

**LAKE MOOVALYA KEYS**  
**Board of Director**  
**Approved Meeting Minutes**  
**June 5, 2017**

**CALL TO ORDER:**

President Tony Gaipa called the Regular Meeting of the Lake Moovalya Keys Board of Directors to order at 6:00 pm.

**PRESENT:**

President:	Tony Gaipa	Lot 118
Vice President	Mark Nicholls	Lot 169
Secretary/Treasurer	Kit Furnell	Lot 16
	Kathy Northcutt	Lot 73 and Lot 102
	Jack Sweeney	Lot 197
	Bill Manderscheid	Lot 228

**VIA TELEPHONE:**

Chuck Smith	Lot 103 and Lot 104
-------------	---------------------

**OTHERS PRESENT:**

Legal Counsel:	John C. Churchill	Lot 153 and Lot 154
----------------	-------------------	---------------------

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

**ABSENT:**

Chuck Baker	Lot 116/117
Chris Chambers	Lot 164

**GUESTS:**

Stephanie Gregory	Lot 232
Kim Harsch	RGR Realty

**CALL TO THE PUBLIC:**

No call from the public

**MINUTES:**

Mr. Manderscheid made a motion to approve the May 2017 **Meeting Minutes**. Mr. Sweeney seconded the motion and the motion carried unanimously.

**EXECUTIVE SESSION MINUTES:**

Mr. Sweeney made a motion to approve the May 2017 **Meeting Minutes**. Mr. Manderscheid seconded the motion and the motion carried unanimously.

**ANNUAL MEETING MINUTES:**

Mr. Nicholls asked that under Nominations for Board of Directors that “encumbrance” “be removed and replaced with as listed on the ballot.

Mr. Nicholls made a motion to approve the May 2017 **Annual Meeting Minutes as discussed**. Mr. Sweeney seconded the motion and the motion carried unanimously.

**BOOKKEEPER’S REPORT, PREPAID BILLS AND BILLS FOR APPROVAL  
SUBMITTED BY SUE THOMSON:**

**MAY PREPAID BILLS FOR APPROVAL:**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
05/02/2017	7332	Frontier	667-2840	67.89
		"	667-4484	65.45
05/02/2017	7333	Davis Building Supply	Cleaning supplies	35.04
		"	Trimmer line	41.64
		Law Office of John C. Churchill	April HOA	137.50
05/02/2017	7334	"	April Bolton	1,700.00
05/02/2017	7335	Buckskin Fire Dept. AZ Corporation	Usage fee for Board Meeting	25.00
05/03/2017	DEBIT	Commission	Annual Report Filing Fee	10.00
05/07/2017	DEBIT	MyFax Services	Virtual Fax Fee	10.00
			3 yrs. web hosting on updated server	143.64
05/09/2017	DEBIT	Go Daddy		
05/15/2017	DEBIT	Republic Services	3-0527-0040037	6,612.32
05/15/2017	7336	Heather Wilson	GM Advance	1,200.00
		"	Fuel	100.00
		"	Recording Secy. Advance	125.00
05/20/2017	DEBIT	Brooke Utilities, Inc.	53017-11860	184.16
05/22/2017	7337	Beaver Insurance Agency	D&O coverage	1,527.00
05/23/2017	DEBIT	APS	6125100000	1,576.06
05/23/2017	DEBIT	APS	6276651000	53.57
05/31/2017	7338	Heather Wilson	GM Balance	1,200.00
		"	Fuel	100.00
		"	Recording Secy. Balance	125.00
05/31/2017	7339	Otis Hall	May Groundskeeping	750.00
05/31/2017	7340	Sue Thomson	May Bookkeeping	1,250.00
		"	Postage	3.92
05/31/2017	7341	Global Gate Controls, Inc.	20 remotes	264.00
				<b>17,307.19</b>

**BILLS FOR APPROVAL:**

Law Office of John C. Churchill (HOA May)	82.50
Law Office of John C. Churchill (Bolton May)	1,837.50
Law Office of John C. Churchill (Robeson Collection)	275.00
PJ’s Landscaping (1 Pigmy palm + planting)	475.00
NetServeOnSite (upgrade website to new Go Daddy file server)	250.00

Mr. Sweeney made a motion to approve the May 2017 **Bookkeepers Report, Prepaid Bills and Bills for Approval**. Mr. Nicholls seconded the motion and the motion carried unanimously.

**FINANCIAL REPORTS:**

Mr. Nicholls made a motion to approve the May 2017 **Balance Sheets**. Ms. Furnell seconded the motion and the motion carried unanimously.

**PROFIT AND LOSS REPORT:**

Mr. Sweeney made a motion to approve the May 2017 **Profit and Loss Statement**. Mr. Manderscheid seconded the motion and the motion carried unanimously.

**GENERAL MANAGER'S REPORT:**

Mr. Manderscheid made a motion to approve the May 2017 **General Manager's Report**. Mr. Nicholls seconded the motion and the motion carried unanimously.

**OLD BUSINESS:**

**Construction Progress Report:**

Ms. Wilson reported that we currently have eleven (11) Lots in the Moovalya Keys that are under construction, varying from; new construction, garage additions, interior and exterior remodels. The Lots that are under construction are as follows: Lot 14, Lot 41, Lot 56, Lot 101, Lot 169, Lot 199, Lot 207, Lot 224, Lot 227, Lot 230 and Lot 232.

Ms. Wilson reported that the construction has been completed on Lot 3, Lot 8, and Lot 225 and that she has requested the construction deposits be refunded to the property owners.

**Lot 181 - 8801 Yaqui Loop:**

Ms. Wilson presented to the Board the previous letters that have been sent to the Halls regarding the condition of their Lot and she is preparing a "Final Notice" letter with a citation that will be sent to the Halls, upon approval of the letter from the Board.

Ms. Wilson reported that the letter is very specific as to what the Board is requesting of the Halls, which is to remove the old posts that were left behind from the old deck, install new skirting, paint the concrete surfaces on the canal side of the property, and install new staircases/landings on both side of the house so that the house is in compliance with the La Paz County Building Code.

Ms. Wilson will report back at the next meeting.

**Brooke Utilities Billing:**

Ms. Wilson reported that she has been in contact with Brooke Utilities and that all parties involved in the approval of the bill at Brooke Utilities have received a copy of the bill. Ms. Wilson reported that she has received a couple of email responses from the Brook Utilities Customer Services Department asking for more information. Ms. Wilson will report back at the next meeting.

## **OLD BUSINESS CONTINUED:**

### **Brooke Utilities Billing Continued:**

Mr. Churchill stated that he had a discussion with the people that were doing the repair at the Yaqui Loop water break, and they had disclosed to him that the piping that was being used was actually sewer pipe, which is not intended to be used as pressurized piping and therefore we should be aware that these types of breakages will eventually be happening throughout the Moovalya Keys.

### **Aquatic Harvesting Rakes:**

Ms. Wilson presented to the Board for approval, the Weed Razor Pro and the Weed Raker that she would like to purchase. Ms. Wilson stated that the tools will be made available for homeowners to use for the removal the aquatic weeds from the canal side of their property. Ms. Wilson reported that the equipment will be kept in the guard shack and will be checked out to the homeowners upon request.

Mr. Sweeney made a motion to purchase two (2) sets of the Weed Razor and the Weed Raker for a not to exceed amount of Seven Hundred Dollars (\$700.00). Mr. Nicholls seconded the motion and the motion carried unanimously.

### **Flag Pole:**

Ms. Wilson reported that the new dusk to dawn solar light has been installed at the flag pole and that she is waiting for the painter to paint the flagpole.

### **2018 Street Improvements:**

Mr. Gaipa reported that the Board is exploring the option as to having one (1) coat of slurry coating or two (2) coats slurry coating followed by a seal coat.

Mr. Sweeney stated that he recommends that we have two (2) coats of slurry followed by a seal coat later down the road.

Mr. Manderscheid requested that we have T and C attend our next Board meeting to answer all questions and concerns of the Board so that the Board can make a decision. Ms. Wilson reported that she will schedule T and C to attend the September meeting.

Mr. Sweeney stated that we need to take into consideration the restriping of the streets and the timeline. Mr. Sweeney also stated that he recommends that we do not use markers for the restriping, due to the fact that when the markers are removed it causes chipping of the slurry coating.

Ms. Wilson stated that she will get pricing for the street striping for the Board's Review.

## **NEW BUSINESS:**

### **Water Balloons:**

Ms. Wilson asked the Board if there can be a rule that states "no water ballooning in the canals", not only are they harmful and bad for the environment, but that it promotes bad behavior.

## **NEW BUSINESS CONTINUED:**

### **Water Balloons Continued:**

Mr. Sweeney stated that the Board is not in the position to make up a new rule and that the Board would need to go thru the normal procedure in establishing a new rule, which would need to be voted on by all homeowners.

Mr. Manderscheid reported that it is against the law to throw water balloons while on the river.

Mr. Churchill informed the Board that it is a nuisance when an individual throws a unauthorized water balloon and it hits somebody and that the CCR's does have a "nuisance" rule, and water balloons are certainly considered a nuisance, therefore the usage of water balloons is not in compliance with the CCR's.

Ms. Wilson asked the Board if the rental houses could have it included in their "Rental Agreement" with the renter, that water balloons are not allowed. Ms. Wilson reported that there are rental houses that specifically state "no water balloons" in their welcome package.

Mr. Gaipa suggested that we send out a notice to the homeowners about the potential hazards of water balloons.

Mr. Sweeney made a motion that we start the process of writing a special notice to homeowners regarding the hazards of water balloons for the Board to review. Mr. Manderscheid seconded the motion and the motion passed unanimously

### **Prospective Buyer's Package:**

Ms. Wilson reported to the Board that the Moovalya Keys needs to start sending out '**Prospective Buyer's Packages**' to all prospective buyers within ten (10) days of the open of escrow. Ms. Wilson also reported that the Association can charge a "Disclosure Fee" which will be collected at the closed of escrow.

Ms. Wilson reported that this package can be sent electronically, and that the Association can request that we get the signature page returned at the close of escrow that verifies the prospective buyer has read all of the documents.

Ms. Wilson stated that the package needs to include the following:

- By-Laws
- CC&R's
- Rules and Regulations
- Renter's Policy
- Statement of Assessment Dues & Fees as provided to the Tittle Company
- Copy of the most recent Financial Report (P&L) and Balance Sheet
- Copy of Current Budget
- Principle Contact Phone Number, Email and Address
- Statement of Insurance Coverage

### **Prospective Buyer's Package Continued:**

- Statement of Reserve Fund/Account
- Statement of any pending lawsuits

Mr. Churchill stated that it is required by the State of Arizona that you send out a "Prospective Buyers Package" within ten (10) days of a written notice of a pending sale, which is via a HOA demand form from Title Company. Mr. Churchill also stated that we need to get a signed document that states the Prospective buyer has received and read the "Prospective Buyer's Package".

Ms. Wilson asked the Board what the disclosure fee amount is going to be.

Mr. Sweeney stated that we should charge One Hundred Fifty (\$150.00) for the "Disclosure Package Fee", which is to be paid at the close of escrow). Mr. Nicholls seconded the motion and the motion passed unanimously.

Mr. Churchill requested that he receive a copy of the cover letter that is going to be sent with the Prospective Buyers Package" prior to sending out so that he can review it.

### **General Liability Insurance Policies:**

Mr. Gaipa reported that Mr. Manderscheid, a former Insurance Broker was sent a copy of the Moovalya Keys Insurance Policies for his review so that he can report back to the Board.

Mr. Manderscheid reported that he has read the policies and he feels that the Moovalya Keys is adequately covered and stated that the Moovalya Keys does "**not**" need to carry a flood insurance policy.

Mr. Sweeney made a motion to "**not**" carry a flood insurance policy. Mr. Manderscheid seconded the motion and the motion passed unanimously.

### **Plans for Approval:**

#### **Lot 101 – 8882 Papago Loop – Patio Cover**

Mr. Sweeney reported that he has reviewed the drawings for Lot 101, and that the plans are in compliance with the CCR's and made a motion to approve them. Mr. Nicholls seconded the motion and the motion carried unanimously.

#### **Lot 256 – 8780 Navajo Lane – Patio Cover**

Mr. Sweeney reported that he has reviewed the drawings for Lot 256, and that the plans are in compliance with the CCR's and made a motion to approve them. Mr. Nicholls seconded the motion and the motion carried unanimously.

#### **Lot 232 – 8792 Riverside Drive New Construction**

Stephane Gregory homeowner of Lot 232 presented to the Board the preliminary plan for the new construction of her home and wanted clarification of the design of cantilevers that will allow part of the dock to be covered, but not extending past the dock.

**Plans for Approval Continued:**

**Lot 232 – 8792 Riverside Drive New Construction**

Mr. Sweeney stated that per the preliminary plan that was presented, the cantilever will be compliant with the CCR's. Mr. Churchill stated that he does not recommend that the cantilever be extended past the dock.

Mr. Gaipa reported that the Board is in agreement that the cantilever as presented is compliant with our CCR's.

Ms. Gregory reported that upon completion of the drawings she will be submitting them to the Board for Board approval.

The Meeting adjourned at 7:15 pm for Executive Session

Executive Session adjourned at 7:30 PM

7:30 pm Regular Meeting is now back in session.

**EXECUTIVE SESSION:**

**Bolton Property:**

Mr. Sweeney made a motion that we delete everything from the meeting minutes dated March 7, 2005 that has to do with property next door under old business and that the information be made available only in executive session. Mr. Manderscheid seconded the motion and the motion carried unanimously.

The next Meeting date is July 3, 2017

Meeting adjourned at 7:40 PM

Submitted by Recording Secretary, Heather Wilson