

**THESE MINUTES ARE UNAPPROVED FOR INFORMATIONAL PURPOSE ONLY SUBJECT TO CORRECTION**

**APACHE WELLS BOARD OF DIRECTORS MEETING  
THURSDAY, JANUARY 22, 2009**

**OBSERVERS:** Mickie Jung # 1437, Lois Stevenson #1056, Bobby Golden #1106, Dee Miller #62, Bill Dixon #826, Jim Bonnell #1142, Steve Daughton #263.

**CALL MEETING TO ORDER:** President Cheri Whalen called the meeting to order at 8:05 a.m. Directors present: John Seader, Paul DeMond, Carolyn Agee, Irv St. John, Sandra Johnson, Don Fourcade, and Ernie Shoults. Office Manager Enga Bach.

**PRESIDENT'S ANNOUNCEMENT:** President Cheri Whalen has received a letter of resignation from Bing Miller effective January 21, 2009. He and his wife are moving to Dallas, Texas. He had one year left on the Board. Replacement of his position will be taken up under New Business.

**BOARD APPROVAL OF AGENDA:** Items added to Too Late for Agenda: procedural changes regarding chairmen of committees, fee assessed to homeowners who lose keys, Homeowners Association Academy sessions, Green Recycling Flyer to be added to the Round-up. A motion was made to approve the agenda as amended by Don Fourcade, seconded by Irv St. John. The motion was approved unanimously.

**BOARD MEETING MINUTES, JANUARY 8, 2009:** A motion was made by John Seader to approve the minutes as posted, seconded by Don Fourcade. There was no discussion. The motion was approved unanimously.

**ENGA'S REPORT:** Arlene Dunn from the Apache Wells Women's Golf Association is requesting permission to block off a portion of the parking lot for a ladies golf tournament. Because it is an incomplete request, Enga will contact her to receive more information and present it to the Board in February.

**UNFINISHED BUSINESS:** An auditor to provide an outside third party audit of our financial statements. We have received one bid of \$5800, which is above our budget. President Cheri Whalen, Paul DeMond and Enga Bach will be meeting February 2, with an accountant who only deals with homeowners associations.

**NEW BUSINESS:**

1. Board Vacancy: Per Article 5, Section 1, A4 of our Bylaws: Vacancy or Resignation. Nominations: Ernie Shoults nominated Walt Boden. Don Fourcade nominated Jim Bonnell. There was discussion regarding both men. A motion was made by Don Fourcade to appoint Jim Bonnell to fill the open seat vacated by the resignation of Bing Miller, seconded by John Seader. There were comments from residents: Jim Bonnell #1142; Mickie Jung #1437 regarding Walt Boden, that he is a very active and experienced with elections; need fresh outlook; Bobby Golden #1106 regarding Jim Bonnell, honest and hard working; Dee Miller #62 regarding Walt Boden, worked with him on the Board, very dedicated and excellent in arbitration. Yes-6, No-1. The motion was approved. Jim Bonnell was seated at the Board table.

2. Changing Dates of Board Meetings: Ernie Shoults commented about not getting the minutes into the Round-Up by the deadline of the 10<sup>th</sup> of the month. President Cheri Whalen stated that the Board Meetings will be the first Tuesday of each month beginning February 5 (per the approved motion at the January 8, Board Meeting). The question is if the secretary can meet the 10<sup>th</sup> of the month deadline for the Board minutes. Answer: yes. There will be problems meeting the deadline with the Homeowners Meeting Minutes for

the Round-Up because of dates, but they are posted and sent out by e-mail. Ernie Shoults made a motion to have the Board Meetings the first Thursday of each month, seconded by Paul DeMond. The motion was approved unanimously. The minutes will be posted in the locked case at the gazebo bulletin board.

3. Ballot Cabinet: Sandra Johnson questioned Maricopa County regarding how long prior election material needed to be stored, normally from one election to the next if longer than six months, then destroyed (shredded). We currently are keeping ballots 2 years. President Cheri Whalen asked Dee Miller for her input from the past elections at which she worked. When ballots were moved up to the top drawer in the filing cabinet, they were destroyed. President Cheri Whalen asked that this be tabled and look into the state homeowners statute and if nothing there that the guidance come from Maricopa County. This topic will be brought up under Unfinished Business at the February 5, Board Meeting. Sandra Johnson stated that Maricopa County follows the state and federal elections, but to follow our bylaws. Ernie Shoults was concerned regarding lawsuits that can take two years. We can purchase another filing cabinet if necessary.

4. Kiln Purchase: The Ceramic Club has requested the purchase of a new kiln. The old one was sold for \$550 plus fundraisers of \$900, which is close to the cost of a new kiln at about \$1500. Ernie Shoults made a motion for the Ceramic Club to purchase a new kiln from their funds for approximately \$1500, seconded by Sandra Johnson. No discussion from the Board. Mickie Jung #1437 in favor of the purchase. The motion was approved unanimously.

#### **TOO LATE FOR THE AGENDA:**

1. Lost Key Charge: President Cheri Whalen suggested that we have a policy to charge \$25 for lost keys to rooms. Don Fourcade stated that was not enough if a lock had to be changed and make new keys. Cheri recommends a form stating that they are responsible for a lost key charge. A motion was made by Don Fourcade that a fee of \$45 is charged for a lost key, taking effect immediately. It was seconded by John Seader. Dee Miller #62 made a comment about the number of keys for clubs out there. Don Fourcade made a recommendation to occasionally change the pattern of the locks or guarded locks, so keys cannot be duplicated. The motion was approved unanimously.

2. Standing and Ad Hoc Committees: a policy has been in place since January 15, 2004, that the committees be chaired or co-chaired by board members. This is not in the bylaws, so it can be changed by the Board. Cheri Whalen recommended that the policy be changed to have the president appoint chairpersons of committees, who are members of our homeowners association in good standing, with ratification by the Board. A motion was made by Sandra Johnson: All standing and ad hoc committees may be chaired by any homeowner in good standing per appointment in accordance with our bylaws, seconded by Don Fourcade. Dee Miller #62 commented that we have many qualified people. The motion was approved unanimously.

3. Reports from Committee Chairpersons: Article IX, Section 3, D. President Cheri Whalen recommended that committee reports be eliminated from Board Meeting agendas and be replaced with committee actions. A motion was made by Jim Bonnell that committee reports be deleted from the Board Meetings and continue to give the committee reports at the monthly Homeowners Meetings. Committee reports that have action required will be on the Board Meeting agendas. Seconded by Sandra Johnson.

Enga Bach recommended that committee chairpersons submit information for the Round-Up. The motion was approved unanimously.

4. Green Recycling Flyers: Carolyn Agee stated the flyers will be distributed with the Round-Up.

Jim Bonnell left the room.

5. HOMEOWNERS ASSOCIATIONS ACADEMY: Carolyn Agee stated that there will be six sessions in February and March at the Red Mountain Multigenerational Center, regarding homeowners associations procedures. The charge is \$10 or \$15 per session, \$50 for all six. President Cheri Whalen stated that there is a growth and development allotment in the budget which could possibly be reimbursed for this fee for board members.

A motion was made by Don Fourcade to adjourn the Board Meeting, seconded by John Seader. It was approved unanimously.

Carolyn Agee  
Secretary

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**APACHE WELLS BOARD OF DIRECTORS MEETING  
THURSDAY, FEBRUARY 5, 2009**

**OBSERVERS:** Mickie Jung #1427, Elsie Fugman #207, Lois Stevenson #1056, Gail Fassett #494, Jerry Mangini #1541, Dee Miller #62, Barb Fancher # 1171, Cheryl Shader #1147, Steve Daughton #263, Bev Fourcade #199, Phil White #1131, Liz Mangini #1541, Tom Finger #1145, Wendell Mead #35.

**CALL MEETING TO ORDER:** President Cheri Whalen called the meeting to order at 8:10 AM. Directors present: Carolyn Agee, John Seader, Paul DeMond, Sandra Johnson, Don Fourcade, Jim Bonnell, Ernie Shoults, Irv St. John and Enga Bach Office Manager.

**BOARD APPROVAL OF AGENDA:** A motion was made by Sandra Johnson to approve the agenda as printed, seconded by Paul DeMond. The motion was approved unanimously.

**PRESIDENT'S REPORT:** Cheri Whalen gave each of the directors a copy of the booklet of Condominium and Planned Community Statutes in Arizona, which was provided by Carpenter Hazelwood, Delgado & Wood, PLC.

The Neighborhood Academy sessions are open to all residents.

There is a need to update the bank signature cards because the faxed copies were not legible.

Thursday, February 12<sup>th</sup> at 1:30 PM in the HOA Office, there will be an open Special Board Meeting, which will be a roundtable discussion with the Ad Hoc Committee for Property Management.

**MINUTES OF JANUARY 22, 2009:** A motion was made by Jim Bonnell to approve the minutes as corrected, seconded by Don Fourcade. The motion was approved unanimously.

**TREASURER'S REPORT:** Paul DeMond read the report for January.

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	Beg. Bal.	Deposits	Interest	Disbursements	End. Bal.
Checking	39,419.13	\$250,747.02		96,014.98	194,151.17
Savings	41,402.98		26.09		41,429.07
MM Fund	105,388.17		11.40		105,399.57
<b>Total</b>					
<b>Oper.Fund</b>	<b>186,210.28</b>	<b>250,747.02</b>	<b>37.49</b>	<b>96,014.98</b>	<b>340,979.81</b>
<b>Reserve</b>					
<b>Acct.CD</b>	<b>50,866.42</b>		<b>127.97</b>		<b>50,994.39</b>

There was one Transfer Fee for \$950.

A motion was made to approve the Treasurer's Report by Ernie Shoults, seconded by John Seader. The motion was approved unanimously. Jim Bonnell stated that approximately \$10,000 will be reimbursed from the Country Club for the wall and gates for the pumps that is on their property by the Library.

**ENGA'S REPORT:** The Arizona Women's Golf Association's Invitational Golf Tournament committee has requested blocking off a section of the parking lot by the gazebo from early morning until mid-afternoon on March 26. A motion was made by Don Fourcade to allow the ladies to block off the designated section of the parking lot, but not in the Fire Lane, seconded by Irv St. John. The motion was approved unanimously.

The Shrine Club has requested to block off part of the parking lot in front of the gazebo for their Pitch Fork Fondue on March 24, 4:00-8:00 PM. A motion was made by Don Fourcade to allow the Shrine Club to block off the designated section of the parking lot in front of the gazebo, but not in the Fire Lane in front of the strip mall, seconded by Jim Bonnell. The motion was approved unanimously.

Abitibi Recycle, through their recycling program, sent the AWWHA a check for \$903.13 for paper, newspaper and cardboard.

Delinquencies outstanding: over 30 days: 37 properties; over 60 days: 5 properties; over 90 days: 6 properties.

**COMMITTEE/CLUB REQUESTS:** A request from the Billiards Club regarding recovering 6 tables. The cost will be \$5840, less \$2050 of self-funding, leaving \$3790.00 needed for the project. A motion was made by Ernie Shoults to allocate \$3790 for the recovering of 6 billiard tables, seconded by Paul DeMond. Following discussion, the motion was approved by 7 yes votes and 1 no vote.

The Fitness Center committee requested the purchase of a Recumbent Bike and an Upright Bike. A motion was made by Don Fourcade to allocate \$3875.68 for the purchase of a Recumbent Bike and Upright Bike for the Fitness Center, seconded by Paul DeMond. The motion was approved unanimously.

Senior Softball Program: Jerry Mangini #1541, distributed a request to construct seven (7) new sidewalks connecting the new asphalt parking lot in the softball area to existing sidewalks constructed in 2008 and a new storage shed. They are offering to use their own funds for the project. A motion was made by Jim Bonnell to approve all of the Senior Softball Program's projects pending inspection by the Architectural Committee and contractual arrangements being made in accordance of the Bylaws, being funded by the club, seconded by Don Fourcade. The motion was approved unanimously.

**UNFINISHED BUSINESS:** Dust Control Project, there was an oversight regarding approval of asphaltting the area around the softball field. The original motion was for the parking lot by the Elson Building. A motion was made by Sandra Johnson to correct the

records on the approval for the asphalt project to include the area that was completed in accordance with the asphalt contract for \$51,885, seconded by Paul DeMond. The motion was approved unanimously.

Jim Bonnell stated the need to install curbs along the edge of the parking area of the ball field, in front of the Elson Building, retention pond, along the oleanders by the bocce ball courts. Continuous extruded curbing would be \$2.50 a linear foot for 1200-1300 feet for approximately \$3000 and would be permanent. A motion was made by Ernie Shoults to allocate approximately \$3000 for installation of extruded curbing on the new asphalt and a portion of the front of the Library on the old asphalt with accordance with the Architectural Committee's involvement and contractual signage, seconded by Sandra Johnson. The motion was approved unanimously.

Wendell Mead #35 requested some of the removed stop blocks for areas of the ball field. It was approved.

A Homeowners CPA has been interviewed, and an engagement letter has been received. Financial documentation has been provided to a second CPA who specializes in Homeowners Associations business. Cheri Whalen and what board members are able, will meet with one of the recommended CPA's to proceed with the audit.

Dated Ballots: there is a storage problem with past election materials. Sandra Johnson provided printed information the Arizona State Legislature's ruling on disposition of official returns and ballots, under Section 16-624. Paul DeMond left the room. Following discussion, a motion was made by Sandra Johnson that a policy be established to retain dated election materials for a period of no less than one year, seconded by Don Fourcade. Paul DeMond returned to the room. The motion was approved unanimously. A motion was made by Sandra Johnson to hire TNT Shredding to shred all election materials dated 2008 and prior years before May 1, 2009, seconded by Don Fourcade. The motion was approved unanimously.

**NEW BUSINESS:** Re-election of officers; in accordance with Article XI, Section 1 of our Bylaws, a Second Vice-President was not elected into office. There is no distinction between First and Second Vice-Presidents. Paul DeMond will provide a letter of resignation of his position as treasurer. A motion was made by John Seader to elect Paul DeMond as Second Vice-President and Sandra Johnson as Treasurer, seconded by Jim Bonnell. The motion was approved unanimously.

Sunshine Acres: their 2008 proceeds from all recyclables from all donors was \$5000. They did not have a separate amount from Apache Wells, but we are the largest contributor. Gail Fassett #494 made comments regarding the recycling contract. She would like to have the aluminum, glass, plastic, and tin go into one bin with a percentage or all funds going to Sunshine Acres. Comments from the homeowners: Steve Daughton #263 recommended that all funds from the Green dumpsters go to Sunshine Acres. Lois Stevenson #256 recommended money from the aluminum cans only. Tom Finger #1145 asked if the truck is weighed, answer yes, it is weighed before and after our dumpsters are dumped. Phil White #1131 questioned a previous statement of not reducing funds to Sunshine Acres; funds would not be reduced if we gave them all funds from the Green Recycling program. This item is tabled to Unfinished Business until the March 5<sup>th</sup> Board Meeting with further information from Abitibi by a phone call with Jim Bonnell, Cheri Whalen, Enga Bach, and Gail Fassett.

A motion was made by Ernie Shoults to adjourn the meeting, seconded by Jim Bonnell.  
The motion approved unanimously.

Carolyn Agee  
Secretary