

EVRPOA 4TH ANNUAL MEETING-MINUTES

Pre-Meeting Proceedings:

Pre-Meeting @ 7:32AM between Board Members Linda Mattern, Joe Hindman and Jim Smith.

Call To Order by Linda at 7:32 AM.

1. Minutes of 04/16/10 telephonic meeting were accepted, motioned by Joe, seconded by Linda, with Jim concurring.
2. The May 2010 EVRPOA financial report was reviewed and accepted.
3. The Board discussed the issue of the Betts foreclosure, and it was decided to contact Tanis Duncan regarding status.
4. It was agreed to send an additional delinquent dues letter to all applicable EVR property owners.
5. Discussed the proposed write-offs of delinquent accounts in the amount of \$15,484.00, Joe motioned to accept the write-offs, Jim seconded, with Linda concurring. This lowers the current (June 2010) EVRPOA Accounts Receivable from approx. \$40,800.00 to approx. \$25,0316.00.
6. It was noted that Lot #56 was to be split.
7. New liens were to be recorded by Linda.
8. Discussed the last road work performed by John Heltzel, and it was decided that more oversight was needed, with revised stipulations in any future contracts with John, i.e. exact specifications of work to be performed; EVRPOA will draw-up all new contracts (or review/revise as necessary); 1 week notification to EVRPOA Board before work begins; Board will take before and after pictures of work area(s); and more communication with John before, during, and after contracted work performed. The Board also agreed to get competing bids for proposed road work.
9. It was noted that the EVRPOA Compass Bank CD needs to be addressed, and Linda agreed to contact Compass Bank.
10. The Board also agreed to cap the EVRPOA Operating Bank Account at \$30,000.00, with the balance placed into the EVRPOA Money Market account.

Motion to Adjourn at 8:15 AM by Joe, Linda seconded.

Fourth Annual Meeting of Elk Valley Ranch Property Owners Association Board of Directors held 07/17/10 at The Hampton Inn, 1501 E. Woolford Rd., Show Low, AZ 85901.

Board Members:

Present: Linda Mattern, Joe Hindman, James V. Smith

Quorum present: Yes

Others Present: Numerous property owners of Elk Valley Ranch.

Meeting called to order at 9:25 AM by Linda.

Old Business:

1. Linda read Proof of Notice of Annual Meeting and noted that the Annual Meeting and Ballot Packet was mailed to all property owners at their address of record.
2. The Board was introduced and all property owners present were noted.
3. Volunteers D. Danowski (#203) and D. Ward (#205) were appointed to count the ballots.
4. Minutes from 07/25/09 Board of Directors meeting approved 44 to 0.
5. Jim explained financial situation to all in attendance; EVRPOA, as of May 31, 2010, had \$107,854.00 in cash and equivalents, and were owed \$44,227.00 in Accounts Receivable (mostly past-due accounts). It was also noted by Jim that the Board had agreed to write-off \$15,484.00 of Bad Debt, lowering A/R to \$28,743.00. Also, EVRPOA had spent \$5,689.00 on signage (to date) and had scheduled upcoming road repairs. Administration expenses for 2010, to date, were \$3,900.00.
6. Joe stated that the road repairs in Unit 1 were addressed.
7. Chuck reviewed roads in Units 2 & 3, and stated that while the roads were OK, there were weeds, and Joe said the best way to deal with the weeds is to drive on them, as continued grading for weeds degrades the road surface.
8. Joe noted that all EVRPOA signs had been installed and the Board was hoping that the signs would discourage trespassing, and that previously-poached areas were not fenced, nor posted, with No Trespassing signs.
9. The Board again reminded all in attendance that the best way to discourage wood poaching was for each property owner to fence their property and to post No Trespassing signs.

New Business:

1. Ballot results were 43 in favor and 2 against expanding the Board to 5 members. The vote was unanimous for the Board recommendations of the following members:

Linda Mattern

James V. Smith

Joe Hindman

Chuck Clark

C.J. Hindman

2. It was noted by Linda that First United Realty has taken back approx. 50 properties by forfeiture (or default), and EVRPOA loses the lien on the forfeiting property owner, but First United is responsible for current and future dues until property is sold.

3. ADDRESS BY APACHE COUNTY SHERIFF'S OFFICE AT 10:00AM

ACSO Representatives Webb Hogle (Training Sergeant) and Alfonso Morales (Deputy) addressed the members and answered questions. The following is a summary of their comments:

WEBB:

A: Addressing wood-poaching: While it is a huge problem, the ACSO can't patrol the entire county, recommended calling Apache County District III Supervisor John Lee to complain about the need for more ACSO deputies and resources, that you don't feel safe, response time is too slow, etc.

B: Stressed that property owners need to fence and post No Trespassing signs on their property, and cameras for recording trespassing and wood poaching.

C: If poachers are caught, they will be charged with trespassing and theft. It helps the county attorney if some proof is submitted, i.e. pictures; license plate #'s; vehicle description(s); etc., without which it is difficult to prosecute.

D: Stated that Apache County has had experience prosecuting wood poachers, but mostly on State Trust land, but some on private land.

E: Stated that, when called, the ACSO will respond to calls from property owners, but that it might take awhile (due to limited resources and manpower), and a confrontation might be dangerous for the property owner.

F: Stated that it would help the ACSO if they know who the property owners and the lot numbers are to successfully prosecute. Also, the property owner has a right to protect their property, including presenting a firearm (but NOT firing it), suggesting instead to inform the trespasser to leave, letting them know you are the property owner. When calling ACSO, call dispatch or 911 (if applicable).

G: Addressed the shooting of EVRPOA signs: Hunters don't generally shoot signs, and most sign-shooting is done by bored kids looking for fun on a Friday night (generally malicious mischief). Also, illegal aliens generally don't carry weapons. EVRPOA signs will help to deter trespassing and poaching .

H: Stated that there is a huge burglary problem in Apache County, mostly by drug addicts, and they will steal anything of value, including solar panels, tools, appliances, etc. This includes cutting through fencing, breaking and entering, vehicle theft, etc. These thieves are not usually armed, but can be, and should be considered dangerous.

I: Stated that Apache County consists of 11,000 square miles, and there are 32 deputies for entire ACSO.

J: Stated that home security systems are helpful, but present their own problems.

K: Stated that the ACSO is doing their absolute best with limited resources, and he is proud of his deputies, that they're hard-working, putting-in lots of overtime, etc.

M: Stressed the importance of updated maps and owner information for all EVR properties, including GPS readouts of property locations, as most ACSO deputies have GPS units in their vehicles.

N: Webb Hogle contact numbers (ACSO): 928-537-4321; 800-352-1850

ALFONSO:

A: Joe stated that poached wood is showing up for sale at Wilbur's parking lot in St. John's and Safeway's parking lot in Springerville (in addition to other places). Alfonso said it was hard for the ACSO to distinguish where the wood is coming from, and that customers are coming from a wide area, but the ACSO would investigate if the property owners take pictures and provide other proof such as vehicle description, license plate numbers, poacher's descriptions, etc. He also suggested that property owner's put some pressure on the cities where the poached wood is being sold, and that vendors should be licensed, but this is not always enforced by the respective city.

B: Cautioned all property owners to stay out of harm's way if confronting trespassers and/or poachers.

C: Stated that he grew up in St. Johns and knows the area very well, but there are lots of subdivisions (30+) in and around Apache County, with new ones cropping up all of the time, so it helps to have maps of the area with updated property owner information.

D: Stated that there were only 5 officers for District III of Apache County, patrolling over 2,500 square miles, resulting in limited manpower and resources.

E: Was asked if he could come out to EVR and meet with property owners, he said ok, but stated that it would be hard to do so with limited manpower and resources.

F: Stressed the importance for every property owner to get a 911 address from Apache County.

G: Repeated Webb's warning that while you can threaten to use deadly force when confronted by trespassers, deadly force was to be used only if you are in fear of your life.

H: Alfonso Morales contact numbers (ACSO): 928-337-4321; 800-352-1850

ADDRESS BY ACSO CONCLUDED AT 10:45 AM.

4. It was asked if PayPal was accepted for fee payment, and the Board stated no, PayPal was not accepted, only cash, check, or credit card.

5. The Board responded to the question of changing the EVRPOA Annual Meeting to a different month than July, and Linda responded that EVRPOA is mandated by our C, C & R's to hold the Annual Meeting in July of each year.

Motion to Adjourn at 10:53 AM by Linda, Joe seconded.

ADDENDUM

A subsequent meeting of the Board of Directors was conducted on July 17, 2010. The meeting was called to order at 11:21 AM by Linda.

1. The following were nominated by EVRPOA Board Members to serve as Officers of the Corporation:

Joe Hindman was nominated for Vice President by CJ Hindman, seconded by Chuck Clark, with unanimous approval of the other Board members.

Linda Mattern was nominated for President by CJ Hindman, seconded by Chuck Clark, with unanimous approval of the other Board members.

James V. Smith was nominated for Secretary/Treasurer by CJ Hindman, seconded by Chuck Clark, with unanimous approval of the other Board members.

2. It was agreed to keep the EVRPOA dues at \$180.00 per year per property, with a \$20.00 discount for cash/check payment. Joe motioned, Chuck seconded, with unanimous approval of the 3 other Board members.

3. Linda will update as to the status of all delinquent accounts, and will draft and mail a revised delinquent account letter to all applicable property owners.

4. Discussion with the new Board members regarding John Hetzel and road repairs, summarizing our decisions previously noted in the Board's Pre-Meeting of 07/17/10. CJ stated that John needs to comply with the terms of the contract and to do what the Board wants him to do, specifying in the contract the exact work to be performed, documentation of his work once completed, and that substandard work will not be accepted. All Board members concurred.

5. Linda suggested that, in the future, telephonic Board meetings should be conducted over an 800 tele-conference number, as the current use of cell phones results in choppy, distorted connections. Since there are now 5 Board members, the cell phone problem will only get worse, so the Board agreed to check into the use of 800 tele-conferencing.

6. It was agreed by all Board members to post email addresses for all on the EVRPOA website.

7. A property owner asked for guidance to split their property, and it was suggested that they need to get a land survey, and follow the procedures for Apache County and the State of Arizona.

8. It was also noted that there was a rift between 2 property owners concerning dead cattle, and it was agreed by all that this was not an EVRPOA problem.

Meeting adjourned at 12:07PM by Chuck, Joe seconded.

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Minutes prepared and submitted by: Secretary/Treasurer, James V. Smith