

APACHE VILLA HOME OWNERS ASSOCIATION, INC.

RULES AND REGULATIONS

The Apache Villa Home Owners Association Board of Directors requests your cooperation in following these rules and regulations. Listed in alphabetical order, they are provided to give all members the most rewarding and safest possible experience at Apache Villa.

SECTION I BILLIARD ROOM

1. **This area is under the supervision** of an activity chairperson.
2. **A dues paying member** must accompany all guests.
3. **All posted rules must be followed** or user privileges will be removed. All questions should be referred to the billiard chairperson or a Board member.

SECTION II BINGO

1. **The “Bingo Proceeds Coordinator,”** appointed by the Board of Directors per Article VI, Section 4., of the By-laws, will be bonded as needed.
2. **The Bingo Committee** comprised of at least five people, under the direction of the Bingo manager, is in charge of the Bingo operation and equipment.
3. **All general Bingo rules** established by the State of Arizona must be followed.
4. **Conduct problems** will be handled by the Bingo Committee and as appropriate by the Board of Directors.

SECTION III BULLETIN BOARDS

1. **The Board Secretary** has overall responsibility for maintaining both the inside and outside bulletin boards according to the By-laws.
2. **Items placed on the left-hand outside courtyard bulletin board,** as a service to the dues paying members, must be dated per the instructions posted on the bulletin boards. This bulletin board is provided for the use of dues paying members only.
3. **Any item over 30 days old** will be removed as well as non-dated material.
4. **The center section of the outside courtyard bulletin boards** is for activity sign-up sheets and will be updated by the committee chairpersons and the board 2nd Vice President.
5. **The right-hand section of the outside courtyard bulletin board** is for Board associated items only.
6. **The activity calendar on the North wall** will be updated by the Board 2nd V.P.
7. **The west wall bulletin board** (facing the parking area) will be updated by the Board Secretary.
8. **The library bulletin board calendar** will be updated by the Board 2nd V.P.

SECTION IV CLEANING

1. **Personnel approved by the Board of Directors** will be paid to clean the pool, pool area, the pool area bathrooms and the clubhouse.
2. **Any other work performed** by these people over and above the duties described in the job descriptions (see Section XII) will receive compensation approved by a vote of the Board of Directors.

SECTION V CLUBHOUSE USE

1. **A copy of clubhouse rules and responsibilities** will be provided to those responsible for private parties and clubhouse activities. Strict adherence is required unless otherwise authorized by the Board.
2. **Private dues paying member parties:** The clubhouse is available to all dues paying members for private parties at no charge. A facility use permit and refundable deposit (as posted) is required along with prior approval by the 2nd Vice President of the Board of Directors to avoid conflict with other scheduled AVHOA activities. Dues paying members making the reservations are responsible for cleanup after the party, If significant cleaning or repair is needed following the activity all or part of the deposit may not be refunded. The amount of the refundable deposit is posted on the clubhouse bulletin board and in the AVHOA office. Alcoholic beverages are permitted on a BYOB basis **AND ONLY FOR THOSE OF LEGAL DRINKING AGE**, i.e., 21 years old and older. Further, the dues paying member making the reservations must sign a waiver stipulating alcohol will not be served to under age attendees. No open bar or cash bar arrangements are permitted.
3. **Funeral/memorial** services/dinners requested by a dues paying member, require a facility use permit and must be scheduled with the 2nd Vice President of the Board of Directors to avoid conflict with other scheduled AVHOA activities. There are no fees for these uses. Alcoholic beverages are not permitted. Food and cleanup are the responsibility of those who signed the use permit. Donations will be handled as follows:
 - a. Memorial donations of \$50 or more will be recognized by a standard sized nameplate on a plaque displayed in the clubhouse. All nameplates will be the same size regardless of the amount of the donation.
 - b. Material donations become the property of the AVHOA and will be handled by the Board.
4. **AVHOA activities:**
 - a. Breakfasts, dinners, concerts, dances, Bingo, etc, where a fee is charged are open to residents and non-residents. Dues paying members and their house guests will be charged the same fee. Other non-dues paying attendees will be charged a higher fee.
 - b. Potluck dinners, Saturday morning coffee hours, card nights, etc., where no fee is charged, are open to dues paying members and their guests only. However, a non-dues paying member resident may be invited to attend once per activity to encourage them to join the Association.

- c. Checks received for purchase of tickets for any AVHOA function should be make out to AVHOA.
5. **Special unscheduled functions** may be arranged by submitting a request for approval, including a proposed budget, to the Board 2nd V.P. in writing at least 30 days in advance of the event. If approved:
 - a. An “Application for use” form must be completed.
 - b. A committee chairperson for that activity will be appointed as per the AVHOA By-laws.
 - c. If a fee is charged, the committee chairperson must complete a financial statement following the event with the receipts attached and deliver it to the Board 2nd V.P. and Treasurer.
 - d. The committee chairperson is responsible for cleaning the facilities following the event.

SECTION VI COMPLAINTS AND VIOLATIONS

1. **General complaints** must be in writing, signed, and presented to a Board member in person or sent to the Board of Directors. It will be dealt with at the next Board meeting. If the complaint requires an urgent response, a special meeting of the Board will be called in compliance with the By-laws.
2. **Behavior complaints** should be referred to a a Board member immediately. Members are expected to follow the AVHOA rules and regulations and must treat other members and their guests with courtesy and respect. Rule violations, harassment, disruptive behavior, abusive or foul language or false accusations will not be allowed. All Board members have the authority to ask violators to leave the AVHOA clubhouse and/or property as appropriate.
3. **Final complaint resolutions** are the responsibility of the Board of Directors not individual Board members.

SECTION VII EVENT AND KITCHEN COMMITTEES

1. **Event Committees:**
 - a. Are limited to six (6) people including the chairperson. However, they may have additional volunteers to assist them with the required work.
 - b. Up to six (6) people including he chairperson will be entitled to free activity admission.
 - c. Must submit a proposed budget, including expenses and ticket pricing, for both dues paying members and non-dues paying members, to the Board 2nd V.P. for approval before expending any money. Unusual requests will be reviewed with the Board of Directors. All committee purchases become the property of the AVHOA.
 - d. Must complete a financial “Activities Report” form and submit it to the Board 2nd V.P. and Treasurer following the activity.
2. **Kitchen Committees**, limited to six (6) people who are working in the kitchen during any AVHOA activity are entitled to eat free the meal being served.

SECTION VIII FORMS

1. **All standardized forms** must be Board approved and dated with the approval date.
2. **Original “camera ready” forms** will be kept in a file in the AVHOA office in a three ring binder entitled “FORMS” with sheet protectors to keep them neat and professional looking and to make them easily accessible to everyone for copying.
3. **Standard forms will include** but are not limited to any and all forms used by the AVHOA to manage its usual operations, expense receipts, hall rental applications, new membership applications, By-laws, CC&R’s, activity financial reports, etc.

SECTION IX GENERAL RULES

1. **Smoking** is not permitted on any AVHOA property including parking lots, buildings, grounds and facilities.
2. **Pets**, except service animals, are not permitted on any AVHOA property including parking lots, buildings, grounds and facilities.
3. **AVHOA equipment** is not to be removed from AVHOA property.
4. **Alcoholic beverages** will be permitted at Social, potluck dinners, dinner dances, dances and private parties but only on a BYOB basis FOR THOSE OF LEGAL DRINKING AGE, i.e. 21 years old and older. No open bar or cash bar arrangements are permitted. They are never permitted in the billiard room, swimming pool and shuffle board areas or at meals such as breakfasts, soup suppers, etc., or at bingo.
5. **Inappropriate behavior** situations will be handled by an AVHOA Board member, if available and/or by the police as required.
6. **All outside gates** should be closed after entering or leaving the grounds. The gates may remain open as appropriate when AVHOA, members are present.
7. **Entertainers** -- Scheduling and paying entertainers (only non-dues paying member entertainers can be paid) is the responsibility of the Board 2nd V.P. and the President as defined in the AVHOA By-laws, Article VIII, Officers Section 4(B). Options for paying entertainers include contracting for:
 - a. A fixed fee
 - b. A passing-the-hat arrangement
 - c. A minimum guaranteed fee with a 50/50 split of everything received over the minimum when “Passing-the-hat.”

SECTION X GUESTS/VISITORS

1. **Guests/visitors** when using AVHOA facilities must be accompanied by a dues paying member having full facility use privileges unless otherwise authorized by a Board member.
2. **Guests/visitors** under the age of 18 who reside in the Apache Villa for more than 10 days must be registered at the AVHOA office. They can reside in the Villa for a maximum of 45 days per 365 day period. The Board of Directors must approve any extensions.

3. **Renters:**

- a. Homeowners must register their tenants with the AVHOA, including the tenant's address, contact information, and a copy of the rental/lease agreement with the commencement and termination dates.
- b. Renters may purchase a monthly clubhouse pass up to a maximum of three consecutive calendar months. Passes beyond three months require the purchase of an annual clubhouse pass at the rate listed on the posted fee schedule. The passes are not transferrable.
- c. A refundable deposit (amount listed on the posted fee schedule) is required for all renter passes. The deposit is refunded when the electronic gate keys are returned to the AVHOA office.
- d. At least one renter must be 55 years of age or older.
- e. An annual clubhouse pass may be purchased by the property owner for his/her renters.
- f. Renters have no voting rights.
- g. A name tag, white with red letters, will be required for all renters at the rate listed on the posted fee schedule. The name tags should be worn at all times when using the AVHOA facilities.
- h. Fees may be adjusted as necessary by Board action.

SECTION XI JOB DESCRIPTIONS

Job descriptions will be maintained in the AVHOA clubhouse.

SECTION XII MEMBERSHIP

1. **All residents of Apache Villa** are members of the Home Owners Association.
2. **Dues paying membership** permits the use of the recreational facilities and is open to all qualified Apache Villa residents as defined in the AVHOA By-laws.
3. **Annual dues paying membership fees**, as determined by the Board of Directors, must be paid in full to maintain membership. Current fees are posted on the clubhouse bulletin board and are available in the AVHOA office.
4. **Prorating annual dues paying membership fees** will be permitted for new Apache Villa homeowners, previous Apache Villa homeowners who sold their homes and later purchased an Apache Villa home, and homeowners who allowed their dues paying membership to expire without renewal for two consecutive years or more. If they join August 1, or after, in the membership year, their fees will be prorated through January 31, of the next year.
5. **Fee prorating** will be 1/12th of the posted annual fee times the number of months or any part of a month left in the membership year.
6. **The dues paying membership year** is February 1, through January 31, of the following year.
7. **A maximum of two electronic gate keys** will be issued per household (unless only one is requested). Additional or replacement gate keys can be purchased through the Board at the posted fee.
8. **Name tags** must be purchased along with a membership purchase at the posted fee through the AVHOA Board (unless the person already has a name tag) and should be worn when attending all AVHOA activities.

9. **All persons residing in a dues paying member's home**, including live-in caregivers will have full facility use privileges. Live-in caregivers must be registered with the Board of Directors and comply with the CC&R's item 13.
10. **Membership and gate keys** are transferrable to the new homeowner.

SECTION XIII PURCHASING AGENTS

1. **The Purchasing Agent**, appointed by the Board will be responsible for purchasing all supplies for their area of responsibility. Other volunteers may assist.
2. **The Purchasing Agent** is responsible for designating a replacement to cover these responsibilities during her/his absence.
3. **Committees wishing to purchase their own supplies** may do so after reviewing their "shopping list" with the respective Purchasing Agent to prevent duplication of supplies.
4. **Purchasers must submit ORIGINAL receipts** to the board Treasurer for reimbursement at least monthly.
5. **Purchasers may submit mileage expense reports** to the Board Treasurer for reimbursement at the rate specified by the IRS for that tax year.
6. **Mileage reimbursements** will be itemized on the Treasurer's financial reports.
7. **All purchases of \$100 or more in a given 24 hour period** must be verified, i.e., inventoried and the sales slip (receipt) initialed by a Board member before the expense is reimbursed.

SECTION XIV SHUFFLE BOARD COURT

1. **Use of the shuffleboard courts** is under the supervision of the Shuffleboard Chairperson. All dues paying members can have access to the shuffleboard courts and equipment after contacting the Shuffleboard Chairperson.
2. **A dues paying member must accompany all guests.**
3. **All shuffleboard rules** will be posted in the shuffleboard area. The posted rules must be followed or use privileges will be removed. All questions should be referred to the Shuffleboard Chairperson or a Board member.

SECTION XV SWIMMING POOL AND SPA

1. **There is no lifeguard on duty at any time.** PLEASE USE CAUTION. The Apache Villa Home Owners Association is not responsible for accidents.
2. **A dues paying member must accompany all guests.**
3. **No one under age 14 will be permitted in the spa.**
4. **All pool, pool area and spa rules will be posted** in the pool area. All of the posted rules must be followed or use privileges will be removed. All questions should be referred to a dues paying member or a Board member.
5. **Specific swim times** for dues paying members and their guests will be posted and enforced as needed.

SECTION XVI VOLUNTEERS

1. **All dues paying members who serve on committees**, help with activities, teach their skills to other members (such as teaching classes), help with any clubhouse activities that benefit the AVHOA and/or its membership in any way, are considered volunteers and therefore are not to be paid in any way except as defined in SECTION VII, Paragraphs 1.b. and 2.
2. **Dues paying members possessing special skills** required to maintain AVHOA facilities may be paid if:
 - a. Their skills are used to service AVHOA equipment/facilities
 - b. Their help would save AVHOA money by avoiding having to hire an outside firm
 - c. Their help was pre-approved by at least two (2) Board members.

SECTION XVII VOTING

1. **Only dues paying members may vote** as described in Article IV of the current By-laws.
2. **Voting may be by** “show of hands,” “voice,” or ballot as required in the by-laws.
3. **Absentee ballots** will be administered as follows:
 - a. **Requested in person**, the Board Secretary or other Board member will hand the ballot to the requestor and have them sign a receipt. The receipt will be filed in the AVHOA office. The requestor is no longer eligible to receive another ballot for that vote. However, the requestor can surrender the absentee ballot if they wish to vote in person.
 - b. **Requested in writing**, the written request will be filed by the Secretary or other Board member in the AVHOA office. The absentee ballot will be handed to the requestor or mailed to the requestor via certified mail “return receipt requested” along with a self-addressed return envelope (addressed to the AVHOA) and an envelope that is marked “ABSENTEE BALLOT” with no other writing on it. The requestor will inset the completed ballot into the “ABSENTEE BALLOT” envelope, seal it, insert it into the self-addressed envelope, and then send it to the AVHOA via certified mail “return receipt requested.” The requestor is responsible (per the By-laws) for getting the absentee ballot back to the AVHOA office no less than one day before the vote.
 - c. **The absentee ballot** will be opened at the time of the vote and placed with and counted with all other ballots that have been cast for that same purpose.
4. **When electing Board members**, the nominating committee of three (3) people, which according to the By-laws are new people every year, will function as the “ELECTION JUDGES” responsible for distributing the ballots to the eligible voters. The “ELECTION JUDGES” will also collect the completed ballots and place them in one large container along with the absentee ballots and mix them before counting them. The 1st and 2nd Vice Presidents are the “ELECTION SUPERVISORS” who supervise and may assist the “ELECTION JUDGES.”
 - a. **The ballots will be counted** and the totals recorded including write-ins for which all election ballots will provide space. Any ballot that has written comments or any other writing on it other than a name written in the write-in portion of the ballot, including absentee ballots, will be considered a spoiled ballot and will not be counted. Upon request by any member the totals will be made available to them.
 - b. **The President of the board of Directors** will announce the winners.

If a dues paying member questions, desires to change, or wants to add a new rule, they should notify a Board member and send a written and signed summary of the request to the Board. The Board of Directors shall decide whether to place the proposed rule to a vote of the membership. To ensure they are legally enforceable, proposed changes to the Rules and Regulations should be reviewed by the Association's legal counsel as appropriate before the dues paying members vote.

RULES AND REGULATIONS REVISION COMMITTEE

Jeff Bell, LaRue Boyle, Byrdie Booker, Dan Burns, Bonnie Gustafson

AVHOA BOARD REVIEW ON MARCH 13, 2013

**LaRue Boyle, Treasurer Dan Burns, President Mindy Dresback, 2nd V.P.
Ted Lewis, 1st V.P. Brenda Link, Secretary**

DUES PAYING MEMBER APPROVAL VOTE ON APRIL 6, 2013.