

**LAKE MOOVALYA KEYS  
Board of Directors  
Regular Meeting**

**November 5, 2012**

**CALL TO ORDER**

President Jack Sweeney called the regular meeting of the Lake Moovalya Keys Board of Directors to order at 6:02 p.m.

**PRESENT**

*President:* Jack Sweeney

*Vice President:* Chuck Baker

*Secretary/Treasurer:* Laura Lancaster

*Board Members:* Chris Chambers, Blane Coon, William (Squeak) Kossnar, Kit Furnell, Christie May Ward & Ryan Shubin

**ABSENT**

**OTHERS PRESENT**

*Bookkeeper/Recording Secretary:* Sue Thomson

*General Manager:* Heather Wilson

*Legal Counsel:* John C. Churchill

*Guests:* Gary Svider (Lot 233), Robbie Kaufman (Lot 180), John Croteau (Lot 171), Carla Faulkner (David Plunkett Realty)

**CALL TO PUBLIC**

**MINUTES**

*Ms. Lancaster moved to approve the October Minutes; Mr. Baker seconded the motion and the motion carried unanimously.*

*Mr. Kossnar moved to approve the October Executive Session Minutes; Mr. Baker seconded the motion and the motion carried unanimously.*

**FINANCIAL REPORTS**

*Ms. Lancaster moved to approve the Bookkeeper Report, Prepaid Bills & Bills for Approval. Mr. Coon seconded the motion. Ms. Thomson presented a reseeding invoice from Heather Wilson for \$150. Since we typically pay \$150 for reseeding, and Otis wanted \$300, Ms. Wilson and her boyfriend reseeded for \$150, with Mr. Sweeney's approval. There being no further discussion, the motion carried unanimously.*

## PREPAID BILLS FOR APPROVAL

Date	Num	Name	Memo	Amount
10/02/2012	6524	Mike's Contracting, Inc.	Gravel parking lot	665.48
10/02/2012	6525	Frontier	667-2840	59.90
		"	667-4484	63.44
10/03/2012	6526	Allied Waste Services	3-0527-0040037	2,681.84
10/03/2012	6527	Davis Building Supply	Landscape maintenance	149.47
10/04/2012	6528	SCF Arizona	505072 - July - September	367.00
10/12/2012	6529	Parker Office Supply	GM supplies	71.12
10/15/2012	6530	Heather Wilson	Advance	925.00
		"	Fuel	100.00
			No trespassing/surveillance signs	
10/15/2012	6531	SIGNCRAFT		413.32
10/15/2012	6532	AT&T	928-667-4484	32.20
10/16/2012	6533	Parker Office Supply	Bookkeeper supplies	112.30
10/18/2012	6534	APS	589381281	1,541.04
10/24/2012	6535	Brooke Utilities, Inc.	53017-11860	340.24
10/24/2012	6536	APS	732930287	86.58
10/30/2012	6537	La Paz County Treasurer	311-41-249C (in full)	1,081.56
		"	311-41-003B (in full)	4.64
10/31/2012	6538	Heather Wilson	October balance	925.00
		"	Fuel	100.00
10/31/2012	6539	Otis Hall	October Groundskeeping	750.00
10/31/2012	6540	Sue Thomson	October	1,150.00
		"	September Pitney Bowes Rental	28.00
		"	Postage	7.20
				<b>11,655.33</b>

*Ms. Ward moved to approve the October Balance Sheet; Mr. Baker seconded the motion and the motion carried unanimously. Ms. Lancaster moved to approve the October Profit & Loss Statement; Ms. Ward seconded the motion and the motion carried unanimously.*

Collections Report – No discussion. Mr. Baker inquired of Ms. Thomson if we have ever had to write off any dues on foreclosed lots. Ms. Thomson said dues were paid on most of the foreclosures; that we wrote off some dues on maybe one or two foreclosures.

## GENERAL MANAGER REPORT

*Mr. Shubin moved to approve the October General Manager's Report; Ms. Lancaster seconded the motion. Mr. Coon commented on Ms. Wilson's report entry about there being 137 people in 11 rental houses with 11 trailers over Labor Day, according to her Tenant Information Sheets. There being no further discussion, the motion carried unanimously.*

## OLD BUSINESS

Lighting at the gate – Ms. Wilson offered to procure a design that is aesthetically and visually appealing, perhaps a solar setup. Mr. Sweeney worried about security, and Ms. Wilson offered to get some options; Mr. Sweeney agreed. Mr. Baker asked if we would need some lights off the back of the guard shack. Mr. Sweeney said we would need to shield them, as light bothers the camera lens. Mr. Sweeney said he will install two lights on the guard shack by the next meeting.

Security system – Mr. Sweeney said an elaborate security system on every street would be a waste of a lot of people's time and would be very expensive. Mr. Baker suggested that we make work what we have. Mr. Kossnar said that fixing the lighting at the gate will solve some of the problems. Mr. Sweeney reported that the camera had been turned recently, but that he fixed it.

Oleanders – Ms. Wilson said we should mark the trees in the next couple of weeks in preparation for trimming. They will be trimmed to a height of 8'.

Surveillance Signs – On behalf of two homeowners who inquired, Ms. Furnell asked for clarification about the reward language on the new surveillance signs, and does it only affect common property, or does it apply to individual homeowners' properties? Mr. Churchill said it can apply to both. Mr. Wilson said it is different if you invite someone onto your property and they do damage, versus them trespassing and doing damage to an individual's property. Mr. Churchill said it could apply to both. Mr. Sweeney said it could apply to both, so if someone vandalizes someone's paddle boat, and someone rats them out, we're going to pay them \$500? Mr. Churchill said that what you're doing is putting people on notice that they are trespassing if they come here without consent. Ms. Wilson said she was having a problem with this girl coming onto the property, and she was asked not to; she said if another homeowner invites someone in here, then there's nothing she can do about it. Mr. Churchill said they aren't going to get into the Keys without getting through the gate, so if they do, they're already in violation, but that's not going to give you damages if something happens to your car; that's a separate matter and it has nothing to do with the trespassing statute. Ms. Furnell said these two homeowners asked her if it just applies only to the Association's properties, meaning guard shack, gate, fencing on the dumpsters, etc., or did it include homeowners' properties; she thought it would include the whole Keys, but she didn't want to give them a wrong answer. Ms. Lancaster asked if the Association would have to pay the reward on damages to an individual's property. Mr. Churchill said don't confuse damages with the reward; damages are what you get when someone's harmed your property. A reward is something offered when somebody violates a statute. Mr. Sweeney said the answer is yes, and if someone destroys community or personal property within the Keys and they are arrested and convicted, then yes. Mr. Churchill said he is going to have to look at the statute to give an absolute and definitive answer. The matter was continued to the next meeting.

## NEW BUSINESS

Annual Community Garage Sale – Mr. Sweeney said he prefers having the community garage sale in January, as did Mr. Ward, and Ms. Furnell was asked to pick a weekend in January, other than race weekend, for the sale.

Security for Thanksgiving Holiday – Mr. Baker asked if the Thanksgiving holiday security service will be going after unlicensed drivers. Mr. Wilson said the high-profile security service will be here Friday day and night, and Saturday day and night. Ms. Wilson said she will put up a warning banner. Ms. Thomson was asked to prepare a flyer to go out to all homeowners with their next dues' statement. Ms. Thomson asked what the consequences would be for unlicensed drivers caught driving; Ms. Wilson said she would tell the security service to give the unlicensed drivers a warning, and then they will be instructed to have the driver/vehicle immediately return to the residence from which it came. Mr. Churchill said that per the CC&R's, vehicles must be licensed, as well as the drivers. There is to be no cruising, and golf carts shall be deemed to be in the same category, so they too must be licensed and driven by licensed drivers. Mr. Churchill quoted the pertinent ingress and egress regulation, which states: ..."(d) Motorcycles, trail bikes, minibikes, ATV's, mopeds or similar vehicles are prohibited and may not be used or operated within LMK, except that any such vehicle lawfully licensed for use on public roadways may be used for the strictly limited purpose of ingress and egress to a Lot...." Mr. Baker said all vehicles must be licensed, and must be operated by a licensed driver. Mr. Coon suggested that we give violators a copy of the pertinent CC&R's section at the time they are pulled over.

Mr. Kaufman reported that the dock across from him is falling apart. Ms. Thomson is to send a letter to the property owner, along with a photo of the dock, asking them to either repair or remove the dock.

Mr. Croteau asked what we do about loud music, and Mr. Coon said to call the Sheriff's Office. Ms. Wilson said she can also field loud-music complaints. Mr. Sweeney said that if the music is coming from a boat on the water there is not much you can do since the canals are Federal waterways, but Mr. Chambers said if the boat is tied to a dock, the Sheriff's Office will respond. Mr. Churchill quoted the *Nuisance* provisions of section 12.6 of the CC&R's, which states: *12.6 Nuisances. No Owner or Member shall permit or suffer anything to be done or kept about or within his Lot, or on or about the property, which will obstruct or interfere with the rights of other Owners, members, Occupants or other authorized Persons to the use and enjoyment of their property and the Common Areas, or annoy them by unreasonable noises or otherwise, nor commit or permit any nuisance or commit or suffer any illegal act to be committed therein or thereon..... No person shall operate any noise emitting device, including, but not limited to, boats, motor vehicles (including motorcycles, ATVs, and the like) speakers, sound systems, radios, stereos or other sound emitting devices of any kind in such a manner as to annoy or disturb the peace of any other lot owner or occupant."*

Mr. Croteau asked about the legality of jet ski lifts on docks, and Mr. Kossnar said an owner can have only two of three of either: a ramp, a launch ramp or a seawall, and none can touch the water. Mr. Croteau was concerned about safety of such lifts, and there are two on his canal. Mr. Baker says if they are installed sideways, they take up less room. Mr. Sweeney said the Board has no jurisdiction over such objects, unless

they are obstructing the canal, and the Board cannot approve something going in the water, as the water is a Federal waterway.

## **ADJOURNMENT**

The regular meeting adjourned to Executive Session at 6:40 p.m.

The next regular meeting date was set for December 3, 2012.

Submitted by Recording Secretary, Sue Thomson  
APPROVED BY BOARD OF DIRECTORS DECEMBER 3, 2012