

Board of Directors Meeting 12/06/13 Minutes (Approved 04/26/14)

I. Board of Directors Meeting: A meeting of the EVRPOA Board of Directors was conducted on December 06, 2013 in Show Low, AZ. The meeting was **called to order** at 11:12 AM by CJ Hindman.

The following Members were present:

CJ Hindman – President

Chuck Clark – Vice President

James V. Smith – Secretary

Joe Hindman – Treasurer

The following Member was not present:

Carole Ramirez – Member

CJ noted that Carole Ramirez has resigned from the Board.

Quorum Present: Yes

II. 07/06/13 Annual and Board Meeting Minutes:

A. Motion to approve the minutes from the 07/06/13 Board of Directors Meeting. Chuck motioned, Joe seconded, unanimous approval: Motion Passed

B. Motion to approve posting of the 2013 Annual Meeting Minutes-Draft Copy on the website. Chuck motioned, CJ seconded, all unanimous: Motion Passed.

III. Treasurer's Report:

A. Joe reviewed the current EVRPOA Financial Statement (October 2013), as follows:

ASSETS:

Wells Fargo Operating \$ 15,346.08

Wells Fargo Reserve 79,629.88

Wells Fargo CD 21,591.81

Total: Checking/Savings \$116,567.77

Accounts Receivable 28,371.18

Undeposited Funds 0.00

TOTAL ASSETS \$144,938.95

LIABILITIES & EQUITY:

Current & Long-Term Liabilities \$ 0.00

Equity

Opening Balance Equity 50,778.12

Retained Earnings 123,213.79

Net Income (29,052.96)

TOTAL LIABILITIES & EQUITY \$ 144,938.95

Note: The Treasurer's Report was accepted by the Board by acclamation.

B. Update On Overdue/Arrears Accounts:

i) 2013 Net Income was down due to the reduction of 2013 fees to \$80.00/parcel.

ii) It was motioned that 2014 fees should return to \$160.00/parcel. Joe motioned, Jim seconded, all unanimous: **Motion Passed.**

ii) Per David @ Platinum, there were 6 late letters with no response (1@\$920, and the rest under \$150), and 16 with liens already filed.

iii) Per EVRPOA Policy #02-2013, it was motioned that the Board should proceed with the next step for the 1 property owner owing \$920, which requires filing a lien on the property (per EVRPOA Policy #02-2013). Jim motioned, Joe seconded, all unanimous: **Motion Passed.**

iv) Joe will request from First United an updated list containing all properties owned by them, and if any of these have had liens filed.

v) Joe will also procure an updated list of all properties with existing liens.

C. Final Policy For Handling Past-Due Accounts:

i) Platinum will send to the Board Treasurer, who will review and then forward to the EVRPOA attorney, all accounts that are past-due, falling into 2 categories, as follows.

ii) **Category 1** includes properties with existing liens and some that are no longer owned by the original property owner but have past-due balances that were written-off as uncollectable. Category 1 accounts will be reported to all Credit Agencies (Per EVRPOA Policy #02-2013).

iii) **Category 2** includes properties with an overdue balance exceeding \$500. These property owners will be sent a final demand letter by the EVRPOA attorney to either pay the balance due or they will be reported to all Credit Agencies (Per EVRPOA Policy #02-2013).

iv) Joe will request from Platinum a current aging report for all accounts in arrears.

v) It was motioned to have the EVRPOA attorney send a letter to First United asking for a list of all current mortgages held by them, and a list of all mortgages foreclosed upon by them. Joe has sent 2 letters to First United requesting this information to no avail.

Joe motioned, Jim seconded, all unanimous: **Motion Passed.**

D. EVRPOA Insurance Policy: Joe will ask the EVRPOA attorney if EVRPOA is responsible for liability on EVRPOA roads. This is an open topic and will be discussed.

E. EVRPOA 2014 Budget: The Board discussed the EVRPOA budget for 2014 by email on December 9, 2013, and the following was proposed:

- i) Retain the estimated collection rate of 90% for 2014 EVRPOA dues.
- ii) Use the total amount spent on legal fees for 2013 as the estimated 2014 expenditure (divided by 12 for a monthly figure).
- iii) Use the average of the amounts spent in 2012 and 2013 on road maintenance as an estimate for the 2014 budget (divided by 12 for a monthly figure).
- iv) All other estimated budget items to remain at 2013 amounts.

Joe motioned, Chuck seconded, the vote (by email on December 9, 2013) was 3-0 (CJ was absent):
Motion Passed.

IV. Road Committee Report:

A. Road Committee Report and Bid For Work Needed:

- i) Chuck reported that 22.8 miles of EVRPOA roads have been graded (as of 12/04/13), in both Units 2 and 3. This road work was approved by a Board of Directors email vote on 11/12/13.
- ii) Chuck noted that, at this time, no other work on EVRPOA is needed nor scheduled. He also noted that there are issues with Apache County roads (which is not an EVRPOA responsibility).

V. Old Business:

A. Website Update: Jim reported that the website is functioning normally and the home page has been streamlined for efficiency. Some maintenance is also periodically performed.

B. Legal Action Regarding EVRPOA's Prior Attorney: CJ reported that the legal issue with EVRPOA's prior attorney has been settled using a mediator for the amount of \$4,000.00, which has been deposited into the EVRPOA account, and the case is now closed.

C. Status Report of EVRPOA's CCR Voting Process:

i) The following was reported for Phase 1 of the voting process:

249- Return Receipts (from USPS)

8- were returned as non-deliverable (6 of which were in arrears)

25- were in arrears (these will not get a 2nd mailing)

24- No Ballot nor Return Receipt received (2nd Certified mailing made) with a 2-week deadline (ongoing).

ii) A 3rd attempt will be made by Platinum to contact the 24 property owners who either did not return a ballot or no Return Receipt was received.

iii) After the 3rd attempt is completed, Platinum will count the ballots with an EVRPOA Board member present. CJ will monitor this process.

D. Kinder-Morgan (K-M) Update:

i) It was again noted that K-M has not provided nor signed a road maintenance agreement as they had previously agreed. The Board decided to have EVRPOA's attorney contact K-M regarding this issue and it will be reviewed at the next BoD meeting.

ii) It was suggested at the 2013 Annual Meeting that EVR property owners consider the formation of an "Action Committee" (by property owners only as this will not be a Board committee or function) to deal with issues and concerns that arise regarding K-M and individual lots. The Board has decided to provide, on the EVRPOA website, a reference to a contact person(s) for the "Action Committee," but not an actual link.

VI: New Business:

A. 2013 Annual Meeting Issues: No new issues were raised at the 2013 Annual Meeting.

B. Architectural Committee: EVRPOA's attorney recommends the formation of an "Architectural Committee" to enforce the CCR's. This committee should include property owners and not just Board members. CJ has agreed to come up with a draft proposal to present at the next BoD meeting.

C. 2014 EVRPOA Annual Meeting Date and Timeline:

i) The Board agreed to set the date of the next EVRPOA Annual Meeting for Saturday, July 26, 2014. The meeting will begin at 9:00AM at the Hampton Inn in Show Low, AZ. Further details will follow.

ii) If necessary, a "Call For Volunteers" will be mailed to all property owners by May 5, 2014, seeking an additional member(s) for the EVRPOA Board of Directors.

iii) The "Notice of Annual Meeting" and ballot (if necessary), will be mailed to all property owners by June 12, 2014.

D. Next Board Meeting: The next Board of Directors meeting has been scheduled for Saturday, April 26, 2014 at Licano's Restaurant in Show Low, AZ, at 11:00 AM. The agenda will be posted on the website by March 26, 2014.

VII: Other Business:

A. New Board Members: The topic of recruiting new Board members was discussed. The possibility of telephonic Board meetings was also discussed (instead of face-to-face), and it was agreed that if this were to happen, ALL Board members MUST attend the EVRPOA Annual Meeting. This issue is under review and will be discussed at the next BoD meeting.

VIII: Meeting adjourned at 12:55 PM

Minutes prepared and submitted by: Secretary James V. Smith