**BVIA Regular Monthly Meeting Minutes**

**November 7, 2020 10AM**

**Beaver Valley Community Center**

1. **Call to Order**

Meeting was called to order at 10AM. Mr. Mexal began the meeting by reminding those present that due to the ongoing CORONA Virus pandemic that all attendees practice social distancing and wear masks. Mr. Mexal asked that all attendees be considerate of all those present and if they want to speak, wait to be recognized, step up to a microphone and state their name and address or Unit number so all present can hear. Mr. Mexal reminded the attendees that if any attendees demonstrate unacceptable behavior, the meeting may be adjourned.

1. **Establishment of Quorum**

A Quorum was established as all members were present except for Dan Newman and Roger Kriemeyer. Mr. Mexal shared with those in attendance that based on the recent resignations there will be a total of 6 open Board Member positions open at the next election which will be held at the upcoming Annual meeting in April 2021 and encouraged anyone who is interested in getting on the ballot to reach out to a Board member to begin the process.

1. **Review of the Minutes of the October 2020 Regular Monthly Meeting**

Mr. Mexal provided a short review of the previous meeting minutes. A motion was made to accept and approved unanimously.

1. **Legal Update**

Mr. Mexal shared a status update regarding the false accusation that the BVIA Board had authorized and approved riverbed work to be done at the upper crossing. That accusation resulted in a motion by the Beaver Valley Water Company’s attorney to both Gila County Superior Court and a separate complaint filed with the Army Corps of Engineers. Mr. Mexal communicated that as part of the motion, there was a partial transcript of the March 2020 BVIA monthly meeting in which the neighbors were encouraging Albert Masterson to do some tree trimming. Mr. Mexal stated it was unclear why this item was referenced but thought it might be because Mr. Masterson was involved in the activity in the riverbed and that Mr. Armstead and his attorney had used the video as the basis for the partial transcript.

Mr. Mexal asked those in attendance if they were aware of who had provided the video as a means of transparency. Patrick Jenkins shared that he had taken the video and posted it on his YouTube page and shares the link on social media for anyone to access. Mr. Jenkins stated he was not aware of who may have provided the transcript.

Mr. Mexal advised that even though it was determined that the BVIA was not responsible for or was involved in any action at the riverbed, the result of having to defend the BVIA against this false accusation resulted in over $7,500 in legal fees incurred.

Mr. Mexal then shared that Mr. Armstead/BVWC had filed another claim against the BVIA claiming ownership of all common areas and river frontage in the community and the motion was dismissed by the judge without the community having to engage legal services or expenses.

Mr. Corella asked if the cost to defend the community in the riverbed claim would be passed down to the person who committed the activity on the riverbed. Mr. Mexal shared that the first attempt to recover our expenses would be to go after Mr. Armstead/BVWC as they made the false claim that BVIA was responsible, but if that failed, we would consult with our attorney as to how to proceed.

An unidentified attendee asked a question, but unfortunately since they did not state their name or use a microphone, their identity and actual question could not be captured.

1. **Treasurers Report**

Mr. Mexal introduced Mr. Corella to provide a report on the financials as provided by our new management company partner, PDS.

Mr. Corella shared that he has not been handed any documents and there has been no transition of passwords, codes etc. and that he cannot provide a report on any financials that he has received or not received. Mr. Corella stated he would and could not provide any report until he felt he possessed all the information needed for him to verify any reports provided to him by the management company.

Mr. Corella stated that he felt we could not start our independent audit until he receives the information he claims has not been provided to him.

Homeowner Mike Coutu asked why Mr. Corella has not received the requested material.

Mr. Mexal explained that Ann Stoppa would next present a summary and status of the transition to PDS that began while she was the Treasurer which would provide some clarity to his question and shared that PDS had provided the current financials to all Board members, including Mr. Corella earlier in the week.

Homeowner Barbara Reline asked why didn’t the Board hand over the books to Mr. Corella as he is the Treasurer?

Ms. Stoppa explained that she has offered to assist Mr. Corella to get access to any and all items he needed and asked Mr. Corella to explain how he responded, and Mr. Corella stated that he believed there is a proper chain of command and custody and that he would not accept or sign off on anything directly from her without it passing through the HOA president.

Homeowner Coutu expressed concern and frustration feeling that there is a lack of transparency and then transitioned into additional concerns regarding what rules in the CR&R’s we follow and which we choose not to. Ms. Stoppa attempted to explain where the CR&R’s defer to the Gila County regulations.

Homeowner Sylvia Corella asked about the codes needed to access the checking account. Ms. Stoppa advised that she has offered to walk Mr. Corella through the process and Mr. Corella interrupted saying again that he would not accept anything directly from Ms. Stoppa and that it must go through the chain of command. At this point, Mr. Mexal shared his understanding that all items did not require to go through him.

To facilitate this impasse, Mr. Mexal provided a handwritten note to be used as evidence that the laptop used by the Treasurer was passed from Ms. Stoppa, prior Treasurer to Mr. Corella, current Treasurer for use in accessing historic BVIA financial data.

Homeowner Mr. Coutu continued to voice his objections and comments without being recognized by President Mexal. Mr. Coutu crossed the line of acceptable and civil behavior that was necessary to continue the meeting and Mr. Mexal warned that should this continue the meeting may be adjourned.

Homeowner Sylvia Corella asked the question as to why there are so many resignations from Board members. An unidentified homeowner in attendance responded that it is due to the ongoing accusations and name calling as those made in today’s meeting. Homeowner Naz Santora agreed with that comment and Mr. Coutu then accused her of having called him names in prior meetings. Ms. Santora attempted to defend herself against that accusation but Mr. Coutu continued to talk over her and Ms. Santora opted to leave the meeting to avoid the behavior.

As a result of these attendees inability to maintain a civil and respectful environment, Mr. Mexal entertained a motion to adjourn and the meeting ended at 10:42 am. This despite the need to address agenda items including status of the management company transition, 2021 budget development, status of the alternative community exit investigation and other roads and grounds issues