

Apache Hills Road Maintenance Association

Annual Meeting – March 15, 2011 Minutes

23 members attending and 10 proxies for a total of 33 lots represented.

Meeting called to order at 7:11 pm by Roger Everett, President. Minutes were read by Margaret Stump, Secretary. Motion was made by Vernon Buster to accept minutes as read and seconded by Larry Ramsey. Motion carried. Treasurer's report was read by Cheryl Jones, Treasurer. Bank balance is \$14,135.00. Outstanding money owed \$3575. Virginia Dillon questioned "interest refunded" on report and Cheryl explained it's the refund to Sandra Hening since we have refunded the interest to others. Motion to approve Treasurer's Report made by James Oney and seconded by John Ramsey. Motion approved.

Vernon Buster mentioned that he gets all reports from Cheryl Jones, Treasurer as he cannot access website due to computer problems. He asked why October's minutes did not mention why notices were not sent out for 2008 and 2009 and why we did not have a meeting in 2009. He then asked who the Treasurer was previously. Roger said that the Treasurer was Rob Runyon, but it was actually Roger and his secretary that sent out the statements and that he and his secretary were busy and overlooked mailing out notices. Vernon said that he did appreciate all the hard work everyone has put in. He also said that several years are missing for Treasurer's Reports and asked if they are accessible. Roger said that Cheryl picked up a few of the reports and that he had all the records.

Vernon wondered how much we have spent on repairs. James Oney mentioned that historical records would be helpful in figuring this out. Roger went back through some of his notes and said the road was built in 1970. In 1993 we paid \$7800 to contractor for oil & chip; in 1996 Canadian County oil & chipped for about the same amount of money. Vernon asked if Cheryl could scan the reports and Roger said yes. James Oney asked Roger what he had and Roger asked if we wanted Treasurer's Reports? Cheryl said that she would like to have all paperwork to scan and asked James if he could pick up as it would be heavy. James said that he would make arrangements to pick up the items.

James then stated that the road is in pretty good shape. The base is red clay and moves with the traffic. He informed us that one trash truck is equal to 5000 cars. Only way to repair potholes properly is to go to base which is an additional cost. He asked if we are going to plan for future road repairs because at \$150 per year in six years \$50,000 would be available. We also discussed speeders, but agreed we do not want speed bumps. We are missing our 25mph sign from Flint and need a couple more to put up.

Roger said that from 1970-93 no repairs were done to the road. 1997, 1999, 2001, and 2003 some repairs were done. We spent \$3000. With oil & chip and small repairs, the road isn't in too bad a shape. Then the major repair in 2010. It was questioned if Waste Management trucks are the cause of the problem on Tipi.

Roxanne stated no one wants a super highway. JR Baker said that we should do bad places, but not the whole road. Larry Ramsey said that we need to determine how many feet are to be repaired. What are the repair costs per foot? Vernon brought up how we figure the road fees – doesn't seem to be a method. He said that in 2008 one recommendation was \$100, but we charged \$150. Joan Cobb asked why don't we pay per household instead of per lot? It was explained that this is how the original Association was setup and agreed to when it was formed back in 1990. Joan said she didn't agree to it and it was hard on those that had 3 lots while others that had a large acreage only paid for one lot. Discussion just ended on this matter.

Hank Whitby said that overall the road has some problems, but is in pretty good shape. Virginia Dillon said that the by-laws state expenditures are up to \$3000 and we need to get estimates for repairs. Is there any way to get the county to pave again? Probably not. Wondered if the Fannings might help out with the road since they own an asphalt company and JR suggested we ask. Discussion over.

Road Assessments:

Larry Ramsey made a motion to assess \$200. Discussion – Vernon suggested lower amount. James Oney said different seals are available for a variety of costs. Motion was then seconded by James. In favor – 4.
motion failed

JR Baker made a motion to assess \$150. John Ramsey seconded. In favor – 16. Motion carried.

Roger read each change and then we voted.

Changes to By-laws (see attached)

Item #2

Motion to accept by Larry Ramsey

Seconded by JR Baker

Motion carried

Item #3

Motion to accept by James Oney

Seconded by JR Baker

Motion carried

Item #5

Motion to accept by James Oney

Seconded by John Stewart

Motion carried

Item#1 and #6

Motion to accept by Jim Price

Seconded by Joan Cobb

Motion carried

Item #7

Motion to accept by JR Baker

Seconded by Larry Ramsey

Motion carried

Motion to retain all officers made by Larry Ramsey and seconded by JR Baker.

Meeting adjourned at 8:40 p.m.

Respectfully submitted

Margaret Stump

Secretary

Proposed Amendments to Apache Hills Road Maintenance Association Agreement

(proposed changes are in red Italics)

Items below are **numbered by original agreement** with the Agenda number from the Jan. 25th meeting in brackets

2. Annual Meeting [AGENDA ITEM #5] [AGENDA ITEM #4]

The Association shall hold an annual meeting of all members thereof during *the month of March* of each year, commencing with the year **2011**, at 7:00 p.m. at the Richland Nazarene Church, or some other location within Apache Hills Addition.

Notice of the Annual meeting shall be mailed to each member hereof at least 14 days prior to the date of the meeting by the Secretary *or Treasurer* of the Association.

Other meetings may be held after being called for by the President *or Executive Board* and notice being given to all lot owners.

3. Officers of the Association [AGENDA ITEM #1] [AGENDA ITEM #2] [AGENDA ITEM #3]

At the annual meeting, the members of the Association shall elect the following officers: President, Vice-President, *Secretary, Treasurer, and three board members*. The Officers *and Board members* must also be members of the Association *and must be current on all road fees*.

5. Voting [AGENDA ITEM #8]

Voting can be accomplished by absentee ballot. A written proxy will be used to establish a quorum. If issues are brought up at the meeting, voting will be held with the members present.

6. Expense

.....Any homeowner or member of the Association so assessed who fails or refuses to pay his pro rata share of the cost *no later than December 31st of current assessment year*, shall be liable to the Association, and the Association shall have the right to institute legal proceedings to recover the nonpaying member's share, and shall be entitled to the reasonable cost and expenses connected with litigation, a reasonable attorney's fee, and for all costs of said action, and that said assessment shall draw interest at the rate of 15% annual percentage rate from the date of assessment to the date of payment, and all charges and assessments shall become a lien on the homeowner's property from the date of assessment.

7. Duties of Officers and Members [AGENDA ITEM #7] [AGENDA ITEM #10]

The President shall be responsible for entering into agreements for the maintenance and repair of said roadways, *after majority voting approval on said repairs. The Association will not go into debt to achieve repairs. The Officers and the Board have limited discretion on spending of up to \$3000 per fiscal meeting year for road repairs or maintenance item. Anything over \$3000 per the fiscal meeting year must be voted on at a meeting.* Should said President be unable to perform those duties, then the Vice-President shall perform those duties. The **Secretary** shall maintain a roll of all members. *The Secretary and Treasurer shall be responsible for mailing out all notices of official meetings. The Treasurer shall be responsible for handling the statements for assessments and receiving all payments on said assessments.* It shall also be the duty of each member of the Association to advise the Secretary *and Treasurer* of their mailing address.