a motion to suspend the reading of the minutes. Marv Horner, Lot #872, seconded the motion. The membership approved the motion to dispense the reading of the January 8, 2008 minutes and approved them as posted.

**TREASURER'S REPORT:** Irv St. John gave the treasurer's report.

Beginning Checking Balance:	\$75,653.66	Beginning Savings Balance:	\$13,644.87
Deposits	\$243,761.53	Interest	6.54

Disbursements	(\$100,085.70)		
Ending Savings Balance	\$13,651.41		
Ending Checking Balance	\$219,329.49		
Two \$50,000 CD'S	\$100,000.00		
Beginning Operating Funds	\$189,298.53		
Deposits	\$243,761.53		
Disbursements	(100,085.70)		
Interest	6.54		
Total Operating Funds	\$332,980.90	Reserve Fund CD	\$50,000.00

Out-of-the ordinary disbursements: \$24,000.00 Insurance; \$1600.00 Pool Pump Repair; \$9000.00 Pool Gas and Water; \$2500.00 Cement Work; \$6400.00 Admin. Bldg. Eaves Repair; \$1600.00 Parking Bumpers; \$3500.00 Legal Fees; \$7600.00 Room A Chairs.

Irv recognized the great volunteer service of Collen Clampett and the Library Staff. More volunteers needed. Call Colleen. Motion was made by Win Hinman, Lot #1362 to accept the treasurer's report. Motion seconded by Patch Black, Lot #569. Ray Fitzgerald, Lot #961, raised question as to why the pool expense was so high. Jim Bonnell responded, the main pool pump needed a new motor, new impellers, and replacement parts. Cost was \$1600.00 The \$9,000. for Pool Gas and Water was due to the colder than normal temperatures. Membership voted in favor to accept the treasurer's report and file for audit.

### COMMITTEE REPORTS:

**ACTIVITIES:** Bev Fourcade reported the Library would be having a Food Drive starting March 1<sup>st</sup> through the entire month for the Mesa Food Bank. The Volunteer Dinner is March 8<sup>th</sup> for the 2007 volunteers. Sign up by Feb. 26<sup>th</sup>, identify area you volunteered and approximate number of hours. Barbershop Show was a success, approximately over 200 attended. Flea Market is March 1<sup>st</sup>. The Hikers will be serving food. The Quilters will be having a quilt show and show off their new room. There is a raffle for the Art Show on March 16<sup>th</sup>. Charlie Bogart made a quilt rack and artists have a picture to be raffled.

**ARCHITECTURAL:** Jim Bonnell reported everything is going well. He requested that Homeowners keep turning in requests and if have any questions to call.

**ARBITRATION AND BEAUTIFICATION:** Tom Finger addressing arbitration reported in 2008 we've had 15 complaints, 6 are still open, mostly yard violations. He appreciates residents' cooperation in response to complaints. With the warm weather and rain, weeds will be a problem. Under Beautification, soap suds in the fountain again from kids with too much time and access to liquid soap. Committee working to improve appearance of the Administration Building. A crew is working to unclog the pool deck drains. The fence along the asphalt path should be done next week. Their attention will then be on the 56<sup>th</sup> street entrance. The area around the Elson Building will be asphalted

upon receiving the city's rules on runoff and parking stripes. There are 106 Beautification volunteers and about 55 come every Saturday. Tom complimented all the volunteers and made special note of Jack Gordon's volunteering his expertise and equipment.

**EXERCISE ROOM:** Cheri Whalen addressed issues of cleanliness in exercise room and shower rooms. A new cleaning crew has been assigned for five nights a week. A new line of cleaning products will also be used. We have one nonfunctional treadmill, which will be replaced in four to six weeks. They are working on plans to update and maintain the facilities, they would appreciate ideas and input from the residents.

**MAINTENANCE:** Don Fourcade stated he did not have much to report. Eaves on Administration Building are being covered and locks have been replaced on a couple doors. He and Jim Bonnell have installed a new exhaust fan in exercise room. After completion of work the Fire Dept. will come out for final inspection.

**SWIMMING POOL:** Jo Gregory stated 1231 people signed in during January. 2007 total was 19,744. Likely more than that because everyone doesn't sign in. Soap dispenser in outside shower has been repaired. The skimmer lines have been cleaned. Someone walked off with the broom, dustpan, clicker, and some weights. Also, the garbage can which, she replaced. We are getting bids to repair issues with hot tub to get it up and running. Bird problem trying to be addressed. Thanks to Harry Lipert and the ladies for cleaning the blue line. Beautification has been taking care of the weeds. Pool rules are repeatedly being ignored. Must be 3 years old to be in pool. Must be 18 years old to be in Hot Tub. We all need to enforce the rules.

**PUBLICITY:** Ernie Shoults had nothing to report.

Cheri Whalen had additional comments. The registered users for the exercise room for January were 1061 residents and 8 guests. Also, getting bids to re-glaze the showers and replace the fixtures because they are in really bad shape.

**COMMUNITY UPDATES:**

\***Security:** Don Martin spoke in Jim Dorrance's absence. January activities included two medical emergencies, two welfare checks, one stolen car, one missing person, and numerous calls related to garage doors. The 18<sup>th</sup> Annual Chili Cook Off is March 23<sup>rd</sup> from 11AM to 4PM at the Gazebo. Volunteers would be appreciated. Security's expenses run from \$500. to \$600. per month. Appreciate your help.

\***AWCC Building Project Update:** Bob Kiely stated the CC is building a new building. Bob then explained the Commemorative Brick Program inviting anyone interested to participate. He noted flyers would be distributed. The demolition of the building is planned for July or August depending on the permit process.

**OLD BUSINESS:**

\***Settlement Agreement:** The lawsuit settlement agreement is being circulated to collect signatures of parties involved. The case is scheduled to be closed February 20<sup>th</sup> subject to receipt of those signatures.

\***Bylaw and CC&R Legal Review Update:** In January, the law firm of Jackson & White was asked to review our current bylaws and CC&Rs to make sure that our governing documents comply with AZ statutes with respect to non-profit corporate organizations operating a homeowners association. Expect review to be completed toward end of month.



**\*Citizen's Time:** The first Citizen's Time on Feb. 1<sup>st</sup> was fairly positive. Seven homeowners scheduled time to present concerns, issues, and ask questions. March 3<sup>rd</sup> is the next opportunity with 20-minute time slots allowed. Areas discussed were: The possibility of forming a committee to work with Country Club to investigate joint participation in ownership of proposed hall and extended plans to include a fitness center. The value of a manager or management company: The Board is not hiring a management company but investigating if it might be effective for our community. A management company, Rossmar & Graham will make a presentation on Feb. 21<sup>st</sup> to the Board of their services. Another concern was a third party review of our financial reports for which the Board will need to get cost figures. There were also comments on architectural issues and resolution processes; concern regarding childcare seats; the misconception that HOA is improving assets owned by CC; and bylaw amendments, which will be discussed under New Business.

**NEW BUSINESS:**

**\*Proposed Bylaw Amendments:** Cheri Whalen addressed the letter being circulated to membership by Janice Christo, Lot #1091. The Board of Directors is not proposing any special assessment change. Any member, according to our bylaws may bring to the Board a request to amend any bylaw. The Board decided after legal review to put it in front of the Apache Wells homeowners for their vote to determine if the majority want to change the wording on this bylaw. The Board is not endorsing or proposing as a unified group this special assessment bylaw proposal. The Special Election will be held on March 11<sup>th</sup>. Voting may be done by absentee ballot mailed to a special PO Box, by depositing absentee ballot in ballot box at Homeowner's office, or by casting your vote in the Administration Building on the day of election. At the last Board meeting, Judi Teague presented a proposal to amend several bylaws. The Board will, pending legal review, proceed to bring these to the population of Apache Wells at another special election. The Board had previously requested that our attorneys review and make recommended changes in our bylaws and CC&Rs to bring them into compliance with Arizona statutory law. Those would also need to be voted on by the homeowners.

**\*Ad Hoc Committee Volunteers:** The Board will review issues facing community. Possibly four Ad Hoc Committees will be formed. First to review recommended changes from legal counsel to CC&Rs and Bylaws before they go to the public for a vote. Second would study pros and cons of a professional management company. Third would establish a working relationship with the Country Club to investigate the possibility of a joint participation in ownership. Fourth committee would study the maximum best use of space in HOA owned buildings.

**OPEN FORUM:** Cheri Whalen explained guidelines to be followed. Ross Neal, Lot #888 commented when bylaws were written it was the intent that all elections, special elections, or special assessment elections be governed by a majority vote of the people that were in attendance at a properly notified meeting. Joice Lange, Lot#1205, questioned the Board why rushing this one bylaw change and not include with the rest of the bylaws. Jo Gregory responded that homeowner interest level is at all time high. We need to know what people want. This proposal came first, it is a stand-alone issue. Walt Stromme, Lot #91 stated there is no law that states that we have to change this (bylaw) in a timely manner. It was his understanding a committee was to be formed and would decide which ones would be voted on. He questioned why we have absentee ballots. He

also commented on the financial condition of the Country Club. Cheri Whalen responded that there was no bylaw change requiring absentee ballots. Arizona law whether stated in bylaws or not requires absentee ballots to be sent. Walt Broden, Lot #536 commented on previous election procedures and voiced opposition to the type of absentee ballot sent out. Cheri Whalen informed the members that the ballot verbiage was review by our attorney to be sure it complied with requirements of AZ law. Dave Ranum, Lot #563, questioned if HOA was a Robert's Rules of Order organization. Cheri Whalen stated she did not believe we were required to conform to 100% with parliamentary procedures and Robert's Rules. Mr. Ranum stated if we are a Robert's Rules of order then ballot sent out is out of compliance with that. Cheri stated based on legal opinion it is in compliance under our bylaws as they are now. Jim Thilbe, Lot #922. Stated he felt the ballot that was received and the voting procedure would be very difficult to forge. He supported the Board in their efforts. Judi Stromme, Lot #91 wanted to know who was running the election and if Dee Miller and cohorts were running it. Cheri Whalen stated she had talked to Dee Miller as to when she would be available to meet with Bing Miller regarding the processing of ballots through system in line with voting procedures and the accurate recording of them. Dee was aware ballots were going out. Cheri did not know what was Dee's involvement if any, in the preparation of the ballots, cover sheet, and voting instructions. **INDEX CARDS:** Mickie Peterson, Lot #890. Questioned if the election on the special assessment in March passes is this a final vote. Cheri Whalen stated the way the bylaws read, whether it passes or is defeated any member can come forth with another bylaw change and it would need to be addressed in the same fashion. Sandra Johnson commented that any homeowner has the authority to come forward with a proposed bylaw amendment but, hopefully if a proposal is approved or defeated by majority vote that someone would not come forward again and try to overturn that vote. Sharon Chambers, Lot #277. How much does the due diligence for bylaw changes cost us for each change, attorney fees, mailers, etc? Cheri Whalen stated the cost of the attorney review would not be known until we are billed. Jo Gregory stated the cost for the election was about \$1200. or approximately \$1.00 per lot. Gary Fancher, Lot #1171 questioned why is the Board looking to hire a management company. And how will it be paid for? Cheri Whalen stated that answer was given earlier under Citizen's Time. June Fratzke, Lot #1173, What are the future plans for the homeowner's office building, and will it be available after 3 PM? This was addressed under New Business to set up a committee to research this. The hours of operation and purposes it could be used for would be determined. Don Fourcade stated it would be available after 3 PM. Bob Teague, Lot #196 Questioned why the Board is opposed to the current special assessment bylaw. Cheri Whalen stated that there is nothing on record that the Board is opposed or a proponent of any special assessment bylaw. Each Board member may have a personal opinion but the Board as a whole is not opposed to the current special assessment bylaw. Sharon Norman, no lot number. Suggested getting rid of the baseball field and building rental casitas. Cheri Whalen stated Highest and Best Use Committee could consider this. Sharon Norman, Lot #1148, questioned what would be the rental rate for HOA meetings in the CC hall. Cheri Whalen said that has not been discussed with the Country Club. New committee could possibly work with CC on that issue. Currently charging about \$50.00. Dave Ranum, Lot #516 previously asked same question about Robert's Rules under Open Forum. Judi Stromme, Lot #91 questioned

what project the Board is planning to present to the community that requires amending the special assessment bylaw and what's the rush! Cheri Whalen stated the Board has no plans at this time that would require a special assessment. And the other part was addressed in an earlier question. Lois Stevenson, Lot #1056 Questioned why the SAW bylaws weren't checked into also. Cheri Whalen stated the bylaw proposals submitted by Judi Teague on behalf of the SAW group were sent to the attorneys for their review and will be addressed by the Board in the same fashion as Kris Hansen's proposal. Lois Stevenson, Lot #1056. Questioned why does the board want to amend the special assessment bylaw. Cheri Whalen stated that there is no statement or position that the Board is proposing or wants to amend the special assessment bylaw. A proposal was submitted by a homeowner, processed through legal review, and now coming to you the voter to vote. No further questions.

ADJOURNED: Motion was made to adjourn by Barb Hoffman. Motion Seconded.

Membership all approved.

MEETING ADJOURNED 9:00 PM

Respectfully submitted by Sandra Johnson

**APACHE WELLS HOMEOWNERS BOARD MEETING**  
**THURSDAY, MARCH 6, 2008 – 8:00 AM**

**OBSERVERS:** Dennis and Joice Lange #1205; Steve Daughton #263; Phil White #1131; Elsie Fugman #207; Mark Bany #256; Lois Stevenson #1056; Mickey Peterson #890; Dee Miller #62; Bill Dixon #826; Carol Evans #1239; Norm Story #144; Ron Hill #1308; Liz Mangini #1541; Bev Fourcade #299.

**CALL MEETING TO ORDER:** President Bill Miller called the meeting of the AWHO Board of Directors to order at 8:05 AM. Directors present: Jim Bonnell, Tom Finger, Don Fourcade, Jo Gregory, Sandra Johnson, Irv St. John, Ernie Shoults, and Cheri Whalen.

**BOARD APPROVAL OF AGENDA:** A motion was made by Sandra Johnson and seconded by Jim Bonnell to approve the agenda. All Board members present approved the motion.

**MINUTES OF FEBRUARY 21, 2008:** Due to an illness of the Secretary's husband the minutes of the last meeting were not available. A motion was made by Jo Gregory and seconded by Don Fourcade to review the minutes at the next Board meeting. All Board members present approved the motion.

**TREASURER'S REPORT:** Irv St. John gave the Treasurer's report. A motion was made Cheri Whalen and seconded by Tom Finger to approve the report as presented. All Board members present approved. Report to be filed for audit.

Beginning Checking Balance	\$219,329.49	Savings Account Balance
\$13,644.87		

Deposits 6.54	53,590.95	Interest
Disbursements	78,156.47	
		Ending Savings Balance
\$13,651.41		
Ending Checking Balance	\$ 194,763.97	2 CD's @ \$50,000.00
\$100,000.00		
<b>Total Operating Funds 2/29/08</b>	\$308,415.38	
<b>Total Reserve Fund –CD</b>	\$ 50,000.00	

Irv St. John reported that two additional CD's were purchased this week in order to earn additional interest. One with a 6-month term and the other a 9-month term. Board members requested the Treasurer to provide more detailed information on the monthly expenditures. This will be worked out.

**ENGA'S REPORT:** President Bing Miller gave the report in Enga's absence. The Computer Club budget for 2008 was incorrectly listed under #1672 Capital Expenses and should have been under Account #5571 Operating Expenses. A request was made to block off the North side of the parking lot on November 5<sup>th</sup> from 4 PM to 10 PM. Due to insufficient information matter was table until the next meeting.

**COMMITTEE REPORTS:**

**Swimming Pool:** Jo Gregory stated the Hot Tub issue would be addressed under Old Business. Usage numbers were not available. A repair bill is on hold due to quality of workmanship. Will review Mark's contract with him. According to Steve Daughton we have saved \$20,000.00 in gas therms by using our solar system last year.

**Exercise Report:** Cheri Whalen reported the new treadmill has been installed. Don Fourcade will cover the work on the ceiling in his report. The painting has been done and the carpet has been cleaned. Sharon Curtis is now the facilitator of the Exercise Committee. They will continue to look at the recommendations for equipment upgrades and accessories and present more defined recommendations in relation to the budget for next year. They would like more ergonomically correct equipment so that those healing or recuperating from hip and leg issues would have a place to have therapy at no charge.

**Architectural Control:** Jim Bonnell reported there are a couple outstanding issues being dealt with. Otherwise, doing fine.

**Maintenance:** Don Fourcade reported they have a bid for \$18,000.00 from Western Paving, LLC to rework the asphalt in front of the strip mall. As an alternate action they have a bid for \$3500.00 to replace some of the asphalt with a strip of concrete 3 feet wide approximately 250 feet long to eliminate the tripping hazard presented by the deteriorating asphalt in front of the activity rooms. Following the meeting the Board members will view the site. Further discussion will be held at the next meeting. Don also reported that the work in the exercise room is complete. The ceiling has been repaired. Lee Root did the texturing and painting. The electricity was supplied for new treadmill. Jim Bonnell and Don installed two new vent fans. The roof repair was completed. Lee Root was to paint the locker rooms but is delayed until work is completed in those areas.

The inspection by the Fire Department is completed. Don brought up the annual cost for these inspections based on the physical addresses of the buildings. He recommended trying to have them listed at one address with subunit designation. Bing Miller said he thought the property surveying which when completed will list all AWHO property under one legal description would solve the issue. This will be addressed when the surveying is completed.

**Activities:** Bev Fourcade reported there would be approximately 174 people attending the Volunteer Dinner. She wondered if some eligibility guidelines should be established to determine who could attend the event. The Board asked her to present a few guidelines she thought appropriate and they would review them. The second area she addressed was the possibility of scheduling seminars for the homeowners. Some topic examples were security systems, medical pendants, identity theft, health and safety issues, hospice care, Medicare plan information, financial planning, etc. These Seminars would be for informational purposes only. Depending on the number of homeowners responding they might be able to be held in the Administration Building. It was recommended she get input on the areas of interest and give it a test run.

**Beautification:** Tom Finger reported the repainting of the stucco repair on the Administration Building should be completed soon. Cactus and plants requiring no water will be put in planters. The previous watering of plants caused the stucco damage. The garage will be cleaned out. A better storage area for things needing storing will be built. The usual trimming and trash clean up in the common areas. Spraying weeds is now a problem. They would like to cover the dirt behind the building in the Gazebo area with crushed stones from the asphalt drive to the back of the building in order to be in compliance with EPA. Don Fourcade suggested covering the dirt all the way down to the Wood Shop. In Arbitration, there are 21 valid concerns to date. Four are open. Mostly yard violations. Weeds are a problem. Vacant lots not graded generate several complaints. A discussion followed on procedure for handling this type of complaint and tightening up the policies covering these types of situations. There was also a discussion on issues of non-compliance and what the Board's options are according to our bylaws, our CC&Rs and AZ Statutes.

**Publicity:** Ernie Shoults had nothing to report but wanted to know who composes the monthly newsletter.

#### **OLD BUSINESS:**

- 1) **Hot Tub:** Jo Gregory obtained 3 bids on repairing the Hot Tub. She provided copies for the Board for review but she has not had sufficient time to compare them. She discussed some of the issues and possible time line. Jim Bonnell discussed the scope of work to be done. Jo talked about pros and cons of the contractors and their quotes. A discussion followed on when work might be done. The matter will be tabled until the next Board meeting.
- 2) **Shower Room:** Cheri Whalen working with Mickie Jung has obtained 3 bids on the work to be done in the shower room. She provided a summary comparison of the bids. They would recommend Sandoval & Sons to repair the floors at a cost of \$4000.00. They recommend AZ Perma Glaze for the shower repairs at a cost of \$4000.00. The total project cost of \$8,000.00 is well below this year's budget to update the shower rooms, which is \$15,000.00. Additional work in both rooms would be new storage cabinets and paint. She requested approval to spend up to

- \$8000.00. There was a discussion on hiring a handyman versus hiring licensed and bonded contractors. A motion was made by Irv St. John and seconded by Don Fourcade to hire Sandoval & Sons and AZ Perma Glaze per Cheri Whalen's presentation to repair the Shower Rooms. Following a discussion the Board members voted on the motion. Those in favor were Jim Bonnell, Tom Finger, Don Fourcade, Jo Gregory, Sandra Johnson, Irv St. John, and Cheri Whalen. Opposed: Ernie Shoults. Motion carried.
- 3) **Lot Consolidation and Splitting:** There was prior discussion of issue in January 2007. The minutes were read pertaining to the subject. The subject was again addressed at the March, 2007 meeting and those minutes were read. The attorney had responded and in his opinion the Board has the power to enact a moratorium if we think it is in the best interest of the community until Bylaws are changed. Following a discussion a motion was made by Ernie Shoults to allow the construction of one home on two lots with an agreement by the new owner that they would accept the outcome of the future changes in the CC&Rs and Bylaws which might cause them to pay two homeowners fees and a double special assessment if the bylaws are so changed in that manner. Sandra Johnson seconded the motion. All Board members voted in favor of the motion.
  - 4) **Security Contract:** A review of the November 15, 2007 minutes stated that in the spring the new Board would address the contract for outside summer security. The Board discussed the need for extra security. Comments were taken from the homeowners in attendance. It was suggested that the issue be tabled until the next Board meeting and also bring it up at the General HO Meeting to get a consensus from the Homeowners. Matter tabled.
  - 5) **Approval of Standing Committee Chairperson:** President Bing Miller went over the standing committees that are filled and requested Board approval. Following some discussion further clarification was needed so the action was tabled until the next meeting.
  - 6) **Delinquent Accounts/Voting:** Pres. Bing Miller read Article V, Sec. 5 (3) and Article IV, Sec.3 (A) (B) which pertain to the voting rights of a homeowner who is delinquent in payment or in breach of rules and regulations. Cheri Whalen made a motion in compliance with the Bylaws to restrict people from voting if they are in breach of contract or delinquent in their dues. Jim Bonnell seconded the motion. After further discussion. The Board members voted on the motion. Those in favor were Jim Bonnell, Tom Finger, Don Fourcade, Jo Gregory, Sandra Johnson, Irv St. John, and Cheri Whalen. Opposed: Ernie Shoults. Motion carried.

**NEW BUSINESS:** Cheri Whalen brought up an issue of speed control and trees blocking signs, which were brought up at Citizen's Time. Discussion followed. Jo Gregory will address the tree branches blocking speed limit signs. Bing Miller will contact the city councilman on addressing the speed control issue and invite him to attend our next Board meeting.. Don Fourcade brought up speeding issue on Homeowner's property.

**ITEMS TOO LATE FOR AGENDA:** Nothing to report.

**ADJOURN:** Sandra Johnson made a motion to adjourn. Irv St. John seconded the motion. Motion carried. Meeting adjourned at 9:55 AM.

Respectfully submitted by,

Sandra Johnson, Secretary

**APACHE WELLS BOARD OF DIRECTORS SPECIAL MEETING**  
**TUESDAY, MARCH 11, 2008 – 9:00 AM**

President Bing Miller called the special meeting to order at 9:00 AM. Directors present: Jim Bonnell, Tom Finger, Don Fourcade, Jo Gregory, Irv St. John, Sandra Johnson, Ernie Shoults, and Cheri Whalen.

This meeting is being held in compliance with Article VIII and Article XIII of the Apache Wells Bylaws. This special meeting shall address the proposed bylaw amendment, amending Article X Section 2 D (1). The purpose of the amendment was mailed to all homeowners on 2-11-08 via an absentee ballot. The Chair asked for public comment, being none, President Bing Miller asked for a motion to open the polls for voting in accordance with Bylaw Article XIII Section 1D. Jo Gregory made the motion. Irv St. John seconded the motion. A discussion on voting procedure for absentee ballot and then coming in to vote on the day of election was held. It was noted that the absentee ballot would then be invalid. All Board members present voted in favor of the motion. The polls were opened. The Special meeting was recessed until 3:00 PM. The meeting would be re-convened in order to close the polls and adjourn the meeting.

(The meeting was recessed until 3:00 PM)

(President Bing Miller reconvened the meeting at 3:00 PM)

President Bing Miller asked for a motion to adjourn the meeting and to close the voting polls for the special election for the amendment change. Jim Bonnell made the motion. Don Fourcade seconded the motion. All Board members present approved the motion. The polls were closed and the meeting adjourned at 3:02 PM.

Respectfully submitted by,

Sandra Johnson, Secretary.