

**LAKE MOOVALYA KEYS**  
**Board of Directors**  
**Approved Meeting Minutes**  
**June 1, 2020**

**CALL TO ORDER:**

President Bill Manderscheid called the Board of Directors Meeting of the Lake Moovalya Keys to order at 6:00 pm.

**PRESENT:**

President	Bill Manderscheid	Lot 228
Vice President	Kevin Auman	Lot 137
Secretary/Treasurer	Kit Furnell	Lot 16
	Karen Gallio	Lot 1
	Blane Coon	Lot 54
	Kathy Northcutt	Lot 73 and Lot 102
	Chuck Smith	Lot 103 and Lot 104
	Chuck Baker	Lot 117
	Chris Chambers	Lot 164
	Jack Sweeney	Lot 197

**OTHERS PRESENT:**

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

**GUESTS:**

Rosemary Carlisle	Lot 25 and Lot 110
Steve Carlisle	Lot 25 and Lot 110
Jim Swafford	Lot 92
Trish Wikoff	Lot 95
Kyle Sullivan	Lot 96
Ellen Cadoret	Lot 111
Brad Gebert	Lot 112
Tina Hinkle	Lot 135
Mike Hinkle	Lot 135
Linda Mitts	Lot 136
Doug Mitts	Lot 136
Jerry Vesely	Lot 144
Leeann Carley	Lot 149
Jeff Carley	Lot 149
Mark Nicholls	Lot 169
Steve Catlin	Lot 177
Robby Kaufman	Lot 180
Scott Homan	Lot 212
Joe Flores	Lot 220
Christie Ward	Lot 227
Charlie Ward	Lot 227
Steve Habermann	Lot 229
Kathleen Habermann	Lot 229
Carla Faulkner	David Plunkett Realty
Kim Harsch	Robert Gory Realty

**CALL TO THE PUBLIC:**

Steve Habermann Lot 229 – 8946 Riverside Drive reported that he has requested the Board to send him the report from our insurance company that states that the Association paid out \$30,000.00 in insurance claims and that he has yet to receive a response.

Mr. Manderscheid reported that Mr. Sweeney and himself met with Beaver Insurance to discuss our insurance policies and in the process of asking if we had enough liability limits, the insurance broker told us verbally that they had previously spent \$33,000.00 to defend the Association from a claim that was filed by an outside party.

Steve Habermann asked the Board if they can request a **“Loss Run Report”** from Beaver Insurance and forward it to him. Mr. Manderscheid stated that he will contact Beaver Insurance and request a **“Loss Run Report”** and forward it to Mr. Habermann.

Mr. Sweeney reported that Mr. Habermann had requested a copy of Mr. Churchill’s billings from 2019 to the present year and asked Mr. Churchill if this is something he can provide.

Mr. Churchill reported that yes, he can after he reviews them for any attorney client information and once, he reviews them, he will send them to the Board so that the Board can forward them to Mr. Habermann.

**BOARD OF DIRECTORS MEETING MINUTES:**

Mr. Sweeney made a motion to approve the **March 2020 Board of Directors Meeting Minutes**. Mr. Auman seconded the motion and the motion carried unanimously.

**BOARD OF DIRECTORS EXECUTIVE SESSION MEETING MINUTES:**

Mr. Auman made a motion to approve the **March 2020 Board of Directors Executive Session Meeting Minutes**. Mr. Coon seconded the motion and the motion carried unanimously.

**FINANCIALS:**

**Bookkeeper Report, Prepaid Bills and Bills for Approval**

Mr. Sweeney made a motion to approve the **March, April and May 2020 Bookkeepers Report, Prepaid Bills and Bills for Approval**. Mr. Baker seconded the motion and the motion carried unanimously.

**FINANCIALS CONTINUED:**  
**MARCH PREPAID BILLS**

Date	Num	Name	Memo	Amount
03/03/2020	7726	Law Office of John C. Churchill	Jan. HOA	2,117.50
03/03/2020	7727	Heather Wilson	Retroactive Jan. & Feb. pay	933.32
03/07/2020	DEBIT	MyFax Services	Virtual Fax Fee	10.00
03/12/2020	DEBIT	Frontier	667-4484	106.45
		"	667-2840	108.89
03/13/2020	7728	Heather Wilson	GM Advance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Advance	125.00
03/16/2020	DEBIT	Republic Services	3-0527-0040037	2,574.43
03/19/2020	7729	Postmaster	Stamps for statements	165.00
03/24/2020	DEBIT	APS	6276651000	53.24
		"	6125100000	1,629.91
03/27/2020	DEBIT	Brooke Utilities, Inc.	53017-11860	106.11
03/31/2020	7730	Heather Wilson	GM Balance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Balance	125.00
03/31/2020	7731	Otis Hall	March Groundskeeping	800.00
03/31/2020	7732	Sue Thomson	February Bookkeeping	1,250.00
		"	Postage	14.85
03/31/2020	7733	Colorado River Regional Crisis Services	1560 cc's of attorney letter & attachments	234.00
03/31/2020	7733	Colorado River Regional Crisis Services	4488 cc's for members voting package	673.20
03/31/2020	PC	Quill	Blue envelopes for voting pkg (2/12/20)	73.96
03/31/2020	PC	Quill	9x12's for voting pkg (2/12/20)	91.52
03/31/2020	PC	Quill	Color paper & labels for voting pkg. (2/12/20)	64.16
03/31/2020	PC	Quill	Blue paper & envelopes for voting pkg. (1/22/20)	101.69
03/31/2020	PC	Quill	Toner (1/22/20)	78.28
03/31/2020	PC	Amazon	Dog poop bags	148.15
03/31/2020	7734	Petty Cash	Replenish petty cash	
				<u>14,651.32</u>

**MARCH BILLS FOR APPROVAL**

Law Office of John Churchill (3/31/20)	
Defensive legal issues	\$1,155.00
Attend HOA meeting 3/2/20	<u>247.50</u>
TOTAL	\$1,402.50

**FINANCIALS CONTINUED:**

**APRIL PREPAID BILLS**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
04/06/2020	7735	Davis Building Supply	Flag/batteries	44.92
04/06/2020	7735	Davis Building Supply	Cleaning supplies	13.14
04/06/2020	7736	Postmaster	Stamps for extra mail out	165.00
04/07/2020	DEBIT	MyFax Services	Virtual Fax Fee	10.00
04/07/2020	7737	Havasu Sweeping	Street sweeping	450.00
		Extreme Performance		
04/07/2020	7738	Contracting	Bridge repair	2,260.00
			Deposit for 7 signs, posts & labor	630.00
04/08/2020	DEBIT	SIGNCRAFT		
04/10/2020	DEBIT	Frontier	667-2840	108.89
		"	667-4484	106.45
04/13/2020	7739	Shaffer Welding Services	Bridge repair	1,300.00
04/13/2020	7740	CopperPoint Mutual	Installment 1 of 3	749.75
04/14/2020	DEBIT	Republic Services	3-0527-0040037	2,164.24
04/15/2020	7741	Heather Wilson	GM Advance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Advance	125.00
04/15/2020	7742	Global Gate Controls, Inc.	15 remotes	216.75
04/20/2020	DEBIT	Brooke Utilities, Inc.	53017-11860	219.07
04/22/2020	DEBIT	APS	6125100000	1,629.91
04/22/2020	DEBIT	APS	6276651000	52.73
			Stamps for membership mail out	110.00
04/29/2020	7743	Postmaster		
04/29/2020	DEBIT	SIGNCRAFT	Balance due on signs	630.02
04/30/2020	7744	Heather Wilson	GM Balance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Balance	125.00
04/30/2020	7745	Otis Hall	April Groundskeeping	800.00
04/30/2020	7746	Sue Thomson	April Bookkeeping	1,250.00
		"	Postage	6.05
				<b>16,233.58</b>

**APRIL BILLS FOR APPROVAL**

Law Office of John Churchill (4/30/20)  
Defensive legal issues \$6,022.50

**FINANCIALS CONTINUED:**  
**MAY PREPAID BILLS**

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
05/05/2020	7747	Davis Building Supply	Irrigation supplies	43.36
05/05/2020	7748	Larry's Professional Painting	Bridge painting per proposal	508.50
05/07/2020	DEBIT	MyFax Services	Virtual Fax Fee	10.00
05/09/2020	DEBIT	GoDaddy	Website	323.64
05/12/2020	DEBIT	GoDaddy	Website	239.76
05/13/2020	DEBIT	Frontier	667-4484	105.76
05/13/2020	DEBIT	Frontier	667-2840	108.20
05/15/2020	DEBIT	Republic Services	3-0527-0040037	6,399.81
05/15/2020	7750	Global Gate Controls, Inc.	20 remotes	289.00
05/15/2020	7749	Heather Wilson	GM Advance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Advance	125.00
05/15/2020	7751	Postmaster	Stamps--6/27 meeting mailout	165.00
05/19/2020	DEBIT	Desert Dominion Security	May 15 & 16	457.20
05/21/2020	DEBIT	APS	6276651000	57.09
05/21/2020	DEBIT	APS	6125100000	1,636.54
05/25/2020	DEBIT	Brooke Utilities, Inc.	53017-11860	216.22
			June 1 Board Meeting @	
05/26/2020	7752	La Paz County Sheriff	Boathouse	50.00
05/26/2020	7756	Beaver Insurance Agency	D&O coverage #CAP1004947G	1,577.00
05/29/2020	7753	Heather Wilson	GM Balance	1,433.33
		"	Vehicle Allowance	100.00
		"	Recording Secy. Balance	125.00
05/29/2020	7754	Otis Hall	May Groundskeeping	800.00
05/31/2020	7755	Sue Thomson	May Bookkeeping	1,250.00
		"	Postage	6.05
				<b>17,559.79</b>

**Balance Sheet**

Mr. Smith made a motion to approve the **March, April and May 2020 Balance Sheet**. Ms. Gallio seconded the motion and the motion carried unanimously.

**Profit and Loss Statement**

Mr. Sweeney made a motion to approve the **March, April and May 2020 Profit and Loss Report**. Mr. Baker seconded the motion and the motion carried unanimously.

**OLD BUSINESS**

**Construction Progress Report**

Ms. Wilson reported we currently have eleven (11) projects under construction. Lot 14, Lot 25, Lot 56, Lot 67, Lot 101, Lot 117, Lot 123, Lot 208, Lot 227, Lot 231 and Lot 250.

**Conference Calling System**

Ms. Northcutt made a motion to purchase Zoom. Mr. Smith seconded the motion and the motion carried unanimously.

Mr. Manderscheid requested that we have Zoom up and running for the next Board of Directors meeting so that the members can attend the meeting via Zoom.

Ms. Wilson reported that she will get everything set up and get the meeting instructions out to the membership and posted on the Website.

## **OLD BUSINESS CONTINUED**

### **Bridge Repair**

Mr. Manderscheid reported. that the bridge repairs have been completed.

The Board requested that we install reflectors on the bridges. Steve Catlin reported that he was the one that originally put the reflective stickers on the bridges and that he will add more.

### **Tow Away Signs**

Mr. Manderscheid reported that the “Tow- A-Way” signs have been installed. Ms. Wilson reported that signs have been installed in the overflow parking lot and the common areas.

### **Moovalya Keys Liability Insurance Policy/Property Limits**

Mr. Manderscheid reported that Mr. Habermann has concerns about the property limits on the bridges and from what he understands the way these bridges are built, it is pretty difficult to actually damage them and if someone actually hit one of them it will be their insurance company to pay for the damages.

Kathleen Habermann homeowner of Lot 229 – 8946 Riverside Drive reported that she feels the bridges are under insured and if something was to happen to one of the bridges people would not be able to get to their homes. Mr. Sweeney asked Ms. Habermann what type of coverage is she requesting.

Mr. Baker reported that when he was president years ago, we replaced all the bridges and that the bridges were built to withstand a fully loaded cement truck and that the pilings are twenty-five feet down into the bedrock so those bridges are not going anywhere.

Mr. Baker also reported that the only damage that could occur to the bridges would be above ground and that is why the Board felt \$6,000.00 was enough coverage.

Mr. Manderscheid reported that we have a million-dollar liability insurance policy and a million-dollar umbrella policy.

## **NEW BUSINESS:**

### **Adoption of the Tenant Information Sheet Processing Fee**

Mr. Sweeney made a motion to adopt the Twenty-Five Dollar (\$25.00) “Processing Fee” and the Fifteen Dollar (\$15.00) “Late or Incomplete Fee” and that the fees are to be back dated to when we originally started to enforce the TIS Processing Fee, which was May 22, 2020. Mr. Baker seconded the motion and the motion carried unanimously.

### **Overflow Parking Lot – One Vehicle per Residence Trailer Allowance/Limitations**

Mr. Manderscheid stated that this item is tabled at this time.

### **Adoption of secret Balloting By-Law**

Mr. Manderscheid reported that the purpose of secret balloting is to protect the privacy of how everyone votes.

Mr. Sweeney reported that how a person votes is something personal and that people should not have to worry if someone knows how they voted and that is the purpose of a secret ballot.

**NEW BUSINESS CONTINUED:**

**Adoption of secret Balloting By-Law Continued**

Mr. Churchill reported that secret balloting is not something that will be taking place at this election, that this would only possibly apply to future elections.

Mr. Sweeney made a motion that we table the secret balloting until the next Board of Directors meeting. Mr. Smith seconded the motion and the motion passed unanimously.

**Jamie Holzhauer – TIS Citation Protest**

Mr. Sweeney made a motion the Board dismiss the three (3) citations with no further discussion. Ms. Gallio second the motion and the motion passed unanimously.

**HOMEOWNERS ANNUAL MEETING:**

**Location**

Mr. Manderscheid reported that the “Annual Meeting” has been rescheduled to June 27, 2020 and that it will take place at the Don T. Pavilion building in the La Paz County Park.

**Counting of Ballots**

Mr. Manderscheid reported that we will be using the outstanding absentee ballots and that a partial “redo” of the balloting process will be mailed out on June 3, 2020.

Mr. Churchill reported that the Moovalya Keys is in receipt of One Hundred Eight Two (182) ballots, and that in the history of the Moovalya Keys they have never received these many ballots. Therefore, the Board is going to be using the unopened ballots and offer a partial re-do for those who have not voted yet, for those that may want to change their vote and for those that want to just vote at the “Annual Meeting”.

Mr. Churchill reported if you are not going to be at the “Annual Meeting” and you need new ballot, you can get one by contacting Heather Wilson the General Manager and she will get you one and that your original ballot that you mailed in will be destroyed. Mr. Churchill also reported that there will be ballots available at the “Annual Meeting” if you so choose to wait to the “Annual Meeting on June 27, 2020 to vote or revote.

Mr. Sweeney reported that all ballots will be opened and counted at the “Annual Meeting” and that at 9:00 am the final collection of the ballots will be announced and that the voting will be closed.

Mark Nicholls asked the Board who is actually going to be counting the votes. Ms. Wilson reported that three (3) months ago we were going to use Parker Accounting, but a lot has happened since then and she has not reached out to them to ask if they are still interested.

Mr. Sweeney reported that he prefers that we hire Parking Accounting along with Sue Thomson, our Bookkeeper and asked Ms. Wilson to see if Parker Accounting would still be interested in the counting of our ballots at the Annual Meeting.

Ms. Wilson reported that Mark Volkoff and Jack Sweeney have volunteered to witness the opening and the counting of the ballots.

## **HOMEOWNERS ANNUAL MEETING CONTINUED:**

### **Counting of Ballots**

Mr. Churchill reported that certain members of the Association hired outside Attorneys who expressed their concerns in regards to the counting of the ballots so the Board decided to go back to the original method of counting the ballots, which will be at the "Annual Meeting" where people can watch the process of counting the ballots.

### **Approval of the Voting Instruction**

Mr. Manderscheid reported the Board needs to approve the "Voting Instructions" that are to be mailed out to the membership and also post on the website.

Mr. Sweeney made a motion to proceed with the proposed "Voting Instructions" that are to be mailed out to the membership and posted on the Website. Mr. Coon seconded the motion and the motion carried unanimously.

6:46 pm Mr. Manderscheid announced that the Board will now be going into the Executive Session

6:46 pm Brad Gebert the son of Hal Gebert homeowner of Lot 112 - 8809 Papago Loop entered the meeting unannounced and asked the Board what is the purpose of an Executive Meeting and did not understand why everyone cannot be a part of it.

Mr. Churchill reported that the reason for an Executive Session is when the Board is seeking legal advice.

Mr. Manderscheid asked Brad Gebert if he is the owner of Lot 112 - 8809 Papago and Brad Gebert claimed that yes, he is the Owner of the property and continued to disrupt the meeting after Mr. Manderscheid called the meeting back to order.

Kyle Sullivan homeowner of Lot 96 – 8838 Papago Loop told Brad Gebert that he cannot just come into our meeting and disrupt the entire meeting and that he needs to follow the protocol of the meeting.

6:50 pm Mr. Manderscheid announced that the Board will now go into Executive session

7:00 pm Regular meeting is now back in session.

Mr. Sweeney asked Brad Gebert if he had anything else to say that the Board is willing to listen. Brad Gebert apologized for not understanding the protocol of the meeting, but he was trying to get his trailers and vehicle out of impound at the tow yard and that he feels the tow rates of A-Toe Truck are out of line and that he finds it strange that he was overcharged and he feels that if he did not question the bill then he would have been stuck with original amount that he was charged.

Mr. Sweeney reported that he is just speculating and that we have nothing to do with the how A-Tow Truck runs his business and that this is something that he needs to take up with A-Toe Truck.

Brad Gebert went on to say that everyone in this room better be clean because if anyone in this room is receiving kickbacks from A-Tow Truck they will be brought to justice.



Mr. Manderscheid adjourned the meeting at 7:08 PM.

Next Board of Directors Meeting will be July 6, 2020 at the La Paz County Sheriff Department Boating and Safety Building.

Submitted by Recording Secretary, Heather Wilson