FirstService
RESIDENTIAL

DAYTON VALLEY COMMUNITY ASSOCIATION

Dayton Valley Board of Directors Meeting 1.25.2023

January 25, 2023 5:00 PM
Dayton Valley Golf Course Clubhouse
101 Palmer Avenue
Dayton, NV 89403

MINUTES

Directors Present

Katherine Mitchell - Treasurer
James Kepler - Director
Dennis Drury - Vice President
Carla Cole - Secretary
Leandra Carr - President

Directors Absent

Steven Gallisdorfer - Director
Clinton Hall - Director

Additional Attendees

MikKenzy Lipkowitz and Cyndi Fehler, FirstService Residential, and 30 homeowners.

I. ESTABLISHMENT OF QUORUM AND CALL TO ORDER

Resolved

Having established a quorum, the meeting was called to order at 5:00 PM.

II. PLEDGE OF ALLEGIANCE

III. EXECUTIVE SESSION ACKNOWLEDGEMENT, IF ANY

Resolved

In accordance with NRS 116.31085, the Board of Directors met in executive session prior to this meeting on January 25, 2023 and reviewed the following items: (Minutes/Legal Matters/Pending Litigation/Non-Compliance Matters/Delinquency Matters).

IV. HOMEOWNER OPEN FORUM – AGENDA ITEMS ONLY

V. APPROVAL OF MINUTES

Resolved

A motion was made to approve the November 30th, 2022 meeting minutes.

Motion: Katherine Mitchell
Second: Carla Cole

▶ ***Resolved***
The motion passed unanimously

VI. FINANCIALS

Resolved

A motion was made to approve the unaudited November 2022 Financials as presented.

A. REVIEW OF FINANCIALS

Resolved

A motion was made to approve the November 2022 Financials.

Motion: Dennis Drury
Second: Carla Cole

▶ ***Resolved***
The motion passed unanimously

VII. LEGAL UPDATES

A. PLAY STRUCTURES DETERMINATION

Resolved

After legal review, it was determined to not be against the CC&Rs and the association will not pursue violations against play structures moving forward.

B. VIOLATIONS PROCEDURE

Resolved

Mikkenzy Lipkowitz explained that violations shall be brought to the management's attention, and will be inspected and documented as warranted. Once they have been verified as violations, the management company will send out violations accordingly and work with the homeowner.

VIII. ACKNOWLEDGEMENT OF ACTION OUTSIDE OF MEETING, IF ANY

A. EMERGENCY SNOW REMOVAL

Resolved

Acknowledged

IX. REPORTS

A. MANAGEMENT REPORT

Resolved

Management reported a total of 141 calls for the call center between the dates of 12.20.22 and 1.20.23. Also during that time frame 15 violations were sent out.

B. BOARD PRESIDENT REPORT

Resolved

The 2023 operating budget was ratified in November.

There has been a two and ½ year investigation with NRED about a Conflict-of-Interest charge against Jim

Kepler, a current sitting board member. Two previous and five current Board members were subpoenaed to appear before the Commission for the State of Nevada for a hearing. The case has been closed, and the community will receive a letter from the attorney regarding the issue and outcome.

January storm resulted in the authorization of emergency snow removal as there is currently no snow removal contract in place. The Board of Directors decided in 2017 that a snow removal contract was not necessary. Working on negotiating a snow removal contract without cost to the association unless it is utilized.

The sewer drains on Champions Drive have been an ongoing issue during winter. The Board will be working on solutions to the problems.

Getting attorneys fees under control. As a solution, the association will utilize the management company's expertise and direct questions to them instead of the attorneys, and let the management company go to the attorneys if it is deemed necessary.

C. LANDSCAPE COMMITTEE REPORT

Resolved

Two Landscape Committee members toured the community looking for damage to the common area trees or shrubs from the recent storms. Committee members noted 11 trees with broken branches, and Brightview is in the process of already trimming the trees.

The Association did not have a current contract with Brightview to address snow removal. Brightview did, however, come to the community on January 1 to plow the snow and was billed $4,793.75 for snow removal services. Homeowners reported their streets were not plowed, and the Board directed the CAM to contact Brightview regarding the issue. The Landscape and Roads Committees will work with Brightview to develop a plan for future snow removal. The Board voted for a threshold of 4 inches to trigger snow removal.

Manager, MikKenzy Lipkowitz did inform the Board there is no cost to have the snow removal in the contract.

D. ARCHITECTURAL COMMITTEE REPORT

E. ROADS COMMITTEE REPORT

Resolved

Requested that the Landscape Committee reach out to them when they put together the map for snow removal .

F. BUDGET COMMITTEE REPORT

Resolved

The 2023 Operating Budget was ratified in November 2022. The Budget Committee will be working to formulate the 2024 Budget in August.

G. SOCIAL COMMITTEE REPORT

Resolved

Nothing at this time

H. GATE COMMITTEE REPORT

Resolved

During the snowstorm, the Palmer and Bayhill gates were locked open to avoid damage from the significant snow. The Board will review two proposals to repair the damage caused by accidents under New Business on the agenda.

I. RULES AND REGULATIONS COMMITTEE REPORT

Resolved

Nothing at this time

J. IT INFRASTRUCTURE REPORT

Resolved

FSR has a resident alert system available. If this was in effect for the New Years Eve storm there could have been outbound texts and calls to all residents keeping everyone up to date on the status of snow removal.

K. ELECTION COMMITTEE

Resolved

Discussion ensued about the need for an election committee. Manager, MikKenzy Lipkowitz indicated that the Management Company would handle the election from start to finish, and all inquiries are to go through the Management Company. NRS 116 states any member in good standing of a Common Interest Community may self-nominate to be on the Board of Directors. The Board then made a motion to eliminate the Election Committee.

Motion: Dennis Drury
Second: Katherine Mitchell

- ***Resolved***
  The motion passed unanimously

L. NEWSLETTER COMMITTEE

Resolved

The November, December and January Newsletters had issues getting to an approval process. The February newsletter is on track to be sent out.

X. UNFINISHED BUSINESS

A. CODE OF CONDUCT

Resolved

This matter will be re-visited at the next meeting.

B. IT OFFICE 365 STORAGE PROPOSAL

Resolved

A motion was made to approve the Office 365 proposal at a cost of $7,446 annually, or $320 per month.

The email will be migrated into digital storage using Office 365. The information would be stored in the Microsoft servers.

Motion: Dennis Drury
Second: Carla Cole

▶ *Resolved*
The motion passed unanimously

XI. NEW BUSINESS

A. ASSOCIATION P CARD

Resolved

The Board approved the motion to obtain a P-card for association use with a purchase limit of $2500.00. The P-card is a debit card that takes the place of petty cash for immediate expenses and will eliminate the time-consuming and lengthy process of reimbursements. The P-card will remain in possession of the Management Company at all times.

Motion: Dennis Drury
Second: Katherine Mitchell

▶ *Resolved*
The motion passed unanimously

B. REVIEW 2022 AUDIT PROPOSAL

Resolved

A motion was made to approve the Audit and Tax return proposal from Hillburn & Lein. The audit will cost $1700 and $500 for the Tax Return preparation.

Motion: Dennis Drury
Second: Carla Cole

▶ *Resolved*
The motion passed unanimously

C. MASONRY PROPOSALS FOR EXTERIOR BLOCK WALL

Resolved

A motion was made to approve the APS Masonry Bid of $10,720.00 for repairs to the brick wall along Dayton Valley Road. The responsible party did not have insurance, and the Association is responsible for the $2500.00 deductible.

Motion: Dennis Drury
Second: Carla Cole
AYEs: Dennis Drury, Katherine Mitchell, Carla Cole, Leandra Carr
NAYs: James Kepler

▶ *Resolved*
The motion passed

D. PALMER GATE REPAIRS

Resolved

A motion was made to approve bid #619 from Sierra Gate and Control for the damages in the amount of $11,749.14 to the Palmer Gate. The responsible party is paying 100% of the cost to repair the damage.

Motion: Dennis Drury
Second: Carla Cole
AYEs: Dennis Drury, Katherine Mitchell, Carla Cole, Leandra Carr
NAYs: James Kepler

▶ ***Resolved***
The motion passed

E. BAYHILL GATE REPAIRS

Resolved

A motion was made to approve bid #578 from Sierra Gate and Control for the damages in the amount of $11,053.65 to the Bayhill Gate. The responsible party is paying 100% of the cost to repair the damage.

Motion: Dennis Drury
Second: Carla Cole
AYEs: Dennis Drury, Katherine Mitchell, Carla Cole, Leandra Carr
NAYs: James Kepler

▷ ***Resolved***
The motion passed

F. PALMER ENTRANCE LIGHTING REPAIRS

Resolved

A motion was made to approve the Palmer Entrance Lighting Repairs

Motion: Dennis Drury
Second: Katherine Mitchell

▶ ***Resolved***
The motion passed unanimously

G. ANNUAL STORAGE FEE PAYMENTS

Resolved

After a discussion regarding the boxes in the storage unit and the digitization, a motion was made to pay month-to-month for River Vista Storage in the amount of $72.00 per month.

Motion: Dennis Drury
Second: Katherine Mitchell

▶ ***Resolved***
The motion passed unanimously

H. WEBSITE ADMIN APPROVAL

Resolved

A motion was made for Sandy Mass, a homeowner, and prior Website Administer, to continue in that role after signing a Non-Disclosure Affidavit. Katie Mitchell will be the secondary administrator.

Motion: Katherine Mitchell
Second: Carla Cole

▷ ***Resolved***
The motion passed unanimously

I. IRON MOUNTAIN DIGITIZATION DISCUSSION

Resolved

This would be considered a special project for FirstService Residential with an additional cost of $100 per hour. FirstService Residential would need to analyze the scope of the work and then provide a proposal for the cost. FirstService would only provide the purge of the boxes and documents while Iron mountain would then provide a separate cost proposal to digitize. FirstService Residential will come to Dayton Valley Board of Directors to analyze the contents of the storage unit before going forward with the project.

J. ADOPT NEWSLETTER POLICY

Resolved

President Carr suggested having FirstService Residential do the newsletter. Katie will bring that information to the Newsletter Committee for further discussion. Secretary Cole further stated it, the current problem is not with the format or the ability of the committee to publish a newsletter, the problem is with the content by directors, and a policy is needed. After a lengthy discussion, a motion was made to accept the Newsletter Policy.

A motion was made to accept the Newsletter policy as submitted by Katie Mitchell.

Motion: Katherine Mitchell
Second: Carla Cole
AYEs: Dennis Drury, James Kepler, Katherine Mitchell, Carla Cole
NAYs: Leandra Carr

▶ ***Resolved***
The motion passed

K. ADOPT WEBSITE POLICY

Resolved

A motion was made to adopt the website policy as submitted by Katie Mitchell.

Motion: Katherine Mitchell
Second: Carla Cole

▷ ***Resolved***
The motion passed unanimously

XII. SCHEDULING OF NEXT BOARD MEETING

Resolved

In accordance with NRS 116.31083 the next Board of Directors meeting is scheduled for February 22, 2023 at 5:00 PM.

XIII. HOMEOWNER OPEN FORUM – ALL ITEMS

Teri Van Ooseten, 613 Champions Drive, spoke about her concerns with the drainage back up causing the streets to flood and nothing has been done and is worried nothing will be done. She would like a plan and solution.

Ron Sayed, 337 Bayhill Circle, spoke addressing that neighbors need to look at what they can contribute to the neighborhood not always what the HOA can do for them.

Lisa Miller-Hobbs, 610 Champions Drive, spoke about her concerns about FSRs promise about getting documents to the homeowners. She says they have failed to get documents to homeowners either by mail or email notifying them of the meetings. Regarding the masonry proposal is the board planning on going after the individual responsible? There are legal ways to get that money back. NV Security, Rom McRae does not hold any kind of contract or licensing, it actually is expired. She sent an email to the board

requesting this be an agenda item but it was not.

XIV. ADJOURNMENT

Resolved

The meeting adjourned at 6:57 PM.

Motion: Dennis Drury
Second: Carla Cole

- ***Resolved***
  The motion passed unanimously

Carla Cole — 1-24-23

APPROVED **DATE**