

**MARTINEZ LAKE RESORT UNIT 1  
ROAD IMPROVEMENT DISTRICT  
BOARD OF DIRECTORS' MEETING  
January 12, 2023**

The Martinez Lake Resort Unit 1 Road Improvement District Board of Directors' meeting was called to order at 11:57 a.m. on January 12, 2023. Present were Board Members Philip Johnson, Larry Gabele, and Steven Castle. No members of the community were in attendance, none showed. There was no reading of the minutes from the previous meeting as the board did not have any previous meetings and is a newly appointed board. The meeting was digitally recorded. Pledge of allegiance was performed by all. All board members took their oath of office verbally, on record, in addition to the original document notarized and turned into the County recorder's office prior to the first meeting.

**CORRESPONDENCE:**

An email was received by Philip Johnson (board member) from property owner Mark Christopher. The correspondence congratulated the restructuring of the RIMD and requested that a weathered sign be replaced at the corner of N Martinez Lake Road and N Osprey Point. Mark asked for the sign to read "Dead end – No Turn Around" stating that too many people come down the dead end, no turn around street with trucks and trailers and have difficulties backing down the road when they realize there is nowhere to go. Further going into detail that per the County Board of supervisors meeting on August 1, 2022 the RIMD had a balance of \$39,789.00 stating there should be more than adequate funds to replace the sign. Additionally going into his appreciation for the County board vote to keep the tax assessment at \$100.00 per lot and that the new board makes prudent fiscal decisions benefiting the homeowners within the district.

A mailed statement/ bill was received by Philip Johnson from Noble Law office, reading invoice submitted to MARTINEZ LAKE RESORT UNIT NO. 1 GENERAL IMPROVEMENT DISTRICT dated 12/29/22 in Reference to invoice #74561 Balance due of \$15,350.25

No other correspondence was received.

## **OLD BUSINESS:**

Financials: Larry Gabele (board Member) stated that he received information from the Yuma County Treasurers office. The balance of the statement given was \$39,148.74 and his findings showed that since inception the County had collected \$112,050.00 to date. Larry requested any receipts or documents for disbursements from the county and they stated they only had the fund requests no other documents of where or what the money was used for. Larry finished the financial update with saying he will prepare a short and sweet summary of what money has been collected and where we are at now for public disbursement.

Status of RIMD property/ maintenance: Philip asked for input from the other board members on the conditions of Roads, gutters, curbs, storm drains and other RIMD property including signs. Stating he has noticed some deferred maintenance that needs to be address including the pumping, jetting, and filters changed on the storm catch basins thru out the development. Offering to contact Apollo Drain who has serviced them in the past, PU Septic, and Mayberry to get 3 bids to compare services and rates. Larry asked how many there were all together and how do they work. Steven (board member) responded saying to his knowledge they weren't serviced on a regular basis and only attended to when they overflowed. Counting 6 full catch basins and 1 transfer catch, explaining to the board that the catch basin holds the sediment in the holding tank, the water is supposedly run thru a filter then "processed water" is then left to run out a drainpipe to the river. It was decided that the board would walk the entire district and assess replacement and maintenance needs for recoating asphalt, curbs/ gutter repairs, street light repairs, storm drains, and any other RIMD needs.

Termination of Noble Law: Philip Johnson stated that to his knowledge it was under everyone's understanding that Noble Law was no longer working for the RIMD, and his services were terminated prior. Going into the limbo state of the Board and somehow the County Board of Supervisors were allowing him to continue to work on matters with no knowledge of who authorized the work. Philip made a motion to terminate all services and request all documents since inception be returned to MLR RIMD. The motion was passed unanimously.

District needs/ Short comings: Larry stated that there should be a community trash service such as common dumpsters for the use of property owner's vs Martinez Lake Resort providing dumpsters for everyone at their expense. These current dumpsters are paid for by Martinez Lake Resort for their tenants and resort guests, not for private property owners. It was discussed that the overload of trash on large weekends needs to be addressed. Additionally, that the use of single use trash cans

and service required by the CC & R's would not be realistic due to people not being here for weeks or months on end, let alone trash day, lastly having trash trucks up and down every road tearing up and putting more wear and tear on the roads and gutters/ curbs, thus creating more expenditures for the district. Philip stated that an overlay district would have to be put in place to accomplish this per the county improvement district office. Larry said that Mark Christopher (property owner) told him he did not want community trash he prefers the single use. Larry stated that Mark must be ok paying around \$360.00 per year for single use vs a much lower rate at bulk community trash estimating \$25-35+ per year range. Larry went on to what enforcement the RIMD can do, quoting that the County board of supervisors were confused and requesting the RIMD should be enforcing CC & R's in the RIMD/ Martinez Lake Development as well. Steven stated that road striping, parking lot striping, and red "no parking" curb painting thru out the whole development should have been completed prior. Because it never was completed Larry requested, we get quotes from contractors to paint the curbs red and mark NO PARKING thru out the RIMD. Philip suggested getting quotes from Hollis Brothers, Quail Construction, and Safeline all local contractors in Yuma and some being river goers, the board directed him to contact them to get the proposals.

Insurance: MLR RIMD has yet to secure insurance general liability and E & O insurance since inception. Larry asked what this insurance would cover. Philip replied with his understanding is any liabilities that would include damage from potholes, a street sign or streetlight falling on someone or someone's property, and other things of that nature with a general umbrella of coverage, in addition to Errors and Omissions coverage for the board members. It was decided they would contact Nikki Bostick, Jessie Bartes, and one other insurance agent to request quotes for coverage. Larry stated that this should be a priority and handled immediately.

Light Bulbs: The majority of street light bulbs thru-out the RIMD are burnt out or non- functioning. Philip requested that all the bulbs be replaced in the estimated 50 streetlights thru out the RIMD. He assessed and it appeared over 70% were burnt out/ not functioning, dim, or flickering. It was decided unanimously that RIMD will reimburse who ever purchases the bulbs (Philip stated he would and provide a receipt to Larry Gabele for later reimbursement for the bulbs). Martinez Lake Resort will replace all bulbs with their maintenance staff and pay for the labor with no reimbursement for labor this final time. It was concluded by the board that after replacement of bulbs that contacting Specialty electric who installed the system should come out and inspect any outages that bulb replacement does not resolve.

## **NEW BUSINESS:**

Election/ Nomination of District Maintenance Supervisor/ Board Member:  
Steven Castle

Election/ Nomination of Chairman/ Treasurer: Larry Gabele

Election/ Nomination of Secretary/ Clerk: Philip Johnson

Philip Johnson motioned that Steven Castle be nominated District Maintenance Supervisor/ Board member due to his knowledge and being around during the development and work history/ knowledge of construction and innerworkings. He then motioned that Larry Gabele be nominated Chairman/ Treasure due to his knowledge and extensive expertise in management and finance. Lastly, nominating himself as Secretary/ Clerk. All were in favor and passed unanimously.

Requesting documents/ review of Noble: Philip will request on behalf of the RIMD all documents since inception of the RIMD from Noble Law Office and once received the board will review and audit. Additionally requesting detailed billings for outstanding and all previous billings.

Hiring new Attorney/ Law firm: Larry requested the board get a new attorney of record immediately. Philip asked for any referrals from the board, with none being suggested he suggested they utilize his and the resorts business/ utilities Law Firm. Stating he would sign the appropriate conflict waivers to do so if required by law. After review Radix Laws background in public entity and utilities law seemed best fitting for the RIMD due to their extensive expertise in the needs of the district. Lastly, they are willing to make special price exception for small special districts. The board requested that Philip get the hourly rate and flat rate for normal operations in addition to looking at temporarily appointing and retaining Radix Law until they can come to final decision of over all legal needs of the district and expenses it will incur.

Overlay District: Philip introduced that a new overlay district needs to be put in place to cover what the district was originally set up to be responsible for but was incorrectly done in the past. He asked the board members what they thought was left out and needed to be covered. Trash was Larry Gabel's big concern. Stating that there are not enough trash receptacles currently and the resort is paying for them not the district which is the property owners that use them. Larry further detailed that anything that was set up improperly or missing on the original district including the enforcement of CC & R's if it was in fact supposed to do so. It was decided Philip would meet with the Yuma County Improvement district office and get processes and clarification.

Current Needs of RIMD/ Future: Steven stated completing the work that was supposed to be done in the past such as; red curbs/ no parking, striping, sign maintenance.

Quotes for work: Discussions covered asphalt “slurry coating”, gutter/ curb needs, painting the no parking red stripe thru out the district, the storm drain collectors, and any other work. It was concluded that Philip would contact Quail Construction, Hollis Brothers, and research and find another 3<sup>rd</sup> company to get quotes for the work. Larry asked if they might reach out to TC Construction and see if they will work out here. Lastly, Safeline would be contacted just for the striping/ paint portion. After reviewing options for parking enforcement, it was decided that Dicks Towing would be contacted, and service agreement reviewed to have them tow illegal parking in the roads. Larry stated that the Fire Department should assist with the no parking enforcement, and it was discussed they should be requested to assist by RIMD.

Public information: It was discussed what ways the RIMD would get information to the public. Larry Gabele voiced a website would be a great idea. Philip stated he agreed a website and thought a Facebook page would also be a good idea. It was agreed that [www.mlrrimd.org](http://www.mlrrimd.org) would be established and Philip would review options and costs to host the website. Lending a temporary landing page thru the Martinez Lake Resort website until a regular website can be priced and established. Philip will head a new website and look at forwarding thru the [www.martinezlake.com](http://www.martinezlake.com) webpage to try and avoid spending money on a website. It was decided that the possibility of a Facebook page would be tabled and reviewed at the next meeting. Steven shared concern that it may get a lot of confusion of who is encompassed and included in the district by the social media, stating the board needed to make it clear who is and is not inside the RIMD boundaries. Currently the RIMD is posting in 3 public places: Martinez Lake General Store, Martinez Lake Restaurant and Cantina, and Martinez Lake Post office @ Fishers Landing. An email [mlrrimd1@gmail.com](mailto:mlrrimd1@gmail.com) will be established for the community to be able to reach the board members with access by all 3 members. Larry and Steven stated that the board needs to get the exact duties, enforcement, and what the board can and cannot do put together and then get it out to the public. It was agreed and they will start gathering any and all informational forming a letter, packet, and post or a combination of all to clarify everything with their taxpayers and community.

Review Street Sweeper: The previous board purchased a 2007 Tymco Street sweeper for \$14,367.38 and \$1,000.00 in shipping from the County of Las Vegas public works. Larry Gabele asked the status of the unit and what would be best use of this equipment. Larry stated he noticed a big difference when the sweeper was being used in the past and he thought best to continue use. Detailing that the more upkeep the less repairs and overall long-term maintenance it would save the district. After discussion it was decided that Steven Castle would assess needed maintenance and repairs and bring a report back to the board to assess costs and move forward to using this equipment on a regular schedule to keep the development clean and roads maintained. After the repairs and first cleaning of the streets/ gutter the board will develop a schedule and who will operate the equipment. Once complete the board will make an assessment for the need of the street sweeper and its future with the district.

**CALL TO THE PUBLIC:**

No members of the public attending/ showed

**ADJOURNMENT:**

There was no further business to discuss. The next meeting will be announced at a later time, posting of agenda and meeting will be posted at Martinez Lake General Store, Martinez Lake Restaurant and Cantina, and Martinez Lake Post office located at Fisher's Landing. The meeting was adjourned at 1:35 p.m..

Respectfully submitted by  
Philip Johnson  
Board Member  
Martinez Lake Resort Unit 1 Improvement District