

Minutes
Apache Hills Property Owner's Association
Board of Directors Meeting
November 17, 2022

In Attendance: Don Enyart, Ann Krpichak, Joe Donovan, Dan Woodhead, Mark Trierweiler, Jerry Saylor, Alyssa Mellish

1. The meeting was called to order by President Enyart at 6 p.m.
2. Joe Donovan made a motion to approve the Agenda and Tom Roose seconded it. Directors unanimously approved the motion.
3. The Board approved the appointment of Jerry Saylor as auxiliary director with Ann Krpichak making the motion and Dan Woodhead seconding it. Unanimous approval was given for the motion.
4. The Minutes to the October 17 Board of Directors were approved with the proviso that Bob Spreenber and Tom Roose's names be added to the Construction Committee. Joe Donovan made the motion and Tom Roose seconded it. Directors gave unanimous approval to the motion.
5. A discussion was held on tightening up the process for getting meeting minutes on the website as soon as possible after they are approved by the Board. Mark will send to Dan for posting as soon as they are approved and will first convert them to a PDF file.
6. Dan Woodhead led a discussion on AHPOA website with the following actions taken or decided:
 - Dan will check on establishing an email address for each member with title, if appropriate
 - Mark will add a question in the AHPOA Survey on which medium members wish to receive correspondence from the Board (email, paper, text, etc.).
 - Joe will check to see if data from QuickBooks can be exported to MS Excel for use when creating membership directories and mailings.
 - The website chatroom will remain closed for the time being but will be revisited after current legal events have been decided.
7. Don Enyart brought directors up to date on an interview the Legal Committee had with Error Goldman earlier in the week. Each committee member expressed approval for the Mr. Goldman's philosophy and approach to avoiding legal expenses. His rate is \$225 per hour, considerably less than AHPOA currently pays Hirzel Law. Dan made a motion to

hire Mr. Goldman for day-to-day legal matters. The motion was seconded by Tom and unanimously approved by directors.

8. Correspondence was received from Penny Bennett's attorney demanding that all reference to her be removed from official minutes and replaced with other descriptors. After discussion, directors unanimously agreed that it is vital to maintain official Board minutes as they are and directed Attorney Goldman to respond accordingly to Anita Pugliesi, attorney for Penny Bennett.

Relatedly, defendants in the Penny Bennett Lawsuit against directors each signed the release during the meeting. Mark will take the Release to Trish Davidson for her signature ASAP and forward to Attorney Tom Greer for his filing with the court. Once this is done, this legal action will be dismissed. Penny Bennett and Laurie Hoffman already have signed off on the Release.

9. Attorneys for SNC Cottages (Tristan Vandersteldt) have asked the District Court to award the company legal fees and expenses in connection with the lawsuit filed against the company by AHPOA for infractions to AH By-Laws. The court was scheduled to determine which party would pay these costs on October 10 but was stayed at the request of AHPOA's attorneys until the Appeals Court hears our appeal, now scheduled for December 13, 2022. AHPOA has since notified the court that it is unable to post the required \$100K bond. It isn't known if Judge Springstead will re-schedule a hearing on cost assignment prior to the Appeals Court hearing on December 13.
10. Apache Hills owner Luke White, lot 126, is \$750 in the arrears. Joe will investigate filing a lien on the property.
11. Financial Committee Report-Joe Donovan said AHPOA has \$18K in cash, most of it in the reserve account. The minimum balance is \$5,000 per the By-Laws. The reserve account has been used to pay bills, which is not a violation of By-Laws. However, approximately \$22,000 will need to be returned to the reserve account by May 31, 2023, the end of our fiscal year.

A bill from Centenary United Methodist Church for Annual Meeting copies was presented for payment.

Don told directors that a new "check approval form" has been created to facilitate payment of bills that exceed \$750 and therefore require two signatures. The form will be prepared by Don and sent to Joe to meet requirements stipulated in AH By-Laws. The change was necessary because Joe does not reside in AH for much of the year.

12. Building Committee Report
Mark Trierweiler reported that Ken Trethaway has asked for clarification on what can be built on lots 136 and 137, which he purchased from Penny Bennett. Most of his

questions are properly answered by the Pentwater Township Building Inspector. Mark will contact Mr. Trethaway to arrange an on-site, three-way meeting to facilitate answers to his questions.

Another owner appears to be preparing his Longbridge Road lot for construction. The AH lot is adjacent to ten acres he owns behind the lot and was purchased to access the adjacent ten acres. The owner hasn't yet contacted anyone on the Building Committee.

13. Grounds Committee Report

Tom Roose reported no new activity since the last meeting but said that he planned to have barrels of sand on Potawatamie Road in place for owner-use now that the snow season is upon us.

14. Ann Krpichak reported on research she's completed on AH quorum requirements. After discussion, it was agreed that to change By-laws or Covenants requires the approval of 66 percent of lot owners.

15. Social Committee

Ann and Alyssa reported on their efforts to create programs and events for AH neighbors that facilitate greater communications and bring the association back to where it was prior to the SNC Cottages lawsuit. A Facebook page also is planned, which can be linked back to the AH website. Ann and Alyssa are looking for additional members for this committee. A Christmas decoration competition was discussed.

Relatedly, Kristin Forester and Linda Trierweiler can now prepare the email correspondence to collect information for the AH Directory and Ann Krpichak will send it out to members.

16. Apache Hills Survey

The current version of the Apache Hills Community Survey, which has input from two non-board members, was distributed, and discussed. Mark expressed frustration at the difficulty of utilizing the unpaid version of Survey Monkey, which makes it impossible to tabulate results, forward drafts, number questions, etc., without paying the \$300 fee. Directors tabled the funding request until the December meeting.

Mark will email the current version of the survey to directors, who will review it for changes or additions and be prepared to finalize it at the December meeting so that it can be distributed to members by the end of the year.

17. The next meeting of the Board is at 5:30 p.m. on December 14 at Mark Trierweiler's home.

18. Adjournment-Tom Roose made a motion to adjourn the meeting and Alyssa seconded.

Submitted by Mark Trierweiler 11/19/22.