

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

**September 8, 2014**

**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

*Board Members:* Chris Chambers (6:10), Christie May Ward, Kit Furnell, Mark Nicholls, Tony Gaipa & Ryan Shubin (via teleconference)

**ABSENT**

*Secretary/Treasurer:* Laura Lancaster

**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), Squeak Kossnar (122), Robbie Kaufman (180), Kim Harsch (Robert Gory Realty) & Carla Faulkner (David Plunkett Realty)

**CALL TO PUBLIC**

**MINUTES**

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

**FINANCIAL REPORTS**

*Mr. Shubin 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**

07/01/2014	6833	Desert Dominion Security	6/27 & 6/28	434.70
07/02/2014	6834	CopperPoint Mutual	May & June	224.00
07/08/2014	6835	Law Office of John C. Churchill	HOA 6/30	100.00
07/08/2014	6836	Frontier	667-2840	75.00
		"	667-4484	62.38
07/08/2014	6837	Davis Building Supply	Oil, PineSol, Soaker Hoses	74.48
07/08/2014	6838	Desert Dominion Security	July 3-5	748.65
07/08/2014	6839	Havasu Sweeping	Street sweeping	440.00
07/15/2014	EFT	Allied Waste Services	3-0527-0040037	3,141.58
07/15/2014	6840	NetServeOnSite	Annual web maintenance	240.00
07/15/2014	6841	Global Gate Controls, Inc.	25 Stanley remotes	312.50
07/15/2014	6842	APS	732930287 & 589381281	1,668.71
07/15/2014	6843	Heather Wilson	Advance	925.00
		"	Fuel	100.00
07/15/2014	6844	Desert Dominion Security	July 11 & 12	434.70
07/22/2014	6845	Desert Dominion Security	July 18 & 19	434.70
07/23/2014	EFT	Brooke Utilities, Inc.	53017-11860	209.92
07/24/2014	6846	Parker Tree Service	Trim trees	600.00
07/28/2014	6847	Desert Dominion Security	July 25 & 26	434.70
07/31/2014	6848	Heather Wilson	July balance	925.00
		"	Fuel	100.00
07/31/2014	6849	Otis Hall	July Groundskeeping	750.00
07/31/2014	6850	Sue Thomson	July	1,150.00
		"	June Pitney Bowes Rental	28.00
		"	Postage	7.20
08/14/2014	EFT	Allied Waste Services	3-0527-0040037	2,882.97
08/14/2014	EFT	Brooke Utilities, Inc.	53017-11860	242.14
08/14/2014	6851	Desert Dominion Security	August 1 & 2	434.70
08/14/2014	6852	Davis Building Supply	Cleaners	55.84
		"	Batteries, saw blade, ties	65.16
08/14/2014	6853	Frontier	667-2840	53.06
		"	667-4484	62.08
08/14/2014	6854	DoorKing Inc.	Annual server subscription	87.40
08/14/2014	6855	K Storage, Inc.	M-3	247.50
08/14/2014	6856	APS	732930287 & 589381281	1,654.61
08/15/2014	6857	Heather Wilson	Advance	925.00
		"	Fuel	100.00
08/15/2014	6858	Desert Dominion Security	August 8 & 9	434.70
08/15/2014	6859	Cintas	Backflow inspection	46.39
08/19/2014	6860	Desert Dominion Security	August 15 & 16	434.70
08/27/2014	6861	Desert Dominion Security	August 22 & 23	434.70
08/29/2014	6862	Heather Wilson	August balance	925.00
		"	Fuel	100.00
08/29/2014	6863	Otis Hall	August Groundskeeping	750.00
08/31/2014	6864	Sue Thomson	August	1,150.00
		"	July Pitney Bowes Rental	28.00
		"	Postage	12.04
				24,747.21

**BILLS FOR APPROVAL**

Law Office of John C. Churchill (7/31/14 invoice - HOA) \$ 75.00

*Mr. Baker moved to approve the July and August Balance Sheets; Ms. Ward seconded the motion and the motion carried unanimously. Mr. Baker moved to approve the July and August Profit & Loss statements; Ms. Furnell seconded the motion and the motion carried unanimously.*

**GENERAL MANAGER’S REPORT**

Ms. Wilson reported that she received a call on 8/5 from homeowners at Lot 165. Owner’s granddaughter was out walking her dog when the Ehlers’ pit bull got loose from its owner again and charged the girl and her dog. She was able to get her little dog on top of a vehicle and yell until help came. Ms. Wilson contacted Animal Control and they came out to take a report and meet with the Ehlers. Ms. Wilson also talked to the Ehlers.

**Citations Issued:**

07/11/2014	118 - Gaipa	White line	Rental	50.00
07/13/2014	311-40-018B (Schneider)	White line	Rental	200.00
07/13/2014	114 – Leek/Briano	White line	Owner	25.00
07/13/2014	132 - Gooding/Henley	White line	Rental	50.00
07/24/2014	050 - Bru	White line	Rental	50.00
08/09/2014	118 - Gaipa	White line	Rental	50.00
08/16/2014	085 – Moody/McHale	White line	Rental	50.00
08/16/2014	162 - Lancaster	No-parking zone/no Lot ID	Rental	50.00
08/17/2014	132 - Gooding/Henley	White line	Owner	50.00
08/26/2014	114 - Leek	White line	Rental	<u>100.00</u>
				<u>675.00</u>

*Ms. Ward moved to approve the July and August General Manager’s Reports; Mr. Gaipa seconded the motion and the motion carried unanimously.*

**OLD BUSINESS**

Fireworks – Mr. Sweeney said there is no clause in our CC&R’s about fireworks, as he had previously stated there was; he was confusing our CC&R’s with another HOA’s.

Nomination Form – *Mr. Sweeney made a motion to accept the draft Nomination Form with one change—that being moving the distribution date to the end of this year, with a new deadline for submission of January 31, 2015. Ms. Furnell seconded the motion and the motion carried unanimously.*

Buckskin Fire Dept. Donations – Mr. Chambers reported that the contribution for the use of the Fire Department premises for Association meetings is to be at an hourly rate, and he will get back to us next month as to what that hourly rate is.

Homeowner Directory Project – *Mr. Baker made a motion to approve the draft Homeowner Directory Project inquiry form and that it be distributed to the members with the next dues' statements. Mr. Shubin seconded the motion and the motion carried unanimously.*

Tenant Information Sheet Revision – Mr. Gaipa had only one copy of a proposed Addendum to the Tenant Information Sheet. It was passed around but further discussion didn't ensue. [To be discussed next month.]

Brooke Utilities Fence – Ms. Wilson said she is talking to Brooke about installing boulders at the property line, which they agreed to. She said she will ask Mike Dyer for a price on the boulders.

## **NEW BUSINESS**

Ehlers' Dog Nuisance - Mr. Sweeney discussed the third incident with the Ehlers' (170) pit bull chasing people. He said Animal Control is not doing anything. He said we have previously had another dog declared a nuisance in the Keys where we banned the dog from the Keys. He suggested that we do the same with the Ehlers if there is one more incident. Ms. Wilson said that because Animal Control didn't witness these incidents with the Ehlers' dog, and no one was hurt, they can't do anything, but Animal Control did tell the dog's owners to restrain the animal. Animal Control has been called out on all three incidents with this pit bull. Mr. Baker warned of Association liability if something happens and we haven't taken action to have the dog declared a nuisance and ban it from the Keys. Mr. Sweeney said that he expected Ms. Ehlers to be at this meeting, since she knew we'd be discussing the matter, but she is not here.

*Mr. Baker made a motion to have legal counsel send a letter to the Ehlers' stating that if their pit bull is not kept restrained and there is one more incident of it running loose, that it be declared a nuisance, requiring the dog to be permanently banned from the Keys. Mr. Sweeney seconded the motion and there were five votes in favor (Mr. Sweeney, Mr. Baker, Mr. Gaipa, Ms. Furnell and Mr. Shubin); Mr. Chambers, Ms. Ward and Mr. Nicholls abstained. The motion carried.*

Briano (Leek) Citation Protest – Ms. Briano's citation protest was discussed. Ms. Briano (98/99) had permission to park on the Leek (114) property when the violation occurred. Because this would be her first citation, she protested the fact that the citation should have gone to her, and in an amount of only \$25. She also protested the fact that the vehicle's tires were on the white line, but not over it. It was determined that if any part of the vehicle is over the line, in this case the front of the vehicle, particularly the side-view mirror, the citation should stand.

*Mr. Baker made a motion that the white line citation caused by Ms. Briano's violation at Mr. Leek's property be upheld. Mr. Gaipa seconded the motion and the motion carried with yes votes from all, with the exception of Ms. Ward abstaining. Ms. Furnell made a motion that the cost of Ms. Briano's white line citation be reduced to \$25 since this is her first offense. Mr. Chambers seconded the motion and the motion carried unanimously.*

Vista del Monumento Acres (VDMA) Parking Violations – There was discussion about issuance and enforcement of parking citations given to VDMA owners, due to the recent issuance of several parking citations to a VDMA owner. Mr. Sweeney said he and Mr. Kossnar researched street history of the Keys and VDMA; he said both had previously tried to have Yuma County annex the streets, but Yuma County wouldn't take them, so VDMA deeded the streets to the Keys with rights of ingress and egress. In return, VDMA owners would have no responsibility for maintenance of the streets, so VDMA owners legally have no right to park on the street at all, and they have no obligation to provide funds for street maintenance, but we allow them to park on the street as long as they are not abusing the privilege. VDMA owners also do not have the right to park in the common lot. Ms. Wilson was told she could continue to write citations to VDMA owners since the Keys owns the streets. No other action was taken on the matter.

Short-Term Rental Intention Disclosures – Ms. Lancaster previously requested a Board discussion about the possibility of requiring buyers in escrow to disclose any short-term rental intentions, along with the remittance of the security deposit in escrow. Since Ms. Lancaster is absent, the matter was tabled until next month.

Court Case Involving Apache Residents – Scott Sharpe sent the Board an e-mail in July requesting Board assistance with a court case involving some Apache Loop residents. Mr. Baker said he discussed the matter with Mr. Churchill, sharing Mr. Sharpe's e-mail with him. Mr. Sweeney said that because we have no information about the incident, it would be difficult to be of any help in the case. We didn't see it happen, and we don't know what happened. Ms. Furnell said she has been trying to find a witness, without success. Mr. Sweeney said he's heard two sides to the story, and because he has no cardinal knowledge of the incident, no action is to be taken.

Entrance Improvements – Ms. Wilson would like to get pricing on replenishing the decorative rock at the entrance and by the grass area/mailboxes.

North Buoy – Mr. Sweeney said the cable was severed at the north buoy, and he can't locate the 300 lb. anchor. *Mr. Baker made a motion that Mr. Sweeney be authorized to build another anchor from concrete and rebar; Mr. Nicholls seconded the motion and the motion carried unanimously.*

The next meeting date is October 6, 2014.

## **ADJOURNMENT**

The meeting adjourned at 6:45 p.m.  
Submitted by Recording Secretary, Sue Thomson  
APPROVED BY BOARD OF DIRECTORS 10/6/14