

Apache Wells Newsletter

November 9, 2007 Issue 73

Homeowner Board Actions

The details of having Maricopa County handle the January Directors Election were discussed. The County advised they could not handle anything this year due their preparation for a Maricopa County Election. The cost for their service would be \$800. They would furnish machine countable ballots for printing and do the tabulation. All mailing and voter check-in would be done by Apache Wells. See Board minutes for further details. The preliminary budget was reviewed. The final budget will be presented for Board approval at the Nov. 15 Board Meeting. Discussion continues on how to handle problems with the hot tub and the shower rooms. Mesa has given us until October 2008 to bring the hot tub up to safety standards. The estimated cost for only the new hot tub is \$20,000. The Planning and Development Committee for the new Community Building was disbanded. A new bulletin board near the administration building is being worked on. All of the above information is covered in more detail in the Board Minutes. They are posted for your review and sent by e-mail to those who are on the e-mail list.

Litigation

A settlement conference was held on October 24th as ordered by Judge Hicks, who previously ruled that the by-laws required a majority vote of all residents. After four and a half hours of shuttle diplomacy by Judge Pro Tempore Ryan between the plaintiffs and the defendants, some issues were discussed but no agreement was reached. As with so much of this litigation there was an order that no details be made public.

Judge Margaret Downie, who heard the Homeowners appeal of the lower courts decision to lower the transfer fee to \$300 announced her decision on November 2, 2007. The judge overturned the decision of the lower court and the transfer fee of \$950 has been reestablished. Keep in mind that this fee is to be paid by the purchaser of Apache Wells property.

Very important

Arizona law regarding homeowner associations requires that an absentee ballot be sent to all residents for all elections. The only way that the office knows what your current address is for mailing ballots, or any other important information, is what you have provided them. The sign-in sheets at the office for recording your arrival or departure are the only way the office knows where your mail should be sent.

Telephone Directory Changes

December 3, 2007 is the cut-off date for any changes in your telephone book listing. If you are a new resident or have changed the information in your listing, be sure the homeowner office has the correct information before this date.

Snow warnings and other Beautification Requests

Cardboard and Paper

We now have 3 bins available for cardboard and one more available for newspaper. But we still need to improve how we use them

If you were at the dumpster area when they unloaded the bins last week you would have thought it was snowing. These bins are lifted some 12 to 15 feet into the air and dumped into the top of the truck. It is bad enough when it is windy and the newspapers blow around as they are dumped but last week someone had placed their shredded paper in the dumpster and it was blowing all over the place.

Please empty your shredded paper into a plastic bag, seal it somehow, and place it in your own garbage can.

Garage Sale Signs

A lot of effort goes into keeping the fountain area and our entryway looking neat and clean to present an attractive entrance to Apache Wells.

Boxes with sales signs on them give it a very tacky look. Keep them away from the entrance and to a minimum elsewhere or there will be complaints to get rid of all signs.

Sad Facts

This is not a pleasant topic to speak about, but the community should be aware of the fact that we have a problem - petty theft. It is hard to imagine that people are stealing bulbs and globes from the Elson Building. Six golf cart batteries that Beautification had left outside to be returned for refund are

missing. Hose nozzles and BBQ igniters are missing from the Gazebo area. Bottles of liquid soap are missing from the restrooms. There are weights missing from the exercise room. Some of these may have been “borrowed”, but if that is the case, **it is time for them to be returned.**

There were no Obituaries reported since the October 18th newsletter.

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

APACHE WELLS HOMEOWNERS BOARD MEETING – NOVEMBER 1, 2007

Observers: Steve Daughton #263, Phil White #1131, Cheryl Shadle #1147, Linda Schroer #895, Joe Hahn #1104, Mickie Jung #1437, Lois Stevenson #1056, Judi Teague #196, Barbara & Gary Fancher #1471, Gene Wedic #620, Dee Miller #62, Jim Tilbe #922, Sharron Miller #905, Pat St. John #1114, Elsie Fugman #207 and Norm Fritchie #327.

Meeting called to order by President Marv Stoll at 8:05am. All Board members were present.

*** President Marv Stoll gave a statement regarding an incident that occurred the previous week involving two Apache Wells residents. One was a Plaintiff in the lawsuit, the other a resident homeowner, not involved in the lawsuit. A verbal exchange prompted a formal complaint by the Plaintiff's attorney to the Defendant's attorney because of the content of the conversation referring to items in the settlement conference. President Marv Stoll stated that because of his position in the organization, this incident was to be taken seriously, that this community does not condone this type of behavior at any time, by anyone. President Marv Stoll stated that during the last 10 months, more than once, he has had to apologize to this community for the behavior of an Apache Wells resident, towards an individual or the organization. No further comment, thank you. ***

Meeting Agenda: Members present were asked to review and approve meeting Agenda. Motion made and all board members' present approved agenda.

Secretary's Report: Motion made to dispense reading Minutes of the October 18, 2007 Board meeting. Motion made to approve Minutes – all Board members present approved. Minutes to be filed in the record book

Treasurer's Report: Irv St. John gave the Treasurer's report. Motion made to approve report – all Board members present approved, report to be filed for audit.

Balance checking 10/1/07	\$62,438	Balance Savings 10/1/07	\$11,713
Deposits	48,222	MM Interest	5
Disbursements	<u>55,856</u>	3 CD's \$50,000/each	<u>150,000</u>
Balance 10/31/07	\$54,804	Balance	\$161,718
Total Funds 10/31/07= \$216,523			

Enga's Report:

Request from Bernie Connors for permission to block off golf cart parking area by the swimming pool all day Sat. Nov. 24 for Casino Night. Motion

made for permission to block off golf cart parking area by the swimming pool as requested by Bernie Connors – all Board members present approved.

Enga requested permission to attend upcoming CAI education luncheon and annual meeting in Tempe at a cost of \$25. Motion made and request granted for Enga to attend luncheon and meeting; HOA will cover the cost – all Board members present approved.

Lease for Apache Wells Beauty Salon expires end of the year, did we want to renew. Need to check with Denise (owner) to see if shop would be staying and if she wanted to renew. Marv Stoll will check with Denise.

Committee Reports:

Pool: Ernie Shoults stated he would address under Old Business.

Architectural: Jim Bonnell reported that he is working on clarifying architectural rules regarding rear yard fence heights etc and will make a presentation at the next meeting and request the Board to vote on his recommendations. Parking requirements i.e. setbacks on property will also be addressed and clarified at the next meeting. (Parking setbacks not currently defined in the architectural rules.)

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

Maintenance: Bob Risset reported maintenance expenses were \$1,695 which covered carpet cleaning, termite spraying, fire alarm inspections etc. = YTD total \$10,460 which is below budget.

Activities: Linda Wood reported for Bev Fourcade (new Activity Director). Flu Shots will be held Mon. Nov. 5 9am to 12pm, appointment required. Bingo resumes Wed. Nov. 7 at 7pm. Welcome Back will be held Fri. Nov 9 9am to Noon – this year will be held in all the various activity rooms. Dee Miller and committee have handled the arrangements. Sat. Nov. 24 Annual Craft Fair will be held and Fri. Nov. 30 5pm Homeowners Potluck. Bridge lessons will be offered beginning in January. Sign-up sheet in the HO office.

Beautification: Tom Finger reported entrance fountain has been power washed and fresh painted sign and warrior have been mounted. Detected a possible water meter problem due to higher than usual Sept. water bill (\$919). Checked for leak – will arrange for City of Mesa to check all readings and past bills and try to resolve quickly. Working on addressing dust control in the area of the Elson Bldg. (Library to trailer storage area by dog park). Will obtain an estimate to blacktop area (\$ in '08 budget to cover). Still resolving tree issue – Tree Doctor checked out – estimate of \$636 to prune, clean out dead limbs – tree is healthy. Bartlett Tree coming to give second estimate for cost to prune etc. Still trying to resolve aluminum can container – Sunshine Acres gave ok to try the new design container with trapdoor etc. Additional container for cardboard needed and was delivered.

Arbitration: Tom Finger reported 106 valid complaints – 6 still open (some very old) mostly yard (weeds) violations for properties with absentee owners. Pictures and certified letters sent with no response.

Publicity: Bing Miller reported Marv Larson working on separate **SPECIAL EDITION** newspaper issue covering information on all Board candidates/nominees.

OLD BUSINESS:

1. Bulletin Board, Homeowners Office – Bob Risset stated he forgot – last year had estimate apprx. \$750 – however, the bulletin board from outside

the old office would work, but should have lighting. Will make report at next Board meeting.

2. Swimming Pool – Ernie Shoults went over the information he obtained regarding the pool and hot tub and dressing rooms. Reported he had contacted Revere Pools and obtained an estimate for the hot tub - \$20,000. Will get estimates for repairs – violation on file – suggested when guy is here several members be available to meet and go over all options i.e. repairs, replacements, new floors, new shower enclosures, and relocation of hot tub. Jim stated once you start repairs all sorts of problems could be uncovered. Ernie will set up a time to meet with pool company and advise. He further addressed new caretakers for the pool/dressing room area and said he would contact those interested individuals, request a contract with duties and responsibilities outlined and report at next Board meeting. Ernie further stated that he was made aware there was an inspection that uncovered a problem with chairs on the restaurant patio being too close to the fence around the pool which is a safety issue – said it would have been nice if the office had been contacted when someone is here inspecting, so someone is available to be advised of problems and/or issues.

NEW BUSINESS:

- ***Planning and Development Committee*** was established last March that would work on new facility that was proposed. Judge ruled against allowing that to happen. Motion made to disband that committee – all Board members present approved.
- Will need an update roster of ***Voting committee*** as some current members on that committee have stated they are no longer interested being on the committee .
- ***Maricopa County possibly handle upcoming Director Elections*** – Enga reported that she had contacted the Elections department of Maricopa County – advised they can't handle for us this year due to time frame (gearing up for Maricopa Elections) – if

THESE MINUTES ARE UNAPPROVED FOR INFORMATIONAL PURPOSE ONLY SUBJECT TO CORRECTION

- it is decided that Maricopa County handle future elections, this would require Board approval first, then we would need to contact the county in late September or early October to arrange for them to handle our election the beginning of January. **Cost - \$800 – County does not handle everything.** The County will send to us generic ballot. We take ballot to our printer for typesetting (Kinko etc). After we get ballots back from printer we send a few ballots back to the County so they can check (allow apprx. 1 week to get OK before we can mail). Use #10 envelopes to mail ballots (**WE ARE RESPONSIBLE FOR MAILING OUT THE BALLOTS**). Arrangement can be made for the absentee ballots to be returned to the County. **Day of election:** We will need 3 to 4 people to check in voters. County will provide staff day of election for tabulation – early voting could be tabulated on one machine and another machine for in person voting. Our postage cost for mailing \$600-\$700.
- **Budget Review** – Irv St. John acknowledged the committee members (Linda Schroer, Steve Daughton, Joe Hahn, and Clint Kurtz) and thanked them for all their hard work. Irv then asked Linda Schroer (Co-Chair) to present the budget. Linda stated that the committee discussed at length all the information submitted by the various groups.

Budget items looked at and monies budgeted for Maricopa County dust control issues, new shower room floors and used minimum cost of living increase for

existing accounts. Some 'flags' were noted also, skimmers and drains for the pool would need to be replaced soon due to age and plugging problems and at some point all water lines would need to be replaced – major dressing room renovations needed. Repairs become an issue due to the age of our equipment and facilities. (Pool – Hot Tub – Shower Rooms – Exercise Equipment) these are all major attractions to our community and it is imperative we maintain and update and/or replace where problems exist. Definite upgrades are needed. President Marv Stoll stated Board would review the Budget over the next 2 weeks, possibly review again with Budget committee before the next Board meeting. Final Budget to be presented for Board approval at the Nov.15 Board Meeting. Marv thanked Linda Schroer for her assistance.

With no further business, meeting closed to go into Executive Session for Board Members/Lawsuit Defendants Only.

Meeting adjourned at 9:45am.

Respectfully submitted,

Linda B. Wood, Secretary

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

APACHE WELLS HOMEOWNERS BOARD MEETING – OCTOBER 18, 2007

Observers: Steve Daughton #263, Phil White #1131, Lois Stevenson #1056, Cheryl Shader #1147, Judi Teague #196, Barb & Gary Fancher #1471, Mickie Jung #1437, Marv Larson #848, Beverly Burckhard #492, and Elsie Fugman #207.

Meeting called to order by President Marv Stoll at 8am. Board members present Tom Finger, Jo Gregory, Ernie Shoults, Bob Risset, Irv St.John and Linda Wood. Absent: Jim Bonnell (surgery) and Bing Miller (surgery). Members present were asked to review and approve the meeting Agenda. Motion made and all Board members present approved agenda.

Secretary's Report: Motion made to dispense reading Minutes of the October 4, 2007 Board Meeting. Motion made to approve Minutes - all Board members present approved. Minutes to be filed in the record book.

Treasurer's Report: Irv St.John gave the Treasurer's report. Motion made to approve report – all Board members present approved; report to be filed for audit.

Balance checking 10/1/07	\$62,438	Balance Savings 10/1/07	\$ 11,713
Deposits	40,548	MM Interest	5
Disbursements	<u>24,283</u>	3 CD's \$50,000/each	<u>150,000</u>
Balance 10/17/07	\$78,703	Balance	<u>\$161,718</u>
<u>Total Funds 10/17/07 = \$240,421</u>			

Enga's Report:

Item from last meeting -20yd can recycle container – cost of revenue for Sunshine Acres 15/mos. = \$3,036. If we do decide to take this container, then the rental costs will impact their revenue.

We need Plan B? Maybe redesign the current container with lock. Checking other alternatives.

Current bulletin board outside HOA office is too small – possibly move the old board from outside the old HOA office to front of new office or get a new one? Bob Risset said he had obtained cost quotes from Fast Signs last year and will check for paperwork – will revisit this at next Board meeting.

Currently filing 2 new liens for delinquent fees. Presently there are 4 liens for delinquent fees and 1 maintenance lien on record – 2 liens are in the process of being released.

Committee Reports:

Pool: Ernie Shoults reported he has spoken with 2 residents interested in cleaning – very dependable and should be considered. Jo Gregory and Mickie Jung did some major cleaning and looks very good – Jo and husband power washed floors in dressing rooms. Jo Gregory reported she contacted the current cleaning service and discussed how many hours do the cleaners spend cleaning for what we pay – told we pay for approx. 2 1/4hrs on average. Sometimes they spend 2 1/2hrs, some times 2hrs. Jo has observed when they are here and these times are not always the case or accurate. Ernie stated he has 2 proposals from the 2 parties interested – they are here year round – to be discussed next meeting. Knows there are issues and/or discussions going on about the Hot Tub.

Architectural: Jim Bonnell absent.

Maintenance: Bob Risset reported nothing new to report from last meeting. Everything in good shape.

Activities: Linda Wood reported for Bev Fourcade – Welcome Back will be Nov. 9 and Dee Miller and her committee will handle this function. Flu Shot Clinic will be Nov.5 in Rm.A 9am to 1pm. must call ahead for an appointment time. Jo Gregory will assist in Bev's absence.

Beautification: Tom Finger reported the fountain was power washed and area cleaned up and should be back in operation Saturday. Used a resident's power washed – discussions about how practical should we rent vs. purchase a new washer – one we have is old not powerful enough? Purchased a 1200lb capacity trailer – purchased some new tires – golf carts are old (40yrs) will put request for new cart donations in RoundUp. Had verbal \$1500 quote for trimming and removal of tree from front of HOA office – written quote \$1800 to trim up and keep. Have Bartlett coming 11am Wed (10/14) to evaluate trim vs. remove. Open to ideas for the can recycle container – we will need something soon – Sunshine Acres to provide us with their ideas of what would work best for them. Possibly our Wood Shop make a new box/container?

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

-

-

Arbitration: Tom Finger reported 102 valid complaints – 8 still open – all mostly yard violations 3 long standing – residents who refuse to comply with CC&R's or reply to letters and pictures that were sent.

Publicity: Bing Miller absent. Marv Larson stated Newsletter would be published and released this week, which will include all current Minutes.

-
NEW BUSINESS

Ernie Shoults wanted to comment about the upcoming Elections – in the past there have been lots of controversy – why Nominating Committee only picks 3 candidates – why not let whoever wants to run – run – what’s wrong with letting more run. President Marv Stoll stated it is the responsibility of the Nominating Committee to select people with the proper backgrounds etc. and decide who will be the best to serve the needs of the Community. Back in Jan.or Feb. Ernie, Enga and Linda Wood were asked to review the procedures for candidates who want to run for the Board. Ernie had requested a review of the procedures because of his own problems and concerns that arose when he presented his petition to run for the Board.

Further discussions – Marv Larson stated that the Nominating Committee is aware of the deadlines for candidates to get information in the RoundUp – and what is being proposed now is that a separate **SPECIAL EDITION** with all nominees’ information will be published that would cover all the candidates/nominees. This special edition would have Bios, pictures and write-ups of all the candidates/nominees. Also proposing a special **CANDIDATE NIGHT** meeting to hear all the candidates instead of presenting at the usual December General Meeting. This would happen possibly the first or second week in December.

Irv St.John wanted to comment to Ernie Shoults regarding Ernie’s questions about reporting monthly-itemized deductions and sending out monthly statements to all residents. This is not feasible – too costly – this information is available in the Homeowners Office at all times to any/all residents who want to review. Copies will be provided upon written request.

-
- **At this point President Marv Stoll closed the meeting at 8:40am. Stated that everyone was welcome to accompany the Board over to the pool and dressing room areas to inspect and that the meeting would reconvene at the pool.**

-
President Marv Stoll re-opened the meeting at 8:45am at the pool location.

Board members and several meeting attendees observed the hot tub area and both ladies and men’s dressing rooms. Lots of discussions regarding cleanliness and overall conditions in both dressing rooms – Ernie will obtain bids for costs to re-tile floors etc and report back at next Board meeting. Hot tub not up to code – we have 2yrs to comply with 11mo. left to fix or consider relocating. (Drains and bubblers are illegal – loose tiles – apprx. \$18,000 to repair – is this expense feasible or should we relocate and have new smaller (square vs. round) more cost effective tub. Possibly Beautification could handle some of the work and use Jack Gordon’s equipment to save on costs? This must be reviewed. Motion made – Ernie authorized to proceed with obtaining bids on the hot tub new location costs versus us and Beautification handling some of the work – **all Board members present approved.**

At the next Board meeting, Ernie Shoults will report estimate of costs to relocate hot tub, replace showers and re-tile floors in both dressing rooms, and present names/proposals of the interested parties who want to do cleaning of dressing rooms.

Meeting adjourned at 9:05am.

Respectfully submitted,

Linda B. Wood, Secretary