

Minutes
Mayan Seaside Property Owners Association
Board of Directors Meeting
January 5, 2019

Date: January 5, 2019
Time: 9:00 a.m.
Location: 88 Seaview Dr. Mayan Seaside, Corozal District, BZ.
Board Members: David Lawson, Chairman, Carol Livermore, Secretary,
Art Higgins, Treasurer, Sharon Bugnand, Pat Ehnes & Jim
Maltais. Absent: John Bailey.

Chairman: Call to Order
Verified Quorum

Opening Remarks: Bob Bugnand and Art Higgins were thanked for the major time and effort they put in on the water system this past year. It took several days to locate a broken pipe (found under a stone wall) and again on December 30th, when the submersible pump failed and had to be replaced.

Officers Reports:

Chairman: The minutes of April 21, 2018 were accepted as distributed. There were no amendments.
Treasurer: 11 Owners have paid their 2019 Annual Fees as of January 5, 2019. A complete financial report for 2018 will be presented at the AGM.

Committee Chair Reports:

Reference: 2018 - A Year in Review

Facilities: B.B. gave a summary of the 2018 activities. (attached)

Old Business:

Common Area Land Transfer from RPL to MSPOA:

Status: A. H. gave an update on the status of the land transfer.(attached)

New Business:

MSPOA Lease with RPL:

The land transfer process began three years ago and is on-going. RPL has recommended a solid lease agreement until the transfer details are worked out.

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D.L. and C.L. met with an attorney to confirm what the Government of Belize requirements are with respect to property leases. A.H. was not invited to participate in any meetings or discussions with the Wrobel & Co. lawyer due to concerns that A.H. has a conflict of interest, being the Chairman of Renaissance Properties LTD, the owner of the leased properties. Leases on registered land must be registered and a 3% registration fee on the total value of the lease paid. Having a registered, valid lease is essential to protect MSPOA from a catastrophic occurrence. What would prevent future heirs and/or future owners of RPL from selling the common areas for Condominiums, for example.

The Chairman recommended engaging an attorney to protect MSPOA's interest. The cost is approximately \$5,000 BZD (\$2,500 USD) for a 99-year lease package. A 30% discount was negotiated on the Professional Fees. In light of this, the following motion was put forward:

Motion: D.L. "I move that:

- a. The MSPOA Chairperson and Secretary are to engage law firm of Wrobel & Co. to create a lease most favorable to the MSPOA
- b. The Secretary is directed to cause the retainer to be issued as stipulated in the Letter of Engagement.
- c. The MSPOA Chairperson and Secretary are to engage the Principal of RPL for lease acceptance.
- d. The Lease particulars are to be reviewed by the Board.
- e. The MSPOA Chairperson and the Secretary are the authorizing signatures for the lease with RPL."

Second: P.E.

The motion carried with 5 approvals (DL,PE,SB,JM,CL) and 1 Recusal (A.H.)

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Input from Owners:

Two families submitted questions, some of which overlapped. Following is the essence of the input and answers given by the Chairman.

1. Central Area – screened in, move Gazebo, add electric, internet, water, general upgrade.
 - a. On the Project Plan and need a volunteer to develop and cost out a plan. No one volunteered to take on this task.
2. Record Meeting Comments pre-, during, post-meeting:
 - a. This is already done by the MSPOA secretary, approved by the Board and posted to the MSPOA Website.
3. Take all volunteers onto Committees:
 - a. This was discussed at the last meeting and voted on. (See minutes April 21, 2018)
 - b. We need volunteers for Facilities and MSAC. No one volunteered.
4. Proposed Tree planting site:
 - a. This is a test to ascertain the survivability of the palm trees. (Dwarf Royal Palms)
 - b. Area can be walked after meeting.
5. Change the way Board Members are selected:
 - a. The selection process is dictated by our Governing Documents
 - b. Would require changes to the Articles and/or the Bylaws

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- c. We have used the runners-up to fill previous vacant positions, but it is not a requirement to do so. It is a Board decision.
- 6. MSPOA is to Serve and to Govern based on our Governing Documents
- 7. Mission Statement should be read at the beginning of Board meetings:
 - a. The Chairperson decides what is included in the agenda.
 - b. The next Chairperson can decide to read the Mission Statement, if they so desire.
 - c. Since we are not a philanthropic organization, the Mission Statement doesn't make sense. As a Goal, maybe, but not a Mission Statement.
 - d. My personal Mission Statement is "To increase each lot owner's asset value by providing a balanced budget, considered improvements, timely maintenance, and adherence to the Laws of Belize within the confines and structure of our Governing Documents."
- 8. Board Meetings:
 - a. We are required to have an Annual General Meeting (AGM) annually in February.
 - b. We are required to have, at least, 2 Board meetings each year.
 - c. These meetings are scheduled by the Board.
 - d. These requirements have been met.
 - e. Traditionally, the Board does not meet in the summer for obvious reasons.
- 9. Board Member attendance:
 - a. Board members who cannot physically attend a Board Meeting are conferenced in (e.g., J.S., S.B. and P.E).
 - b. A quorum is needed to have a meeting (4 out of 7 members).

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- c. There is no mechanism in the Governing Documents to allow for “stand-in” board members.
- d. The MSPOA Secretary takes the minutes.
- e. Holding the meetings at Smugglers or Millennium may be a viable alternative.
Shona Scappaticci volunteered to check this out.

10. Limit household participation on the Board and Committees

- a. The next Board should address this issue.

Motion: P.E. “I move that the meeting be adjourned.” **Second:** S.B.

The motion carried unanimously

Calendar: The Annual General Meeting is scheduled for February 28, 2019

Adjournment: 10:20 a.m.

Carol Livermore
Secretary
Mayan Seaside Property Owners Association

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Attachments

Facilities Report:

FACILITIES COMMITTEE – 2018 ANNUAL REPORT

ACTIVITIES

January

- 1.

February

1. Installed one speed bump

March

1. Installed 4 speed bumps on roadways
2. Had potholes in access road filled

April

1. Repaired water system broken pipe at pump house
2. Painted Electric box kiosks throughout community

May

1. Completed annual termite spray and re-varnishing project of statues, signs
2. Repaired boards on community dock

June

1. Commenced project to paint benches
2. Had contractor fill potholes in access road

July

1. Completed bench painting project
2. Repaired leaking pipe in community
3. Had small retaining wall installed at entranceway to community building

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August

1. Repaired boards on community pier
2. Repaired steps on community pier
3. Performed pothole repair on access road

September

1. Located major pipe leak in community water pipes, had same repaired.
2. Performed pothole repair on access road
3. Had two security lights installed at community building

October

1. Had contractor fill potholes in access road

November

1. Made repairs to community bathroom door and fixtures

December

1. Had contractor fill potholes in access road
2. Had community pump and electronic controls replaced due to pump failure.

Developer's Report:

Land Transfer Presentation Status Presented to the MSPOA Board on January 5, 2019 by Arthur Higgins

Renaissance Properties LTD (RPL) has been attempting to transfer the Common Area Property in the Mayan Seaside Development to the Mayan Seaside Property Owners Assoc. (MSPOA) for three years.

This was not possible until:

- 1) MSPOA was a legal entity. Accomplished January, 2016.
- 2) Belize Central Bank Approved of the Transfer.

Application to Central Bank for a Bank Account made February, 2016.

Bank Account opened by Atlantic Bank in December, 2017 (22 months later.)

- 3) And until MSPOA had current Good Standing Certs. And Certified List of Directors.

Applied for in February, 2018.

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Documents Received October, 2018 (9 months later.)

I recommend to the Board that we now wait to reapply for the land transfers until after the upcoming Annual General Meeting in February, 2019 and after MSPOA has 2019 Good Standing Certificate and 2019 Certified List of Directors.