

LAKE MOOVALYA KEYS
Board of Directors
Approved Meeting Minutes
February 7, 2022

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	Mark Volkoff	Lot 33
	Kit Furnell	Lot 16
	Blane Coon	Lot 54
	Kathy Northcutt	Lot 73 and Lot 102
	Kyle Sullivan	Lot 96
	Chuck Smith	Lot 103 and Lot 104
	Chuck Baker	Lot 117
	Chris Chambers	Lot 164

ABSENT

Secretary/Treasurer	Karen Gallio	Lot 1
	Kevin Auman	Lot 137

OTHERS PRESENT:

Legal Counsel:	John C. Churchill	Lot 153 and Lot 154 Via Zoom
General Manager:	Heather Wilson	Lot 166
Recording Secretary:	Heather Wilson	Lot 166
	Russell Atwood	Lot 75
	Ellen Cadoret	Lot 111
	Bill Woodward	Lot 148
	Liz Woodward	Lot 148
	Kim Harsch	RGR Realty

PRESENT VIA ZOOM

	Rosemary Carlisle	Lot 25
	Laura Parkhouse	Lot 40
	Chuck Manos	Lot 53
	Malin Manos	Lot 53
	Dorae Pagano	Lot 62 and Lot 87
	Jake Ackermann	Lot 75
	Jamie Holzhauer	Lot 76
	Mark Panetta	Lot 130
	Brett Mattson	Lot 139
	Linda Deters	Lot 142
	Bob Colby	Lot 142
	Scott Stokes	Lot 200
	Sherry Homan	Lot 212
	Scott Homan	Lot 212
	Kathleen Habermann	Lot 226 and Lot 229
	Steve Habermann	Lot 226 and Lot 229

CALL TO THE PUBLIC:

No Call

APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES:

Mr. Smith made a motion to approve the **January 2022 Board of Directors Meeting Minutes**. Mr. Coon seconded the motion and the motion carried unanimously.

FINANCIALS

Bookkeeper’s Report, Prepaid Bills and Bills for Approval

Mr. Chambers made a motion to approve the **January 2022 Bookkeepers Report, Prepaid Bills and Bills for Approval**. Mr. Baker seconded the motion and the motion carried unanimously.

JANUARY 2022 PREPAID BILLS

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
01/05/2022	ACH	Grissum Security	New Year's holiday	320.04
01/07/2022	ACH	MyFax Services	Virtual Fax Fee	10.00
01/10/2022	7986	Davis Building Supply	Timer & guard shack key	32.63
		"	Cleaning supplies	26.28
01/10/2022	ACH	CopperPoint Mutual	Worker's Comp.	216.60
01/14/2022	ACH	Republic Services	3-0527-0040037	5,025.59
		"	GM Advance	1,433.33
		"	Vehicle Allowance	100.00
01/14/2022	7987	Heather Wilson	Recording Secy. Advance	125.00
01/17/2022	7988	La Paz County Sheriff	2/7 meeting room fee	50.00
01/17/2022	7989	Beaver Insurance Agency	CNA Surety Policy #69659560	359.00
01/18/2022	ACH	Frontier	667-2840	112.29
01/18/2022	ACH	Frontier	667-4484	109.85
01/25/2022	7990	Lemme Associates AZ	Topo boat ramp	1,500.00
01/31/2022	ACH	EPCOR Water Utility	0811061	253.17
01/31/2022	ACH	APS	6276651000	83.85
01/31/2022	ACH	APS	6125100000	1,607.07
01/31/2022	7991	Otis Hall	January Groundskeeping	800.00
01/31/2022	7992	Heather Wilson	GM Balance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Balance	125.00
1/31/2022	7993	Shaffer Welding Services	Gate welding	250.00
01/31/2022	7994	Sue Thomson	January Bookkeeping	1,500.00
		"	Postage	11.22
		" Tax forms		11.00
				15,595.25

FINANCIALS CONTINUED

BILLS FOR APPROVAL

Law Office of John C. Churchill (December & January) \$440.00

BALANCE SHEET

Mr. Chambers made a motion to approve the **January 2022 Balance Sheet**.

Mr. Smith seconded the motion and the motion carried unanimously.

PROFIT AND LOSS STATEMENT

Ms. Furnell made a motion to approve the **January 2022 Profit and Loss Statement**.

Mr. Coon seconded the motion and the motion carried unanimously.

OLD BUSINESS

Construction Progress Report

Discussion

Mr. Sweeney stated that he was unable to shoot the building height on Lot 13 but will have it done by the next Board Meeting.

Mr. Sweeney reported; The January Construction Report has been sent out via email and we have twelve (12) projects on the Construction Report, and they are Lot 13, Lot 14, Lot 67, Lot 75, Lot 83, Lot 99, Lot 101, Lot 168, Lot 181, Lot 200, Lot 227, and Lot 230.

Discussion to Replace North Launch Ramp and Retaining Wall

Ms. Wilson reported; Lemme Engineering will have drawings ready for her to submit to the Board for approval at the March 7, 2022, Board Meeting.

Rules Committee

Mr. Volkoff reported; The Rules Committee has meet several times via zoom, special workshops and input from the membership in an effort to come up with a set of existing and new rules that can be sent out to the membership for voting.

Mr. Volkoff stated; Today he will presenting the recap version of the rules to the Board so that they can make the determination as to what rules we should or should not move forward with.

Rule 1 – Noise and Nuisance Already in the CC&R’s however there is not fine associated with it.

Feed back

The word “curfew” really does not identify what is acceptable when it comes to excessive noise and the rule itself is vague.

Discussion

Mr. Sweeney reported that he is not in favor of this rule because who are we to tell people what time they need to shut things down.

Mr. Chambers reported; homeowners need to be calling the Sheriff if they feel their neighbors are being a nuisance with the excessive noise not matter what time of day it is.

Rules Committee Continued

Rule 1 – Noise and Nuisance - Already in the CC&R’s however there is not fine associated with it continued

Discussion continued

Ms. Wilson reported; Most of the rental properties have cameras on them, so the homeowners know what is happening at their property, therefore the homeowner should be contacting their tenants directly and not wait until it gets to the point that someone complains or if someone does complain the homeowner can view their camera and contact their tenant.

Mr. Volkoff suggested that the Board **not** put **Rule 1** out to vote because it is too vague and he does not feel that it is going to pass and recommends that we do not put this out to a vote.

Mr. Sweeney made a motion to **not** proceed with the issuance of a fine for Noise and Nuisance. Mr. Chambers seconded the motion and the motion carried unanimously.

Rule 2 – A Local Representative must be present at the property to check in each new lessee/renter (and possible check out) and to have contact information on file with the General Manager.

Discussion

Mr. Sweeney reported; Although he personally feels this should be a requirement to have a local representative check in tenants, he does not think that we are able to enforce it. However, it is important that we have contact information on file for all property owners and their local representative so we know who to contact if there is an issue at the property.

Mr. Sweeney made a motion that the Board approve part two of Rule #2 which would require all homeowners to have their contact information on file and who their local representative is, so the General Manager knows who to contact if there is an issue at the property. Mr. Chambers seconded the motion and the motion carried unanimously.

Rule 3 Lot Owner required to provide ample parking spots for their guests on their property.

Discussion

Mr. Volkoff reported: This rule is too vague and the group recommends that this rule be eliminated.

Mr. Chambers made a motion to **not** proceed with this rule. Ms. Northcutt seconded the motion and the motion carried unanimously.

Rule 4 – Overflow parking lot time frame 7 Consecutive Days

Discussion

Mr. Volkoff reported this proposed rule is already a rule but is clarifying the parking time frame which would be once a vehicle/trailer has been in the overflow parking lot for seven consecutive days the vehicle is required to be removed from the overflow parking lot for 72 hours before it can return to the overflow parking lot.

Rules Committee Continued

Rule 4 – Overflow parking lot time frame 7 Consecutive Days

Mr. Northcutt made a motion to proceed with this rule as stated. Mr. Smith seconded the motion and the motion carried unanimously.

Rule 5 – One vehicle or one trailer per residential lot in Overflow parking lot or in the short-term parking spaces in the common area.

Discussion

Mr. Volkoff reported; This rule is designed to help control the amount of vehicles that come on to the property.

Mr. Sweeney reported; In the past we have had homeowners who flood the overflow parking lot and the short-term parking spaces with multiple vehicles and trailers which is not fair to the other homeowners and he feels that one vehicle per lot should be allowed to park in the overflow parking lot or one vehicle with a trailer attached in the short-term parking spaces in the common area.

Mr. Chambers stated; He feels that homeowners should be allowed to park a truck/motorhome with a trailer hooked up to it in the overflow and the common area, that there are times when homeowners come in late at night and need a place to park until they can unload.

Mr. Baker reported; Lets make this clear and simple, allow one vehicle and one trailer.

Overflow Parking Lot Fines

Discussion

Mr. Volkoff proposed the following fine structure for any vehicle/trailer violating parking time frames in the over flow parking as follows

Day 1 \$ 50.00

Day 2 \$ 75.00

Day 3 \$100.00

Day 4 \$125.00

Day 5 \$150.00

Mr. Smith made the following motion; Overflow Parking Lot; one vehicle and one trailer or one vehicle/motorhome connected to a trailer per lot will be allowed in the overflow parking lot and to proceed with the fine structure as discussed above. Ms. Northcutt seconded the motion and the motion carried unanimously.

Note; If you are already parked in the overflow parking lot you are not allowed to also park in the common area short term parking spaces. It is either the overflow parking lot or the short-term parking spaces not both.

Rules Committee Continued

Rule 6 – Emergency Contact Information

Discussion

Mr. Sweeney reported; Arizona State Law requires that all homeowners have emergency contact informant on file with the HOA and that we are going to follow the Arizona State Law.

Mr. Sweeney made a motion to proceed with the Emergency Contract Information rule. Mr. Baker seconded the motion and the motion carried unanimously.

Rule 7 – Good Neighbor Policy Rules and Fines

Discussion

Mr. Volkoff summarized the Good Neighbor Policy; Every homeowner would receive a copy of the Good Neighbor Policy and would be required to sign and return it back to the General Manager. Homeowners who fail to sign and return the Good Neighbor Policy would be subject to a \$50.00 fine per month for every month that it is not submitted and that every TIS Sheet will have a statement on it that Tenants have received a copy of the Good Neighbor Policy.

Ms. Northcutt made a motion that all homeowners receive the “Good Neighbor Policy” sign it and return it back to the General Manager, failure to do will result in a fine of \$50.00 per month for every month it is not received and that all TIS sheets are to have a statement on them stating that they have received and reviewed the “Good Neighbor Policy”. Failure to have this statement on TIS sheets is also subject to a \$50.00 fine per TIS Sheet. Mr. Sweeney seconded the motion and the motion carried unanimously.

Rule 8 – Failure to submit a Tenant Information Sheet to the association based upon a misrepresentation

Discussion

Mr. Sweeney reported; When a Homeowner has a rental property and they continuously mis represent their occupants as being family members when in fact they are renters that have been verified as renters, the homeowner should be fined \$500.00 for the first violation and \$1,000.00 for each violation after that for misrepresenting the guests that are staying at the property. Mr. Sweeney also stated he does not understand why someone would want to misrepresent their property due to a \$25.00 TIS fee.

Ms. Wilson reported; Every homeowner complies with the TIS requirements except for one homeowner and that she is tired of being lied to as to who is actually occupying this particular property. Ms. Wilson also stated that she has actually spoken with this person’s tenants and at times assisted this person tenants . This person knows who I am talking about and the association needs to do something about it.

Ms. Wilson also stated; This individual is making the rental properties that are following the rules look bad, due to the fact that all of the other rental properties turn in their rental sheets and pay their TIS fees.

Rules Committee Continued

Rule 8 – Failure to submit a Tenant Information Sheet to the association based upon a misrepresentation continued

Discussion

Mr. Sweeney made a motion that a fine be imposed on individuals that mis represent their rental property by not turning in a TIS sheet in the amount of \$500.00 for the first violation and \$1,000.00 for each violation after that. Mr. Volkoff seconded the motion and the motion passed unanimously.

Rule 9 – Increase of the existing fines

Discussion

Mr. Sweeney reported; Everyone is in agreement that this rules needs to go away and made a motion to **not** move forward with this rule. Mr. Volkoff seconded the motion and the motion carried unanimously.

Rule 10 – Unlicensed Drivers

Discussion

Mr. Sweeney reported; Unlicensed Drivers is currently written in the CC&R's which state all drivers must be licensed but there is no fine attached.

Mr. Churchill stated; The Moovalya Keys CC&R's has already established a minimum age requirement to operate a vehicle on the streets of the Moovalya Keys and that requirement is that all persons operating a vehicle within the Moovalya Keys must have a driver's license.

Mr. Sullivan made a motion to issue a fine to unlicensed drivers. Mr. Baker seconded the motion and the motion carried unanimously.

Mr. Volkoff reported that he will rewrite the Proposed Rules as discussed today and resubmit it to the Board and Mr. Churchill before the next meeting.

Mr. Sweeney reported that the proposed rules will **not** be part of the Annual Meeting Voting Package.

Bollman Property

Mr. Sweeney reported; He has walked the Bollman property however there is still work that needs to be completed over by the mailboxes where the dirt is all the way up to the wrought iron and due to the fact that the wall is not a retaining wall it will not hold up to dirt piling up against it.

Mr. Sweeney also report, he will be re-walking the property with Mr. Churchill to look at what actually still needs to be completed and will report back to the Board.

NEW BUSINESS

2021 Financials

Mr. Sweeney stated the Board needs to approve the 2021 Balance Sheet that will be mailed out in the Annual Meeting voting package.

Discussion

Mr. Sweeney reported; The 2021 total assets and the total liabilities and equities do not balance and requested that Sue Thomson revisit and resubmit back to the Board for approval.

Mr. Sweeney stated that the Board is **not** going to approve the 2021 Financial as presented until Sue Thomson makes the changes as discussed and resubmit it back to Board for approval.

Approval of 2022 Budget

Ms. Furnell requested that we take \$40,000.00 out of unallocated for the new launch ramp and make a line item in the budget and resubmit it to the Board.

Approval of the Annual Meeting Voting package

Ms. Wilson reported she has submitted the Annual Meeting Voting package via email to the Board of Directors and is seeking approval.

Discussion

Mr. Baker requested that we discuss the proposed rules at the Homeowners Annual Meeting under the Presidents Report and the Board was in agreement.

Mr. Chambers made a motion to approve the 2022 Homeowners Annual Meeting Voting Package as discussed. Mr. Baker seconded the motion and the motion carried unanimously.

Velazquez Plans for Approval Lot 181 – 8801 Yaqui loop

Mr. Sweeney reported; The Board is in receipt of plans for Lot 181 Yaqui Loop and the plans are in compliance with the CC&R's and made a motion to approve the plans as submitted. Mr. Volkoff seconded the motion and the motion carried unanimously.

ANNOUNCEMENTS

Mr. Sweeney announced the following

- Homeowners Annual Meeting will be on **April 16, 2022** at the La Paz County Sheriff Boating and Safety Training Room 8484 Riverside Drive, Parker, AZ.
- 2022 Board Candidates letters of interest with a Bio are due **March 1, 2022**.
- Voting Packages will be in the mail to the membership on **March 14, 2022**.

EXECUTIVE SESSION

No Executive Session

Meeting Adjourned 7:48

Next Board of Directors Meeting is on March 7, 2022, at 6:00 pm at the La Paz County Sheriff Boating and Safety Center 8484 Riverside Drive. This is an open Board meeting and will also be made available via Zoom.