

LAKE MOOVALYA KEYS
Board of Directors
Approved Meeting Minutes
September 14, 2020

CALL TO ORDER:

Mr. Sweeney called the Board of Directors Meeting of the Lake Moovalya Keys to order at 6:00 pm.

PRESENT:

President	Jack Sweeney	Lot 197
Vice President	Kevin Auman	Lot 137
	Kit Furnell	Lot 16
	Mark Volkoff	Lot 33
	Blane Coon	Lot 54
	Kathy Northcutt	Lot 73 and Lot 102
	Chris Chambers	Lot 164
	Chuck Baker	Lot 117
	Jack Sweeney	Lot 197

CALL IN:

Secretary/Treasurer	Karen Gallio	Lot 1
	Chuck Smith	Lot 103 and Lot 104
	Bill Manderscheid	Lot 228

ZOOM:

Rosemary Carlisle	Lot 110
Todd Martin	Lot 145
Randy Schram	Lot 147
Mark Nicholls	Lot 169
Scott Stokes	Lot 200
Sherry Homan	Lot 211
Christie Ward	Lot 227

ABSENT:

Legal Counsel:	John C. Churchill	Lot 153 and Lot 154
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OTHERS PRESENT:

General Manager/ Recording Secretary:	Heather Wilson	Lot 166
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GUESTS:

JoAnn VanAnrooy	Lot 30
Wayne Gordon	Lot 37 and Lot 38
Dorae Pagano	Lot 62 and Lot 87
Jamie Holzhauer	Lot 76
Charlie Ball	Lot 76
Vincent Graves	Lot 79
Kathi Graves	Lot 79
Kyle Sullivan	Lot 96
Hamish Bell	Lot 121

GUESTS CONTINUED	Mark Panetta	Lot 130
	Tina Hinkle	Lot 135
	Mike Hinkle	Lot 135
	Doug Mitts	Lot 136
	Linda Mitts	Lot 136
	Jeff Carley	Lot 149
	Leeann Carley	Lot 149
	Steve Catlin	Lot 177
	Derek Sabor	Lot 211
	Scott Homan	Lot 212
	Steve Habermann	Lot 229
	Kim Gory	RGR
	Carla Faulkner	David Plunkett Realty

CALL TO THE PUBLIC:

Lot 226 – 8908 Riverside Drive

Steve Habermann reported that he and his wife own the Lot 226 – 8908 Riverside Drive and the property is currently zoned commercial and the last couple of months he has been in the process of applying for a “Conditional Use Permit” with the La Paz County Building Department and the La Paz County Building Department has informed him that they need to obtain a letter from the Lake Moovalya Keys HOA allowing them to apply for a “**Conditional Use Permit**”.

Mr. Sweeney told Mr. Habermann that it has been brought to his attention that he was planning on remodeling the existing building and turning it into a four (4) bedroom one (1) bath short term rental property and he assumed that you would be submitting plans based on that. However, that is not what the letter from the La Paz County Building Department states, that it states “**The applicant is requesting a Conditional Use Permit to build a house at the back of the property’s existing building**”.

Mr. Sweeney stated that Mr. Habermann’s property is currently zoned commercial and asked Mr. Habermann if he is planning on keeping the property zoned commercial, or is he planning on re-zoning the property to residential.

Mr. Habermann reported that it is his plan to leave the property zoned commercial and that there are other surrounding properties that have residential houses on them and they are zoned commercial and those Lots were granted a Conditional Use Permit.

Mr. Sweeney stated that he is not aware that Conditional Use Permits were granted to the surrounding properties and that the Board would need to research the matter further under advisement during the meeting’s Executive Session and that once the Board has had an opportunity to discuss it in executive session, then the Board will return back to the meeting with their decision and make a motion.

Mr. Sweeney reported that after the discussion that took place in the executive section, Mr. Sweeney made a motion that the board deny Mr. Habermann’s request to build two houses on one lot as stated on the request for a Conditional Use Permit. Mr. Baker seconded the motion and the motion passed unanimously.

Mr. Sweeney asked Ms. Wilson to send a letter to the La Paz County Department denying Mr. Habermann’s request to build a second building on one lot.

BOARD OF DIRECTORS MEETING MINUTES:

Mr. Auman made a motion to approve the **August 2020 Board of Directors Meeting Minutes**. Mr. Coon seconded the motion and the motion carried unanimously.

BOARD OF DIRECTORS EXECUTIVE SESSION MEETING MINUTES:

Mr. Coon made a motion to approve the **August 2020 Board of Directors Meeting Minutes**. Mr. Baker seconded the motion and the motion carried unanimously.

FINANCIALS

Bookkeeper’s Report, Prepaid Bills and Bills for Approval

Mr. Auman made a motion to approve the **August 2020 Bookkeepers Report, Prepaid Bills and Bills for Approval**. Mr. Coon seconded the motion and the motion carried unanimously.

PREPAID BILLS

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
08/01/2020	DEBIT	Quill	GM ofc. Supplies	206.26
08/03/2020	DEBIT	Desert Dominion Security	7/31 & 8/1	355.60
08/04/2020	7783	Otis Hall	Extra dump days in July	250.00
08/04/2020	7784	DoorKing Inc.	Annual server subscription	142.45
08/04/2020	7785	Cintas	Backflow inspection, #OF35522199	155.00
08/04/2020	7786	Cintas	Install back flow repair kit	691.74
08/04/2020	7787	McIntosh Controls, Inc.	Service/repairs to gate system	1,790.77
08/04/2020	7788	Davis Building Supply	Cleaning supplies	53.63
		"	Flag	81.97
		"	Hose	10.95
08/04/2020	7789	VFW	Aug. & Sept. Meeting Room Fees	100.00
08/07/2020	DEBIT	MyFax Services	Virtual Fax Fee	10.00
08/11/2020	DEBIT	Desert Dominion Security	8/7 & 8/8	431.80
08/12/2020	DEBIT	Frontier	667-4484	108.59
08/12/2020	DEBIT	Frontier	667-2840	111.03
08/14/2020	DEBIT	Republic Services	3-0527-0040037	8,522.84
08/14/2020	7790	Heather Wilson	GM Advance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Advance	125.00
08/18/2020	DEBIT	Desert Dominion Security	8/14 & 8/15	431.80
08/24/2020	DEBIT	APS	6125100000	1,636.22
08/24/2020	DEBIT	APS	6276651000	127.04
08/25/2020	DEBIT	Desert Dominion Security	8/21 & 8/22	431.80
08/28/2020	DEBIT	Brooke Utilities, Inc.	Final Brooke billing 7/7 - 8/4	37.34
08/31/2020	7792	Global Gate Controls, Inc.	15 remotes	216.75
08/31/2020	7793	Heather Wilson	Disclosure Fee Commissions	500.00
08/31/2020	7794	Heather Wilson	GM Balance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Balance	125.00
08/31/2020	7795	Otis Hall	August groundskeeping	800.00
		"	2 extra dumpster days #865785	100.00
		"	Mud cleanup guard shack to boat ramp	100.00
08/31/2020	7796	Sue Thomson	August Bookkeeping	1,250.00
		"	Postage	68.20
				22,038.44

Balance Sheet

Mr. Chambers made a motion to approve the **August 2020 Balance Sheet**.
Mr. Volkoff seconded the motion and the motion carried unanimously.

Profit and Loss Statement

Mr. Auman made a motion to approve the **August 2020 Profit and Loss Report**. Mr. Baker seconded the motion and the motion carried unanimously.

OLD BUSINESS

Construction Progress Report

Ms. Wilson reported we currently have eleven (11) projects under construction. Lot 14, Lot 25, Lot 56, Lot 67, Lot 74, Lot 101, Lot 117, Lot 123, Lot 208, Lot 227, Lot 231.

Lap Top Computer with Speaker

Mr. Auman reported that they have not purchased a new computer yet.

CC&R's – Review and Discussion

Scott Homan homeowner of Lot 212 reported that at the last meeting it was talked about changing the legal representation of the Association and was wondering if this has officially occurred?

Mr. Sweeney reported that yes Board has secured legal representation to address some of the rental issues at hand in order for the Board and the Association's membership to have clarification as to what can and cannot be done.

Mr. Homan asked Mr. Sweeney if the hired legal representation addresses the entire membership of the HOA or just the Board of Directors.

Mr. Sweeney reported that the legal representation is only directing the Board of Directors as to how the Board can approach some of our issues legally.

Derek Savor homeowner of Lot 210 asked Mr. Sweeney if at some point in time are the members of the Association going to be privious to the information/advice that has been given by the legal representation.

Mr. Sweeney reported that of course at some point in time the membership of the Association will be privious to the information/advice given by legal representation, but at this time they are just guiding the Board of Directors as to how we as a Board can move forward with the Association's issues in a legal manner.

Mr. Homan reported that he is not clear who the legal representation's client is and due to the fact that it is members HOA fees that are paying for the legal representation, are we as members of the Association the client of the legal representation and if so, the members should be privious to the information and guidance that they provide.

Mr. Sweeney reported that the legal representation's client is the Board of Directors and that they are only directing the members of the Board as to how move forward with the issues at hand legally, so that when the 'Rental Review Committee" does present rules to the Board of Directors for review and consideration, the Board is able to move forward with any changes legally and will be able to enforce them.

OLD BUSINESS CONTINUED

CC&R's – Review and Discussion Continued

Rental Deposits

Mr. Sabor asked the Board if they have asked the legal representation if it is actually legal to require that rental properties provide the Association with a \$1,000.00 rental deposit and if not, are the rental properties are going to be refunded their deposit. Mr. Sweeney reported that he does not have that information at this time and that question needs to be proposed to the legal representation for clarification.

RENTAL REVIEW COMMITTEE

Mr. Volkoff reported that a formal “Rental Review Committee” has been formed to address the issues with the Short Term Rentals in the Moovalya Keys and the “Rental Review Committee” consists of three (3) homeowners that rent their properties who are; Kathy Northcutt, Kyle Sullivan and myself and three (3) homeowners that do not rent their properties who are Christie Ward, Donna Ehlers and Steve Barrett.

Mr. Volkoff also reported that the “Rental Review Committee” members met via a conference call and as a group and that the “Rental Review Committee” has come up with four (4) main issues/concerns and those issues are:

- Overflow Parking Lot
- No Local Management of the Short-Term Rentals to address issues as they arise
- Irresponsible Renters – Overcrowding of Rental Houses
- Noise concerns during late hours

Mr. Sweeney reported that he feels that the four (4) issues are the key issues and that the overflow parking issues need to be addressed to all members of the Association and that maybe the “Rental Review Committee” should consider that only one (1) vehicle or one (1) trailer per lot be allowed to park in the overflow parking at any given time.

Mr. Sweeney also reported that the Association’s CC&R’s clearly states if you are renting out your property, that the property needs to be rented out in its entirety, which includes the garage.

Mr. Coon asked if the “Rental Review Committee” would add trespassing as an issue.

Mr. Volkoff reported that he will take back to the “Rental Review Committee” the issues at hand along with trespassing and asked that if anyone has any suggestions to please email them to moovalyakleys@gmnaail.com and they will be forwarded to the Board and the “Rental Review Committee”.

Mr. Volkoff asked the Board if it is ok to post the “Rental Committee Timeline” under the Members Only section of the website so that it is available to all members of the Association.

Mr. Sweeney reported yes that can be done and authorized Ms. Wilson to move forward with the posting of the Rental Committee Timeline” under the Members Only section of the website.

Mr. Volkoff reported that he will submit an updated version of the” Rental Committee Timeline” to Ms. Wilson so that it can be posted under the Members Only section of the website.

NEW BUSINESS

Lot 74 – 8878 Apache Loop – Approval of Solar Panels

Mr. Sweeney reported that a drawing has been submitted for review and approval for the installation of solar panels and that solar panels do not follow under the 18’ rule so the approval is just a formality and made a motion to approve the solar panel drawing as submitted. Mr. Baker seconded the motion and the motion carried unanimously.

Lot 214 – 8786 Hopi Drive – Approval of Carport

Mr. Sweeney reported that a drawing has been submitted for review and approval of a carport and that the drawings are in compliance with the CC&Rs setbacks and height restriction and made a motion to approve the drawing as submitted. Mr. Coon seconded the motion and the motion carried unanimously.

EXECUTIVE SESSION

6:29 pm Executive session in now in session

6:49 pm Executive Session is out of session.

Mr. Sweeney adjourned the meeting at 6:53M

Next Board of Directors Meeting will be October 5, 2020 and that the location is to be determined and when it is the membership will be notified.

Submitted by Recording Secretary, Heather Wilson