

LAKE MOOVALYA KEYS
Board of Directors
Approved Meeting Minutes
July 2, 2018

CALL TO ORDER:

President Tony Gaipa called the Board of Directors Meeting of the Lake Moovalya Keys 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
	Chuck Smith	Lot 103 and Lot 104
	Kevin Auman	Lot 137
	Chris Chambers	Lot 164
	Jack Sweeney	Lot 197
	Bill Manderscheid	Lot 228

OTHERS PRESENT:

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

GUESTS:

Trish Wikoff	Lot 95
Kyle Sullivan	Lot 96
Don Alexander	Lot 115
Donna Alexander	Lot 115
Fabio Gaipa	Lot 120
Kim Harsch	Robert Gory Realty

ABSENT:

Chuck Baker	Lot 116 and Lot 117
-------------	---------------------

CALL TO THE PUBLIC:

Loud Music

Ms. Wikoff asked the Board what the association rules are as far as over the top loud music that is so loud that that you cannot carry on a conversation on your own property or listen to your own music.

Mr. Nicholls stated that whenever you are disturbing others with your music you can call the Sheriff at any time of the day.

Ms. Wilson reported that she is aware of who Ms. Wikoff is referring to, and asked Ms. Wikoff in future to let her know what is going on so that she can reach out to the homeowner.

CALL TO THE PUBLIC CONTINUED:

Loud Music Continued

Mr. Sullivan reported that the homeowner Ms. Wikoff is referring to has six (6) speakers on their patio that face the water and suggested that the homeowner should at least turn the speakers so that they are facing their own property and not at the homeowner's that are across the canal.

Ms. Wikoff stated that the fact is with the music being so loud you cannot enjoy your own home.

Mr. Gaipa asked Ms. Wilson to reach out to the homeowner, regarding the loud music.

BOARD OF DIRECTORS MEETING MINUTES:

Mr. Manderscheid made a motion to approve the June 2018 **Board of Directors Meeting Minutes**. Mr. Smith seconded the motion and the motion carried unanimously.

BOOKKEEPERS REPORT, PREPAID BILLS AND BILLS FOR APPROVAL:

Mr. Gaipa reported that the "Prepaid Bills Report" for June 2018 and the "Delinquent Report" have discrepancies.

Mr. Sweeney requested that Ms. Thomson resubmit the June 2018 "Prepaid Bills" for Approval and the "Delinquent Report".

Mr. Sweeney made a motion to approve the **June 2018 Bookkeepers Report, Prepaid Bills and Bills for Approval** as discussed. Ms. Northcutt seconded the motion and the motion carried unanimously.

FINANCIAL REPORTS:

Balance Sheet

Mr. Sweeney made a motion to approve the June 2018 **Balance Sheet**. Mr. Nicholls seconded the motion and the motion carried unanimously.

Profit and Loss Report

Mr. Manderscheid made a motion to approve the June 2018 **Profit and Loss Report**. Mr. Sweeney seconded the motion and the motion carried unanimously.

JUNE 2018 PREPAID BILLS

Date	Num	Name	Memo	Amount
06/05/2018	7493	Buckskin Fire Dept.	Usage fee for Board Meeting	25.00
06/05/2018	7494	Law Office of John C. Churchill	May HOA	137.50
06/05/2018	7495	HD Supply Facilities Maintenance	100 violation stickers	119.32
06/05/2018	7496	Davis Building Supply	Cleaning supplies	24.09
06/05/2018	7497	Auto-Owners Insurance	Liability/Property & Umbrella	2,800.64
06/05/2018	7498	Beaver Insurance Agency	D&O coverage CAP1004947F	1,552.00
06/05/2018	DEBIT	GoDaddy	Website fees (5/14/18)	239.76
06/07/2018	DEBIT	MyFax Services	Virtual Fax Fee	10.00
06/08/2018	DEBIT	Frontier	667-4484	69.22
06/08/2018	DEBIT	Frontier	667-2840	71.66
06/13/2018	DEBIT	Desert Dominion Security	Tube Float Weekend	558.80
06/14/2018	DEBIT	Republic Services	3-0527-0040037	3,859.00
06/15/2018	7499	Heather Wilson	GM Advance	1,200.00
		"	Fuel	100.00
		"	Recording Secy. Advance	125.00
06/18/2018	7500	Global Gate Controls, Inc.	17 remotes	235.45
06/20/2018	7501	Postmaster	Stamps	100.00
06/21/2018	DEBIT	Desert Dominion Security	Father's Day Weekend	508.00
06/22/2018	DEBIT	APS	6125100000	1,658.16
06/22/2018	DEBIT	APS	6276651000	92.95
06/26/2018	DEBIT	Brooke Utilities, Inc.	53017-11860	276.91
06/26/2018	DEBIT	Desert Dominion Security	6/22 & 623	457.20
06/29/2018	7502	Heather Wilson	GM Balance	1,200.00
		"	Fuel	100.00
		"	Recording Secy. Balance	125.00
06/29/2018	7503	Otis Hall	June Groundskeeping	800.00
06/29/2018	7504	Sue Thomson	June Bookkeeping	1,250.00
		"	Postage	6.21
			8863 Moovalya Dr. Sink Hole	
06/29/2018	7505	Rip's Excavating & Demolition	Repair	255.00
				17,956.87

GENERAL MANAGER'S REPORT:

Mr. Smith made a motion to approve the June 2018 **General Manager's Report**. Mr. Chambers seconded the motion and the motion carried unanimously.

Ms. Furnell asked Ms. Wilson to report at the next meeting as to how much of her time is spent over seeing the short term rentals.

OLD BUSINESS:

Construction Progress Report

Ms. Wilson reported that we currently have ten (10) Lots that are under some type of construction/home improvements; Lot 14, Lot 41, Lot 56, Lot 67, Lot 101, Lot 123, Lot 199, Lot 208, Lot 224 and Lot 227.

OLD BUSINESS:

Construction Progress Report

Ms. Wilson also reported that the construction has started for Lot 56 – 8772 Apache and that they have mailed in the construction deposit.

Brooke Utilities Conveyance of Property at Boat Ramp

Ms. Gaipa reported that the Board has reviewed the drawings submitted by Brooke Utilities that are to be referenced in the Quit Claim Deed of the boat ramp.

Mr. Churchill reported that he has a couple of questions that he needs to get clarification on from Brooke Utilities before the Quit Claim Deed can be completed.

Mr. Sweeney stated that he has reviewed the drawings and that he feels that we need to have the chain link fence installed solely on Brooke Utilities' property so that it becomes their fence. Mr. Sweeney also stated that the Board is not meeting next month so the Board needs to authorize Mr. Churchill's office to proceed with the Quit Claim Deed.

Mr. Sweeney made a motion that subject to Mr. Churchill's approval of Brooke Utilities Lot Line Adjustment Drawing and the actual conditions of the agreement, that the Board authorizes Mr. Churchill's office proceed with the Quit Claim Deed. Mr. Smith seconded the motion and the motion carried unanimously.

NEW BUSINESS:

Definition of Nuisance

Mr. Gaipa asked Mr. Churchill to please clarify what unwritten rules fall under the CCR's nuisances and if there a list of rules that fall under nuisances.

Ms. Churchill stated that there is not a actually list and that what maybe a nuisance to some may not be a nuisance to others and referred to the **CCR's Section 12.6 Nuisances**; No Owners or Members shall permit or suffer anything to de done or kept about or within his Lot, or on or about the Property, which will obstruct or interfere with the rights of others owners, members or occupants or other authorized persons to the use and the enjoyment of their property and the Common Areas, or anomy them by unreasonable noises or otherwise, nor commit or permit any nuisance or commit or suffer any illegal act to be therein or thereon. Each Owner, occupant, tenant or Member, and their guests shall comply with the Association Rules and the requirements of all health authorities and other governmental authorities having the jurisdiction over the Property. Should the Board determine that any vehicle (including, but not limited to, boats, motorbikes, ATV's, or similar vehicles) has created loud or annoying noises by virtue of its operation within the Property, such determination shall be conclusive and final that the operation of such vehicle is a nuisance and said operation, upon notice by the Board to the owner or operator thereof, shall be prohibited within the Property. Subject to this Declaration, all vehicles must be operated within the Property and specifically upon the common areas, including the private streets, by licensed operators.

NEW BUSINESS CONTINUED:

Definition of Nuisance Continued - CCR's Section 12.6 Nuisances;

No person shall operate any voice 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.

Ms. Wilson reported that there is no fine for a nuisance, so how do you enforce a nuisance.

Mr. Sweeney reported that you put the offender on notice, if needed contact the Sheriff's Department and if the issue continues the Board will get our attorney involved.

Mr. Churchill reported that under Arizona State Law, nuisances can be considered disorderly conduct and that individuals can be arrested for disorderly conduct.

Underage Drivers

Ms. Wilson reported that she was able to get a photo of the unlicensed drivers who are the children of Mr. Phil Bollman and that Mr. Bollman allows his under age children to drive around the Moovalya Keys after Ms. Wilson has repeatedly sent the children home. Ms. Wilson stated that the children tell her that their father told them that they do not have to listen to her and they drive on.

Mr. Sweeney stated that even though Ms. Wilson has repeatedly asked Mr. Bollman to not allow their children to drive on the streets of the Moovalya Keys, he continues to be uncooperative with Ms. Wilson.

Mr. Sweeney also stated that Mr. Bollman feels that our rules do not apply to him because he is not part of our association. Mr. Sweeney asked Mr. Churchill what the association can do about enforcing our rules with a Vista Del Monumento resident.

Mr. Sweeney reported that the Vista Monumento Residences have an ingress and egress easements to their property, therefore once they are on the streets of the Moovalya Keys they are on private property and they too need to abide by our rules.

Mr. Churchill reported that the Moovalya Keys needs to give Mr. Bollman a written notice advising him of what the "Moovalya Keys Rules" are and that he too, is to abide by the rules once on the property of the Moovalya Keys and if Mr. Bollman still refuses to abide by the "Moovalya Keys Rules", then he can take further action.

Mr. Manderscheid suggested that we put Mr. Bollman on official notice by sending him a letter advising him of our rules.

Ms. Wilson reported that she has reached out to the La Paz County Sheriff, Bill Risen to see if they can issue citations for unlicensed drivers within the gate of the Moovalya Keys. Mr. Gaipa asked that Ms. Wilson report back to the Board with an update from the Sheriff's office.

NEW BUSINESS CONTINUED:

Underage Drivers Continued

Mr. Sweeney made a motion that based upon the response back from the La Paz County Sheriff's office regarding unlicensed drivers that the Board authorizes John Churchill's office write a letter to Mr. Bollman notifying him of our rules and put Mr. Bollman on official notice. Kit Furnell seconded the motion and the motion passed unanimously.

Mr. Churchill requested that Ms. Wilson get him all of the details so that his office can send a letter Mr. Bollman in regards to our rules and regulations.

Ms. Wilson will report back at the next meeting.

The next Board of Directors meeting date is September 10, 2018.

Meeting adjourned at 6:30 pm.

Submitted by Recording Secretary, Heather Wilson