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**Sheppard, Marian**

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**From:** william glaunsinger [wglaunsinger@yahoo.com]  
**Sent:** Monday, September 13, 2010 12:30 PM  
**To:** Sheppard, Marian  
**Subject:** Re: Gila County Water Franchise Application  
**Attachments:** Aug\_5\_2004 bod meeting minutes.doc; annual\_meeting\_september\_3[1].2005.doc

Attachment "A"

↓ Attachment "B"

Dear Marion,

I apologize for the delay in my response but for the last 10 days I was taking care of my mother-in-law who was the victim of a violent attack.

Attached you will find a copy of the minutes of meeting in which the Board of Directors' voted to change the name of the Association. These minutes were approved at the Sept. 4<sup>th</sup>, 2004 annual meeting. I have also attached the minutes from the Sept. 3<sup>rd</sup> 2005 annual meeting when the membership approved the name change. These minutes were approved Dec. 4<sup>th</sup> 2005.

The board members for the August 5<sup>th</sup> 2004 Board meeting at which the Board approved the name change were:

- President: Bill Glaunsinger
- Vice President: Bob Johnson
- Secretary: Lita Washburn
- Treasurer: Linda Soto
- Water Director: Fred Washburn
- Environmental Director: Marcia Viezens
- Communications Director: Dave Kelley

The Board members for the Sept. 4<sup>th</sup> 2005 annual meeting at which the membership approved the name change were:

- President: Bill Glaunsinger:

Secretary: Carol Allen

Treasurer: Linda Soto

Water Director: Harry Viezens ( filled vacant position after Mark Van Drunen stepped down)

Roads Director: Fred Washburn

Communications Director: Dave Kelley

Prior to Sept. 4<sup>th</sup>, 2010 the Board members were:

President: Bill Glaunsinger

Vice President: Harry Viezens

Secretary: Charlotte Armbruster

Treasurer: Lita Washburn

Water Director: Karl Kohlhoff

Roads Director: Mark Yarish

Environmental Director: Chris Pestka

At the Sept. 4<sup>th</sup> 2010 annual meeting an election occurred for three of the Board Positions (Secretary, Treasurer, and Environmental Director) as well as ratification vote for the Water Director position.. Unfortunately, due to irregularities in the voting process, the results of the vote are unresolved and the resolution of this situation will be the subject of a special board meeting which is in the process of being scheduled. The following Board members who were not up for election will continue to serve during the next year are : President, Bill Glaunsinger, Vice President Harry Viezens, and Roads Director: Mark Yarish.

An announcement was made to all property owners via the 2004 annual meeting letter that the Board had voted to change the Association's name to Bonita Creek Property and Preservation Association to more adequately reflect its purpose. No one objected to the name change at the annual meeting or thereafter until a property owner asked before the annual meeting in 2005 that the name change be placed on the agenda for a membership vote. The agenda for the 2005 annual meeting was changed to include this item. Members in attendance voted to change the name.

Shortly after that vote the president notified the ACC and the ADEQ by phone of this name change and believed the name change was recorded. However, the board learned in fall of 2009 that this was not the case. After many inquiries with the ACC to determine all of the steps required for a simple name change, the Board has been proceeding for the past several months to complete all requirements.

Please do not hesitate to contact me if you need any further information.

Sincerely,

Bill Glaunsinger

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**From:** "Sheppard, Marian" <msheppa@co.gila.az.us>  
**To:** william glaunsinger <wglaunsinger@yahoo.com>  
**Cc:** "Chambers, Bryan" <bchamber@co.gila.az.us>  
**Sent:** Wed, September 1, 2010 10:17:18 AM  
**Subject:** Gila County Water Franchise Application

Mr. Glaunsinger,

I spoke with Bryan Chambers, Chief Deputy County Attorney, after our phone conversation on Monday, August 30<sup>th</sup>, and I wanted to follow up with you on a few things.

1. You questioned the definition of "qualified elector" – Mr. Chambers advised that this means any person registered to vote in Gila County as verified in the Recorder's Office of Gila County. (The notice of public hearing states, "If on or before such date more than fifty percent of the qualified electors of the County petition the Board of Supervisors to deny such privilege, it shall do so, and any privilege granted against such petition shall be void.")
2. As soon as possible please provide me with a copy of the official approved minutes of the 2005 Bonita Creek Land and Homeowner's Association Board of Directors' meeting at which time a decision was made to change the name to Bonita Creek Property and Preservation Association. Please also provide the meeting date when those minutes were officially approved. I need this information as soon as possible and definitely prior to the September 21<sup>st</sup> public hearing. I need the names of the Board members who approved said action; however, I am assuming those names are listed in the minutes. I would also like the names and titles of the current Board members.
3. If this name change occurred in 2005, could you please explain the reason it took until this time to approach the Arizona Corporation Commission with a request for the name change?
4. I will let Supervisor Tommie Martin and the other Board members know that you will attend this hearing in the Payson Supervisors' conference room.

Regards,  
Marian

*Marian Sheppard, Chief Deputy Clerk*

*Gila County Board of Supervisors*

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**MEETING MINUTES FOR THE AUGUST 5<sup>TH</sup>, 2004 BOARD MEETING**

"A"

The meeting was called to order August 5<sup>th</sup>, 2004 at 7:10 PM at the Glaunsinger residence. In attendance were: Bill Glaunsinger, Bob Johnson, Dave Kelley and Linda Soto. Absent were Lita and Fred Washburn and Marcia Viezens.

A motion was made by Bill and seconded by Dave to postpone the approval of the June 13<sup>th</sup> Board minutes until the annual meeting. ( vote: 4-0 to approve the motion).

There were no corrections to the BCLHOA Board member responsibilities and they will be distributed to new board members and filed with the Association documentation.

Bill gave a brief review of his phone conversation with Jim Cooper of SRP on August 4<sup>th</sup>, 2004 regarding the acquisition of water rights. Jim Cooper indicated that the Bonita Creek Water Company could buy land with water rights. Currently 1 acre costs a minimum of \$50,000. The current population served by the water company uses about 4 acre feet. Secondly, the Water Company can wait for the adjudication process, which is not expected to be resolved for decades. Thirdly, Jim indicated that SRP is currently negotiating with Phelps Dodge to purchase water rights from the Blue Ridge Reservoir. If successful, SRP plans to offer communities and other individuals in N. Gila County the opportunity to purchase water rights at a more reasonable cost than the purchase of land. The negotiations with Phelps Dodge are not expected to be completed for 2-3 years. In light of this information, Bill suggested that the best course of action is to conserve our monetary resources, encourage other home and land owners to become members and to be good stewards of the water in Bonita Creek by encouraging homeowners to collect rain water for irrigation or other purposes. Linda asked Bill to document this phone conversation and place the information in the Association files (see attached document).

A discussion ensued regarding the development of new ATV riding guidelines for the community that addresses some of the problems with some of the under-age drivers and some reckless riding that have sporadically occurred; particularly in the summer and on isolated holiday weekends. It was noted that legally ATVs must be licensed and insured while driving on roads within the Bonita Creek subdivision and that ATV drivers must be at least 18 years of age. Several possible solutions were discussed:

- a) post speed limit signs
- b) post hours for under age ATV drivers: e.g. hours in the morning and 2 hrs in the afternoon.
- c) suggest alternative non-county maintained roads that could be legally used by under age drivers.
- d) create an opinion pole to be distributed at the annual meeting to find an appropriate solution.

It was noted by Bill, and agreed upon by others at the meeting, that the association should not take an official stand on this issue, but rather try to help the community agree on an acceptable suggested solution. Bill said he would call the Sheriff's office for further for further clarification. *Note: the results of this call indicated that a) and b) above were prohibited on legal grounds, so that only option c) remains.*

The Board recommended that the annual dues remain at \$65.00 per lot to encourage more property owners to join the association.

Bill suggested that the Association name be changed for 3 reasons:

- A change would avoid the aura of a Home Owner's Association; one that many people object to.
- A name change would broaden the scope of the Association.
- A name change would better reflect the mission statement in the current by-laws.

After some discussion, Bill motioned that the name be changed to the Bonita Creek Property and Preservation Association. . Linda was concerned that this name change would be difficult to do legally. Bill said he would check into the legal requirements before making this official. Dave seconded the motion and it was carried by a 4-0 vote *Note: Bill found that the paperwork for the Arizona Corporation Commission and the IRS is straightforward, so we can proceed with the name change..*

Bill suggested that the Association consider the purchase of a used Water Dog, (trailer with pumping and water spraying capabilities) as a means of a first defense in case of a fire. Proceeds from the sale of the truck along with about \$1,000 might be used to purchase a used trailer. It was suggested by Linda Soto that Bill look into the purchase of a used trailer.

Lorna reported on nomination committee progress. At this juncture we still need someone to volunteer for the Water Director, but she feels she may have a candidate. She will send out the annual letter and ballot information on the list serve and mail copies to all property owners not on the list serve. This will be completed August 13<sup>th</sup>, 2004. After a brief discussion, it was decided to open the annual meeting to everyone, regardless of their Association status.

Finally, the Annual Meeting agenda was approved ( 4-0) with 2 additions: 1) road sign postings and 2) 911 addressing. Bill made the motion to approve the agenda and Dave seconded the motion.

The meeting was adjourned at 8:20 PM.

## BONITA CREEK LAND & HOMEOWNERS ANNUAL MEETING

September 3, 2005

### Glaunsinger Residence

1. **Call to Order:** President Bill Glaunsinger
2. **July board meeting minutes**– Approved
3. **Dave Kelley-Communications Director**- List server will be up next week. Dave proposed that we develop a new-comers information packet. Linda and Dave will work on it.
4. **Fred Washburn – Road Director** – Roads need to be graded, and culverts are needed in certain areas. Fred will get in touch with the county regarding these issues and will report back at next meeting.
5. **Harry Viezens – Water Director** – proposed standardized locks for gates. Harry and John Goulette have cleaned up around the pump house. Harry will get together an inventory of supplies. He also announced that he is stepping down from this position and Doyle Warner has volunteered assume the Water Director position.
6. **Linda Soto – Treasurer** - Association has \$26,000.00 in savings and the water company has \$5700.00 in checking. The water company has a net profit of \$1700.00
7. **Old Business** –  
Volunteers in the community have erected a block wall to prevent erosion around the memorial trees. Jim Sumpter's son, Jimmy, donated the block and a crew to pour the footing, Dirt and gravel have been spread in the area . Bill and Lorna Glaunsinger refurbished the memorial sign.  
Lorna Glaunsinger cleared and maintained the Bonita Creek Trail this past July.  
Bill Glaunsinger arranged for the Payson Forest Service to remove the big dead pine tree that was next to the entry road.  
The county has installed new street signs within the subdivisions.  
The association is still pursuing the purchase of a water dog for fire protection.
8. **New Business**  
A proposal was made to survey BCLHOA members regarding hiring Tree Pro with Association monies to haul any brush that members have cleared from their properties. To be cost effective, there should be participation by at least 5-10 members.  
The resumption of the 431 road-clearing project was discussed. It was suggested that the Association could hire Tree Pro or another firm to haul away the stacked brush.  
Lorna Glaunsinger reminded members to recycle aluminum cans at the Payson Humane Society, and cardboard at the facility in front of Walmart  
Members voted to change the Association's name to Bonita Creek Property and Preservation Association.
9. Meeting was adjourned.