**MARCH 07, 2020**

**Beaver Valley Improvement Association Board Meeting**

**Prior to calling the meeting to order, President, Mark Mexal attempted to clarify for members present several issues that have recently given rise to much question and confusion:**

1. **Ballots and annual dues: ballots are available for members to vote on four open seats on the Board; annual dues must be current in order for ballots to be counted; voting will take place at the next annual board meeting to be held Saturday, April 04, 2020, 1:00 p.m in the community center;**
2. **Relationship between BVIA and BVDWID: these are separate, unrelated entities with neither entity having any influence or control over the other;**
3. **Construction of “third bay” addition to former fire station: the “third bay” was constructed by the former Beaver Valley Fire Department in accordance with an approved Gila County building permit applied for by Tom Zelkovich, former Fire Chief, BVFD. Active participants in the construction, and placement, of the addition included Mike Davoran, immediate prior owner of the Beaver Valley Water Co. (BVWC). These individuals, together with Ms Lois Johnson (sister of late Fire Chief, Terry Johnson) and current Waterwheel Fire and Medical District (WWFMD) Fire Chief, Ron Sattlemaier were cited by Mark as likely reliable sources of factual information regarding the construction and development of the “third bay.”**

**Also, prior to opening the meeting, Vice President Roger Kreimeyer suggested that all candidates for open Board positions stand and identify themselves to members present. The following persons stood to introduce themselves (Ann Stoppa was not present): Jim Wigert, Gail Bellinger, John Corella, Mike Countu, Tanya Johnson, Dan Newman, Kevin Culp, Alan Ray, Dick Harpster and Steve Nord.**

1. **CALL TO ORDER – President, Mark Mexal called the meeting to order at 10:09 A.M.**
2. **ESTABLISHMENT OF QUORUM – Board members present: Mark Mexal, Roger Kreimeyer, Wil Santora, Gary LaBute, Jim Wigert and Gail Bellinger.**

**Member, Debbie Hoffman, requested clarification of the voting process for those members owning more than one lot. Mark explained that the ballots will identify the number of votes available to lot owners. Each property owner will have one vote per lot per candidate.**

1. **MINUTES - The minutes of the February 01, 2020 monthly board meeting were approved as submitted.**
2. **TREASURY REPORT – Board Member, Wil Santora, presented the financial reports in the absence of Treasurer, Ann Stoppa. Current Balance Sheet reflects total assets of $133,856.38. Wil noted that the Association’s legal fees have been itemized on the profit and loss statement to separate legal fees associated with collection of past annual dues from those fees associated with the current dispute between BVIA and BVWC. Wil further explained that those legal fees associated with collection of past dues are recoverable upon payment of the past dues. Upon motion made and seconded, the Treasurer’s Report was approved as submitted.**
3. **BUILDING PLANS – Board Member, Jim Wigert presented the background of a setback issue now facing the association. BVIA CR&Rs anticipate a 20 ft. setback from street property line for new construction; one property owner appealed to Gila County for a variance from this requirement, providing for only a 10 ft setback, putting the noted construction in conflict with our community CR&Rs. Mark explained that in the year 2004, the then BVIA Board voted to amend the CR&Rs to state, in effect, that the CR&Rs setback requirements shall be in accordance with County requirements. An extensive discussion ensued during which numerous members questioned and critiqued the Board’s reluctance to challenge Gila County over the issuance of the variance. Board Members, Gary LaBute and Roger Kreimeyer attempted to point out that an 80 percent approval vote of the community would be required to amend the CR&Rs and also that strict enforcement of all CR&Rs would necessarily encompass increased legal expenses for the Association. No general agreement was achieved with regard to this issue.**
4. **CORRESPONDENCE – No correspondence was received.**

1. **PROJECTS/TASKS – Mark Mexal reiterated his comments of the last monthly meeting to the effect that with 11 candidates for four open Board positions, the incoming Board may look significantly different from the current Board, and it will be that new Board that will have to review and determine which tasks/projects are to be undertaken.**
2. **ROADS, GROUNDS & CULVERTS – Member, Albert Masterson, presented a request to the Board for permission to engage a certified, licensed arborist to “top” two large Cottonwood trees, on HOA property. Following a lengthy discussion and a vote of members present at the meeting, a motion was, made, seconded and approved by the Board to grant Albert permission to trim the trees.**
3. **OLD BUSINESS – Mark reported that water service to the community center had been restored. With regard to the property ownership dispute, he explained that the issue remains in the hands of the attorneys who have agreed upon a mediator but have not come to agreement on a scheduled date for mediation. Tony Cullum Law, representing BVIA, advised that if a mediation date of June 04, 2020 cannot be agree to by opposing consul, the earliest possible trial date will be requested. In response to numerous inquiries from members asking why the general membership have not had the opportunity to vote on the property ownership dispute, Wil Santora offered the following facts:**
4. **Mr. Armstead presented a proposal to lease the building;**
5. **The Board has no authority to dispose of community assets without a 80% approval vote of the general membership;**
6. **The Board invited Mr. Armstead to submit a final, detailed plan for use of the building; Mr. Armstead agreed to submit such a plan;**
7. **The Board agreed to submit the proposed plan to the community for a vote;**
8. **Prior to submitting the final, detailed plan as agreed, Mr. Armstead, in a separate legal setting, claimed ownership of the building;**
9. **Claiming ownership of the building legally clouds the title to the building;**
10. **Pending legal resolution of the issue of title, the Board has no authority to rent, lease or otherwise dispose of the property by any means.**

**Extensive discussion followed resulting in no decision or action being decided upon.**

1. **NEW BUSINESS - Paul Slotvig introduced his new book, “Colors of the Valley,” that will be made available April 04,2020, following the annual meeting from 3:00p.m. to 6:00 p.m. as well as 9:00a.m. to 5:00p.m. on April 05. Paul’s new book builds upon the pictures and stories behind the creation of the Beaver Valley history book, “Beaver Valley Then and Now.” Paul invited all members to visit the museum he and Albert have created in their home in unit 2. Paul’s new book will be available for sale and light refreshments will be provided.**
2. **BOARD MEMBER COMMENTS – none**
3. **MEMBER COMMENTS – John Corella requested information regarding an audit of BVIA financials. Mark explained that he had sought and obtained bids for various levels of auditing:**

**Full audit: $2,000.00 to $4,000.00; compilation: $500.00 to $700.00; review: somewhere in between. Mr Corella suggested the Board should obtain a full audit; Mark stated that would be a matter for the incoming Board to decide.**

**Member, Ray Nay, submitted one copy of a memo to Mark Mexal. The memo consisted of arguments (bullet points) supporting the resignation of Board Members. Upon questioning, Mr Nay acknowledged that the memo was authored by Mr. Mike Armstead.**

**13 - ADJOURNMENT – Upon motion made and seconded, the meeting was adjourned at 11:07 A.M.**

**Respectfully submitted**

**Gail Bellinger**