

MARINA SOL HOMEOWNERS ASSOCIATION REGIME

Revised Draft MINUTES OF THE GENERAL ASSEMBLY MEETING MAY 1, 2010

President Penney called the meeting to order at 9:16 am.

Board of Directors, Present:

President	Penney, Henry Dale
Vice President	Waldie, James Melvin
Secretary	Seace, Lisa
Treasurer	Luiza, Lorie Alice
Director	Cuomo, Bartholomew Anthony
Director	Peluso, Anthony Phillip
Director	Fawthrop, William Rodney / Absent

Vigilance Committee, Present

President	Suveges, Clint Denis
Member	Griffith, Claire Virginia
Member	Guidici, Kristi Lea/ Absent

Vigilance Committee President verified that all FM3s were in order.

Susan Gonzales was introduced as the translator. Lorenzo Wolters moved that we release the translator. The motion was seconded by John Steve Dutra and passed unanimously.

A quorum was established.

The Board, the Vigilance Committee and the Homeowners were introduced.

Motion 1: To waive the reading of the notice of the meeting. Moved by Lorenzo Walters, seconded by Steve Dutra. Passed unanimously.

Motion 2: To approve the notice of the Meeting. Moved by Kim Jones, seconded by Lorenzo Walters. Passed unanimously.

Motion 3: To approve the agenda. Moved by Kim Jones, seconded by Lorenzo Walters. There was an amendment, adding the painting of the A building to new business. The amendment was accepted by the maker and the motion passed unanimously.

Motion 4: To waive the reading of the November 14, 2009 General Assembly meeting. Moved by Lorenzo Walters, seconded by Kim Jones. Passed unanimously.

Motion 5: To approve the minutes of the May 2, 2009 General Assembly meeting. Moved by Lorenzo Walters, seconded by Kim Jones.

Discussion:

There were some errors in the draft minutes. Corrections were made from the floor. The corrected minutes were approved unanimously.

The President's Report was presented by President Penney. (See Appended). There was a discussion of the bylaw that requires cars to be moved every 4 days. The Board has passed a resolution which says that if people do not comply with the bylaw, there will be an \$80.00 USD fine per month. Ronnie Pinkerman noted that the bylaws say that garages are only to be used to park vehicles, but that some garages are being used as commercial spaces. The Board of Directors will look into this. The Board of Directors received a request from the tenant at the Oasis to reduce the rent for the remaining 18 months of the lease. The Board agreed that, given the economic conditions, the rent would remain at \$600.00 USD per month for the remainder of 2010 only. Some homeowners said that they thought the restaurant was doing well. Other owners said that the restaurant is always empty. It was suggested that we should get higher rent, and one owner said that since the Oasis is common area, the General Assembly should vote on the rent. According to the bylaws, those decisions are made by the Board. After the discussion, the Report was accepted.

The Treasurer's Report was presented by Lorie Luiza. As of December 31, 2009, there was \$136,000.00 USD in the bank. \$100,000.00 USD was moved to purchase pesos. That \$100,000.00 USD was replaced when the 2010 dues were received. We continued to collect delinquent dues, but there are still more to be received. There is \$147,441.00 USD in the reserve. There was a problem with Banamex. They sent checks to our Administrative Manager for an account that had no money in it yet. Four checks did bounce, but everything is corrected now. Gwen Lentz made a motion to print the Balance Sheet in dollars and pesos. Motion died for lack of a second. Lorenzo Walters suggested that we change our system to do all of our business in pesos since we are in Mexico. Steve Dutra asked what was being done about Lynn Lorenzo. Bart Cuomo said that through the work done by Lorie, the office staff and the Board, we can now serve her and can begin to recover money. The Treasurer's Report was accepted.

The Plant Manager's Report was presented by General Manager Aurelio Cruz Chona. (See Appended). There were no questions from the floor.

The Administrative Manager's Report was presented by Lucia Fregoso. (See appended) There were no questions from the floor.

Vigilance Committee President Clint Suveges presented the Vigilance committee report, saying that Marina Sol is looking better and better. He suggested that as we all work toward the best Marina Sol

possible, and that we are making progress. He also said that the Board is doing a good job. Claire Griffith also presented her report, (appended).

Discussion

Dinah Briggs asked if the Vigilance Committee is supposed to report or stop incorrect action.

Gwen Lentz said that Lorenzo Walters told us that the Vigilance committee is supposed to correct the Board if they make an error, and protect the bylaws. But, Clint Suveges does not do that.

Gwen Lentz made a motion to remove Clint Suveges from the Vigilance Committee. The motion was seconded by Chaylene Saldago. Director Cuomo explained that according to the bylaws, that a member of the Vigilance Committee cannot be removed by a vote of the General Assembly.

OLD BUSINESS

The Sidewalk Project is complete. There was a great deal of underground work, which was revealed once the digging began. Everything is now underground with access vaults. There was discussion about whether there was a master plan, and how we were deciding what to do. David Owens, a proxy holder for Bruce Smith, suggested that we may not have had the correct direction. Jim Waldie, (who directed the work), informed the Assembly that he held 5 licenses in California, General Contractor, Electrical, Plumbing, Flooring and Landscaping. He suggested that a master plan could be recreated, and that Ron Hubbard, the original architect could help.

The water project was completed. There was significant excavation needed to replace old, damaged, and obsolete pipes. New PVC is larger and much heavier, and now is all one size. It is also valve protected. The water treatment plant is operational and the water is being used for hand watering. Once there is a certification, we can irrigate with it. This is resulting in savings of about 50% in our water bills.

There was further discussion of the Vigilance committee. Gwen Lentz moved that Clint Suveges be removed from the Vigilance committee. The motion was seconded by Chaylene Saldago. John Pinkerman suggested that we have a new Vigilance member. It was again explained that it was not possible, as the bylaws say that a vigilance committee member may not be removed. Bart Cuomo then moved that we remove the entire Vigilance committee. The motion died for lack of a second.

Security Committee Report

Kim Jones reported that the garage doors project was now complete and much safer. The Guards are showing a better attitude, and there is still some work to do. The Guards are turning off the power in order to stop noise. The Security cameras are better, though still need work. John Pinkerman told the assembly that we need to have English speaking guards. (President Penney said that request should go through the Plant Manager). John also told the assembly that there were fewer people at Marina Sol for spring break. There was one incident in which a guest fell off of a balcony. But all in all, it was better than last year. The Board reported that in response to some of the items identified by the Security

committee, we are adding more cameras and new recording equipment. Also, there will be a new protocol for dealing with disturbances.

1. Call Security (First warning)
2. Call Security (Second warning)
3. Call Property Manager
4. Turn off power
5. Call Police
6. Fine Property Owner \$250.00 if property manager does not show up and deal with a problem

New Business

The discussion about salt water vs. chlorine will be moved to the November meeting.

The painting of the A Building will have to wait about 14 months if we wait for the new budget to allocate funds. There are two (2) options for how to proceed:

1. Have a special meeting to vote on painting
2. Borrow from Reserve, and put back in the budget in November.

Discussion:

Steve Dutra said that the A Building is an eyesore, and that it makes sense to do it now.

Kim Jones asked about the type of paint we plan to use. (Best quality available) And what about the E Building? E Building is projected to be finished soon, depending on funds.

John Pinkerman said that some paint is already fading, as the sun is very hot. He also suggested that we use the best quality available.

Kim Jones moved that an amount, not to exceed \$38,000.00 USD, be borrowed from the Reserve to paint Building A. And that these monies be returned to the Reserve from the first of the dues received in January 2011. The motion was seconded by John Pinkerman and passed unanimously.

REMARKS FOR THE GOOD OF THE ORDER

David Owen suggested that the pool was inadequately designed and may have water quality problems.

Lorenzo Walters asked Jim Waldie if there was a skimmer in the old pool. Jim said it was unclear. Mr. Owen informed the assembly that "you need a skimmer every ten (10) feet".

Henry Penney explained that for the past 20 years there had been a ball caught in the pipe. While there had been an option to replace the two (2) inch pipe with a four (4) inch pipe, it was

rejected by the Board because of high cost. The two (2) inch pipe will work well, now that the ball has been removed. Also, this decision protected the structural integrity of the pool.

Steve Dutra gave a statement of his concerns. (appended in HOA office)

Kim Jones asked about paying Jim Waldie for his work on the pool and sidewalks.

Henry Penney explained that Jim had done the first three (3) months for free, and was only paid for the final two (2) months, at \$2,000.00 USD per month. John Pinkerman asked if we had gotten a factura. Since the HOA is a non profit entity, it does not pay taxes, so no factura was required.

The Board has asked Manager Chona to write a letter to the Las Varitas club regarding the loud music at four (4) in the morning.

Steve Dutra offered the resolution that the Board resolve the problem with Dinah Briggs over the bodega without using lawyers. Lorenzo Walters so moved. The motion was seconded by Mr. McLaughlin, and passed with a clear majority.

Steve Dutra moved that in November, budget allowing, we talk to Jose about being manager of a Marina Sol Football team. The motion was seconded by Lorenzo Walters, and passed with a clear majority.

Bart Cuomo moved that we put on the November ballot a Motion to remove the entire Vigilance committee. All current members could run again, and we will solicit any other Homeowner who wishes to serve. The motion was seconded by Claire Griffith, and passed unanimously.

The meeting was adjourned at 1:15 pm.

Respectfully submitted,

Lisa Seace
Secretary,
Marina Sol HomeOwners Association

