

LAKE MOOVALYA KEYS
Board of Director
Approved Meeting Minutes
November 6, 2017

CALL TO ORDER:

Vice President Mark Nicholls called the Regular Meeting of the Lake Moovalya Keys Board of Directors to order at 6:00 pm.

PRESENT:

| | | |
|---------------------|-------------------|---------------------|
| President: | Tony Gaipa | Lot 118 |
| Vice President | Mark Nicholls | Lot 169 |
| Secretary/Treasurer | Kit Furnell | Lot 16 |
| | Kathy Northcutt | Lot 73 and Lot 102 |
| | Chuck Smith | Lot 103 and Lot 104 |
| | Chuck Baker | Lot 116 and Lot 117 |
| | Jack Sweeney | Lot 197 |
| | Bill Manderscheid | Lot 228 |

OTHERS PRESENT:

| | | |
|--|-------------------|---------------------|
| General Manager/ Recording Secretary: | Heather Wilson | Lot 166 |
| Legal Counsel: | John C. Churchill | Lot 153 and Lot 154 |

ABSENT:

| | |
|----------------|---------|
| Chris Chambers | Lot 164 |
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GUESTS:

| | |
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| Kim Harsh | Robert Gory Realty |
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CALL TO THE PUBLIC:

No response from the public

MINUTES:

Mr. Manderscheid made a motion to approve the October 2017 **Meeting Minutes**. Mr. Nicholls seconded the motion and the motion carried unanimously.

BOOKKEEPERS REPORT, PREPAID BILLS AND BILLS FOR APPROVAL:

Mr. Sweeney made a motion to approve the October 2017 Bookkeepers Report, Prepaid Bills and Bills for approval. Mr. Manderscheid seconded the motion and the motion carried unanimously.

OCTOBER PREPAID BILLS & BILLS FOR APPROVAL

PREPAID BILLS:

| Date | Num | Name | Memo | Amount |
|------------|-------|---------------------------------|-----------------------------|------------------|
| 10/06/2017 | 7396 | La Paz County Treasurer | 311-41-249C (in full) | 1,433.10 |
| | | " | 311-41-003B (in full) | 5.50 |
| 10/06/2017 | 7397 | Havasu Sweeping | Street sweeping | 440.00 |
| 10/06/2017 | 7398 | Frontier | 667-2840 | 71.13 |
| | | " | 667-4484 | 68.69 |
| 10/06/2017 | 7399 | Davis Building Supply | Landscape supplies | 45.12 |
| | | " | Cleaning supplies | 8.76 |
| 10/07/2017 | DEBIT | MyFax Services | Virtual Fax Fee | 10.00 |
| 10/11/2017 | 7400 | Buckskin Fire Dept. | Usage fee for Board Meeting | 25.00 |
| 10/11/2017 | 7401 | Law Office of John C. Churchill | Sept. HOA | 165.00 |
| 10/13/2017 | 7402 | Heather Wilson | GM Advance | 1,200.00 |
| | | " | Fuel | 100.00 |
| | | " | Recording Secy. Advance | 125.00 |
| 10/15/2017 | DEBIT | Republic Services | 3-0527-0040037 | 3,661.78 |
| 10/17/2017 | 7403 | Global Gate Controls, Inc. | 25 remotes | 312.50 |
| 10/24/2017 | DEBIT | Brooke Utilities, Inc. | 53017-11860 | 250.10 |
| 10/24/2017 | DEBIT | APS | 6125100000 | 1,661.37 |
| | | " | 6276651000 | 98.67 |
| 10/31/2017 | 7404 | Otis Hall | October Groundskeeping | 800.00 |
| 10/31/2017 | 7405 | Heather Wilson | GM Balance | 1,200.00 |
| | | " | Fuel | 100.00 |
| | | " | Recording Secy. Balance | 125.00 |
| 10/31/2017 | 7406 | Sue Thomson | October Bookkeeping | 1,250.00 |
| | | " | Postage | 12.25 |
| | | | | <u>13,168.97</u> |

BILLS FOR APPROVAL:

Law Office of John C. Churchill (October/HOA) \$165.00

FINANCIAL REPORTS:

Balance Sheet

Mr. Manderscheid made a motion to approve the October 2017 **Balance Sheet**. Ms. Furnell seconded the motion and the motion carried unanimously.

Profit and Loss Report

Ms. Northcutt made a motion to approve the October 2017 **Profit and Loss Statement**. Mr. Sweeney seconded the motion and the motion carried unanimously.

GENERAL MANAGER'S REPORT:

Mr. Smith made a motion to approve the October 2017 **General Manager's Report**. Mr. Nicholls seconded the motion and the motion carried unanimously.

OLD BUSINESS:

Construction Progress Report

Ms. Wilson reported that we currently have ten (10) lots in the Moovalya Keys that are under construction or are pending Architectural Drawings for Board approval, varying from; new construction, garage additions, interior and exterior remodels. These Lots are as follows: Lot 14, Lot 41, Lot 56, Lot 67, Lot 101, Lot 123, Lot 199, Lot 207, Lot 224, Lot 227

Ms. Wilson reported that Lot 232 is now up for sale and has been removed from the list and that Lot 234 has completed their construction and the Property Owner has been refunded their construction deposit.

Lot 181 - 8801 Yaqui Loop

Ms. Wilson reported that the Halls are not present at the meeting today to report on the construction progress of their lot, but she has spoken with the licensed contractor and the Halls have signed a contract with the Contractor and the Halls have secured a the contract with a 50% deposit for the work to be done. Ms. Wilson also reported that the work should be starting on Wednesday November 8, 2017.

Mr. Nicholls asked the Board if the work that is being done going to bring the Halls Property up to code and the standards of the Moovalya Keys. Mr. Sweeney stated that we will have to wait until they are completely finished before that determination is made.

Ms. Wilson stated that the she will get in touch with the Halls and ask them to be present at the next meeting.

Brooke Utilities

Mr. Gaipa reported that he has read the response letter back from Brooke Utilities, which basically states that they are not going to pay our cleanup bills from last February 2017 and March 2017. Mr. Gaipa asked the Board if they felt we need to proceed further legally.

Mr. Sweeney reported that in the past were **not** successful in collecting monies directly from Brooke Utilities so we took them to court and a judgement was made against Brooke Utilities. Mr. Sweeney stated that once Brooke Utilities received their judgement they eventually paid the bill, but this was about a two (2) year process.

Mr. Manderscheid stated that the Brooke Utilities' letter also alleges that there is no wording in our CCR's that states that Utility Companies must perform a clean up to any sort of standard. Mr. Manderscheid also stated that the Moovalya Keys needs to address that and that we need to set a standard for all Utility Companies that come on to the property and cut open our streets.

Mr. Smith stated that we need to let all Utility Companies and Contractors know that when they are finished working on our streets, that we require that the property is returned back to its' original condition.

OLD BUSINESS CONTINUED:

Brooke Utilities

Mr. Churchill reported that basically Brooke Utilities has trespassed onto our property and they have damaged it, so we have the right to seek payment for damages, which we have, so they have been notified of the monies owed due to their damage.

Mr. Sweeney stated that Brooke Utilities may claim that they have a utility easement the gives them access, but that utility easements do not cover the entire road.

Mr. Churchill stated that a utility easement allows utility companies to have access to maintain their services, but that does not give them to right to make a mess of our streets and **not** be responsible for the clean-up.

Mr. Churchill suggested to the Board that he write Brooke Utilities a letter to let them know that they have trespassed onto our property and that the Moovalya Keys is seeking damages, therefore we will be filing an action suit in justice court seeking reimbursement for damages.

Mr. Sweeney made a motion to have John Churchill send Brooke Utilities a letter requesting them to pay for the clean-up expenses that was caused by their underground piping breaking. Mr. Baker seconded the motion and the motion carried unanimously.

Mr. Churchill requested that Ms. Wilson send his office photos of the clean-up and that he will report back at the next Board meeting.

2018 Street Improvements

Ms. Wilson presented to the Board the contract from T & C Seal Coating in the amount of **One Hundred Nineteen Thousand Nine Hundred Forty Dollars (\$119,940.00)** for signature. President Tony Gaipa signed the contract.

Mr. Sweeney requested that Ms. Wilson obtain pricing for striping of the streets.

Ms. Wilson reported that Sue Thomson the Moovalya Keys Bookkeeper is seeking authorization to close out the current CD with National Bank consisting of **Ninety One Thousand One Hundred Forty Five Dollars (\$91,145.00)** that is up for renewal in December 2017 so that a portion of those funds can be used to pay for the double layer of slurry that is going to take place in 2018.

Mr. Sweeney made a motion to approve Sue Thomson to closeout our current CD with National Bank and transfer **Forty Thousand Dollars (\$40,000.00)** into our capital improvement account to pay for the double layer of slurry coating in 2018 and to reinstate the CD with the balance. Mr. Nicholls seconded the motion and the motion carried unanimously.

NEW BUSINESS:

Block Wall at Entrance:

Ms. Wilson reported that the block wall at the entrance has been hit from the inside of the wall and that she has taken photos of the damage and has filed an insurance claim with the responsible party's insurance company.

Ms. Wilson reported that the existing sign has been removed by the sign company for repair.

Ms. Wilson reported that she has met with the block wall contractor and they recommended that we remove the existing column and reinstall a new smaller column and move it in a foot which will give more room to make that turn. Once the new column is installed the guard post will be relocated.

Ms. Wilson will report back at the next meeting.

Lot 67 – 8878 Apache Loop:

Mr. Sweeney reported that he is in receipt of hand drawn sketches for home improvements that the homeowner wants to perform. Mr. Sweeney stated that the drawings do not have enough information and he recommends that the Board “**disapprove**” the drawings and ask the Owner to resubmit three (3) sets of Architectural Drawings and a Plot Plan.

Mr. Sweeney made a motion to “**not**” approve the sketches based on the fact that they are incomplete and to request that the homeowner resubmit three (3) sets of Architectural Drawings with Plot Plans. Mr. Manderscheid seconded the motion and the motion carried unanimously.

EXECUTIVE SESSION:

No executive Session

The next board meeting date is December 4, 2017

Meeting adjourned at 6:30 pm.

Submitted by Recording Secretary, Heather Wilson