

Minutes
Apache Hills Property Owner's Association Board of Directors Meeting
February 14, 2023

In Attendance: Tom Roose, Dan Woodhead, Don Enyart, Joe Donovan, Alyssa Mellish
Mark Trierweiler, Jerry Saylor via Zoom

1. Call to Order

President Enyart called the meeting to order at 6:30 p.m.

2. Approval of Agenda

Tom made a motion to approve the Agenda and Joe seconded it with all directors concurring.

3. Approval of Minutes

The February 9, 2023, Meeting Minutes will be approved at the next meeting.

4. Response to Hirzel on SNC Michigan Supreme Court (MSC) Application

Joe brought everyone up to date on the Legal Committee's recommendation concerning whether AHPOA should file a response to SNC's Application (appeal) before the MSC. The Litigation Committee (Mark, Don, and Joe) met with Errol Goldman last Saturday via Zoom and, according to Goldman, the chance the MSC will issue a peremptory reversal of the Appeals Court Ruling are slim based on recent, precedent setting rulings and the strength of AHPOA's brief. Based on the above, Joe said the Litigation Committee is recommending that AHPOA not incur any further expense to respond to the SNC application.

After discussion, directors decided to not spend any additional money on the SNC Appeal before the MSC and will "rest on the record" AHPOA already has established before the Appellate Court and the desire for judicial economy." Joe made the motion and Dan seconded it. All directors concurred with the motion.

Joe will let Hirzel Law know of the Board's decision on February 16.

5. Payment of Legal Fees

Based on current collection of dues and assessments, AHPOA has enough money in its account to pay off legal fees incurred to respond to the Penny Bennett Lawsuit and miscellaneous legal expenditures for board inquiries. The total cost is approximately \$6,700.

Tom made a motion that AHPOA pay \$6,700 legal expensed to pay off miscellaneous-legal fees, leaving only Hirzel Law fees to be paid once a ruling has

been made by the MSC. Dan seconded the motion, which was unanimously approved by directors.

6. Errol Goldman

After discussion Joe made a motion that AHPOA Attorney Errol Goldman be invited to attend the association's 2023 Annual Meeting (date to be decided) to serve as legal counsel and parliamentarian. Goldman's fee is \$225 per hour, plus one-way mileage from his home to the meeting site. Dan seconded the motion and directors unanimously agreed.

Alyssa made a motion to grant Goldman access to AHPOA's website in advance of the meeting so that he can become apprised of recent association business leading up to the meeting. Tom seconded the motion. All directors approved.

7. AHPOA Community Survey

The current draft of the AHPOA Community Survey was reviewed in its entirety with suggested additions and edits noted. Mark will make all changes and return the final draft to directors ASAP for their final review before sending to all AHPOA members for their input. The goal is to have final survey results ready for discussion at our next meeting.

Mark requested that the Board approve \$150 toward the cost of the paid version of Survey Monkey, with the other half of the \$300 annual fee to be paid by another not-for-profit that will share the software with AHPOA. The current, unpaid version is restrictive and unworkable for the number of questions asked in AHPOA's survey. Dan made a motion to approve \$150 toward the purchase of a one-year Survey Monkey license; Joe seconded it, and the directors unanimously approved the request.

8. Revisions to By-Laws

The Board discussed needed revisions to the By-Laws, many of which have been in place since the Association was formed. Dan said he would chair a 'Bylaw Committee' to make recommendations to the Board. Jerry, Alyssa and Mark volunteering to serve with him. The Board will take up recommended revisions at its April 11th meeting.

9. Next Meeting

The next meeting of the Board of Directors will be April 11, 2023, at 6:30 p.m.

10. Adjournment

Alyssa made a motion to adjourn at 8:05 p.m., and Dan seconded it. All approved.