

**EVRPOA 5th Annual Meeting 07/23/11 Minutes (Approved 07/07/12)**

Fifth Annual Meeting of Elk Valley Ranch Property Owner's Association Board of Directors held on 07/23/11 at The Hampton Inn, 1501 E. Woolford Rd., Show Low, AZ 85901.

**Board Members:**

Present: Linda Mattern, President; Joe Hindman, Vice President; James V. Smith, Secretary/Treasurer; and Chuck Clark, Board Member

Excused: C. J. Hindman, Board Member

Quorum present: Yes

Others Present: Numerous property owners of Elk Valley Ranch.

**Call to Order / Review of Ballot Packet:**

Meeting called to order at 9:05 AM by Linda.

1. Linda welcomed all the property owners present and thanked them for coming.
2. Linda explained that Arizona law governing corporations provides that all voting must be done by Ballot and that no voting or issues could be taken from the floor.
3. Linda presented the Certificate of Mailing and read the Proof of Notice of Annual Meeting and noted that the Notice of Annual Meeting and the Ballot Packet was mailed to all property owners at their address of record by Platinum Management on June 13, 2011.
4. Linda appointed Linda Peoples (Lot 36) and Mike Barbee (Lot 238) to serve as tellers to count the Ballots.
5. Minutes from the 07/17/10 Annual Board of Directors Meeting were included in the Ballot Packet; there were no questions asked of the Board regarding the 07/17/10 Minutes.
6. Jim explained EVRPOA's financial situation to all in attendance: EVRPOA, as of May 31, 2011, had \$129,217.74 in cash and cash-equivalents, and were owed \$35,596.97 in Accounts Receivable (mostly past-due accounts). It was also noted by Jim that the Board has proposed to write-off \$3,819.69 to Bad Debt, lowering A/R to \$31,777.28. Administration expenses for 2011, as of May 31, were \$2,545.30. There were no questions asked of the Board regarding finances.
7. Linda noted that the sale of the Bettes' property (Lot #32) had been completed by the Apache County Sheriff's Office for the amount of \$1,000.00 after 2 years of legal action. However, this sale was improperly handled by the ACSO and the Board is currently trying to resolve this situation through our legal counsel Tanis Duncan. Tanis advised that she will not file a Record of Satisfaction, but the Board believes this will probably have no effect on voiding the sale. Other remedies are being pursued. It was also mentioned that subsequent to the ACSO sale, the Bettes' property was listed for sale at \$9,000.00, although there was no confirmation of this.
8. Linda noted that the Board files a lien after an owner is 2 months delinquent on their dues, and the owner(s) is charged \$200.00. She also noted that once a property is foreclosed upon by First United Realty (or the first lienholder), only the subsequent EVRPOA dues are payable by First United, not the past dues and/or liens, which are the responsibility of the previous owner.

9. An owner asked a question regarding the "T" and "NS" on the Customer Balance Summary and it was explained that the "T" means the account was assigned to Tanis Duncan; the "NS" means Notice of Sale.

**Report of the Board / Old Business:**

1. Joe Hindman of the Road Committee stated that the November 2010 road repairs in Unit 2 were extensive, and the repairs were holding up well, prior to the monsoon season of July-September 2011. Joe stated that we would probably need to add another culvert in Unit 2 near Lot 76 (we already have the culvert), and that more Unit 2 & 3 road repairs will be completed this Fall, after the monsoon season has passed. Joe also reminded everyone that the best way to control the weeds on the road was to drive on them.

2. Owner Deena Wissore (Lots #65 & 66) stated there was a problem getting to Lot #65: Apparently, there is a rancher's gate and/or fence between Lots #65 & #66. She was referred to First United Realty for more information regarding this issue.

3. Chuck reviewed the roads in Units 2 & 3, and stated that most roads were now numbered, but some are still missing signs. One owner commented that the road signs were very helpful. Linda reminded everyone that the 911 form was available from Apache County which will enable the County to assign street numbers to a property. Chuck added that you must have an access point (and/or driveway) to complete the form and file it with Apache County. This form requires Apache County to install numbered street signs in the affected area(s).

4. Chuck noted that one EVRPOA road sign had been partially knocked-down and a report of criminal damage was filed with the ACSO on 04/27/11. The damage was repaired by Chuck.

5. It was noted that poaching has been greatly reduced, in part by the EVRPOA road signs and also by the diligence of the EFRPOA Road Committee. Poachers have been spotted "passing through" EVRPOA property, but it is believed that they are going to and/or coming from State Trust Land. 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.

6. Concerning property taxes, it was noted that there is an "agricultural exemption" available for property that is not fenced and on which there are no structures which has the effect of reducing property taxes to \$10/yr. The form is available from the Assessor's Office. Jim Gavin at First United knows the procedure and will file the application for a fee. No further details were given or known.

**New Business:**

1. Ballot results were 52 in favor and 1 against regarding both measures:

a. Approving the 7/17/10 Annual Meeting Minutes

b. Approving the retention of the current Board of Directors, as follows:

Linda Mattern

James V. Smith

Joe Hindman

Chuck Clark

C.J. Hindman

2. An owner asked if the Board could move future EVRPOA Annual Meetings back to Phoenix. The majority of people in attendance were against this idea. This issue was discussed by the Board at our post meeting (see minutes below).
3. An owner asked about the dead trees on the sides of the roads in Units 2 & 3, and was told these were the result of the original grading of roads and weren't the responsibility of the Board.
4. An owner asked a question regarding Lot #58, particularly the fencing easement requirements along two sides of the property bordering State Trust Land. They were informed that there is a 30 foot easement on either side of all property lines as detailed in EVRPOA's C,C&R's, regardless of ownership of bordering property.
5. The owner of Lot #46 found a road on his property inside his fence line. The Board reminded everyone that it is important to use a responsible fence company to properly determine property lines (i.e. shoot from pin-to-pin) before installation of any fencing.
6. There was mention of some concern regarding the high price of propane, and Chuck recommended Griffin Propane as they service many who live in Elk Valley Ranch.
7. It was noted that 2 in attendance lived on their property full-time, and 4 in attendance lived on their property part-time.
8. Concerning cell phone coverage, it was noted that Verizon Wireless works quite well on most Elk Valley Ranch properties, including 3G service, and Chuck noted that 4G service will be available in the near future.
9. Someone asked about expansion of electrical lines/coverage by Navopache Electric Co-op, and it was noted that, as far as anyone in attendance knew, there were no plans for expanded coverage, and that solar panels and/or wind turbines were recommended for those properties located in areas not serviced by or near existing Navopache power lines.

Motion to Adjourn at 10:27 AM by Linda, Joe seconded.

#### **ADDENDUM**

A subsequent meeting of the Board of Directors was conducted on July 23, 2011. The meeting was called to order at 10:41 AM by Linda.

1. The following were recommended and unanimously approved by EVRPOA Board Members to again serve as Officers of the Corporation for 2011-2012: Linda Mattern as President, Joe Hindman as Vice President, James V. Smith as Secretary/Treasurer.
2. The Road Committee is to be retained as is and was unanimously approved by the Board, with Joe Hindman presiding, and C.J. Hindman and Chuck Clark as Members.

#### **Old Business:**

1. It was agreed to consider Tyson Slade for EVRPOA road repairs, as the Road Committee is very pleased with his work to date. However, it was also agreed to put any future repairs out to bid for competitive bidding, with the Board deciding on future contracts.

2. It was again noted that wood poaching has greatly diminished on all EVRPOA property.

3. Regarding the sale of the Bettes' property (Lot #32), it was noted by Linda that the ACSO sold the property incorrectly, and according to an outside attorney, Tanis Duncan's office should've had someone attend the sale, and that the Board probably can't sue the ACSO. In addition, Bettes can, within 6 months from the date of sale, buy the property back for the sale price of \$1,000.00.

**New Business:**

1. It was mentioned that an owner had previously commented on the structure of one or more of EVRPOA's roads and the difficulty of bringing in a mobile home due to the peaks and dips of the road. It was agreed by the Board that this was not a responsibility of the Board.

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 approval by all Board members present.

3. Joe suggested that we report all written-off accounts to a collection agency as a possible way to collect these funds. Linda suggested that we sell judgments to a 3rd party for internet collections, but not to a collection agency. The Board has taken these suggestions under advisement and will investigate further. Joe motioned, Jim seconded with approval by all Board Members present.

4. The Board has agreed to write-off \$3,819.69 to Bad Debt as proposed during the Annual Meeting. Chuck motioned, Joe seconded with approval by all Board Members present.

5. It was agreed by all Board Members present to keep the EVRPOA Annual Meeting in Show Low, AZ, and in the month of July for 2012.

6. Joe noted that we need to install 1 of 2 remaining EVRPOA road signs on an unmarked entrance to EVRPOA property, and, as such, requested approval to purchase 4 additional posts for these 2 signs, and to install these signs as the Road Committee deems appropriate and/or necessary. Linda motioned, Jim seconded with approval by all Board Members present.

7. It was agreed by the Board to file liens on 10 lots, as follows: #23, #30, #57, #67, #161, #164, #178, #211, #215, #296. Linda motioned, Jim seconded with approval by all Board Members present. [Lot 289 was subsequently added by Platinum Management as a check was returned for insufficient funds and not redeemed.]

Meeting adjourned at 11:19 AM by Joe, Jim seconded.

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