

Apache Wells Newsletter

December 17, 2007 Issue 75

Litigation

*The current lawsuits have apparently been settled. After consultation with Apache Wells (AW) Homeowners Attorney **Eric Jackson** and the AW Homeowners Insurance Attorney **Gary Linder**, the AW Homeowners Board proposed and the Save Apache Wells (SAW) has accepted the following settlement.*

The Homeowners insurance company will award SAW the sum of \$50,000 in exchange for dismissal of the lawsuit against Apache Wells Homeowners Association currently pending before Judge Hicks.

*All parties will bare their own costs and fees. The Homeowners will forgo the right to appeal to **Judge Hicks** ruling regarding the interpretation of the Special Assessment Bylaw.*

*In addition to dismissing the lawsuit, SAW agrees there will be no further action filed regarding the transfer fee and the settlement agreement will contain language that none of the plaintiffs in this action will bring further action regarding the transfer fee. The parties will dismiss the current action regarding the transfer fee, which includes the application for attorney's fees filed by the Homeowners. The current ruling of **Judge Downie** of the Superior Court will stand as to the reversal of the earlier decision of the lower court.*

*Also to be determined are SAW's intentions in regarding their threat to recall the entire Homeowners Board, with the exception of Director **Ernie Shoults**.*

Honest Looking Thieves

*Recently there has been a rash of people knocking on doors to clean your carpet, spray paint your roof or trim your trees. They make big promises, and tell you that you have problems that are not true. They often request money before they do the work and then leave as soon they have it. **DO NOT DO BUSSINESS WITH THEM, no matter how sweet they talk or how innocent they look.***

*Give consideration to the companies that advertise in the Roundup and the phone book. **THEY ARE LICENSED BY MESA AND BONDED.** It is their ads that provide these publications to you **FREE OF CHARGE.** Security is working hard to catch these thieves and turn them in to Mesa Police, but they need your help to call Security when you are approached by them. Get their license plate number and call Security, their phone number is 641-9676.*

New Look

The next time you are up at the Gazebo, take a peek into the old Homeowners Office. Beautification Guys and Gals have been hard at work. The old carpet and tile are all cleared out; the center wall has been removed. There will be new laminated flooring going down shortly. This will be the Quilters' work room where they can leave their equipment set up and hold classes for those interested in getting involved with this interesting hobby.

Election Information

*Absentee ballots were mailed to all residents on December 4. If for any reason you did not receive yours and will not be here to vote on January 2, contact **Walt Broden at 981-8516, Carolyn Agee at 218-1137 or Dee Miller at 981-7401.***

*Ballots must be mailed to: **Apache Wells Homeowners Association, Inc.***

PO Box 20154

Mesa, AZ 85277

*The voting on January 2, 2007 will take place in Room A from 8 AM to 6 PM. You are entitled to one vote for each residential unit you own. **PHOTO IDENTIFICATION WILL BE REQUIRED.***

Rumor

*The old rumor that the City of Mesa was going to increase the water pressure in Apache Wells was circulating again and that you would need to buy a pressure-reducing device for your older mobile home. Homeowner Director **Jo Gregory** took the initiative and called the City. Here is the message that was sent to her by the City of Mesa.*

I have checked with our distribution staff and they have no plans to make any changes to the distribution system pressure in the foreseeable future. Additionally, this is the first that I have heard of any rumors of pressure changes. We are aware of and agree that any drastic changes in water pressure in the Apache Wells area would likely have significant and unwanted consequences to older residential plumbing in the neighborhoods.

William F. Haney, P.E.

Water Division Director

City of Mesa

Correction

***New Years Eve Dance** -The December Roundup has a notice for a dance to be held on New Years Eve. Unfortunately it appeared under AWCC news and did not adequately indicate that **the dance is open to all Apache Wells residents.** The cost is \$40.00 per couple, \$20.00 single. Price includes champagne breakfast buffet following the dance or come back on New Years Day for breakfast only.*

Dance to music by Norva Grey from 9:00 PM until 12:15 AM

Reservations can be made in Apache Hall, Wednesday, December 26, starting at 9:30AM, checks only No tickets will be sold at the door.

Attention New Homeowner

If you are new to Apache Wells within the last 6 months, we would like to introduce and welcome you to our community. Please contact **June Fratzke**, a "Good Neighbor" representative, at **830-0114**. Also, please mark your calendar for **January 19th** when a "coffee and goodies" will be held for all newcomers at 10 AM in the Library Meeting Room. The entrance is in the rear along the right side of the building.

Feral (Wild) Cats

At the December 6th Homeowners Board Meeting, funds in the amount of \$300 were authorized to trap and neuter stray cats that have become a nuisance. **Joice Lange** has volunteered to trap them and take them to a veterinarian. One ear will be clipped to identify them as neutered. They will be released back into our community. If you have cats that should be trapped, call Joice at 830-8425.

Obituaries

With sadness we report the following deaths of Apache Wells residents:

Mrs. Billie Diehl

Rayford Cunningham

Earl Pearson

Thomas Williams

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APACHE WELLS HOMEOWNERS GENERAL MEETING – DECEMBER 11, 2007

Program: Annual Sunshine Acres Children's Choir Singing Christmas Songs.

Meeting called to order at 7:30pm by President Marv Stoll, meeting Agenda approved by all Board members present. Board members and Directors were introduced. Directors Tom Finger, Jim Bonnell, Irv St. John, Jo Gregory, Bing Miller, Ernie Shoults and Linda Wood were present. Bob Rasset absent.

Secretary's Report: President Marv Stoll stated since the November 13, 2007 General Meeting Minutes had been posted and available for public review, Minutes would not be read. Motion made and seconded, Minutes approved, to be filed in the record book – all Board members approved.

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

Checking Balance 11/1/07	\$54,804	Savings Balance 11/1/07	\$11,744
Deposits	76,725	Interest	<u>9</u>
Disbursements	<u>47,460</u>		\$11,754
Balance 11/30/07	\$84,069	Money Market Balance	\$5.18
Total Funds 11/30/07 =	\$245,828	3 \$50,000 CD's =	\$150,000

Committee Reports:

Pool: Ernie Shoults reported sign-in pool usage was 1297. Maricopa County inspector reported a few minor violations – tables/chairs on CC patio too close to fence – obtaining estimates for repairs to dressing rooms. Thanked all who have helped with the pool.

Exercise Room: Jo Gregory reported sign-in usage 730. Ceiling issue is due to rainstorm - damage caused exhaust fan damage and will replace with larger unit. New Exercise Room committee will be looking into leasing new Senior Citizen equipment to replace obsolete equipment being used. Still trying to locate window screens that were removed.

Architectural: Jim Bonnell reported 11 home inspections in November. Addressed a homeowner situation regarding installing stucco. Jim readdressed with City of Mesa – no City permit required – however City does **recommend** obtaining manufacturer approval but not required. Only requirement is homeowner fill out standard permit to do work on residence with HOA office. Information will be attached to the permit form regarding City recommendation.

Maintenance: Marv Stoll reported for Bob Risset. Mesa Fire Dept. performed recent inspection, several issues uncovered i.e. panic bars needed on some doors, some door swings going in wrong direction had to be reversed and electric extension cords being improperly used.

Activities: Bev Fourcade, Activity Director reported Bridge classes start 1/18 thru 3/7 \$24/plus cost of instruction book – signup sheet in the office. Volunteer wants to teach Spanish class – starting in January - \$60 – signup sheet in the office. HealthScreens testing 1/14 – Rm. A – call for appt time. Sunshine Acres tour 1/4 signup sheet in the office. Mark Cruz, guitarist will perform 12/26 at AW Community Church at 2pm. Craft Fair was a big success, sold 39 tables – thanked all who helped. Anyone interested in driving around to see Christmas lights 12/14 6pm call her or Teri.

Beautification: Tom Finger reported crew working hard on plant damage due to drought – looking to upgrade some equipment – 3 golf carts had to be scrapped – did receive 1 donated golf cart (Rob Morrison). Still need to break-down cartons for recycle – phone books ok –

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overloading dumpsters a big problem (sofas, refrigerators etc) – please put aluminum cans in the proper container – trash goes in the trash can!

Arbitration: Tom Finger reported 115 valid concerns – mostly yard violations – most who receive letters are cooperative – absentee owners. Feral cat problem – homeowner Joice Lange has volunteered to handle complaints, call her – she will trap, transport to Vet in Tempe to be neutered \$15/each and return.

Security: Jim Dorrance reported November was a relatively quiet month – did 3 welfare checks – open garage and shed doors. Big problem now is bogus roof repair companies going door-to-door looking for business. Also tree trimmers – use only licensed/bonded in AZ to do your work – do not use door-to-door fly-by-night solicitors. Mesa Police needs help locating 35-45yr old male – driving around in light colored pickup truck – stopping females to ask for directions – then exposes himself. If you should encounter this individual – try to get the plate number and call Mesa Police immediately, then Security. Be very careful when you are out walking alone.

OLD BUSINESS:

- Vote for New Directors – all residents have had ballots mailed – instructions included; however, there have been some ballots returned to the HOA office. All ballots must be mailed to the PO Box number shown on the instruction sheet, not the HOA office. The PO box being used is for ballots only and will be closed after the vote. Do not use it to mail your monthly payments, it's for ballots only.
- Old HOA office is being renovated for the Quilters to use.

NEW BUSINESS:

- Responsibilities for the exercise room and pool have been split. Jo Gregory has been appointed to handle the Exercise Room. Ernie Shoults is responsible for the Pool, Hot Tub and both Dressing Rooms.

OPEN FORUM

No items were submitted for discussion.

Motion made and seconded to adjourn – all Board members approved.

Meeting adjourned at 8pm.

Respectfully submitted,

Linda B. Wood, Secretary

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APACHE WELLS HOMEOWNERS BOARD MEETING – DECEMBER 6, 2007

Observers: Phil White #1131, Steve Daughton #263, Cheryl Shadle #1147, Lois Stevenson #1056, Mickie Jung #1437, Joice Lange #1205, Carol & Virgil Schroeder #480, Bobby Golden #1106, Bev Fourcade #299, Bill Dixon #826

Meeting called to order by President Marv Stoll at 8:25am. All Board members were present.

Meeting Agenda: Board members present were asked to review and approve meeting Agenda.

Motion made and seconded - all board members present approved agenda.

Secretary's Report: Motion made and seconded to dispense reading Minutes of the November 15, 2007 Board meeting – corrections made to what was reported 11/15/07 in Treasurer's report as stated – Minutes approved as corrected, to be filed in the record book.

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

Balance Checking 11/30/07	\$54,804	Savings	\$11,744	3-\$50,000 CD's	\$150,000
Deposits	76,725	Interest	9		
Disbursements	<u>47,460</u>	MM bal.	<u>5</u>		
Balance	\$84,069	Balance	\$11,758		

Total Funds 12/6/07 = \$245,828

Enga's Report:

- Bev Fourcade requested small office next to Reception area to be used as Activity Director office. Also requested bulletin board (enclosed outside by old HOA office and on door of small office) Motion made and seconded – all Board members approved both requests.
- Beauty Salon 3yr lease has been renewed and signed by shop owner.
- Abitibi Recycling gave us a \$10 Target gift card – Motion made and seconded gift card will be given to Sunshine Acres – all Board members approved.

- Letter has been sent to CC regarding Maricopa County violation notification i.e. chairs on the deck outside restaurant next to pool fence, for CC to address.

Committee Reports:

Pool: Ernie Shoults reported under Old Business.

Exercise Room: Jo Gregory reported Colleen MacEachern and Cheri Whalen not ready yet to report about exercise equipment etc.. Rain damage in ER addressed by Marv Stoll said due to a plugged drain not vandals as first suspected – rain came through exhaust fan unit etc. – Motion made and seconded replace with larger exhaust fan unit – all Board members approved. Cheri Whalen reported a little about what research done regarding equipment (purchase vs lease) gave various options. Will give a full presentation at a later meeting, waiting for more information. Mrs. Jung asked to present information she was requested to obtain regarding new lockers for dressing rooms – she presented some information she had received from wood shop i.e. \$300 for wood to build etc – asked to look into something similar to school lockers and report at next meeting.

Maintenance: Bob Rasset reported expenses for the month of \$1,008 i.e. \$275 panic bars needed after Fire Dept. inspection etc.. Outside new Admin Bldg bulletin board ordered but not received yet. Asphalt project on hold – City requires permits etc.- spoke with engineer and need more details – will report when we have more information.

Architectural: Jim Bonnell reported 11 home inspections in November. Receiving good input on projects now. Regarding stucco issue – how far does Board want to go – Fire Dept. issue – City issue – see what he can find out and report further.

Activities: Bev Fourcade reported Craft Show was big success – sold 39 tables, vendors all happy and did well. Thanked Pat & Leon Fourcade for their help setting up and cleaning up. Apologized not much money made on grill food. Weight Watchers program here again – made quota of 20 signed up. Sunshine Acres fund drive will be coordinated by Jan Sticht and Kris Hansen – need more volunteers to collect. Collector packet pick-up 1/4/08 – Rm. A. Yoga class

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is filled up – another one being scheduled in Jan. Bingo is going very well – new restaurant EJ's provided gift certificate to be used by Bingo. Quilters thank the Board for providing new room. Bridge classes will start in January, signup sheet in HOA office. Still checking cost issue for Leisure World men's group Feb. concert – 30day cancel clause – will advise at next meeting.

Arbitration: Tom Finger reported 115 valid concerns – 5 open (yard weeds) 2 have been forwarded to our attorney for non-compliance action. Feral cats issue – thanked Joice Lange for volunteering to handle. Ms. Lange authorized her phone number be given when complaint registered and she would handle.

Beautification: Tom Finger reported dumpsters being overloaded again with trimmings and trash (couches, refrigerators etc). New donated golf cart received and another one promised. 4Quad runner checked vs. gas golf cart to pull water tank wagon - may not be needed.

Publicity: Bing Miller had nothing to report.

OLD BUSINESS:

1. Exercise Room – equipment/lease will be addressed in detail at next meeting.
2. Swimming Pool/Showers Cleaning Contract/Hot Tub – Ernie Shoults reported that he has seen the inspection reports dated Oct. '06 that address spa violation etc – stated 90 days to fix – stated all happened before he came on the Board and should have been addressed by the previous Board – inspection report of Oct. '07 deals with deck furniture too close to fence – this is a concern. Hot tub drains are same as we have, are there deficiencies, we are aware of – then we need to fix – how handle – a liability? Motion

- made and seconded that Ernie get opinion and document, provide at next meeting – all Board members approved.*
- *Marv Stoll wanted to address shower room issues – outlined observations and recommendations i.e. floors in both men and women rooms, cleaning heat and vent ducts, new faucets and shower heads, shower floors in women shower room – new fiberglass shower inserts and tile surrounding and new faucets and shower heads in men shower room – both room repainted after work completed – plus/minus estimate = \$7500. Ernie Shoults said he would obtain estimates on all and report at next meeting.*
3. *Trap Feral Cats – Motion made and seconded to authorize homeowner Joice Lange #1437 who volunteered to trap cats; allocate funds up to \$300 to defray costs to trap, transport to vet in Tempe to be neutered and return – all Board members approved.*

NEW BUSINESS:

1. *Approval for Teri Nasett to access all computer accounting files and access to Executive Office Mgr. office – previous Board motion disallowed access, main reason ‘payroll information’? Motion made and seconded to allow Teri Nasett to access all files and Executive Office Mgr. office – all Board members approved.*
2. *CC&R’s/Bylaws Check, Correct and Approve with attorney – proposing attorney review all AWHOA documents, assign a group to work on this project and bring all documents up-to-date. Motion made and seconded to provide CC&R’s and Bylaw documents to our attorney for review and to recommend necessary updates and AZ law compliance – all Board members approved.*
3. *Director of Exercise Room – restructured responsibilities – separate entity - Jo Gregory has been appointed Director to oversee equipment problems etc. – Motion made and seconded to restructure Exercise Room responsibilities as separate entity – all Board members approved.*
4. *Voting status of delinquent members - Motion made and seconded any homeowner with dues in arrears 1 month or more will not be allowed to vote – names will be furnished to the Voting chairman marked with “D” (Delinquent) – all Board members approved.*

Motion made and seconded to adjourn– all Board members approved.

Meeting adjourned at 10am.

*Respectfully submitted,
Linda B. Wood, Secretary*