

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

**September 9, 2013**

**CALL TO ORDER**

President Jack Sweeney called the regular meeting of the Lake Moovalya Keys Board of Directors to order at 6:04 p.m.

**PRESENT**

*President:* Jack Sweeney

*Vice President:* Chuck Baker

*Secretary/Treasurer:* Laura Lancaster

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

**OTHERS PRESENT**

*Business Manager/Recording Secretary:* Sue Thomson

*General Manager:* Heather Wilson

*Legal Counsel:* John C. Churchill

*Guests:* Gary Svider (Lot 233)

**CALL TO PUBLIC**

**MINUTES**

*Ms. Ward moved to approve the July Minutes; Ms. Lancaster seconded the motion. A correction was made in attendance. There being no further discussion the motion carried unanimously.*

**FINANCIAL REPORTS**

*Mr. Baker moved to approve the Bookkeeper Report, Prepaid Bills & Bills for Approval; Ms. Ward seconded the motion. Ms. Thomson reported that she is now including the security service incident report items in her Bookkeeper Reports, to supplement the General Manager's incidents, per Mr. Baker's previous request, and that they will be reflected in the regular, monthly meeting Minutes. There being no further discussion, the motion carried unanimously.*

## **PREPAID BILLS FOR APPROVAL**

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
07/02/2013	6663	Frontier	667-2840	58.71
07/02/2013		"	667-4484	62.18
07/02/2013	6664	NetServeOnSite	Annual Website Mainten.	175.00
07/02/2013	6665	Law Office of John C. Churchill	HOA 6/26	231.55
07/02/2013	6666	Jack Sweeney	Transformers for Cameras	48.43
07/02/2013	6667	Davis Building Supply	Sprinkler repair & fertilizer	101.23
07/11/2013	6668	Peachtree Business Products	Parking violation tag books	129.12
07/11/2013		"	Doggie supplies	77.47
07/11/2013	6669	Desert Dominion Security	6/28 & 6/29	351.20
07/11/2013		"	7/4 thru 7/6	856.05
07/15/2013	6670	Heather Wilson	Advance	925.00
07/15/2013		"	Fuel	100.00
07/15/2013	DEBIT	Allied Waste Services	3-0527-0040037	3,116.67
07/17/2013	6671	Desert Dominion Security	7/12 & 7/13	351.20
07/18/2013	6672	AT&T	928-667-4484	33.11
07/18/2013	6673	APS	589381281	1,550.99
07/18/2013	6674	Brooke Utilities, Inc.	53017-11860	366.27
07/23/2013	6675	APS	732930287	112.53
07/25/2013	6676	Desert Dominion Security	7/19 & 7/20	351.20
07/31/2013	6677	Heather Wilson	July balance	925.00
07/31/2013		"	Fuel	100.00
07/31/2013	6678	Otis Hall	July Groundskeeping	750.00
07/31/2013	6679	Desert Dominion Security	7/26 & 7/27	351.20
07/31/2013	6680	Advanced Plumbing	Jet line @ boat ramp	155.00
07/31/2013	6681	Parker Tree Service	Trim trees	450.00
07/31/2013	6682	Sue Thomson	July	1,150.00
07/31/2013		"	June Pitney Bowes Rental	28.00
07/31/2013		"	Postage	12.12
08/01/2013	6683	K Storage, Inc.	M-3	247.50
08/01/2013	6684	Frontier	667-2840	59.29
08/01/2013		"	667-4484	62.77
08/08/2013	6685	Mike's Contracting, Inc.	Repair sink hole on Yaqui Loop	600.00
08/08/2013	6686	Desert Dominion Security	8/2 & 8/3	351.20
08/08/2013	6687	SIGNCRAFT	3 No Jumping Signs	140.42
08/08/2013	6688	Davis Building Supply	Lawn care & solar batteries	248.84
08/14/2013	EFT	Allied Waste Services	3-0527-0040037	2,795.12
08/14/2013	6689	AT&T	928-667-4484	40.42
08/14/2013	6690	Desert Dominion Security	8/9 & 8/10	351.20
08/15/2013	6691	Heather Wilson	Advance	925.00
08/15/2013		"	Fuel	100.00
08/21/2013	6692	APS	732930287 & 589381281	1,670.62
08/21/2013	6693	Brooke Utilities, Inc.	53017-11860	727.63

08/21/2013	6694	Desert Dominion Security	8/16 & 8/17	351.20
08/28/2013	6695	Desert Dominion Security	8/23 & 8/24	351.20
08/30/2013	6696	Heather Wilson	August balance	925.00
08/30/2013	"	"	Fuel	100.00
08/30/2013	6697	Otis Hall	August Groundskeeping	750.00
08/31/2013	6698	Sue Thomson	August	1,150.00
08/31/2013	"	"	July Pitney Bowes Rental	28.00
08/31/2013	"	"	Postage	<u>6.90</u>
			<b>TOTAL</b>	<b>24,901.54</b>

### **BILLS FOR APPROVAL**

Law Office of John C. Churchill (7/28/13 invoice, attached)	50.00
Advanced Mechanical & Plumbing (toilet repair/guard shack)	161.17

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

*Mr. Coon moved to approve the August Balance Sheet; Ms. Ward seconded the motion and the motion carried unanimously. Ms. Ward moved to approve the August Profit & Loss Statement; Mr. Shubin seconded the motion and the motion carried unanimously.*

Collections Report—No delinquencies.

### **INCIDENT REPORTS FROM SECURITY SERVICE**

- 9/1 Fireworks set off. Neighbor thought it was gunfire. Culprits not identified. Several complaints received over last few days about non-op gate codes. Codes reset.
- 8/31 Lomax talked to someone taking photos at Lots 127/128; said he was amateur photographer taking pictures of canal & water draining outside of houses.
- 8/24 Noise complaint at Lot 137; loud music was turned down.
- 8/24 Unknown trailer parked on vacant Lot 56; Lomax told owner to call tow truck.
- 8/17 Suspicious vehicle (silver Chevy Malibu) noted next to Lots 127/128.
- 8/9 Noise complaint at Lot 141; when Lomax asked residents to turn music down, resident got upset & told Lomax to leave property; SO was called & arrived 20 minutes later.
- 8/10 Owners of unauthorized vehicles parked at end of Papago were told to move them; Lomax found cars parked there again two more times.
- 8/10 Noise complaint at Lot 141; residents told to turn music down; another noise complaint at same property just after midnight; residents eventually complied after complaining that they felt they were being picked on and saying, "this is the river & other people should put earplugs in."
- 8/3 Dirty Deeds white truck power-braked near the exit.

- 8/2 Underage girl operating golf cart was escorted back to her home at Lot 138.
- 7/27 Lomax was informed by young girls that a man was trying to solicit them near Plunkett Realty; SO was notified.
- 7/27 Lomax responded to possible underage drinking & loud music at Lot 55; garage door was subsequently closed and music turned off.
- 7/26 Person in dark blue Tahoe with black wheels yelled out window at Lomax on three different occasions; driver never stopped to interview.
- 7/26 Lomax asked residents at Lots 162/163 to lower music; they complied.
- 7/20 Noise complaint at boat dock & patio area at Lot 40; Lomax spoke with renters & the music was turned down.
- 7/20 Broken sprinkler noted near gate alongside oleanders.
- 7/19 Dana Bozeman's ex-boyfriend again tried to enter Keys; Lomax told him he was not authorized to let him in; after a confrontation, the SO was called and a deputy arrived.
- 7/13 Lomax spoke to renters at 8738 Moovalya about no-fireworks rule; that SO would be called if further activity noted.
- 7/12 Fireworks complaint; going on last four nights along the river; culprits identified late at night; SO notified, but they didn't show up before Lomax's end of shift.
- 7/5 Noise complaint about loud music at Lots 162/163; the house was quiet when Lomax arrived.
- 7/5 Lomax talked to folks at Lots 127/128 about too many people on deck & bridge. SO was asked to do a drive-by.
- 7/5 Noise complaint received about loud music at Lot 40; renters said they would turn music down.
- 7/5 Fireworks observed at 1:48 a.m. across canal; Lomax confronted residents (unidentified property) about that and loud music; also talked to residents in a red SKL boat about loud music; they did not comply after several times being asked; Lomax called the SO, but when they arrived, they were unable to make contact with boat operator.
- 7/4 Lomax stopped man in green Dodge truck with Wyoming plates from entering the Keys (Dana Bozeman's ex-boyfriend who was banned from coming onto the premises).
- 7/4 SO performed traffic stop of an unlicensed driver of a golf cart at the entrance gate.

**CITATIONS ISSUED**

07/02/2013	043 - Pollett, Bruce & Tricia	White line	50.00
07/05/2013	040 - Lance, Neil	White line	50.00
07/05/2013	208 - Richards, Jim	Unauthorized parking	100.00
07/08/2013	208 - Richards, Jim	White line	100.00
07/08/2013	120 - Gaipa, Gaetano	White line	50.00
07/12/2013	118 - Gaipa, Antonio & Antonina	White line	50.00
07/12/2013	VDMA (Schneider)	White line	50.00
07/15/2013	085 - Moody/McHale	White line	25.00
07/16/2013	032 - Lay, Jody	White line	50.00

07/19/2013	120 - Gaipa, Gaetano	White line	50.00
07/26/2013	033 - Volkoff, Mark	White line	50.00
08/02/2013	075 - Sapp, Jeffrey	White line	50.00
08/09/2013	033 - Volkoff, Mark	3 dog clean-up fines	75.00
08/10/2013	103 - Smith, Charles & Joan	White lines & no parking passes	200.00
08/31/2013	183 - Coffelt, Debora	White line	50.00
09/01/2013	208 - Richards, Jim	Unauthorized parking	200.00
			<b>1,200.00</b>

## GENERAL MANAGER'S REPORTS

*Mr. Shubin moved to approve the July and August General Manager's Reports; Ms. Ward seconded the motion. Ms. Wilson reported on the status of outstanding fines, that she talked to the owners of Lots 85 and 88 who filed protests, and they said they will pay the fines. Mr. Sweeney moved to dismiss the fine assessed to Lot 138; Ms. Ward seconded the motion and the motion carried unanimously.*

The General Manager reported on the following activities during July & August:

Trash picked up on Lot 208 which raccoons had gotten into. GM spent two hours cleaning up beer cans and solo cups on the streets on 8/11.

Spear fishing and fireworks reported being launched from a Keys II property, the latter causing damage at Lots 162/163. Fireworks residue was requested to be cleaned up on Apache. Fireworks reported at Lot 4.

High pressure water hose was stolen, as were the no-jumping-off-bridge signs at both bridges on Papago.

Complaints received about a VDMA property on Moovalya which has seven dogs and the waste is not being cleaned up. Animal Control was called to monitor the situation. GM picked up 11 piles of dog poop on Apache and left the baggies there for the dog owner(s) to dispose of.

The clogged drain at the end of Moovalya was cleaned out.

Life jackets were stolen from Lot 40's patio. Lot 1 reported a lot of theft and loitering on their property and finding used condoms on their deck.

A sinkhole is forming in the street at Lot 175.

Underage drinkers were noted at Lot 56, with the kids getting mouthy; Sheriff was called.

A Brooke Water leak was detected at Lot 51 and has been repaired.

Suddenlink made a mess at the end of Yaqui; they were contacted to clean it up.

Soaker timers were reset, and the leak in the guard shack toilet was repaired.

Renters at Lot 169 had a complete DJ/sound system set up on Thursday night, 8/22; they were asked to keep it down after 10 p.m.

According to submitted Tenant Info Sheets, during the month of July we had 168 short-term rentals with 1,240 occupants & 388 vehicles.

## **OLD BUSINESS**

Mr. Baker discussed the ongoing short-term renter problems, which need to be resolved, as they are taking over the Keys. He said there are five high-occupancy properties on his street which account for 90% of the problem. These renters have no respect, and each property brings at least six to seven vehicles causing parking over the line. The property next to him has six bedrooms, and there are typically 20-25 renters at a time who are all in full party mode. Ms. Lancaster referenced the rental packet she prepared a few years ago, and the rental owners are doing a lot of what she previously proposed. She suggested a per-bedroom charge/service fee of \$100 per bedroom, per season to help offset the labor involved in processing and monitoring the Tenant Information Sheets. Mr. Baker said that money is not the problem; it's the number of people. Ms. Wilson said the realtors need to be monitoring the rentals, but no one is currently accountable. Mr. Sweeney agreed that money is not the issue, and Mr. Baker said the situation has gotten worse over time. Mr. Sweeney said we should be able to ask unruly tenants to leave. Ms. Wilson said she has been working with RGR more, but the realtors should be accountable. She said Carla at Plunkett Realty checks in on the renters when they get settled in.

Ms. Furnell said we previously discussed a service fee for the extra trash and security needs. Mr. Churchill said we couldn't assess a separate fee without a majority of member approval. Ms. Ward said we sometimes can't differentiate between owners with large holiday groups vs. renters. Mr. Lancaster suggested inviting Kim at RGR and Carla at Plunkett's to the next Board meeting. Mr. Baker said he talks to Kim all the time about it. Mr. Kossnar said the renters are bringing lots of boats, and they are using his ramp. He is concerned about liability of his slippery ramp, and people have asked him for directions, and they have asked to borrow his tools. Mr. Sweeney said he was surprised about the GM reporting there were 30 rentals and 92 vehicles during one recent weekend.

Ms. Lancaster said that Plunkett's rental contracts are only two pages, and they should include language to make the renters liable. Mr. Baker said that paying fines doesn't resolve the problem. Ms. Wilson believes that the realtors don't know what to do about these problems. Mr. Sweeney said the realtors need to be available by phone if problems occur, but RGR is hard to get in touch with when we have issues with their tenants.

Mr. Churchill advised that HOA's do not have contracts with realtors; our contract is with the homeowners, and rules are part of the CC&R's, so we can't look to the realtors; we have to look to the homeowners so the homeowners can look to their realtors. In addition, he stated that we are not enforcing the single-family residence requirement. Mr. Sweeney pointed out that he has had 12 guests at his property who are just a single family. Mr. Churchill said all we can do is create rules in order to control the situation. There was a discussion about whether or not renting a property can be defined as "running a business" which is not allowed in the Keys.

Mr. Baker suggested that we propose some rules for the next annual meeting, and that we should start the discussion now about what those rules should encompass.

There was a discussion about how everyone gets in the gate, and if they have an address, they get issued a parking pass, or they have a code if no one is manning the gate. Mr. Sweeney said that to better safeguard the gate, we would need a better entry system, but Mr. Baker said that still doesn't solve the problem. Ms. Lancaster said she assumed security was keeping track of how many people were entering through the gate, and Mr. Sweeney said that is not the case. Ms. Furnell said she has observed tenants picking up their rental packages at the realtors' offices while everyone else in their party is parked alongside the road, where they wait until the tenant in charge with the gate opener gets in, and then several vehicles and boats follow them in.

*Mr. Baker made a motion to form a committee with him, consisting of Mr. Shubin, Ms. Lancaster and Ms. Furnell to look at possible resolutions to the renter problems. Mr. Sweeney said it needs to be palatable to both sides. The motion was seconded and carried unanimously.*

## **NEW BUSINESS**

Lot 138 Plans—*Mr. Sweeney moved to approve submitted plans for a remodel at 8750 Yaqui Loop; Mr. Baker seconded the motion.* Mr. Sweeney said he looked at the property and the plans, and the owner wants to go up to 17'6", and it's going to look exactly like the garage, with the same tile roof and no change to the footprint. The owner is in compliance with what he wants to build, as it will be the same height as the garage. Mr. Chambers said we need a scheduled completion time, or construction time limit. Mr. Baker said the owner is not starting work until November. No elevation plan was submitted, and he should give us what he's giving to the County. The matter was tabled until the next Board meeting, and the motion died.

Lot 14 Plans—*Mr. Sweeney moved to approve submitted plans for a remodel at 8878 Moovalya Drive; Mr. Shubin seconded the motion.* Mr. Sweeney said the plans are compliant with setback requirements. *There being no further discussion, the motion carried unanimously.*

Mr. Chambers asked if the Schiada perpetrator was identified, and no one knew who that was.

Mr. Kossnar reported that the owner involved in the pontoon boat incident turned himself in after a photo was posted online.

Trash Enclosures–Mr. Shubin said the trash enclosures need painting. Mr. Sweeney agreed and also said that the woodwork on the bridges needs to be re-sealed when the weather cools off.

## **ADJOURNMENT**

The meeting adjourned at 6:42 p.m.

Submitted by Recording Secretary, Sue Thomson

APPROVED BY BOARD OF DIRECTORS 10/7/13