

**LAKE MOOVALYA KEYS**  
**Board of Directors**  
**Approved Meeting Minutes**  
**June 7, 2021**

**CALL TO ORDER:**

President Jack 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
Secretary/Treasurer	Karen Gallio	Lot 1 – Via Zoom
	Kit Furnell	Lot 16
	Mark Volkoff	Lot 33
	Kathy Northcutt	Lot 73 and Lot 102
	Kyle Sullivan	Lot 96
	Chuck Smith	Lot 103 and Lot 104
	Bill Manderscheid	Lot 228
	Chris Chambers	Lot 164

**OTHERS PRESENT:**

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

**ABSENT:**

Blane Coon	Lot 54
Chuck Baker	Lot 117

**ZOOM GUESTS:**

Steve Green	Lot 12
Laura Parkhouse	Lot 40
Charles Manos	Lot 53
Malin Manos	Lot 53
Dorae Pagano	Lot 62 and Lot 87
Jamie Holzhauer	Lot 76
Shelly Rushing	Lot 77
David Elliott	Lot 99
Tony Gaipa	Lot 118
Fabio Gaipa	Lot 120
Hamish Bell	Lot 121
Mark Panetta	Lot 130
Bill Woodward	Lot 148
Bob Colby	Lot 142
Jesse McBain	Lot 178
Robert McKay	Lot 187
Jerry Barbanell	Lot 216

<b>GUESTS:</b>	Rosemary Carlisle	Lot 25 and 101
	Lori Auman	Lot 137
	Kim Gory	RGR
	Carla Faulkner	David Plunkett Realty

**INSTALLTION OF OFFICERS**

Mr. Sweeney asked for nominations from the Board and they were as follows

Chris Chambers made a motion to nominate Jack Sweeney as President  
 Kathy Northcutt made a motion to nominate Mark Volkoff as Vice President  
 Kevin Auman made a motion to nominated Karen Gallio as Secretary Treasurer.

Jack Sweeney asked the Board if there were any further nominations for the Board, all Board members were in favor of the nominations with no oppositions and announced the new Officers of Board of Directors as follows:

Jack Sweeney	President
Mark Volkoff	Vice President
Karen Gallio	Secretary Treasurer

**CALL TO THE PUBLIC:**

**Security**

Mr. Volkoff asked the Board what is the approval process when it comes to hiring security and if we need to have security every weekend or just on the holiday weekends, that it seems like it is a little bit more mellow this year than last summer and wanted to know if the Board is willing to only have security on the holiday weekends.

Ms. Wilson reported; If the Board approves to have security only on the Holiday weekends, that is fine, but she is not comfortable with being the security guard and driving the streets at night.

Ms. Wilson also reported: She is already working up until 4-5 pm on Fridays and Saturdays getting everyone situated, towing illegally parked vehicles, she is home every summer weekend to follow up with telephone complaints in person if necessary and work with Security.

Ms. Wilson also stated; She has followed up with the Realtors and we are anticipating a very busy summer with a lot of rentals already on the books.

Kathy Northcutt made a motion to continue with security from Memorial Day thru Labor Day weekend, Chuck Smith seconded the motion and the motion passed unanimously.

**APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES:**

Mr. Smith made a motion to approve the Board **of Directors Meeting Minutes of May 2021**. Ms. Northcutt seconded the motion and the motion carried unanimously.

## **FINANCIALS**

### **Bookkeeper's Report, Prepaid Bills and Bills for Approval**

Mr. Volkoff made a motion to approve the **May 2021 Bookkeepers Report, Prepaid Bills and Bills for Approval**. Mr. Auman seconded the motion and the motion carried unanimously.

### **PREPAID BILLS**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
05/01/2021	ACH	Staples	Homeowner pkt. supplies	209.95
05/01/2021	ACH	Amazon	Ballot envelopes	16.13
05/05/2021	7888	Law Office of John C. Churchill	March & April	1,237.50
05/05/2021	7889	Beaver Insurance Agency	Annual Gen'l. Liability Insurance	1,602.00
05/05/2021	7890	Davis Building Supply	Cleaning supplies	37.86
05/07/2021	DEBIT	MyFax Services	Virtual Fax Fee	10.00
05/11/2021	7893	Shaffer Welding Services	Build new exit gate	2,800.00
05/11/2021	7894	McIntosh Controls, Inc.	Labor & peripherals to install gate controller	1,408.74
		"	Controller lock assembly	510.75
05/12/2021	ACH	Frontier	667-4484	111.59
05/12/2021	ACH	Frontier	667-2840	114.03
05/14/2021	7891	Heather Wilson	GM Advance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Advance	125.00
05/14/2021	7892	Heather Wilson	Disclosure Comm. Lots 57, 79 & 114	150.00
05/15/2021	ACH	Republic Services	3-0527-0040037	4,337.76
05/20/2021	7895	Jack Sweeney	Heim joints for gate/Amazon	46.80
05/20/2021	7896	NetServeOnSite	Annual Web Maintenance	480.00
05/20/2021	ACH	APS	6125100000	1,640.53
05/20/2021	ACH	APS	6276651000	59.92
05/22/2021	7897	McIntosh Controls, Inc.	Add'tl. service on new gate controller	2,040.00
05/24/2021	7898	Larry's Professional Painting	Paint new exit gate	450.00
05/27/2021	ACH	EPCOR	Water	389.96
05/28/2021	7899	Heather Wilson	GM Balance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Balance	125.00
05/28/2021	7900	Otis Hall	May Groundskeeping	800.00
05/31/2021	7901	Sue Thomson	May Bookkeeping	1,250.00
		"	Postage	49.50
				<b>23,069.68</b>

### **BILLS FOR APPROVAL**

Law Office of John C. Churchill (May HOA)	\$2,392.50
Mike's Contracting, Inc. (gravel parking lot)	\$2,046.33

### **BALANCE SHEET**

Ms. Furnell made a motion to approve the **May 2021 Balance Sheet**. Mr. Volkoff seconded the motion and the motion carried unanimously.

### **PROFIT AND LOSS STATEMENT**

Mr. Smith made a motion to approve the **May 2021 Profit and Loss Statement**. Mr. Volkoff seconded the motion and the motion carried unanimously.

## **OLD BUSINESS**

### **Construction Progress Report**

Mr. Sweeney reported; The May Construction Report has been sent out via email and we have seventeen (17) projects on the May Construction Report and they are Lot 13, Lot 14, Lot 25, Lot 42, Lot 67, Lot 75, Lot 76, Lot 83, Lot 101, Lot 123, Lot 176, Lot 181, Lot 200, Lot 208, Lot 226, Lot 227 and Lot 231.

## **OLD BUSINESS CONTINUED**

### **Replacement of Exit Gate and Gate Motor**

Mr. Sweeney reported; The replacement of the exit gate is now complete.

### **Repair Damaged Block Wall at Down River Boat Ramp**

Ms. Wilson reported that she has submitted the claim package to State Farm Insurance and she has also placed a follow-up telephone call and email.

## **NEW BUSINESS**

### **Replacement of the North Launch Ramp and Retaining Wall**

Mr. Sweeney reported; There has been discussion in past in regards to condition of the north launch ramp due to the fact that the walls are caving in and the ramp itself is in need of replacement and that he is willing to meet contractors to discuss what we can do to redesign the layout so that we are prepared to move forward with the project in the winter.

Mr. Sweeney also reported; This project is going to require a Structural Engineer and a construction set of drawings that are approved by a structural engineer.

Mark Panetta homeowner of Lot 130 - 8730 Yaqui Loop reported; He is willing to volunteer to provide guidance and ideas and to assist in getting the project off the ground.

Mr. Sweeney reported; He is available to meet with Mark Panetta to discuss his ideas and work thru this process.

### **Board Approval of the Amendments to the Association Rules**

Mr. Sweeney reported; The Board is ready to move forward with the proposed rules presented to the Board by the Rental Review Committee.

Mr. Churchill reported; The Board at this meeting can only approve the submission of the rules to the membership so that at the next meeting, which needs to be a Special Meeting” the members will have the opportunity to vote on the actual rules themselves and only the members in attendance at the Special Meeting, weather that be in person or via zoom can vote on the proposed rules.

Mr. Churchill stated; He suggests at this meeting the Board agrees to submit these rules to the membership at a Special Meeting for the sole purpose of approving the proposed amended rules and he suggests that the Board set the date for the Special Meeting at this meeting.

## **Board Approval of the Amendments to the Association Rules**

Mr. Sweeney asked Mr. Churchill what the proper time line would the Board be looking at as far as notifying the membership in regards to the Special Meeting.

Mr. Churchill replied; No more than fifty days and not less than ten days, so you do have enough time to put the membership on notice for a Special Meeting to take place at the next Board Meeting, if you choose to do so.

### **RULE #1**

#### **NOISE AND NUSIANCE**

Ms. Wilson requested that her cell phone number be removed and replaced with the Moovalya Keys landline.

Ms. Wilson also requested that across the board the first violation needs to be a verbal warning and the first Citation is \$50.00 and so on with the rest of the fine structure.

The Board was in agreement with the change.

Jack Sweeney made a motion to move forward the Proposed Rule #1 based on changing the phone number and changing the first citation to first violation. Kevin Auman seconded the motion and the motion passed unanimously.

### **RULE #2**

#### **OVERFLOW AND OTHER COMMON PROPERTY PARKING**

Mr. Volkoff reported that there are two sections to this rule and he is addressing #1 of this rule where it states, if you go over the 7-day limit, are you fined or are you towed

The Board agreed to enforce a \$50.00 per day fine for every day that you go over the seven-day limit and

Mr. Sweeney reported that Rule #2 has two sections to it and that Section 2 of Rule #2 where it states you will be towed if you are in the overflow parking lot without a sticker will now become its own rule which allows towing with no warning.

#### **OVERFLOW AND OTHER COMMON PROPERTY PARKING**

Mr. Volkoff made a motion to approve the \$50.00 fine per day for every day that you are parked in the overflow past 7 days and to make the second section of the rule its own rule.

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

### **RULE #3**

#### **ONE VEHICLE PER RESIDENTIAL LOT LIMITATION IN OVERFLOW PARKING LOT**

Mr. Volkoff asked the Board; Are we going to fine or tow, because if one Lot has three vehicles in the overflow how are you going to determine what vehicles are to be towed and suggested that we change it to a daily fine of \$50.00 per day per vehicle and excessive abuse can result in towing.

**RULE #3 CONTINUED**

**ONE VEHICLE PER RESIDENTIAL LOT LIMITATION IN OVERFLOW PARKING LOT**

Mr. Volkoff made a motion to change the rule to read there will be a \$50.00 fine per day for each additional vehicle that is parked in the overflow. Ms. Northcutt seconded the motion and the motion passed unanimously

**RULE #4**

**LOT OWNER REQUIRED PARKING SPOTS**

Mr. Sweeney reported; This rule is about providing adequate parking for your guests on your property to avoid abusing the overflow parking lot.

Mr. Churchill stated; Homeowners that are not able to provide adequate parking on their property for their guests, should not be allowed to abuse the overflow parking lot that is to be shared by all.

Mr. Sweeney made a motion to remove the wording to provide (3) parking spaces to read provide sufficient parking for your guests and tenants. Mr. Volkoff seconded the motion and the motion passed unanimously.

**RULE #5**

**EMERGENCY CONTACT INFORMATION**

Mr. Sweeney reported; This rule is about having emergency contact phone numbers on file with the manager so that the manager knows who to contact when there is an issue with their property.

Kit Furnell requested that we add the General Manager's telephone number 928-667-4484.

Mr. Sweeney made a motion to move forward with Rule #5 as discussed. Mr. Smith seconded the motion and the motion passed unanimously.

**RULE #6**

**NEIGHBOR POLICY**

Mr. Sweeney recited the "Good Neighbor Policy to the Board as it was written and recommends that the Board move forward with it.

Mr. Chambers made a motion to approve the Good Neighbor Policy as written. Mr. Auman seconded the motion and the motion passed unanimously,

**RULE #7**

**FAILURE TO SUBMIT A TENANT INFORMATION SHEET TO THE ASSOCIATION BASED UPON MIS-REPRESENTATION**

Mr. Sweeney reported; This rule is basically stating that if you tell the association that it is your family staying in your home when in fact you are leasing your house, you are going to get fined \$500.00 first offense and a \$1,000.00 for the second offense.

Mr. Sweeney stated; Unfortunately, the HOA has been told by a homeowner that the people that are staying in their house are family members, when in fact they were renting the house.

**RULE #7 CONTINUED**

**FAILURE TO SUBMIT A TENANT INFORMATION SHEET TO THE ASSOCIATION  
BASED UPON MIS-REPRESENTATION**

Mr. Sweeney also stated; The fact that we have so many transient lodging properties i.e.; Short Term Rentals, the Association will at least have some idea of who is on the property by turning in a Tenant Information Sheet, and for those reasons he is in favor of this rule.

Mr. Sweeney made a motion to approve Rule #7; Failure to submit a Tenant Information Sheet to the Association based up a mis-representation as written. Chris Chambers seconded the motion and the motion passed unanimously.

**RULE #8**

**INCREASE IN EXISTING FINES**

Mr. Sweeney recited the rule; Fines associated with existing rules may be increased at the discretion of the Board of Directors at a duly noticed meeting for that purpose.

Mr. Chris Chambers made a motion to approve Rule #8 – Increase of Existing Fines as written. Karen Gallio Seconded the motion and the motion carried unanimously.

**RULE #9**

**UN-LICENSED DRIVERS**

Mr. Sweeney recited the rule and noted; This is currently a rule and is part of our CC&R's, but we have no fine associated this the rule.

Mr. Sweeney made a motion to approve the rule as written. Ms. Furnell seconded the motion and the motion passed unanimously.

Mr. Sweeney stated; All homeowners have the right to protest any citation

**NOTICE**

Mr. Sweeney reported; This notice is basically stating the Arizona State Law; which is if you have a short-term rental property (less than 30 days) you are required by the State of Arizona to obtain a TPT License that is issued by the State of Arizona and that the Association has the right to know if you are a rental property and that you have a TPT license.

**SPECIAL MEETING DATE**

Mr. Sweeney stated at this time the Board needs to pick date for the Special Meeting.

Mr. Churchill reported; The Boards needs to send a copy of the proposed rules that are going to be voted on at the Special Meeting to the members so they can decide as to whether or not they want to attend the Special Meeting to participate in the voting of the rules and once the members have had the opportunity to vote, it is only the rules that the members agreed upon that will be adopted by the Board.

Mr. Churchill stated; The only way to vote on the proposed rules is to be present at the meeting, whether it be by Zoom or by in person, there will be no mailing out of ballots.

**SPECIAL MEETING DATE CONTINUED**

Mr. Churchill reported; The rule is very specific; it will take 2/3 of the voting members present at the meeting to approve the proposed rules before the Board can adopt the rules.

Mr. Volkoff made a motion to move the Board of Directors Meeting to July 12, 2021, at which time we will also hold the Special Meeting solely for the membership to vote on the proposed rules and once the proposed rules have been approved by the membership, then the Board of Directors can adopt only the rules that the membership voted yes on. Ms. Gallio seconded the motion and the motion carried unanimously.

Executive Session not required.

**Next Board of Directors Meeting on July 12, 2021 at 6:00 pm at the La Paz County Sheriff Boating and Safety Center on Riverside Drive.**

Meeting Adjourned 7:57 PM