

Asociación de Vecinos Del Fraccionamiento
Chula Vista Norte, A.C. Board Meeting Minutes
Tuesday February 11, 2020, Avenida Veracruz #1B
10:00 AM

Present: Herma H. Buchanan, Allan Arthur Borchardt – Treasurer, Maria Fátima Davis Ciapara, Manuel Creixell Robina, Lorna Marguerite McIntyre Leech - Secretary, Alfred Younges Kirkland Jr.

Absent: Michael Richard Thompson – President, Juan Gerardo Heriberto Allera Mercadillo,

Guests: Hortencia Maria Moreno Morales, Property Manager, John Brennan, CVN Lawyer.

Hereafter the names in the minutes will be shown as used in normal usage, with the full legal name indicated above.

1. **Call to Order** –Lorna McIntyre Leech, Secretary, called the meeting to order at 10:10 AM.
2. Manuel brought to the boards attention that there are no lights immediately after the front entrance. It is very dark at night and does not provide a good appearance to someone entering CVN. The suggestion was made that 4 lights be installed right after the front entrance to improve lighting. Hortencia also mentioned that she is looking into getting a light installed on Privada La Paz. Hortencia will get a quote to have 4 lights installed immediately after the front entrance and 1 on Privada La Paz.

10:15: John Brennan arrived

3. John Brennan, CVN Lawyer, was introduced to the board.
He presented recommended changes to the Bylaws which were well received by the members. A few changes were discussed and he will have the amended changes ready for the board early next week.

John recommended that CVN take a look at the Bylaws for Chula Vista and the Racquet Club as they are quite good.

He stated that the board needs to have a vote at the AGM to grant Power of Attorney to the officers of the board. This makes it much simpler to have changes made at the bank.

It was also recommended to have a sign at the front entrance informing all potential buyers to check with the office for outstanding fees owed on the property they are considering buying.

John suggested that the board have the residents vote at the AGM on the possibility of offering a one-time discount (up to 50%) to delinquent owners, as an incentive to pay up. He provided a draft notice to be sent to non payers and gave advice on how to proceed.

Discussion was held as to whether imposing fines on residents was legal and if we could collect. John informed the board that fines could be imposed and if they were not paid that the home owner would be delinquent on their fees and could not vote. He also stated that the

finances were against the property and that they would have to be paid before the property was sold.

11:15: John Brennan left the meeting.

4. **Minutes for Last Meeting** - The minutes of the board meetings of January 14, 2020 were reviewed as circulated.

MOTION: To accept the Minutes of the Board meetings of January 14, 2020 as circulated.

Moved Lorna McIntyre Leech Seconded Fátima Davis Ciapara CARRIED

5. **Treasurer's Report:** Al Borchardt presented the financial report as of the end of January 2020.

Income from Colonos fees was \$1,342,754 MXN. (\$172,744 MXN more than January 2019)

Total Revenue was \$192,763 over budget

Expenses

Employee Expenses \$5,181 MXN over budget.

Operating Expenses \$58,662 MXN over budget

(due to payment of \$90,480 MXN for yearly garbage collection and \$5,886 MXN for yearly property taxes on office and guard house).

Maintenance Expenses \$18,230 MXN (\$2,603 MXN under budget).

(Cameras in office to monitor front gate, 50% of cost to connect electrical for Privada Veracruz gate to office electricity)

Total Expenses for Month were \$61,230 MXN over Budget

Operating cash in Banks - \$1,039,549 MXN (\$22,000 MXN received for fiber optic)

Emergency Fund - \$734,002 MXN

Security Deposits - \$296,042 MXN

To date \$480,000 has been received for fiber optic.

MOTION: To approve the CVN financial report for January 2020.

Moved Al Borchardt Seconded Lorna McIntyre Leech CARRIED

6. **Property Managers Report:** Hortencia presented the Property Managers Report for January.

Gardeners – No issues.

Security – Still working with security company. It has been noted that there are not always two guards on during the day. Hortencia has noted the dates and has deducted this from the payment to the security company.

Water – No problems.

Street Repairs – It has been discussed with Cumbres that they could pay the fees to connect to CVN fiber with street repairs. They can get the repairs cheaper than we can and have the materials needed. Hortencia to pursue.

Animal Issues – Ongoing, residents still setting traps.

MOTION: To accept the Property Managers Report.

Moved Lorna McIntyre Leech Seconded Herma Buchanan CARRIED

7. Reports:

- a) Inspection Reports for construction in progress –
Privada La Paz – construction now proceeding.
#7 Jalisco – Material on Street obstructing traffic has been cleared out.
#26 Baja California – No issues.
#3 Privada Veracruz – Manhole cover removed. Herma stated that the manhole cover has been temporarily fixed. Hortencia to look into having this permanently fixed.
#22 Veracruz – Construction has been stopped due to pending lawsuit.
Two new constructions approved (Sinaloa #7 and La Paz #4) – not yet started
#2 Barra de Navidad – house has been demolished. Construction of new home to start in March.

8. Unfinished Business:

- a) Internet – Telmex is currently finishing installing fiber optic cable and have started installing in homes. Lorna to draft notice to residents informing them that home installation has started and that Telmex will be visiting homes in the near future. Also inform residents that the installers to not speak English and that they should contact Hortencia for assistance if required.
- b) New CVN Website –
No update as Michael not present at meeting. It was discussed that the board should pay the web developer to have this completed faster. Currently we are unable to give residents access to the minutes and financials through the website. The developer has been working on this for free but has been very busy with paying work. Lorna to discuss with Michael offering to pay developer for faster service.
- c) Legal Update –

Veracruz Gate Lawsuit – Manuel informed the board that he had spoken with Andrea Cannon and Ricardo Camberos, the criminal lawyer in Guadalajara who handled the case. Neither lawyer was able to provide any paperwork to prove that they had done anything on Rona's behalf, although they insisted that they had provided adequate representation.

Al Kirkland informed the board that he had seen Rona and that she had advised him that some kind of order had been entered in her case. Board requested that Lorna send email to Rona asking for more information.

Lorna suggested that a meeting be set up with John Brennan to review the paperwork that Rona has and get his assistance.

- d) Non Colonos Payers – Hortencia has received the draft notice to be sent to non payers from John Brennan. He informed us that only one notice has to be sent before legal action can be taken. Hortencia to look into getting the information together to send out notices. It was recommended that a Police Officer be hired to accompany Hortencia when delivering the notices and that this person sign as a witness that the notices were received.
- e) SIMAPA – Sewage Holding Tank
Cumbres has agreed to meet with Simapa, along with CVN to put some pressure on Simapa to connect to the sewer system. Hortencia to arrange meeting with the Director of Simapa.
- f) Solar Panels for Office – Still waiting on getting meter changed.
- c) Signing Authority at Bank – On hold until after AGM.

9. New Business

- a) January 17, 2020 Meeting with Cumbres
Cumbres has agreed to pay 10% of street repairs for Avenida Veracruz and Jalisco. They have agreed to participate with meeting with Simapa to hook holding tank up to the sewer. They were unaware that their sewage was going into our holding tank. They have agreed to provide entrance tags to their residents and to register their workers at the front entrance. They have asked to hook into our fiber optic and are willing to pay a one-time fee to CVN for this.
- b) Herma brought up a concern that the bars on the front entrance are in dire need of replacement. The one on the entrance side looks like it is going to break at any time. Hortencia to obtain quote to replace both arms, preferably with PVC.
- c) AGM – the board has agreed that a special meeting is to be held on February 25, 2020 at 10:00 A.M. to discuss upcoming AGM. It is necessary to discuss Presidents Report, changes to Rules & Regulations and Bylaws, proxy requirements and board positions up for re-election. All information must be sent to residents between March 9 and 13th. Also notice in newspapers. Positions up for re-election are Treasurer, 3 members at large, and Commissario. Current board members were asked if they would run again. All need to think about it and will let the board know at the special meeting. It was discussed that

after the AGM the newly approved Bylaws and Rules & Regulations must be posted on the website and residents informed that they can obtain a copy from the office.

- d) Rules & Regulations – must be modified to state that water is only to be drained to the streets as per Ecology requirements. Also signs on property must be no larger than 40X60 cm.

10. Date and Location of the next meeting

Special Board Meeting – Tuesday February 25, 2020 at 10:00 A.M.

Regular Board meeting – Tuesday February 11, 2020 at 10:00 A.M.,
New Office.

11. Adjournment: The meeting was adjourned at 12:50 P.M.

Lorna Marguerite McIntyre Leech, Secretary

Michael Richard Thompson, President

Parking Lot:

Absent Board Members: Lorna McIntyre Leech – February 16 - 20, 2020

Herma Buchanan – February 12 - 19, 2020

Al Kirkland – February 24 – March 6, 2020

Fátima Davis Ciapara – March 9 - 25, 2020