

# MSPOA Board Meeting Minutes

DATE:	December 1, 2020		
LOCATION:	Zoom Conference Call		
ATTENDEES:	Marvin Horton, Chairman John Scappaticci, Vice Chairman Kristine Arnason, Secretary/Treasurer	X X X	Patrick Ehnes, Member-at-large Doug Bellamy, Member-at-large 2 Community Members Joined the call
			X X X

I. Opening of meeting by Chairman:

- Call to order by Marv Horton at 12:15 pm
- Marv asked Secretary to verify quorum- Kristine Arnason confirmed we have quorum
- Marv read out mission statement “To create a culture of kindness and respect within our community and with nature, that builds a safe and sustainable environment.”

II. Executive Reports:

- **Treasurer Report-** Financial reports are completed monthly, and quarterly reports are emailed to all owners, as well the website contains up to date reports. October 2020 report will be sent out with the minutes. All 2021 annual fee invoices were sent out between November 13-15, 2020. Numerous collection letters have been sent out to delinquent owners. Some owners have written in to suggest access to community water system be cut off for those who have not paid. Spoken with Government of Belize official who said this is possible with a 30-day advance warning. This will be pursued if payment not received by end of 2020. The Bylaws also allows for placing liens on properties. This is called placing a “Caution” in Belize and is an option, though costly at \$750 BZ plus taxes per property. This could be considered; delinquent owners would be charged for this cost in addition to the late fee assessments, so when property is sold the funds come back to MSPOA. This certainly is not something we wish to do, but if forced we must take the necessary action to ensure owners know these annual fees and any assessments are nonnegotiable and must be paid annually. As a reminder... our By-laws state, Item 4, Consent to Assessments: The Owner by virtue of membership in the MSPOA is deemed to covenant and agree to pay all assessments established hereunder and under the Declaration and is deemed to have consented to the enforcement of a lien for such assessments Furthermore. the MSPOA Bylaws, Section 8, Powers & Duties of the BOD, b, Duties iv. Foreclose the lien against any property for which assessments are not paid after the due date or to bring an action at law against the person obligated to pay the same all in accordance with the Declaration of these Bylaws.

This is our duty as a Board of Directors as per our governing documents, and if this association is to be run as a business, this is an unfortunate but necessary part of business. We are accountable to all owners.

Budget wise we anticipate to come in under budget, this is despite the missing revenue from delinquent owners. This is due to all board members and committee leads scrutinizing spending and not completing some projects that were scheduled for 2020 (e.g. replacement of thatch roof on palapa, purchase bench/loungers for new beach area). Our sincerest thanks to our Team Leads, Ian Graham and Tim Hicks. Discussion later on in the meeting to discuss if projects should be completed with these remaining funds, or put back towards the reserve which has been dipped into for pier repairs. On the one hand it may not be prudent to spend the funds on these previously approved projects, but on the other it isn't fair to the paying property owners who wish to see continuous improvements which ultimately increase values on their properties.

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## III. Committee Reports:

- Update: Projects complete since last meeting date are:
  1. Pier repairs- repairs done to pier along with the oiling for protection and termite treatment monthly. Solar lights were replaced as required.
  2. Walkway to pier- installed a concrete portion, raised walkway and side rock wall to stop flooding that was occurring.
  3. Beach area- installed rock border and made “beach” area adjacent to boat ramp area.
  4. Entrance common area- installed the stone walkways (had not been completed along with other common areas)
  5. Mayan Ruin repair- as suggested by the Government of Belize the mounds were filled in to protect the sacred structures.
  6. General clean up- logs in entrance and middle common areas were removed, as was all the piles of miscellaneous debris that had been sitting out in front and by the maintenance building areas. More chairs have been re-painted on the pier.

## IV. Outstanding Business:

1. MSPOA lease with RPL  
**12/01/20- LEASE FINALIZED AND ALL LEASE DOCUMENTS IN SAFEKEEPING! -CLOSED**
2. Address health concerns due to standing water on certain property owner lots  
**12/01/20- WORK COMPLETED EARLIER THIS YEAR! - CLOSED**
3. MSAC Committee Changes Required  
**12/01/20- NO PLANS TO CHANGE MAJOR CONTENT OR PROCESS- CLOSED**
4. Pier Repairs  
**12/01/20- WORK COMPLETED EARLIER THIS YEAR! CLOSED**
5. Delinquent Owner Fees  
**12/01/20- 7 owners, 9 lots unpaid for 2020 and 2 owner's delinquent on late assessments which is totally unacceptable. The annual fees as well as late fee assessments are non-negotiable and further action will be taken to collect. As a reminder any outstanding fees and/or assessments result in owners being not in good standing. This means they cannot vote at any elections or provide input on any community decisions**
6. Action Plan for next Quarter  
*03/14/20- Quarterly financials to be sent out via email in April for January 1 to March 31; Pier repair project ongoing; Schedule cleaning ditches prior to rainy season; Grounds work- schedule volunteer work day to work on planter bed rejuvenation; Mayan Ruins- use existing marrow and other material (old rock etc.) on site to fill in holes as per Department of Archeology recommendation. Will canvas owners to donate any unused materials towards this task.*  
*03/28/20- Grounds keeper has already started working on ditches, this has now become an ongoing task. Grounds volunteer work cancelled due to government restrictions due to Covid-19; Mayan Ruins- fill has been donated by one community member, work to be started in early April*  
**12/01/20- Ditches were cleared in spring and kept on it; grounds volunteer work still not done as snowbird volunteers left for year; Mayan Ruin work complete - CLOSED**

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## V. New business:

### 1. Grounds Contract 2021

Treasurer negotiated zero increase. Service was confirmed with owners prior to finalizing contract. Contract printed and signed November 23, 2020. Currently have 40 owners paying for service. MSPOA portion of contract is \$9,888 per year and owner paid is \$11,520

### 2. Projects Remaining in 2020

Discussed projects to proceed in 2020. Agreed that the previously approved and budgeted cost (\$2,000 BZ) of palapa repair should be now completed to protect the investment we have made on the pier. Also, due to heavy rains, the road condition is terrible and is in need of repair. Cost of material will be \$625 BZ and Chris Loza and his team can start the week of December 7<sup>th</sup>.

**Motion** made by: Kristine Arnason, seconded by Doug Bellamy to **“Approve the expense of \$625 for road material”**. Motion carried: KA, DB, MH, JS, PE.

### 3. 2021 Elections/AGM

We have three terms coming up in February 2021, Marv Horton, Patrick Ehnes and John Scappaticci.

Concern with the Covid19 global pandemic there may be fewer owners travelling to Belize this year. In addition, the Secretary/Treasurer who is responsible for this process will not be onsite either, there may be only 2 of the 5 directors on site.

Any changes to directors require updates (notarized copies of passports, utility bills etc.) to various government departments within 15 days after the AGM and the Atlantic Bank requires original signatures. This means any new directors would have to be present in Belize to attend the bank. If not adhered to there are strict penalties (up to \$50,000 BZ) as well as risk the freezing the MSPOA bank account. Should we lose access to the funds we could not meet our financial obligations to our employee, as well as honor our contractual obligation with our service provider, not to mention the utility bills, social security and routine maintenance costs. This is a very serious valid concern and it would be reckless if we were to run an election.

These are extenuating circumstances that no one could have predicted. The Articles of Association state any retiring board member is eligible for reelection. They also allow for appointments due to vacancies. To get us through this difficult time, all three directors have agreed to a one-year extension if the community members are in favor. We would like to hear feedback from the members in good standing on such an extension.

### 4. 2021 Budget

Preliminary budget has been drafted and will be circulated to the board members after the meeting for discussion. We must look at pump replacement (around \$4000 BZ), and this should likely come from the allocation for water system major repairs/replacement if we do not receive past due fees by the end of 2020. Would also like to replant palms in the front gardens in 2021 and hope to utilize volunteer help to keep labour costs down.

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## 5. Options for absentee owners paying Property Taxes

Should owners need to have property taxes paid, please contact the MSPOA secretary for options available. We have one land consultant right now who has a process for paying these on your behalf and have a request out to another for information.

## VI. Questions from Community Members:

1. Q: What is the status/what is occurring re: the land transfer?  
A: This item was closed until the lease had been finalized. Now that the lease is complete, the board could start to look into getting the land valued to see what the Stamp Taxes owners would be responsible to pay. Agreed to do so once the new government is in place and functional.
2. Q: Will MSPOA consider putting a generator in at the water pump for use when electricity is off so community water will flow-health and safety issue  
A: This could be a possibility. We investigated and the wiring is in place, and we would need a 5K generator and install the switch. This would need to be stored somewhere secure. We will investigate costs and storage further; it was suggested that we could borrow any owners' generators to get through a long service outage.

## VII. Adjournment of meeting by Chairman:

- **Motion** made by Pat Ehnes seconded by Kristine Arnason to “**Adjourn the meeting at 12:48 pm**”. Motion carried: PE, KA, DB, JS, MH