



La Puntilla Condominium Association
La Cruz de Huanacastle, Nayarit
Mexico

Minutes - February Board Meeting
February 2, 2004 Monday 9:30 AM
(Central Standard Time – “Jalisco Time”)
Casa B #6 – Home of Bill & Amy Welch

Board Members Present: Lydia Dobyns, Jim Rosenwinkel, Erin Strench, Pam Thomas and Amy Welch

Board Members Absent: None.

Administrator: Cherie Sibley; later arrival of Property Shop onsite supervisor Armando Bravo.

Guests Present: La Puntilla attorney Maria O’Connor, Jerry Martinson, Dave Ronlund, Don & Mel Ronlund and George Thomas.

There being a quorum, the meeting was called to order at 9:40 AM by President Erin Strench. There was some miscommunication regarding the start time as the January minutes reflected 10 AM as the start time, but Cherie Sibley distributed the start time on the proposed agenda as 9:30 AM. Welch took minutes.

Pam Thomas moved and Amy Welch seconded that the January 3, 2004, annual meeting minutes will be approved at the next Annual Meeting on Saturday, January 29, 2005. (The January 3, 2004 minutes, in English, are here attached).

PASS: 5 YES, 0 NO.

Pam Thomas moved and Jim Rosenwinkel seconded that the January 9, 2004, January board meeting minutes be approved. (Jan. 9 minutes attached in English and Spanish). A special thanks to Juan Vallejo for the Spanish translation.

PASS: 5 YES, 0 NO.

Administrator’s Report – Cherie Sibley:

After some discussion regarding the difficulty of working with Lloyd’s, Property Shop owner and La Puntilla administrator Cherie Sibley, opened a bank account at HSBC – Bucerias branch (HSBC is formerly Bital). La Puntilla board members will report to HSBC with their FM-3 and Passport and register to co-sign on the account.

Sibley stated that the January dues can be paid to Lloyd’s or HSBC. Sibley was unable to account for who had paid their dues. The first quarterly payment of \$16,344 pesos was due January 15, 2004 and was considered late by January 31, 2004.

Discussion ensued regarding whether or not Sibley needs to be registered with Hacienda. Attorney O’Connor will report back at the March board meeting to discuss whether or not this is necessary to be in compliance with the government.

Sibley forwarded an accounting for January. (*here attached*) Sibley forwarded Quicken discs to Amy Welch, but they could not be opened. Sibley will email the Quicken files to Welch for review – wjwelchpc@comcast.net The reserve is approximately \$100,000 pesos.

Sibley and Property Shop supervisor Armando Bravo expressed frustration with the accountability of the La Puntilla onsite staff. The board explored a variety of ways that changes can be made – including hiring a private landscape company to do the gardening and hiring a private company to service the waste water treatment plant. As part of the contract with The Property Shop, Bravo is required to be onsite 3 hours per day, Monday through Saturday.

Pam Thomas moved and Jim Rosenwinkel seconded that the board give Cherie Sibley full discretion to restructure our employees to possibly eliminate some positions and hire other staff as needed.

PASS: 5 YES, 0 NO.

Sibley reported a laundry list of work completed since taking on the account. Bravo noted that much of the smaller tools are missing and presented a list to Thomas of his tool request which includes a gas blower, additional lawn mower, chainsaw and miscellaneous equipment. Strench indicated that perhaps we should wait to purchase equipment if it can be determined that hiring a private company makes more sense than hiring our own staff to do the work.

Pam Thomas moved and Jim Rosenwinkel seconded that the board accept Cherie Sibley's report and that Sibley act as the legal representative for Condominios La Puntilla.

PASS: 5 YES, 0 NO.

Landscape Report – Pam Thomas:

Presently, the landscape committee headed by Pam Thomas, has been working to direct the La Puntilla gardeners in cleaning up the common areas. The landscape committee includes Jim Rosenwinkel and Amy Welch from “B” street, and Mel Ronlund and Pam Thomas from “A” street. *(Thomas's landscape report attached)*

At the request of the board, Maria O'Connor distributed a written opinion regarding federal, state and municipal rulings regarding tree and plant removal, as distinctly separated from pruning and emergency tree removal. *(here attached)* The overall opinion is that a permit is necessary if cutting in a federal zone or for the purpose of forest management or if the development removes native trees that were listed in the development's environmental review. The La Puntilla developers never filed an environmental report or permit for the development; consequently, there is no record on file of what are the original trees and what has been added to the site. Strench indicated that there was very little native on the property with much of the plantings done by Jesse, developer Paul Zuleger's friend.

As Univ of Arizona botany professor Charlie Sacamano has been named the Director of Ecology for El Tamarindo (near to and the same developer as El Careyes), he is unable to commit to a landscape site review for La Puntilla. In turn, he has recommended Pedro Dundee from Arte Verde to carry out the review. As agreed at the January board meeting, Amy Welch will pay the first \$500 usd for the study. The Landscape Committee has an appointment for a walk-through with Alejandra, Pedro's nursery manager for Thursday, Feb 5. Hilda Flores met with Thomas in February and will be presenting a proposal to the Landscape Committee. Upon completion of the landscape review by Arte Verde, and with the Landscape committee's further recommendations, a proposal will be discussed at the June board meeting and presented for vote at the July 17 Extraordinary meeting.

Thomas indicated that one of the beachfront palms is diseased, perhaps by a beetle. Various recommendations about whether or not to spray, has been explored. Another opinion will be requested from the Arte Verde representative on Thursday. Given the nature of the toxic and long-lasting chemical, Thomas indicated that the tree has been removed with perhaps nothing else to be done at this time, except to watch to see if the infestation continues to affect the beachfront palms.

Thomas indicated that the “spaghetti-like” fungus on the plants in the common area outside B-8 are of continuing concern. Limited spraying has taken place. The Arte Verde representative will be requested to make a recommendation regarding this fungus. One idea is to cut down the bougainvillea and other affected plants, and then spray the area.

Distribution of Minutes and Homeowner & Property Manager mailboxes:

After each meeting, Welch will write a draft of board minutes, with the draft going to Erin Strench, or his designee, for review. Upon approval, Welch will email all homeowners, property managers, The Property Shop and Maria O'Connor.

In addition, Welch will mail all US and Canadian owners a hard copy of the minutes with accompanying documents.

Cherie Sibley, from The Property Shop, will hard copy all Mexican owners.

Sibley will also ensure that minutes are placed in homeowners individual boxes in the guard house. Sibley will also have a mailbox in the guard house so that homeowners can leave messages for Armando or herself.

Election of Officers – appointed by Erin Strench:

After a brief discussion about Nayarit law and the length of terms and the role of each officer, *President Erin Strench appointed Amy Welch as Secretary and Treasurer, Lydia Dobyms, Jim Rosenwinkel and Pam Thomas as Vocals. (Feb. 2004 phone list attached with officers noted)*
Erin Strench was elected President at the January 9, 2004 board meeting.

Financial Committee – George Thomas:

Erin Strench, George Thomas and Bill Welch will meet to begin to discuss the process to review past financial files. Meeting to be held, Tuesday, February 3, 10 AM at Welch house. As chair of the Finance Committee, Thomas has full authority to make requests of The Property Shop and attorney Maria O'Connor to release condominium financial and other information. It was agreed that a double-entry set of books will be maintained by the association.

Bylaw Review – George Thomas:

Erin Strench appointed George Thomas as chair the Bylaw Review committee. Thomas will coordinate the collection of input from homeowners concerning the present adopted bylaws. Jerry Martinson and Erin Strench have requested to be a part of this committee. Bylaw changes are anticipated to be voted on at the Extraordinary meeting on July 17, 2004. O'Connor suggested that all interested homeowners red-line the adopted bylaws and submit them to Thomas for review and discussion. A preliminary review will be ready by Thomas by the June 18 board meeting.

Maintenance:

Sewage Plant (Water Treatment Plant)

Sibley will have trees and roots removed that are directly next to the water treatment plant, as concern has been noted that tree roots will easily invade the treatment plant.

Thomas expressed concern that there is still a strong odor coming from the treatment plant. Sibley will have the treatment plant pumped out this month and will have the pumping scheduled for every 6 months.

Don Ronlund will contact Freddy for his phone number and forward the number to Sibley so that she can contact the company that installed the treatment plant to inquire about appropriate maintenance procedures. Sibley indicated that there is a company from Guadalajara that regularly comes to Vallarta to work on treatment plants. Sibley will contact the company and get a cost estimate for the March board meeting.

Beachfront Sprinkler Repairs and Grass Reseed

Strench requested information about the status of the beachfront sprinkler repair. Dobyms indicated that at the January annual meeting, there was a \$144,000 pesos capital improvement line item – to repair the beachfront sprinklers and reseed the grassy area. No decisions were made at the January meeting. Strench will work with Eber and the maintenance staff to identify the sprinkler lines and valves. No decision was made at the February 2 board meeting regarding a potential assessment to repair the beachfront sprinklers and reseeding the beachfront common area.

Hurricane Kenna bill – submitted by Michelle Willner de Cruz

Michelle presented documentation of bills (*here attached*) submitted to La Puntilla, for which she was never paid. Accompanying the accounting were letters from board members stating that she would be paid for her time and expenses. Strench expressed that it was unfair that Michelle was not paid, although he acknowledged that her workers were paid. It was called into question as to whether Michelle can be paid directly as she has changed her tax status to a small business owner and can no longer offer a factura. Sibley offered to talk to the accountant regarding Willner's bill and the appropriate method of payment. Sibley and O'Connor said that there is a time share company in Vallarta that if paid 20% more than the bill, will forward a factura. The latter is how Doug Davies was paid for his work, as he couldn't offer a factura. (*Subsequent to the meeting, Willner met with La Puntilla accountant Eva Gonzalez and with Hacienda. Copy of email attached. Both Eva and Hacienda acknowledged that it is appropriate to pay Willner with a nota and not a factura.*)

Future Board meeting dates and January 2005 annual meeting date:

Monthly Meetings: 3rd Friday of month, 11 AM PV

Mar 19 Apr 16 May 21 June 18 July 16 Aug 20 Sept 17 Oct 15 Nov 19 Dec 17 Jan 21

Sat, July 17 Extraordinary Mtg (Semi-Annual)

2005 Annual Meeting: Sat, January 29, 2005

La Puntilla Communications:

Discussion continued regarding placing all La Puntilla accounting, minutes, bylaw and all other information for homeowners on a La Puntilla web site. Homeowners can then download all the information in a .pdf format. An additional benefit to the web site is to provide homeowner rental information. Welch offered to create the web site at no cost to the association. There appeared to be interest among the board.

Strench also suggested that a friendly newsletter produced quarterly would be of value. Sibley offered to write the newsletter.

Martinson forwarded (*here attached*) a communications protocol that was agreed upon last year.

Capital Improvements:

The outstanding projects to date are the restoration of the beachfront – sprinklers and reseeded; the seawall; and the design and construction of the field across from “B” street to include garages and a recreation area. Don Ronlund worked with architect Blanca to design a seawall. One design was proposed for \$180,000-250,000 pesos. A second design which included a below-surface wall was proposed at \$459,000 pesos. Strench suggested that we hire a civil engineer to survey the area and design a seawall. Strench also suggested that perhaps if the boulders were repositioned below the surface that this may prove enough stabilization. Martinson noted that the previous board and administrator did not apply for an environmental permit before placing the boulders on the beachfront. Sibley and O’Connor expressed concern that the lack of an environmental permit may prove problematic.

Pam Thomas moved and Amy Welch seconded that Administrator Cherie Sibley hire a civil engineer to look at the beachfront boulders (seawall) along with a status report on the environmental impact statement. This information should be ready for the March board meeting regarding current status, different options and cost figures.

PASS: 5 YES, 0 NO.

Pam Thomas moved and Amy Welch seconded that the February 2, 2004 Board Meeting adjourn at 3:40 PM (CST).

PASS: 5 YES, 0 NO.

The next La Puntilla board meeting will be held at La Puntilla at 11:00 AM on Friday, March 19, 2004 at the Welch residence – B-6. All homeowners are welcome to attend.

