

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

**October 6, 2014**

**CALL TO ORDER**

President Jack Sweeney called the regular meeting of the Lake Moovalya Keys Board of Directors to order at 6:02 p.m.

**PRESENT**

*President:* Jack Sweeney

*Vice President:* Chuck Baker

*Secretary/Treasurer:* Laura Lancaster (6:05)

*Board Members:* Christie May Ward, Kit Furnell, Mark Nicholls (6:05) & Tony Gaipa (6:05)

**ABSENT**

Chris Chambers & Ryan Shubin

**OTHERS PRESENT**

*General Manager:* Heather Wilson

*Business Manager/Recording Secretary:* Sue Thomson

*Legal Counsel:* John C. Churchill

*Guests:* Gary Svider (233), Kathy Northcutt (73/102), Charlie Ward (227), Steve Heisen (166), Kim Harsch (Robert Gory Realty) & Carla Faulkner (David Plunkett Realty)

**CALL TO PUBLIC**

**MINUTES**

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

**FINANCIAL REPORTS**

*Ms. Ward moved to approve the Bookkeeper Report, Prepaid Bills & Bills for Approval; Mr. Gaipa seconded the motion and the motion carried unanimously.*

## **PREPAID BILLS FOR APPROVAL**

09/03/2014	6865	Otis Hall	Storm clean-up	100.00
09/05/2014	6866	Desert Dominion Security	August 29-31	748.65
09/05/2014	6867	Frontier	667-2840	64.43
		"	667-4484	62.08
09/05/2014	6868	Davis Building Supply	Dumpster supplies	36.14
09/09/2014	6869	Law Office of John C. Churchill	HOA 7/31	75.00
09/12/2014	EFT	Brooke Utilities, Inc.	53017-11860	261.54
09/12/2014	6870	APS	732930287 & 589381281	1,675.04
09/14/2014	EFT	Allied Waste Services	3-0527-0040037	2,535.77
09/15/2014	6871	Heather Wilson	Advance	925.00
		"	Fuel	100.00
09/15/2014	6872	Peachtree Business Products	Dog station supplies	234.56
09/18/2014	6873	Parker Office Supply	#9 return envelopes	108.79
09/30/2014	6874	La Paz County Treasurer	311-41-249C (in full)	1,268.06
		"	311-41-003B (in full)	5.28
09/30/2014	6875	Heather Wilson	September balance	925.00
		"	Fuel	100.00
09/30/2014	6876	Otis Hall	September Groundskeeping	750.00
09/30/2014	6877	Sue Thomson	September	1,150.00
		"	August Pitney Bowes Rental	28.00
		"	Postage	<u>118.39</u>
				11,271.73

## **BILLS FOR APPROVAL**

NONE

*Mr. Baker moved to approve the September Balance Sheet; Ms. Ward seconded the motion and the motion carried unanimously. Ms. Ward moved to approve the September Profit & Loss statement; Ms. Lancaster seconded the motion and the motion carried unanimously.*

## **GENERAL MANAGER'S REPORT**

No citations were issued.

*Ms. Furnell moved to approve the September General Manager's Report; Ms. Lancaster seconded the motion.* There was discussion about a homeowner complaint that the parking lot is not a pass-through type and that people are having trouble backing in and getting out. Ms. Wilson proposed the installation of a *No Parking* sign at the Hopi Drive opening. Mr. Baker said there's been prior talk of marking spaces, but that's hard to enforce, so we just made it a free-for-all lot. Ms. Wilson said she's had more than one complaint. There have been comments about people renting Lot 200 frequently using the lot; Ms. Wilson said that parking in the lot is on a first-come, first-serve basis but wondered if there is sometimes a fire hazard. Ms. Ward said vehicles parked in the lot have lot ID stickers on them so that we can contact the owners. Mr. Gaipa said the lot is odd shaped, and if we could remove five oleanders, we could get another 30' of open space where Hopi Drive is. Then trailers could park parallel with Hopi Drive. He said there is just dead space now in the lot with those bushes where they are. Mr. Baker said if we did that then trailers would stick out in the street. Ms. Furnell said people

should just be courteous and leave room for others. Ms. Ward said we could establish boundaries and fine those who do not park within the boundaries. Mr. Sweeney said that, personally, parking should be first come, first serve with lot stickers affixed on all vehicles and trailers, and if they aren't marked, they can be towed away. We've chased people down before, and he is not in favor of restrictions.

*Mr. Baker made a motion that we leave the parking lot as it is; Ms. Ward seconded the motion and the motion carried unanimously. There being no further discussion on the General Manager's Report that motion carried unanimously.*

## **OLD BUSINESS**

Tenant Information Sheet Revision – Mr. Gaipa presented some changes and the addition of a page 2 to the current Tenant Information Sheet, including tenants' initialing of the maximum number of vehicles that may park on a rental property. There was a discussion about whether or not we can legally ask for minors' names on the TIS, and Mr. Churchill said we can only ask for adults' names, addresses and telephone numbers. Further discussion and vote was tabled until next month so that the revisions can be finalized. Ms. Thomson will present a clean copy of the proposed revisions and additions to the Board at the next meeting.

Brooke Utilities Fence – Ms. Wilson said she is still working with Brooke on the boulders project; that Kyle, who is recovering from a serious accident, is the one who would do the work. She also said that Mike Dyer would provide the boulders at a cost of \$150, but he told Mr. Wilson that dirt work needs to be done first, and Kyle usually does that. Mr. Sweeney said he is okay with the \$150 for the boulders, but we shouldn't be moving any dirt on their property, as that would be a problem with our liability insurance carrier. Ms. Wilson said she will talk to the Brooke Utility boss about the process.

Entrance Improvements – Ms. Wilson is working on two proposals for decorative rock at the entrance and by the grass area/mailboxes. She is also asking for a separate estimate for erosion repair and busted up concrete at the parking lot, on both sides by the oleanders, and a clean-up of cactus.

North Buoy – Mr. Sweeney said he hasn't had the time yet to rebuild the anchor for the north buoy.

Ehlers' Dog Nuisance – Mr. Churchill sent a letter to the Ehlers about their dog, per the discussion on the matter at the September meeting.

## **NEW BUSINESS**

Short-Term Rental Intention Disclosures – There was discussion about how we can inform potential buyers in escrow of our short-term rental requirements, specifically the submission of a security deposit, and also to make them aware of our rules so that they can be fully informed before closing escrow. Ms. Lancaster said she is not necessarily interested in perhaps having

buyers submit a security deposit through escrow, just that they know what to expect when they start renting.

Mr. Churchill said that while we can't collect security deposits through escrow, we should already be providing potential buyers with a disclosure package. Ms. Thomson said she directs all potential buyers to our website on all escrow demands she submits, which she believes fulfills our disclosure requirements, and once they close escrow she sends a complete packet of disclosure to the new buyer. Mr. Churchill advised a more conservative approach to disclosure, such as a CD with pdf documents being sent to all potential buyers, or e-mailing pdf disclosure documents to them. He also advised that an addendum to the escrow demand be included, demanding buyers acknowledge in writing that they are aware that if they rent their property short term, they must submit a security deposit. In the alternative, he said we can also send to escrow, for forwarding to the buyer, a copy of the rules, with the security deposit requirement highlighted. Ms. Lancaster said she would merely like potential buyers to be notified about the rules of renting. *Mr. Sweeney made a motion that when a demand is submitted to escrow, we send a copy of the rental rules with the security deposit requirement highlighted for the buyer; Ms. Lancaster seconded the motion and the motion carried unanimously.* Mr. Churchill and Ms. Thomson will discuss the disclosure statute later.

The meeting adjourned to Executive Session at 6:34 p.m. and reconvened at 6:45 p.m.

*Mr. Baker made a motion to remove Mr. Shubin from the Board due to multiple absences; that he has missed more than three meeting this year. Mr. Sweeney seconded the motion.* Mr. Baker said we should have someone on the Board that can be more involved. Mr. Nicholls asked what happens next, and Mr. Baker said the Board has the right to appoint a replacement mid-term, or it can wait until the next Annual Meeting. Mr. Gaipa asked if we could give Mr. Shubin a heads up. Mr. Sweeney said he thinks Mr. Shubin has moved to Tucson, and he is not making an effort to participate as a Board member. He said at 6:00 p.m. tonight we didn't have a quorum, as Ms. Lancaster, Mr. Gaipa and Mr. Nicholls were a few minutes late. Mr. Churchill said a Board member can be removed for missing three meetings within a calendar year.

*Mr. Gaipa made a motion to give Mr. Shubin a heads up that the Board is desirous of removing him. The motion was seconded and approved for Mr. Sweeney to make the call to Mr. Shubin to so inform him.*

*Mr. Baker withdrew his prior motion and the matter was tabled until next month.*

## **ADJOURNMENT**

The meeting adjourned at 6:54 p.m.

The next meeting date is November 3, 2014.

Submitted by Recording Secretary, Sue Thomson  
APPROVED BY BOARD OF DIRECTORS NOVEMBER 3, 2014