

**PINE MEADOWS COUNTRY CLUB ESTATES**

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**MINUTES OF THE BOARD OF DIRECTORS MEETING**

**August 20, 2022**

**OPEN MEETING**

The August 2022 Regular Board of Directors Meeting was held on August 20, 2022 at 9:00 a.m. at the Heber-Overgaard Fire Station.

1. The meeting was called to order by Phil Sanders.
2. The Board Members present were Phil Sanders, Tim Morgan, Jerry Funk, Donald Leonard and Maria Bauman. Bill Kelley attended by telephone. Steven Feola acting as counsel for the Board of Directors also attended by telephone.
3. The first order of business was to elect Officers. After a thorough discussion and by acclamation (volunteering), Phil Sanders was elected President. Jerry Funk was elected Vice-President. Donald Leonard was elected Secretary-Treasurer. **The Board then authorized Donald Leonard and Phil Sanders with the assistance of Lori Hughes to have Donald Leonard's and Phil Sander's names placed on all Pine Meadows Country Club Estates bank accounts with the National Bank of Arizona and to have the names of existing signatories removed.**

**The Board also authorized President Phil Sanders to contact the Post Office and change the name of the authorized Representative of PMHA to "Phil Sanders – President".**

4. Sadly, Maria Bauman notified the Board that it was necessary for her to resign as a Board Member effective immediately. The Board reluctantly accepted her resignation and wishes to express their thanks and appreciation for Maria's membership on the Board over the past several years.
5. The Board then decided to contact Mr. Joe Studnek who had previously expressed interest in serving on the Board to determine if he was willing to serve as an "Alternate". Phil Sanders volunteered to contact Joe to see if he would serve as an Alternate on the Board of Directors.
6. The Board then welcomed six (6) guests to the meeting.
7. The second order of business was to review the Minutes of the Annual Meeting held on July 16, 2022. After a discussion regarding the contents of the Minutes, upon motion made and seconded, the Minutes were unanimously approved.

8. The Board noted that although Lori Hughes was no longer on the Board of Directors, that she had graciously volunteered to keep and maintain the Pine Meadows Homeowners Association website. Steve would provide a signed copy of the Minutes to Lori without that the Minutes could be posted on the website.

9. The next order of business was to review the Financial Report submitted by Lori Hughes. After a discussion and upon motion made and seconded, the Financial Report for the July/August 2022 time period was unanimously approved.

10. Phil Sanders then noted that John English was absent and that an Architectural Report had not been submitted.

11. The next order of business was to discuss notification to homeowners of dead and dying trees and other vegetation located on their property. Steve Feola noted that he had received a list of homeowners/lot owners that were to receive a letter and Steve promised to send out the form letters to those homeowners/lot owners requesting removal of the dead and dying trees. It was noted that with the recent monsoon rains that perhaps there would be fewer dead and dying trees to deal with.

12. The next order of business was to deal with the entry sign into our development. Bill Johnson, a homeowner guest attending the meeting, asked about the status. Phil informed Bill that the Board had decided that since the sign was on property that was owned by Rick Koberna and due to the expense of construction and maintenance of a new sign the Board had decided that it would be removed and not replaced.

13. The next discussion was regarding the condition of the home located on Lot 81. Steve noted that after several if not many repeated contacts with the owner and after numerous promises to repair and maintain the exterior of the residence that no action has been taken. The Board then discussed the possibility of filing a Complaint with Navajo County regarding the condition of the residence and possibly determining that the property has been "abandoned".

14. With regard to new business, Board Member Donald Leonard raised the possibility and even desirability of the Board would be into purchasing the sewer system if it could be separately purchased from Diane Hunter or Rick Koberna. Steve provided a history of the ownership of the plant including previous efforts to purchase all or a portion of the stock of the corporation that owned the plant (Ponderosa Environmental Services, Inc.). Steve noted that the Board did try to purchase the sewer plant only from Diane Hunter in approximately 2012 when she conducted a Trustee's Sale and that Diane Hunter choose to sell only the sewer plant to our membership. Diane Hunter mentioned to Steve Feola at the time that she would prefer to sell the golf course and surrounding property including the sewer plant as "one package".

15. The Board and the guests present then had extensive discussions regarding the status of ownership of the sewer plant, what if any action could be taken to protect the interest of PMCCE. Steve noted his contact and communications with Assistant Attorney General Jeff Cantrell who was presently looking into the ownership of the sewer plant pursuant to his letter of June 13, 2022. In Mr. Cantrell's letter of June 13, 2022, he appended a copy of a Notice of

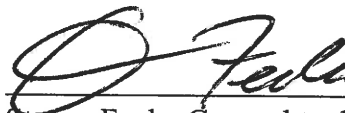
Violation dated April 7, 2022 issued by the Arizona Department of Environmental Quality through its employee Mr. Andrew Kelley.

16. Steve then explained his communications with Mr. Kelley regarding the ownership issue as well as remediation of the problems raised in the April 7, 2022 "NOV". Mr. Cantrell advised Steve Feola that it would likely take several months to resolve the issue of ownership and to be sure that the problems associated with operation, administration and maintenance of the plant would be resolved. Lori Hughes then suggested that Steve contact Ms. Claudia Maginelli who is the administrator operating the Homeowners Association for Overgaard Springs Ranch to see if our efforts could be coordinated with regard to assuring proper maintenance, repair and administration of the sewer plant. Steve advised the Board that he would be contacting Ms. Maginelli after the meeting.

17. Steve then noted the fact that he had located a possible utility law attorney Mr. Patrick Black (602-916-5400) and that Steve would coordinate contact with Mr. Black and the Officers of the Board and see if the Board wanted to retain his services to oversee the transfer of ownership and the proper administration, operation and maintenance of the sewer facility.

18. A question was raised regarding the Trustee's Sale scheduled for October 4, 2022 which would apparently extinguish ACG Realty's ownership interest in the property upon which the sewer plant equipment was situated. Steve explained that the same issue arose in 2012 when Diane Hunter conducted a Trustee's Sale of the property against JRJ Pine Meadows LLC who then owned the golf course and sewer facility. Steve noted that once the Trustee's Sale was completed the new owner of the payment would also become the owner of the sewer plant. Steve indicated he would write a letter to Mr. Koberna and Ms. Hunter with a copy going to Mr. Cantrell regarding Trustee's Sale so Mr. Cantrell is kept informed of the current developments.

There being no further business to be brought before the Board, upon motion made and seconded, the meeting was adjourned.

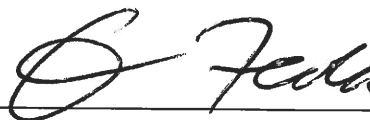


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Steven Feola, Counsel to the Board of Directors  
Pine Meadows Homeowner's Association

#### **EXECUTIVE SESSION**

No Executive Session Meeting was held.



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Steven Feola, Counsel to the Board of Directors  
Pine Meadows Homeowner's Association