

LAKE MOOVALYA KEYS
Annual Homeowners
Approved Meeting Minutes
April 20, 2019

La Paz County Boating and Safety Training Room
Parker, AZ

CALL TO ORDER:

Tony Gaipa called the Annual Homeowners Meeting of the Lake Moovalya Keys to order at 9:30 am.

INTRODUCTIONS:

The property owners and meeting guests introduced themselves. The Board Members, Legal Counsel, Recording Secretary and General Manager introduced themselves to the membership.

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
	Chuck Baker	Lot 116/117
	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
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ABSENT:

Legal Counsel:	John C. Churchill	Lot 153 and Lot 154
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MEMBERS PRESENT:

Gary Fahy	Lot 22
Rosemary Carlisle	Lot 25 and Lot 110
Steve Carlisle	Lot 25 and Lot 110
Johann Van Anrooy	Lot 30
Chuck Manos	Lot 53
Malin Manos	Lot 53
Blane Coon	Lot 54
Cheryl Cortez	Lot 58 and Lot 59
Carlos Cortez	Lot 58 and Lot 59
Jamie Holzhauer	Lot 76
Gary Anslyn	Lot 113

MEMBERS PRESENT CONTINUED:

Becky Anslyn	Lot 113
Don Alexander	Lot 115
Donna Alexander	Lot 115
Fabio Gaipa	Lot 120
Hamish Bell	Lot 121
Rose Bell	Lot 121
Larry Santoro	Lot 134
Linda Mitts	Lot 136
Lori Auman	Lot 137
Doug Kerstner	Lot 141
Rene Doublier	Lot 160
Steve Catlin	Lot 177
Brent Kjellberg	Lot 189
Richard Arnold	Lot 191
Bill Chiles	Lot 199 and Lot 200
Terry Seck	Lot 206
Nancy Seck	Lot 206
Wendell Kemme	Lot 207
Jeanette Kemme	Lot 207
Christi May Ward	Lot 227
Charlie Ward	Lot 227
Daniel Drazil	Lot 243
Kim Harsch	RGR Realty
Curtis	RGR Realty
Debi McConnell	Guest

APPROVAL OF 2018 FINANCIAL REPORTS:

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

APPROVAL OF 2019 BUDGET:

Mr. Sweeney made a motion to approve the **2018 Budget**. Mr. Baker seconded the motion the motion carried unanimously.

VOTING – BALLOTS

Mr. Gaipa announced that the counting of the 2019-2020 Board of Directors Ballots are now underway and asked that all ballots be turned in at this time.

PRESIDENT’S REPORT:

Launch Ramp on Moovalya Drive

Mr. Gaipa reported that the Moovalya Keys has recently taken ownership of the upriver launch ramp and that the launch ramp was previously was owned by Brooke Utilities. Mr. Gaipa reported that Brooke Utilities deeded the Moovalya Keys the launch ramp in exchange for the installation the chain link fence that has recently been installed.

PRESIDENT'S REPORT CONTINUED:

Launch Ramp on Moovalya Drive continued

Mr. Gaipa reported that the chain link fence has been installed on Brooke Utilities property and that Brooke Utilities requested that a chain link fence be installed in effort to keep people and off road vehicles off of their property.

Mr. Steve Catlin homeowner of Lot 117, reported that some clearing of the weeds that run along the canal hillside has taken place and was wondering if the weed clean-up can go all the way down to riverfront.

Mr. Sweeney reported that Otis our maintenance person has been working on the clearing of the weeds that have grown along the canal hillside and that the plan is to eventually go all the way down to the riverfront.

Ms. Jamie Holzhauer homeowner of Lot 76 asked Board there are plans to make improvements to our launch ramps that they both are in need of repair.

Mr. Gaipa reported that the Moovalya Keys has just recently acquired ownership of the Moovalya Drive up river launch ramp and that the Board will be discussing the launch ramp repairs and maintenance in future meetings.

Seal Coating and striping of the streets

Mr. Gaipa reported that the streets were seal coated and restriped in March 2019.

DISCUSSION FROM HOMEOWNERS:

Gate Code

Mr. Catlin reported that at last year's Annual Meeting there was some discussion of changing the gate code on a quarterly basis and was wondering what became of that. Mr. Gaipa reported that it was discussed at the April 2018 Board of Directors meeting and that it was voted down.

Short Term Rentals:

Mr. Hamish Bell homeowner of Lot 121, stated that at last year's Annual Meeting there was discussion in regards to forming a "Short Term Rental Committee" and was wondering what the outcome of that was.

Mr. Sweeney reported that Mr. Kaufman homeowner of Lot 180 had started a "Short Term Rental Committee" and that Mr. Kaufman has not made any progress and that maybe this year the Board should appoint someone else to head up the "Short Term Rental Committee".

Mr. Sweeney reported that the function of the "Short Term Rental Committee" is to meet and come up with solutions to the issues that homeowners have regarding short term rentals and that they are to report back to the Board with their recommendations.

Mr. Bell reported that it has been a year and that there have not been any proposals from the "Short Term Rental Committee".

Short Term Rentals Continued:

Mr. Gaipa reported that until the “Short Term Rental Committee” meets and proposes solutions to the Board for review, the Board cannot move forward.

Mr. Bell also reported that there are concerns from homeowners in regards to the increase of short term rental properties within the Moovalya Keys and that the residential properties are now becoming business driven rental properties.

Mr. Gaipa reported that homeowners currently have the right to rent out their property based on a short term rental and in order to change that right there needs to be a committee set up consisting of homeowners within the Moovalya Keys to discuss the short term rental issues and come up with solutions to present to the Board.

Mr. Gaipa also reported that the “Short Term Rental Committee” does not have to be headed up by a Board Member, that any homeowner can head up the “Short Term Rental Committee”. Mr. Sweeney reported that the Short Term Rental Committee should not be a Board member, that Board members are to be partial.

Mr. Bell reported that his concern is that many of our Board members are renting out their houses based on a short term. Mr. Gaipa reported that the majority of Board of Directors do not have short term rentals.

Mr. Chambers reported that in order to change the current “Short Term Rental Policy” it will need to be sent out to the entire community to vote upon.

Mr. Sweeney reported that in order to change any of the current rules that there would have to be a “Special Meeting Notice” sent out to all homeowners in regards to changing the current short term rental rules and that 51% of the voting members present would have to vote in favor of any changes to the rules and that as far as making any changes to the CCR’S, it would take 66% of the community in favor of any changes to the CCR’S.

Ms. Holzhauer reported that she rents out her home based on short term and suggested that a “blacklist” be formed and that all homeowners that rent out their homes report bad renters and have them put on the blacklist.

Mr. Gaipa reported that there is a “blacklist” that Robert Gory Realty and David Plunket Realty have created and that she needs to reach out to the realtors so that she can give them the names of her “do not rent to renters” and vis versa, because we all know that if they are blacklisted by one rental house that they will go to another rental house. Mr. Gaipa also pointed out that not all complaints are due to renters that there are property owners also get complained about.

Ms. Auman, homeowner of Lot 137 reported that during the summer the short rentals are overwhelming for the simple fact that there are large amounts of people coming into the Moovalya Keys who are renting homes every weekend and that there are renters that park their vehicles on other people’s property and dock their boats on private docks.

Short Term Rentals Continued:

Ms. Auman suggested that rental houses be assessed as to how many cars are able to park at the rental house and the number of boats that can be parked at the dock of the rental house.

Ms. Auman also reported that the CCR's reads that no business shall be operated in the Moovalya Keys and that rentals generate revenue therefor are considered a business.

Mr. Don Alexander homeowner of Lot 117 reported that it is the responsibility of the rental agencies and owners who rent their properties out themselves to insure that the renters fill out the rental agreement properly and account for all the people that are staying on the property and that they are also responsible to enforce our rules and regulations. Mr. Alexander also reported that he knows for a fact that not all of the people that are staying in some of the rentals are not being accounted for and that any rental agency that does not comply with our guidelines should not be able to handle rentals in the Moovalya Keys.

Mr. Bell reported the number of short term rentals over the past five or six years has increased from twenty (20) to over sixty (60) that we are aware of, and that a lot of homeowner's associations do put a cap on the amount of short rental houses that are allowed within the HOA.

Ms. Debi McDonnell who was a guest in attendance of the Annual Meeting reported that she works for a management company and that in their HOA, they issue a license to rent and on that license it states how many cars the property can accommodate, the number of people that the house can accommodate and that you are only allowed to rent based on the license that you receive from the association and if they violate the license then there are consequences. Ms. McDonnell also reported that licenses are posted on the website so that all homeowners can view them and if they have a complaint they know who to contact.

Mr. Gaipa asked Ms. McDonnell how does she control the amount of people that show up to her rental properties. Ms. McDonnell reported that she patrols the property, since she works for the rental management company and that she can get a pretty good idea how many people are staying in rental houses and that over time you know what rental properties are known to allow more people to stay than what the issued license states and that she deals with individual homeowners.

Ms. McDonnell also stated that in the next few years you are going to be experiencing many different rental agencies renting out short rentals on the behalf of homeowners and that is where the license comes in to play, because the license is issued to the homeowner not the rental agency.

Ms. McDonnell stated that there is no charge for the license, but the information that is on the license is posted on the HOA's website so that it is available to all homeowners should a homeowner need to file a complaint with the General Manager.

Short Term Rentals Continued:

Mr. Sweeney reported that he is a full time resident in the Moovalya Keys and that he has the right to enjoy the quiet use of his property and that with the large amount of rentals within the Moovalya Keys it does in fact interfere with the enjoyment of his property quite often.

Mr. Sweeney also reported that the rentals that are surrounding his property are rented out seven (7) days a week and that every few days there is a new fresh group of renters consisting anywhere from 12-18 people per rental house and when they enjoy themselves until 2:00 am-3:00 am in the morning seven (7) days a week, it can be overwhelming to those of us that live here full time.

Mr. Larry Santoro homeowner of Lot 134 asked the Board about the riverfront homes that do not belong to the Moovalya Keys, what is going to happen when they start renting out their homes, where are their people going to park.

Mr. Sweeney reported that the nineteen (19) lots that belong to Vista Del Monumento gave up their right to our streets years ago and that they are only allowed to use our streets for ingress and egress to their property only and that they do not have the right to park on our streets or in our overflow.

Mr. Gaipa reported that this is why we have parking stickers on our vehicles and trailers and that any vehicle or trailer that does not have a parking pass is subject to towing.

Ms. Wilson reported that she has a list of all of the short term rentals that are in the Moovalya Keys and asked the Board if we can post on it our website. Mr. Gaipa reported that the next Board of Director’s meeting is May 6, 2019 and that the Board can discuss it at that time.

ELECTION RESULTS:

Mr. Gaipa reported that all of the votes have been turned in and that the following people have been voted onto the Board:

<u>Name</u>	<u>Lot Number</u>	<u>Number of Votes</u>
Jack Sweeney	Lot 197	86
Bill Manderscheid	Lot 228	71
Kit Furnell	Lot 16	68
Chuck Baker	Lots 116 & 117	62
Blane Coone		56
Chris Chambers	Lot 164	54
Kevin Auman	Lot 137	54
Chuck Smith	Lots 103 & 104	45
Kathy Northcutt	Lots 73 & 102	43
Tony Gaipa	Lot 118	42

Total number of property owners that voted was Ninety-Four (94)

The Meeting adjourned at 10:30 am
Submitted by Recording Secretary, Heather Wilson