

Minutes of the Board of Directors
Apache Hills Property Owner's Association
November 8, 2022

1. Call to Order/Rollcall

President Enyart called to meeting to order at 12:05 p.m.

In attendance: Don Enyart, Ann Krpichak, Dan Woodhead, Joe Donovan, Tom Roose, Mark Trierweiler, Alyssa Mellish

2. SNC Lawsuit Bond Requirement

Don brought everyone up to date on the Oct 10 hearing and the \$100K required by the bonding company. Joe has checked with all local banks to get a \$100K line of credit but none have agreed. Dan asked if we couldn't get a bond from an insurance company. After discussion it was determined that it is not an option for AHPOA. The bond is due on Friday, November 11, which both Hirzel and AHPOA must file. Hirzel already has posted its \$100K bond. If AHPOA doesn't post a \$100K bond by Friday, Judge Springstead could hold Board members in contempt.

Joe said no Board member should have to be personally responsible for the bond. We only have two options: 1) collect \$100K in pledges by Friday, or 2) Tell the court we cannot post a bond and risk the court seizing our remaining financial assets. Tom asked if property could be pledged as part of the \$100K? Dan said he also has property that could be pledged.

Pledges to date amount to \$50K of the \$100K required.

Other ideas discussed included asking owners to pay forward their dues.

Dan said we should tell the court that AHPOA is in the process of raising the money and ask for an extension and hope that the hearing on our request wouldn't be scheduled/heard before the Appeals Court issues its ruling.

Other suggestions were to contact the court and explain our situation, but it was decided it wasn't an option.

After all options were discussed, the Board voted unanimously to tell the court that we are unable to raise the bond and be in contempt. Don will let Hirzel know of the Board's decision.

3. Splitting of Lots-Dan Woodhead

Dan spoke of his lot 119 and the possibility that he will split the lot into two lots to prevent future development. It's already been approved by the Twp. Dan asked for a letter from the president stating that the lots are large enough to split. According to the By-laws.

Dan made a motion that 119 be split into two lots to permit an offer by a buyer of the resulting spun off lot. The board voted to allow the split if the township has approved it and that the resulting additional lot will pay the same dues as the original lot. After discussion the motion was withdrawn.

Dan made a second motion to divide lot 119 in half with one-half being annexed to 118 and the other half to lot 120, effectively eliminating lot 119 from Apache Hills. The motion was seconded by Tom and was unanimously approved by board members.

4. Mark moved to adjourn the meeting at 1:20 p.m. The motion was seconded by Joe Donovan, with all others in agreement.