

**Long Meadow Ranch  
Property Owners Association  
Annual Meeting, April 13, 2002  
Abridged and Unofficial**

Long Meadow Ranch Property Owners Association held its Annual Meeting Saturday, April 13, 2002, from 10:00am to 12:45 pm, at the home of Bill Hillebrand, Board member, 10685 W. Wild Horse Run, Prescott, Arizona 86305.

Association members attending in person were: Ray Beckage & Toby Frost, Casey & Wendy Buitenhuis, Barbara Butterfield (2 lots), Les & Nancy Campbell, Marsh & Mary Carpenter, Neil & Paula Cooperrider (2), Larry Darr, Jack & Donna Donoghue, Bob Elk (2), Bill & Betty Foley, John & Kathy Glimpse, Patrick Grimes, Michael & Fay Hays, Bill & Kathleen Hillebrand (2), John McDonald, Harry & Val Plumlee, George & Marie Price, Herb & Debbie Roberts, Scott & Karen Robertson (4), Shari Stansauk, for a total of 27 votes. As they initialed their names on the membership register, attending members received election ballots, CC&Rs proposed changes ballots, and agendas.

Those attending by proxy were: Jerry & Sue Alvis, Michael & Dawn Chaney, Paul & Claudia Critchfield, Robert & Karen Eckhoff, Charles & Peg Fosnaugh, Dan & Mary Jo Gugelman, Mark & Kristine Hoefler, Fred & Genne Roybal, Ronald & Lara Runger, Karl Seiler, Murray & Patricia Stein, Dan & Lynne Stoppe, Doug & Peggy Tayler, Jim Wallace & Miramae Welch (2), Stan & Wendy Woodcock, Steven & Sheryll Wyman, for a total of 18 votes.

A total of 45 of a possible 66 votes were represented by members attending in person, or by members who had sent their proxies. 15 members, together having a total of 21 votes, did not attend or send a proxy.

Board President Val Plumlee declared that a quorum was present (in person or by proxy), introduced the Board and welcomed the following members attending an Association meeting for the first time: Barbara Butterfield, Larry Darr, Jack & Donna Donoghue, John & Kathy Glimpse, Mike & Fay Hays.

Val announced that George Price held a proxy for one member, Bill Hillebrand held proxies for two members, and Herb Roberts held four proxies for three members. The Board held proxies for nine members. Herb Roberts and Scott Robertson would tally the written ballots. Reviewing the agenda, she announced that questions could follow the reports, but any action should be held until new business. Voting would be by show of hands; Casey Buitenhuis would serve as timekeeper/sergeant-at-arms, and motions and resolutions presented should be written.

**Minutes of the April 7, 2001 Annual Meeting** having been mailed with the Notice of the 2002 Annual Meeting, reading was dispensed with. Secretary Mary Carpenter reviewed the minutes briefly, and they were approved as mailed.

**Treasurer's Report:** Neil Cooperrider used an overhead to present the report on the Year 2001 budget, explaining that we keep our books per Arizona law. He explained actual income and expense entries and reviewed Year 2002 projected income and expenses. He presented the Balance Sheet as of 3/31/02. The treasurer's report was approved.

The president then called for the ballots for election of new Board members and on the proposed changes to the CC&Rs to be given to the vote counters.

## REPORTS

### **Audit:**

Casey Buitenhuis and Bob Elk reported they had audited the books and records of the Treasurer, the Architectural Committee, and the Secretary. The treasurer's records are in order, the systems are complete. The architectural committee's records for the last year are in order. The secretary's records are well organized and complete.

Audit Committee recommended that in order to have accurate records, the Architectural Committee obtain statements regarding prior site and building plan approvals from persons who previously served in this capacity. They also recommended that all community records be kept in one place.

### **Architectural Committee:**

Paula Cooperrider reviewed the chairperson's actions:

- Implemented a filing system for construction plans and communications ;
- Updated and mailed letter of clarification, with Guidelines and Checklist, to all property owners for submittal of construction plans;
- Drafted and mailed letter to those whose homes were currently beyond the 6-month deadline requesting new estimated completion date for exterior of residence;
- Received, reviewed and presented to the LMRPOA Board eight construction submissions.

The committee records do not contain copies of correspondence regarding six construction submissions for year 2000-2001. (See Audit committee recommendation above.) For the year 2001-2002, there are correspondence records for the eight submissions.

Two issues arose during the year and need to be put on a yearly reminder basis to owners:

Construction trash containment: Regular high winds scatter uncontained trash over a wide distance; property owners need to require contractors and crews to contain all trash.

State Fencing Standard: The Board is asking property owners to adhere to the state fencing standard which sets the bottom rail of any type fencing at 18" above ground, to accommodate antelope movements.

At this time, there are 22 permanent or part-time residents and construction is underway on 6 lots.

### **By-Laws/CC&Rs:**

George Price explained the rationale behind the voting change made in the By-Laws (accepted by mail ballot). Originally, cumulative voting gave the developer control while just a few lots had been sold. Now that the entire development has been sold out, this need no longer exists.

### **Insurance:**

Mary Carpenter reported that insurance premiums have risen all over the country, and some insurance markets no longer exist because of the economic dislocation following September 11<sup>th</sup>. Our renewal premium was affected by both trends, with our agency, Community Association Underwriters, having to change to another insurer. We increased the budgeted amount for insurance.

Additionally, in order to comply with the CC&Rs' bonding requirements, we had to increase the Bond because of the special assessment for the cooperative arrangement with Yavapai County for Tonto Road paving, adding \$125 to the premium. The Board decided to reduce the liability limits, to stay within budget for the package policy.

Our agent called to our attention provisions of Arizona law, stating that contractors who do not have their own workers compensation insurance will be considered employees if they have an injury on the job. The Association would have to pay any claim from our funds, if we did not have workers compensation insurance to respond to the claim. We do not have any employees, and we do request evidence of insurance from our road contractors, but for prudence, we did add workers compensation insurance, at a minimum premium charge.

**Roads:**

George Price reported on road maintenance:

Roads were graded three times. Lack of rain precluded the fourth grading.

Culvert repairs were made on N. Antelope Run and on Stevens.

Additional gravel was added to W. Long Meadow Drive, W. Wild Horse Run, and Buckbrush Circle.

In the question period following, members asked about widening N. Antelope Run and Walking Y Lane. Ray Beckage had measured the width of the roads when he was chairman of the road committee and will pass on his records to the current committee.

**Road Improvement:**

Bill Hillebrand reviewed the circumstances leading up to the mail ballot for a cooperative arrangement with Yavapai County for the paving of Tonto Road through Long Meadow Ranch. In the late summer, in response to the Annual Meeting 2001 charge to the Board, the Board authorized his checking with the County regarding the matter, The County provided an estimate of LMRPOA's cost, and the Board authorized the mail ballot.

The following was the outcome in the voting, of replies representing 60 of the 66 lots:

29 owners, representing 37 lots	yes
17 owners, representing 23 lots	no.

On February 4<sup>th</sup>, the County approved the cooperative arrangement. Tonto Road will be paved this summer from the intersection of Tonto and Fair Oaks Roads to the entrance to the National Forest. Fair Oaks road will be paved from the end of its current paving to the Tonto Road intersection. The road will qualify for speed limit signs, 25 – 35 mi/hr., but not for speed bumps. (There is only one in the entire county.)

In the question period, George Price asked if we could request additional stop signs. Casey Buitenhuis advised that he has spoken with the sheriff and learned that when the resurfacing is completed, they would send a radar unit to control speed. Scott Robertson explained that the purpose of his letter to the membership had not been to impugn the Board, but to raise the questions of safety and procedures.

**Trail:**

Wendy Buitenhuis reported that, in response to the 2001 Annual Meeting charge to the Board to obtain a legal opinion regarding trail liability, the Board had requested one from Christopher Wooten. His opinion, that Arizona legislation (ARS 33-1551) provided liability coverage to the Association, prompted the Board to go forward with a revised trail plan, which Wendy presented. The new map of the trail plan was posted on the wall, and smaller versions of it were circulated. (Copy attached.)

In the question period, Larry Darr asked if the Association would be constructing the trail, and he was assured that we would not. We would only indicate on the map where the trail was located. Voting on the plan was deferred to new business.

**Trash collection:**

Casey Buitenhuis reported on negotiations with Waste Management for their contract to provide trash collection in Long Meadow Ranch at a rate of \$26/month, collection once a week.

In the question period, Debbie Roberts asked why the collection had to be from containers at the side of the road. Casey explained that the weight of the trucks made it impossible to go up some of the hills, and would make it unsafe on interior roads in bad weather. In answer to a question about recycling, Casey explained that the County collection site does not recycle. Those who want to do so, should haul recyclable material to the bins at K Mart or Safeway.

**Water:**

George Price provided an extensive report, with overhead projector, covering why the topic is important; background information; the City of Prescott potential development of a well nearby; and what we have been doing and should do in the future.

Why topic is important: In a recent survey of the membership, water quality was the number one concern. The City of Prescott's hydrological study in the area of Las Vegas Ranch is alarming because a well site there would affect LMR wells adversely.

Background: There are three forms of water: rain, surface water, ground water.

*Rain* – Very little rainfall actually penetrates to the aquifer and recharges the ground water. Much of the monsoon rains in the summer run into washes and become surface water. Chino (10 miles east of Long Meadow) receives an average of 12 inches precipitation per year; Walnut Creek (20 miles north), 16 inches average. LMR is somewhere in that ballpark.

*Surface water* is governed by the legal doctrine of "prior appropriation". The first established users have first rights; later users may not interfere. Currently the Salt River Project (SRP of Phoenix) is the major owner of surface water in our region.

*Ground water* is governed by the doctrine of "beneficial use". Anyone showing they are using ground water beneficially can pump water from the aquifer regardless of the effect on other wells. Ground water (which supplies our wells) erupting from springs supplies 70-80% of the flow of the Upper Verde River. Until recently, surface water and ground water were legally separate. However, the Arizona Supreme Court recently ruled that ground water in the Holocene Alluvium near streams like the Verde will be considered surface water.

*Big Chino Aquifer* We are in the Williamson Valley subbasin of the Big Chino subbasin, which supplies through springs most of the flow of the Upper Verde. Prescott, Prescott Valley, and Chino are in the Little Chino subbasin, whose ground water levels have dropped 75 feet.

City of Prescott potential development of a production well nearby: Although taking groundwater from another subbasin is prohibited, Prescott has a statutory exception: the city can take up to 14,000 acre feet per year (4.5 billion gallons) from the Big Chino Subbasin. Most hydrologists believe this will dry up the Upper Verde. A large production well also creates a "cone of depression" in the aquifer several miles around the wellhead. This would magnify any well water drop in Long Meadow Ranch from a production well at Las Vegas Ranch.

Current and future action by LMRPOA: We have less than 20 registered voters in LMRPOA. Therefore, the Board has sought alliances with other communities and organizations concerned about this issue. We participated in a town hall meeting with our county supervisor and a member of the county Water Advisory Committee. We asked the Arizona Department of Water Resources to begin monitoring well levels in this area. (Two wells in the National Forest have dropped 10 ft. since 1999. The Robertson well has dropped 12 ft. in 9 years. However, although the water level in the aquifer is currently low, it was lower in the 60's. Also, we do now have a plentiful supply of water.)

When Prescott's hydrologists complete their study of Williamson Valley at the end of May we will have a short period of time to review it and make comments. The Board should have the latitude to hire a consultant or to join with other communities to bring suit against the City of Prescott.

George's proposed motion for action was postponed to new business.

## **NEW BUSINESS**

President Val Plumlee announced that each item would be allowed ten minutes discussion. Members could speak twice, after anyone wishing to speak had spoken once. Voting would be by raise of hands, with proxy votes being announced.

**Budget:** Neil Cooperrider presented the proposed budget for Year 2002. All members present, all proxies voted to approve it.

**Trail plan & Transfer of Easements from Long Meadow Ranch Inc. to LMRPOA:** Wendy Buitenhuis presented a written proposal that Long Meadow Ranch Property Owners Association accept the transfer of easements from First United Realty (Long Meadow Ranch Inc.) and then, negotiate old/existing easements for a new trail related easement on a lot by lot basis. When it was pointed out that the motion did not include the trail plan, the motion was amended to accept the trail plan. After much discussion about accepting the easements before approving the trail plan, three motions were made and approved,

**A motion was made and seconded to amend the original motion to only have wording to approve the trail plan as presented by Wendy Buitenhuis. The motion carried:**

**Yes (in person and by proxy): 43; No (in person and by proxy): 2.**

**A motion was then made and seconded to approve the trail plan as presented by Wendy Buitenhuis. The motion carried:**

**Yes (in person and by proxy): 43; No (in person and by proxy): 1;  
Abstention: 1.**

**A motion was then made and seconded for the Board of Directors to proceed and make the trail plan happen. The motion passed unanimously.**

**Proposed Williamson Valley Fire District:** Debbie Roberts reviewed the need for and the details of converting the Williamson Valley Volunteer Fire Department into a fire district, and urged all members who had not yet signed the property owners' petition (which she had with her) to do so.

**Water:** George Price moved that the LMRPOA Board be proactive in fighting Prescott's pumping of the Big Chino and that the Board is authorized to hire consultants or enter into a lawsuit as long as costs do not exceed \$1000 in a year. If it appears cost will exceed said amount then a vote of the membership is required. Members present and all proxies approved the motion.

## **BALLOT RESULTS**

Herb Roberts and Scott Robertson reported that all five nominees for the Year 2002-2003 Board of Directors were elected.

None of the three proposed changes to the CC&Rs received a 75% affirmative vote (50 lots). All were defeated.

The meeting adjourned at 12:45 pm.

Mary Carpenter, Secretary