

Royal Golf Club Condominium Association

Meeting Minutes March 9, 2019

1. Welcome

President Gaston Mendez called the meeting to order.

2. Designation of President to Lead the Assembly

David Lewis was designated to preside over the meeting.

3. Designation of Secretary of the Assembly

Janey McLean was designated as Secretary for the meeting.

4. Designation of Two Examiners

Janey McLean and Frank Diesveld were approved as examiners/counters for the meeting.

5. Attendances and Statement of Legal Quorum

First call at 9:00 am the attendance was 9.07%. Second call at 9:30 AM legal quorum was confirmed by Gail Diesveld and Nicole Geisler of 26.05%. Total representation of homeowners at the meeting was 27% (includes morosos)

6. Approval of the 2018 General Assembly Meeting Minutes

Minutes of the 2018 General Assembly meeting were not made available in advance, therefore, decision was made to have Nicole Geisler read her copy with simultaneous interpretation by Rudy.

Questions about the completion of proposed projects and expenditures we discussed and responded to by the appropriate Board member.

Davis Lewis moved, and Christine Iriart seconded that the minutes be approved as presented. The motion passed unanimously.

7. President's Report

Gaston Mendez, President reviewed the report which was presented as written, and was attached to the Agenda.

Guillermo Ortega reviewed the legal actions that were taken to address the intrusion and destruction at the entrance to the Royal property at the guard station. The lawyer retained by the Royal has won all legal actions to date. March 29, 2019 is the next hearing. Nicole Geisler noted that the legal fees for the entire process were 50,000 pesos, with only 10,000 pesos still owing. The attorney may have other travel fees that will be billed separately. Guillermo pointed out that we have someone in Hermosillo who will keep track of where the legal suit is.

There are 2 legal actions. One is the Amparo which was filed against Urban Control in Guaymas who issued the permit for the other owners to cross our property to enter the lots that were sold by Lenny from the golf course. The permits were stopped until the final legal decision is made.

The second legal action is a Demanda, which is asking for reimbursement of legal fees and damages for the destruction to our fountain and the wall. That suit could take a couple of years.

Gaston noted that we need to be aware that Lenny will continue to try and access the other lots and we need to be vigilant.

Frank Diesveld made a motion to approve the President's Report, Dennis Reynolds seconded the motion, and the motion passed unanimously.

8. Treasurer's Report

Nicole Geisler, Treasurer reviewed the report which was presented as written, and was attached to the agenda.

Nicole noted that some of the legal fees in the report were to pay David Peralta to clear up the law suit with Amigos Trust. Nicole Geisler stated that Amigos Trust is not showing up for the hearings and because of that it looks like we will succeed in the lawsuit. If we win, then we can sue them.

Victor Ruiz made a motion to approve the Treasurer's Report, and Dennis Reynolds seconded the motion, and the motion passed.

9. Budget 2019

Gail Diesveld reviewed the following items:

Because of rising expenses we must increase our dues by 14% and have a onetime special fee equal to one month's HOA dues in order to remain solvent for the year.

1. We have projects that we want to do in 2019. The homeowners agreed to focus on the keypad at the guard gate and also a mini split for the guard station. The cost will be approximately 46,000 pesos.
2. A discussion ensued as to how to collect back dues, and it was decided that we need to keep pursuing this at a board level and come up with ideas.
3. Frank Diesveld made the motion to approve the 2018 Budget, Dennis Reynolds seconded the motion, and it passed unanimously.

10. Vigilance Committee Report

Dennis Reynolds reviewed the report which was presented as written and attached to the Agenda.

A lengthy discussion occurred regarding the “party house” and the disruption and pain it has caused many residents near that house. Mr. Leuguim Gutierrez, a representative for Mr. Barbosa’s who owns the house at VG-087 was in attendance at the meeting. Many residents complained to him about the loud parties that disrupt the neighbors and the trash that is left around the property. He was also told that he owes back HOA dues. Janey suggested that he is clear with his renters that there are no parties allowed after 10:00 p.m. If they want to party they should go to a local restaurant or bar. This matter was continued under General Business.

Jane Seely made a motion to approve the Vigilance Report, Christine Iriart seconded the motion, and it passed unanimously.

11. Election of Interim President of the Board of Directors

Gaston Menendez is resigning as President and Fernanda Mundo agreed to accept the role of Interim President.

Motion was offered to nominate Fernanda Mundo as Interim President and there was a unanimous vote. The board thanked Gaston for his tireless work on behalf of the Royal, and welcomed Fernanda.

12. Revoke Powers of Attorney to the Previous President and Grant Powers to the Interim President of the Association.

There motion was offered and it also passed unanimously.

13. Designation of the Association Administrator

It was announced that Luisa Ibarra will be replacing Guillermo Ortega as our Administrator Manager. The motion to accept the new administrator was approved unanimously.

14. General Business

A motion was approved to fund the keypad and air conditioning projects.

The discussion requesting additional donations was deleted because the HOA dues are going to be raised and we will have a onetime special fee which will cover the additional costs for these projects.

The issue of Morosos will be discussed at a board level.

Dennis Reynolds made a motion to amend the Condominium Rental Property Rules for the Royal, Article #14. The amendment reads as follows:

Rental Properties: Royal Golf Administrator to be informed of rentals with names and contact information. Home rentals are for a one month minimum with no subletting.

The amendment was approved unanimously.

15. Appointment of Special Representative to Formalize the General Assembly Meeting Minutes with a Notary Public

Gaston Menendez agreed to be the special representative.

16. Adjourn of General Assembly Meeting

David Lewis made a motion to adjourn the meeting, Dennis Reynolds seconded the motion, and the motion passed.