

**LAKE MOOVALYA KEYS**  
**Board of Directors**  
**Approved Meeting Minutes**  
**November 5, 2018**

**CALL TO ORDER:**

President Tony Gaipa called the Board of Directors Meeting of the Lake Moovalya Keys to order at 6:00 pm.

**PRESENT:**

President:	Tony Gaipa	Lot 118
Secretary/Treasurer	Kit Furnell	Lot 16
	Kathy Northcutt	Lot 73 and Lot 102
	Chuck Smith	Lot 103 and Lot 104
	Chris Chambers	Lot 164
	Jack Sweeney	Lot 197
	Bill Manderscheid	Lot 228

**VIA TELEPHONE:**

	Kevin Auman	Lot 137
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**ABSENT:**

Vice President	Mark Nicholls	Lot 169
	Chuck Baker	Lot 116 and Lot 117

**OTHERS PRESENT:**

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

**GUESTS:**

	Ed Olson	Lot 46
	Kyle Sullivan	Lot 96
	Don Alexander	Lot 115
	Donna Alexander	Lot 115
	Kim Harsch	Robert Gory Realty

**CALL TO THE PUBLIC:**

No Call

**BOARD OF DIRECTORS MEETING MINUTES:**

Ms. Northcutt made a motion to approve the October 2018 **Board of Directors Meeting Minutes**. Mr. Smith seconded the motion and the motion carried unanimously.

**BOOKKEEPERS REPORT, PREPAID BILLS AND BILLS FOR APPROVAL:**

Mr. Manderscheid made a motion to approve the October **2018 Bookkeepers Report, Prepaid Bills and Bills for Approval** as discussed. Mr. Sweeney seconded the motion and the motion carried unanimously.

**OCTOBER PREPAID BILLS**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
10/05/2018	7538	Buckskin Fire Dept.	Usage fee for Board Meeting	25.00
10/05/2018	DEBIT	MyFax Services	Virtual Fax Fee	10.00
10/05/2018	7539	Davis Building Supply	Lawn care/flag	113.17
10/05/2018	7540	La Paz County Treasurer	311-41-249C (in full)	1,459.14
		"	311-41-003B (in full)	5.32
		Law Office of John Churchill	#33838	357.50
10/05/2018	7541	Churchill		
10/08/2018	7542	216 - Barbanell, Jerry	Refund overpayment of dues Extra (dumpster area, valve/repair leaks)	
10/10/2018	7543	Otis Hall		325.00
10/10/2018	7544	Heather Wilson	Lot 223 Disclosure Commission	50.00
10/15/2018	DEBIT	Republic Services	3-0527-0040037	4,257.79
10/15/2018	7545	Heather Wilson	GM Advance	1,200.00
		"	Fuel	100.00
		"	Recording Secy. Advance	125.00
10/16/2018	DEBIT	Frontier	667-4484	71.01
10/16/2018	DEBIT	Frontier	667-2840	73.45
10/16/2018	DEBIT	Desert Dominion Security	10/12	196.85
10/16/2018	DEBIT	Desert Dominion Security	Wedding @ Firestone's to be reimbursed	203.20
10/17/2018	7546	NetServeOnSite	Annual web maintenance	360.00
10/22/2018	DEBIT	APS	6125100000	1,650.14
10/22/2018	DEBIT	APS	6276651000	93.11
10/28/2018	DEBIT	Brooke Utilities, Inc.	53017-11860	345.23
10/31/2018	7547	Heather Wilson	GM Balance	1,200.00
		"	Fuel	100.00
		"	Recording Secy. Balance	125.00
10/31/2018	7548	Otis Hall	October Groundskeeping	800.00
10/31/2018	7549	Sue Thomson	October Bookkeeping	1,250.00
		"	Postage	11.00
				<b>14,506.91</b>

**BILLS FOR APPROVAL**

Law Office of John C. Churchill (Oct. HOA) \$ 82.50

**FINANCIAL REPORTS:**

**Balance Sheet**

Mr. Sweeney made a motion to approve the October 2018 **Balance Sheet**. Ms. Northcutt seconded the motion and the motion carried unanimously.

**FINANCIAL REPORTS CONTINUED:**

**Profit and Loss Report**

Mr. Manderscheid made a motion to approve the October 2018 **Profit and Loss Report**. Ms. Furnell seconded the motion and the motion carried unanimously.

**GENERAL MANAGER'S REPORT:**

**Lot 25 – 8877 Moovalya Drive**

Ms. Wilson reported that the Board is in receipt of three (3) letters from the homeowners of Lot 1 – 8754 Moovalya Drive, Lot 19 – 8932 Moovalya Drive and Lot 24 - 8883 Moovalya Drive in regards to Lot 25 - 8877 Moovalya Drive.

Ms. Wilson reported that in the letter the homeowners are concerned about the long term storage/parking of enclosed trailers on Lot 25 - 8877 Moovalya Drive and that on Lot 26 – 8863 Moovalya Drive there is a trailer that is being stored in front of the property that has encroached onto the public road.

Ms. Wilson also reported that the letters are referring to the CCR's of the Moovalya Keys, which states that a vacant lot cannot be used for storage or parking of vehicles/trailers and refer to **Section 12.2.3**; No temporary buildings or structures, trailers, mobile homes, pre-fabricated homes or manufactured homes may be erected, placed or maintained on any vacant lot and that it is also stated in **Section 12.7 Boats and Motor Vehicles** - Except as specifically permitted by the Association Rules, (a) no cars, trucks, boat trailers, buses, motor homes, campers or their vehicles of whatever type (herein collectively called a "vehicle") shall be stored in or upon the Common Areas, included the Private Roads or upon a vacant or otherwise unimproved lot (i.e. A lot which a residence has not been completed) etc.....

Ms. Wilson reported that she has previously spoken with the homeowners of Lot 1 - 8754 Moovalya Drive about the parking situation and that she was under the impression that one of the trailers was being used for the storage of building materials for the construction of Lot 25 – 8877 Moovalya Drive and that the second trailer was just parked there for the week with the permission from the owner.

Ms. Wilson also reported that she has spoken with the property owner of Lot 25 – 8877 Moovalya Drive and they told her that they did not realize that they were in violation of the CCR's and that they will have the trailers removed from the property by next weekend.

Ms. Wilson reported that she has spoken with David Plunkett Realty in regards to the tenants that are renting Lot 26 – 8863 Moovalya Drive about the trailer that is being stored in front of the property that encroaches onto the public road. Ms. Wilson reported that David Plunkett Realty told her that they will speak with the tenants and have them remove the trailer no later than this Friday.

Mr. Sweeney reported that the point is that the CCR's strictly states that you cannot store anything on a vacant lot until construction starts and that if the property owner is not going to start construction until the spring they cannot store anything on the vacant lot for any period of time.

**GENERAL MANAGER'S REPORT CONTINUED:**

### **Lot 25 – 8877 Moovalya Drive Continued**

Mr. Gaipa asked what constitutes the start of construction. Ms. Furnell stated that once the plans have been submitted to the Board for approval with a construct deposit and the La Paz County Building Department has issued a building permit.

Mr. Sweeney reported; if there are improvements made to the property, then the property owner can store a trailer on the property, as long as it is solely within in their property line.

Mr. Sweeney stated that the white lines are not property lines, that the white lines designate parking boundaries and that just because a vehicle/trailer is parked behind the white line does not mean that it is solely on private property and that it is the homeowner's responsibility to know where their property lines are and that they can refer to the CCR's for property setbacks.

Mr. Sweeney also stated that any trailer that is being stored in front of a property owner's garage that is encroaching into the common area, the parking limit is seventy-two (72) hours.

### **Raccoons**

Mr. Sweeney reported that Otis Hall has been spending a lot of time trapping and releasing raccoons and that the Moovalya Keys needs to reimburse him for his time and gas.

Mr. Sweeney made a motion that the Moovalya Keys reimburse Otis Hall for his time and gas for trapping and releasing pesky raccoons within the Moovalya Keys.

Ms. Furnell seconded the motion and the motion carried unanimously.

Mr. Smith made a motion to approve the October 2018 **General Manager's Report**.

Ms. Northcutt seconded the motion and the motion carried unanimously.

### **OLD BUSINESS:**

#### **Construction Progress Report**

Ms. Wilson reported that we currently have eight (8) Lots that are under some type of construction/home improvements; Lot14, Lot 56, Lot 67, Lot 101, Lot 123, Lot 199, Lot 208 and Lot 227.

#### **Brooke Utilities Conveyance of Property at Boat Ramp**

Mr. Churchill reported that all parties have agreed with the wording, as far as the easements and the legal description and that we are just waiting for a copy of the recorded Deed.

Mr. Gaipa asked Ms. Wilson to follow-up with Brooke Utilities and the La Paz County Recorder as to the status of the recording of the Deed and to report back at the next Board Meeting.

### **OLD BUSINESS CONTINUED:**

### **Lot 46 – 8683 Moovalya Drive Continued**

Mr. Sweeney reported that the homeowner has resubmitted a “Repair Plan” regarding an existing built-in barbeque and Palapa that was not previously approved by the Board.

Mr. Sweeney also reported that the barbeque and Palapa are encroaching on to the neighboring property, Lot 45 – 8693 Moovalya Drive and that homeowner is asking for Board approval of the “Repair Plan”.

Mr. Sweeney also reported that the homeowner of the Lot 45 – 8693 has not signed off on the “Repair Plan” and that this issue has been ongoing for years and that there is an existing law suit, therefore he feels that the Board should not get involved.

Mr. Sweeney reported that this is something that the Board did not previously approve and that he recommends that the Board **not** approve the “Repair Plan” at this time.

Mr. Sweeney made a motion to **not** approve the “Repair Plan” for Lot 46 - 8683 Moovalya Drive at this time. Mr. Manderscheid seconded the motion and the motion carried unanimously.

### **NEW BUSINESS:**

#### **Letter to Mr. Bollman**

Mr. Churchill reported that his office has received Mr. Bollman’s contact information and pictures that he requested from Ms. Wilson that his office needed to proceed with the letter putting Mr. Bollman on notice regarding him allowing his children that are unlicensed drivers to drive on the streets of the Moovalya Keys. Mr. Churchill reported that his office will move forward with the letter and will report back at the next meeting.

#### **Frontier Pedestals**

Ms. Wilson reported that Frontier Communications did come out to the property and install a 1/8” piece of diamond plating which only covers half of the access panel and that Frontier Communications has placed two (2) barricades on top of it.

Ms. Wilson reported that when she contacted Frontier Communications regarding the poor repair of the access panel that took place that the field supervisor told her that Frontier Communications feels that they have secured the access panel and that the repair has been completed.

Ms. Wilson reported that she told Frontier Communications that there are still barricades on top of the access panel therefore, the access panel is still not considered safe and that they need to return to property and fix the access panel so that it is safe.

Mr. Gaipa reported that as soon a vehicle travels across the 1/8” piece of steel diamond plate, that it is going to bend and collapse, which is a hazard and that there is no way that the access panel has been repaired properly nor is it safe.

### **NEW BUSINESS CONTINUED:**

### **Frontier Pedestals Continued**

Ms. Wilson reported that she is concerned for the safety of our homeowners and their guests especially with the upcoming Thanksgiving Holiday weekend with all of the people that are traveling our streets.

Mr. Manderscheid stated that we need to put Frontier Communications on written notice advising them of the hazard and request that they have it repaired correctly.

Mr. Churchill reported that we need to send Frontier Communications a letter giving them so much time to fix it or the association will fix it and then the association will seek reimbursement from Frontier Communications.

Ms. Wilson reported that she will draft a letter for the Board's review and approval before she sends the letter to Frontier Communications. Ms. Wilson will report back at the next meeting.

### **EXECUTIVE SESSION:**

6:30 Executive Session is now in session

6:35 Regular session is now in session

### **EXECUTIVE SESSION MEETING MINUTES**

Mr. Sweeney made a motion to approve the October 2018 **Board of Directors Executive Session Meeting Minutes**. Mr. Manderscheid seconded the motion and the motion carried unanimously.

The next Board of Directors meeting date is December 3, 2018

Meeting adjourned at 6:40

Submitted by Recording Secretary, Heather Wilson