

**LAKE MOOVALYA KEYS  
Board of Directors  
Regular Meeting**

**December 3, 2012**

**CALL TO ORDER**

President Jack Sweeney called the regular meeting of the Lake Moovalya Keys Board of Directors to order at 6:00 p.m.

**PRESENT**

*President:* Jack Sweeney

*Vice President:* Chuck Baker

*Secretary/Treasurer:* Laura Lancaster

*Board Members:* Blane Coon, William (Squeak) Kossnar, Kit Furnell, Christie May Ward & Ryan Shubin

**ABSENT** Chris Chambers

**OTHERS PRESENT**

*Bookkeeper/Recording Secretary:* Sue Thomson

*General Manager:* Heather Wilson

*Legal Counsel:* John C. Churchill

*Guests:* Gary Svider (Lot 233) & Charlie Ward (Lot 227)

**CALL TO PUBLIC**

**MINUTES**

*Ms. Ward moved to approve the November Minutes; Mr. Baker seconded the motion and the motion carried unanimously.*

*Mr. Baker moved to approve the November Executive Session Minutes; Ms. Ward seconded the motion and the motion carried unanimously.*

**FINANCIAL REPORTS**

*Mr. Shubin moved to approve the Bookkeeper Report, Prepaid Bills & Bills for Approval. Ms. Lancaster seconded the motion.*

## PREPAID BILLS FOR APPROVAL

Date	Num	Name	Memo	Amount
11/07/2012	6541	Heather Wilson	Re-seed	150.00
11/07/2012	PC	Circle K	Fuel for yard equipment	31.03
11/07/2012	PC	Dollar Store	Pinesol	25.85
11/07/2012	PC	Otis Hall	Misc. property clean-up (9/28)	100.00
11/07/2012	PC	Ace Hardware	Sprinkler repair parts	68.59
11/07/2012	6542	Petty Cash	Replenish (\$225.47)	
11/07/2012	6543	Henderson Marine Supply	Buoy, No Wake, Model 427R	268.00
		"	Solar dock light	195.00
		"	Shipping	95.00
11/07/2012	6544	Frontier	667-2840	59.42
		"	667-4484	62.91
11/07/2012	6545	Allied Waste Services	3-0527-0040037	2,392.99
11/07/2012	6546	Davis Building Supply	Landscape maintenance	496.78
11/08/2012	6547	VOID	VOID:	0.00
11/15/2012	6548	Heather Wilson	Advance	925.00
		"	Fuel	100.00
11/15/2012	6549	APS	589381281	1,541.04
11/15/2012	6550	AT&T	928-667-4484	32.57
11/19/2012	6551	Desert Dominion Security	Thanksgiving (30 hrs.)	784.50
11/19/2012	6552	Brooke Utilities, Inc.	53017-11860	246.04
11/27/2012	6553	APS (2)	732930287	55.83
11/30/2012	*	Heather Wilson	November balance	925.00
		"	Fuel	100.00
11/30/2012	*	Otis Hall	November Groundskeeping	750.00
11/30/2012	*	Sue Thomson	November	1,150.00
		"	October Pitney Bowes Rental	28.00
		"	Postage	8.35
				<b>10,591.90</b>

## BILLS FOR APPROVAL

Law Office of John C. Churchill (HOA – Oct. & Nov.)	\$405.00
Law Office of John C. Churchill (Grybowski – Nov.)	\$184.45

*Mr. Baker moved to approve the November Balance Sheet; Mr. Coon seconded the motion and the motion carried unanimously. Ms. Lancaster moved to approve the November Profit & Loss Statement; Mr. Baker seconded the motion and the motion carried unanimously.*

Collections Report – No discussion.

## GENERAL MANAGER REPORT

*Mr. Shubin moved to approve the November General Manager's Report; Mr. Coon seconded the motion.* Mr. Coon said he was approached by an 85 year old Vista Del Monumento resident who said he has no driver's license and needs to drive his golf cart to the dumpsters. Mr. Coon said the rule is being enforced because some people are racing around; Ms. Wilson said most people are okay with the licensed drivers' issue, and she has put over 200 vehicles on notice. Mr. Ward said that Ms. Wilson is doing a tremendous job, and there have been no conflicts, and the landscape is in good condition.

Mr. Churchill said he defended a DUI golf cart case in the Keys years ago, where the cart's battery was dead and the cart had to be pushed, and still the operator was cited. He also mentioned a case in Phoenix where someone in a motorized wheelchair was cited for DUI. He stated that Ms. Wilson is almost always in the Keys, picking up poop and checking on residents, and she is doing a great job. The Board was in general consensus that Ms. Wilson is going a great job.

Mr. Baker said there were some guys towing two kids on skateboards over the holiday weekend, which Ms. Wilson put a stop to, and security stopped them twice. Mr. Baker said the weekend went well otherwise. Mr. Baker asked about the procedure for warnings and citations, specifically, if someone got a warning over Thanksgiving weekend, and they are in violation again over New Year's weekend, will they get another warning, or will they get a citation. Ms. Wilson said she went to a lot of work to let people know they get one warning per house, per weekend. Mr. Sweeney said that at some point the warnings should stop, after the initial warning, and citations should be given, perhaps in the second quarter of 2013. Ms. Wilson said security has been following violators back home, and everyone has probably seen the warning banner. She said security remembers people who violate the rules.

Ms. Lancaster asked about the monetary amount of such fines, and Mr. Churchill said we have reckless driving fines of \$25/\$50/\$100 for first, second and subsequent violations per lot, and Mr. Coon said that the homeowner gets the fine. Ms. Ward asked about renters who get a citation, and then a different renter from the same lot gets a citation—is that considered a second ticket. Ms. Wilson said the homeowner gets the fine, not the renters, so that would be a subsequent violation.

Mr. Sweeney asked if we want to do warnings to the same house over two subsequent holidays, and Mr. Baker suggested that we start giving tickets; Ms. Furnell suggested we enforce the rule after the first of the year, and Mr. Sweeney suggested warnings until a certain date, then issue tickets without warnings thereafter. Ms. Wilson said she has a new 3-part citation/incident report form.

Ms. Furnell asked how homeowners who rent their properties find out about citations and warnings which a renter has received. Ms. Wilson said the rental agent is informed of a citation, and the fine is deducted from the security deposit which they posted with their rental agent. Mr. Sweeney said that warnings can be posted at the gate, and once the owner has been notified of a renter's violation, a ticket can be issued. Mr. Shubin

suggested that we do what we did last weekend and see how it works out, and Mr. Sweeney said Ms. Wilson should use her judgment. Mr. Sweeney recommended that the warning banner stay up through the end of the holidays. Ms. Wilson said the banner will be posted every big weekend.

Security needs for the New Years' holiday were discussed, with Ms. Wilson working out a schedule for them.

## **OLD BUSINESS**

Lighting at the gate – Mr. Sweeney said he can't yet find anything that he likes; that we need incandescent or LED lighting. Mr. Coon said he bought LED motion lights for his house, but Mr. Sweeney said the lights can't be of the spotlight type; they have to filter down.

Oleanders – The oleanders will be trimmed next week.

Reward Statute – Mr. Churchill said the \$500 offered reward is not a statutory reward. Mr. Sweeney asked if it applies to HOA property only, or individuals' properties as well. Mr. Churchill said the reward is discretionary to the Association; that it is not clear if it applies to private homes. Mr. Baker said it was intended to serve the best interests of the Association's property. Mr. Churchill said that if someone comes in by water and damages a homeowner's property, he is not sure if the Board is authorized to pay a reward. Mr. Sweeney asked for clarification—does it include Keys property only. Mr. Ward asked Mr. Churchill if he was suggesting that the Board vote to extend the reward to homeowners' property damages, and Mr. Churchill replied in the affirmative.

*Mr. Coon made a motion that the Association offer a reward of \$500 for information leading to the arrest and conviction of person(s) guilty of vandalism or destruction of either Association property or individual homeowners' properties. Ms. Ward seconded the motion, and the motion carried unanimously.*

Annual Community Garage Sale – Ms. Furnell said the annual community garage sale will not be happening.

Falling Dock at Lots 217/218 – Ms. Thomson sent the homeowner a letter and photo on November 20 to repair or remove their falling dock. No action has been taken as yet.

## **NEW BUSINESS**

### **ADJOURNMENT**

The regular meeting adjourned at 6:36 p.m.

The next regular meeting date was set for January 7, 2013.

Submitted by Recording Secretary, Sue Thomson  
APPROVED BY BOARD OF DIRECTORS JANUARY 7, 2013