

**MARTINEZ LAKE RESORT UNIT No. 1
ROAD IMPROVEMENT DISTRICT
BOARD OF DIRECTORS' MEETING
February 8th, 2023**

The Martinez Lake Resort Unit 1 Road Improvement District Board of Directors' meeting was called to order at 3:13 p.m. on February 8, 2023. Present were Board Members Philip Johnson and Steven Castle, via phone conference Larry Gabele and Andy Kvesic. No members of the community were in attendance, none showed. The meeting was digitally recorded. Pledge of allegiance was performed by all.

CORRESPONDENCE:

No Correspondence was received

OLD BUSINESS:

Financials: Larry Gabele (board Member) confirmed that he has not yet received the latest accounting from the county as they typically send around the 12th to 15th. Therefor has no updated accounting, and nothing has been ordered to be spent out of the account at this time.

Legal/ Attorney: Philip Johnson introduced Radix Law and Andy Kvesic. He read sections of the engagement letter from Radix Law and asked for the boards input as they had received a copy earlier. It stated \$450.00 per hour for Andy Kvesic, no more than \$1,000.00 per month without board approval, and paralegals at \$205.00. Philip made the motion that the engagement letter be executed, and Radix be put on retainer as the attorney of record for Martinez Lake Resort Unit No. 1 RIMD. It was passed unanimously. Larry Gabele stated he would order the county treasurer to send a \$1,000.00 payment to Radix law to start the relationship, Andy Kvesic explained that Philip Johnson could sign on behalf of the board as a member because the meeting was recorded and voted for approval. Further explaining that the payment would be put in trust and billings would be subtracted from that amount. Lastly, that they would not be require any retainer/ or advanced fee deposit; Radix Law will bill per month as some months may be \$200 and others could be \$1,000 depending on the extent of legal needs. Going into details as the exact legal needs are not known yet.

District Property: Philip stated that himself and Steven Castle found some spare signs in storage. They will donate these to the improvement district on behalf of the Martinez Lake Development. Some of these signs are perfect replacements for damaged or missing signs currently. Apollo Drain & Septic walked the district with Steven and provided a quote based on what they found. \$3,000 per storm collector for jetting, pumping, and filter servicing. Stating that after this it should be around \$1,200 to \$1,500 annually per drain. These prices were given as max and may be less than quoted if less time is needed. The price was expected as some may have not been serviced in almost 10 years. Larry thought that it was unnecessary to service annually and Steven stated he agreed that maybe a mere inspection be done annually, all agreed that 12 months from time of service that they would be inspected for needs and to develop a standard.

Insurance: Philip Johnson stated that Jesse Bartes of R.P. Ryan Insurance had responded and stated they should have a quote this week to the board for both Liability and E&O. Nikki Bostick of Nikki Bostick Insurance was working on quoting the RIMD coverage for liability and E&O insurance, she warned that it's a unique network with coverage not being offered by many companies and may take longer than anticipated to get the quote. The board is currently waiting for contact with a 3rd agent to compare.

Light Bulbs: Philip informed the board that Martinez Lake Resort maintenance had replaced all light bulbs in every street light pole thru out the district. MLR provided the labor at their own expense and purchased the light bulbs for \$207.89 from Home Depot. The price of the bulbs will be reimbursed by the treasurer at a later time. Philip noticed that it appears there are still some outages after the replacement but will drive/ walk the district and see what areas are not properly working.

Website/ email: Philip confirmed the email mlrrimd1@gmail.com was formed and is being used by all 3 members for district needs. He furthered that they should just utilize a gmail vs paying for a .org/.com email that would be an unnecessary expense. The web domain mlrrimd.org was registered for \$24.85 for the year. It was discussed by board and legal that an official website be utilized for transparency and ease for taxpayers. Philip stated the main reason being that he estimated that over 90% of the property owners go weeks to months if not longer without being out to the lake, the website would give them 24/7 up to date information. Larry asked Andy Kvesic if the website would meet the legal posting requirements for the public body, Andy Said yes and he urges that the board utilize

one. Philip motioned that the board get a website package @ \$119.88 per year thru godaddy. It was seconded by Larry Gabele and passed unanimously.

County District office/ overlay district: Philip Johnson stated that he had received a response from the county's special district/ improvement district office after several weeks of not hearing from them. Including that they informed him that it will be a little while until they get everything in order and back to the district on what is registered as duties and powers for the MLR RIMD and what is needed for the overlay district to correct short comings. Larry added that it is not unexpected but a little disappointing from them.

Quotes on asphalt, painting, etc.: Philip let the board know it will be probably 15-20 more days before they receive all the quotes and reports for work needed and work requested. Hoping that it comes in before the next meeting.

Street Sweeper: Steven Castle updated the board on the needs for making the street sweeper operational. Stating batteries are needed to get a base of the current status of the truck. He will need to order batteries at \$175.00 per battery, fill the tires, and then make an assessment of needs. He noticed that from last week to this week somehow the sweeper gained 3 flat/ deflated tires, assuming there was vandalism of some sort. He will try to fill them and assess. After much discussion back and forth on direct needs and future needs it was decided a maintenance budget cap would be set to fast track and not delay the truck getting operational. Andy Kvesic agreed with the boards idea that it would be best to make the budget with a cap so that a meeting would not need to happen every time a part is ordered/ needed. Steven stated that \$2,500.00 max cap should be more than sufficient to make the immediate repairs and needed. Steven motioned that a \$2,500.00 repair budget be set and approved, Philip seconded, and it was passed by all.

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

Election/ appointment of Chairman/ Treasurer: Larry Gabele

Election/ appointment of Secretary/ Clerk: Philip Johnson

Philip announced that at the last meeting board positions were nominated and voted on. The above positions were confirmed are now in place. Lastly, after voting Radix Law for legal assigning Andy Kvesic as District Attorney.

NEW BUSINESS:

Striping 4 way: Philip introduced the notes from the “field trip” of the district board walking the development and identifying issues with district property. One thing that was brought up by each member was the 4-way intersection @ N Martinez Lake Rd and Smoke Tree. Stating people blow the stops signs, do not yield and speed thru. It was determined that all 4 sections should have white stripes painted defining the intersection better. This will be added to the quotes for future work to be performed.

Streetlights: Philip brought up the sections that are not working and random outages. The main concern being a large section from Mezquite going on to Blue Gille. It was determined that it is most likely from the illegal removal of a streetlight on Cattail and Mesquite. The board discussed further, and it was determined the electrical contractor who installed them should be contacted to inspect and get the system in working order. Philip motioned to have Specialty Electric (original contractor) come out, inspect and quote repairing and making 100% operational again.

Street Signs: Philip introduced that the board had done a “field trip” and made a list of missing, damaged, or needed signs. This list will be quoted out to Sign Pro, Copyboy, and 1 other sign company. These signs include “dead end”, “no outlet” and several street name signs. Included in this are signs requested by correspondence from members of the public. Once the bids are received the board will review and pick which company to hire.

Update to the Public: Philip Johnson asked Attorney Andy Kvesic if they were allowed to publish and send out a letter to the property owners and residents to inform them of the newly seated board and brief them on the website and how to contact the board. Larry Gabele informed the board that he was contacted by a member of the community requesting past documents and information. It was determined that the board would respond from its new email. Per Larry the request may be asking for documents not currently in possession by the new board or non-existent. Andy informed the board that they need to acknowledge and do the best they can to locate; if the prior board did not leave any records or unable to locate such requested information the new board cannot provide what they do not have. Ending with none of us sitting here know if there is a record or not and therefore cannot provide unknown information. Larry and Andy discussed legal posting requirements, Andy educated the board on the minimum posting requirements being at the place the meetings are held and the website. It was decided by the board that all postings and documents will be posted at Martinez Lake Restaurant

and Cantina front entrance as it is where the meetings are currently held and the new www.mlrrimd.org website to meet the requirements from the State, no other postings will be made. Larry said from here on out he will direct these individuals to the districts website and to make the request there.

Current Needs of RIMD/ Future: Philip asked the board any needs that may have been missed or overseen. Steven Castle said the only immediate thing he wanted was to see if the board could find any record of what palm trees are supposed to be included and maintained in the MLR RIMD as so far, they have not been able to find the definitive answer. He was under the impression that previously they had a determined percentage number that they used off the tree trimming bill for the whole development, meaning x amount of the trees were the developments responsibility and x amount were the improvement districts. It was decided at a later time the board will review the district and see what palm trees fall into the RIMD coverage. Philip encouraged that the County Improvement District office may have an answer when they submit their records to the MLR RIMD. At this time no tree maintenance is being performed or bid on this matter. Philip went over the documents they have received and been able to track down, summarizing that none had specifics and were very vague. Andy Kvesic asked if the board has done a records request, Philip responded that a records request was done on behalf of the board and the county had provided all documents that were recorded with the county recorders office. Philip questioned the practices that had been happening in the past as there was no detail of what money disbursed from the treasury was exactly for, only who it was for and how much. Not what the break down was and exact specifics. Going further into questions of what was supposed to be completed prior such as road striping, parking lot striping, and red curbs/ no parking lane from past documents and knowledge from prior people involved. Larry said that he was unsure why for any reason it would include the parking lots and Philip agreed as they are not property of the MLR RIMD but the Resort and Development. Philip asked Andy if he could inform the board of their meeting frequency as he knows that depending on budget and district type the requirement changes by some state laws. Andy responded that he would verify the statute requirement before making his answer and get back to the board.

CALL TO THE PUBLIC:

No members of the public attending/ showed

ADJOURNMENT:

There was no further business to discuss. The next meeting will be scheduled and announced at a later time due to unknown timing for receiving bids and insurance quotes, posting of agenda and meeting will be posted at Martinez Lake Restaurant and Cantina, and www.mlrrimd.org. The meeting was adjourned at 4:13 p.m..

Respectfully submitted by

Philip Johnson

Secretary/ Clerk

Martinez Lake Resort Unit No. 1 Road Improvement and Maintenance District