



## **MINUTES OF THE BOARD MEETING OF THE GENERAL COMMUNITY OF HACIENDA RIQUELME FRIDAY 10<sup>TH</sup> JUNE 2022**

The Board meeting was held on the HRGR Admin office on Friday 10<sup>th</sup> June 2022 at 9.30am.

### **ATTENDEES**

<b>Name</b>	<b>Post</b>
Richard Deeley	Resort President & Phase 4 President
Wendy Walker	Phase 1 President
Nigel Smith	Phase 2 President
Gordon Hutchinson	Phase 3 President
Bernard Loughrey (Zoom)	Phase 5A President
Viv Church	Phase 5B President
Patrick Flynn (Zoom)	Phase 6 President
Shaneen Benson	Phase 7 President
Pepa Pérez	Resort Manager & Administrator

Manuel Sánchez from MS-Legal attended the meeting up to and including item 11.

### **AGENDA**

#### **1. Approval of Previous minutes from the Board Meeting on 29.04.2022.**

The Board agreed with the format of the Minutes as sent out in April 2022.

#### **2. Respect for others and Facebook.**

##### **a. Respect for others:**

A BP has been suffering from disrespect and inappropriate language from another BP.

**ACTION:** Manuel will give legal advice about it.

**WHEN:** By the Board meeting in September 2022.

It was also said that it is very important that each Board member have respect for each other with the comments they make.

##### **b. Facebook:**

There was an exchange of views on the incompatibility of being a Board member and at the same time administrator of a FB page that has allowed disrespectful comments and criticisms of other Board members. It was agreed that there is a conflict of interest since the Board have been the subject of false accusations.



Following the Board meeting held in April, it is mainly a matter of respect to the Resort President and the other Board members.

The role on Facebook of Shaneen Benson as Phase 7 President was discussed. The Board voted, and six voted in favour, one voted against and one abstained that she should relinquish her role as the administrator of the Owners Voice Facebook page. So, most of the Board disagreed with the fact that she continues as administrator of the Facebook page even though she is not a moderator of the page.

**ACTION:** Manuel was asked to give an update on harassments regarding emails and social media, and conflict of interest.

**WHEN:** By the Board meeting in September 2022.

The official site has now completed change of moderator/administrator.

The two Facebook pages are completely different. One is heavily moderated, and the other is not moderated. The best thing to have would be something in the middle; how this can be achieved is to be further discussed.

For the official Facebook forum, it is going to be reviewed with the aim to allow a more open discussion and comments without being censored.

It was agreed to start working together with the aim that both Facebook pages become one.

**ACTION:** Review of the official Facebook forum along with the other Facebook page.

**WHEN:** By the Board meeting in September 2022.

### **3. Update on previous actions from the Board Meeting held 29.04.2022.**

The list of previous actions from the Board meeting held on 29.04.2022 was reviewed and updated. Attached to the minutes is the list of actions with the updates.

### **4. H&S matters (STV metal in grass and cost of the repairs).**

Metal bars had been purposely put on the grass to damage the lawn mowers of STV. They were 10-15 inches long.

Luckily, the only damage was material damage to STV's lawnmower. However, if it had jumped in a different direction, it could have caused very serious personal injury.



**ACTION:** The community will pay for the cost of the repair to STV's lawnmower.

**WHEN:** July 2022.

**ACTION:** Ask STV to be more careful and inspect each area before they start working. It will take a bit more of their time; however, it is for H&S purposes.

**WHEN:** Ongoing task.

**ACTION:** The community will issue a denuncia at the Guardia Civil related to the metal bars left on the grass.

**WHEN:** June 2022.

The community keeps having issues with stolen bikes from the garages. It is very important that owners affected inform security immediately after they detect the theft. (0034 968 03 2039) or via email to [hacriquelme@gmail.com](mailto:hacriquelme@gmail.com)

It is also important to remark that any items left in garages are the owners responsibility.

## **5. Polaris World money – what are we doing with it?**

The aim of the Board is to use this money (222.452 €) to keep the fee level the same in 2023. However, there are several projects which require funding.

## **6. Aesthetic (ex-Planning) Department update.**

As previously informed, Nigel Smith, PP2, is now in the role of the Planning Department.

Due to confusion between gaining planning permission from Murcia Town Hall and seeking aesthetic permission from the Resort in accordance with the Statutes, we have changed the name to the Aesthetic Department.

**ACTION:** The guideline published on the website needs to be changed and remove the six hundred€ deposit for tiling. It will not be requested from owners anymore. Inspections will continue before and after the tiling is done to confirm that there is no damage to the area. If so, the owner will be advised so they pay the cost of the repair.

**ACTION:** Manuel Sánchez will go through the guide for aesthetical modification in apartments and will advise on what needs to be added to make clear that the licence from the Town Hall of Murcia is a requirement.



If an owner presents a request for an aesthetical change that is not on the guideline, it will put on hold as it must be taken to the next Board Meeting. If a change is required, it will be taken to the next AGM to be approved at building and general community level.

Most of the works in HR are minor so it is only necessary to present a responsible declaration to the Town Hall. However, it is the owner's responsibility to make sure that they get whatever paperwork or licence they require from the Town Hall of Murcia.

### **7. A2Z contract – Update and information.**

The contract has been reviewed by the lawyer and approved so it will be signed.

### **8. Consolidated budget figures (EUCC & GC).**

As every year, Ron Locke has produced the Cost trends for the EUCC and GC from 2008 to 2021.

**ACTION:** It was agreed by all the Board members to send the trends to all the owners.

Attached to these minutes.

### **9. Disabled toilet provision at El Casón.**

The only disabled toilet at El Casón is one hundred meters away from the restaurant. It is not always opened, and the key is kept by the staff of the restaurant. So, if someone needs access, they have to get the key from the restaurant. For a person with mobility problems, getting from one place to another and back can be quite difficult.

LOTs Murcia have previously claimed that as El Casón is a listed building it is exempt from regulations requiring a downstairs toilet. However, Manuel Sánchez confirmed that when someone gets the operational licence to open a business it must be provided with a disabled toilet.

**ACTION:** Manuel Sánchez will review the legal situation and will advise on what kind of guide the community can give to the administrators, PwC, about what they should do.

**ACTION:** Manuel Sánchez will inform PwC about the current situation and ask for a solution.

**WHEN:** June 2022.



## **10. Fire safety policy for communal areas and apartments.**

A communication has been produced for the Town Hall of Murcia to approach the corresponding department and advise what kind of safety policy the Community should have.

## **11. Swimming pools.**

There was a long discussion related to three main points:

- a.** Unauthorised used.
- b.** The report produced by the BP of Jara 3, Lynn Dagnall.
- c.** The report produced by Shaneen Benson and Barbara Burks.

Thanks to Lynn Dagnall, Shaneen Benson and Barbara Burks for their time in producing the reports.

**ACTION:** Further discussion needs to be taken by Richard Deeley, Manuel Sánchez and Pepa Pérez.

For managing the pools this summer, the proposal is to arrange for the service of two extra guards for 2 months (July and August). The guards will both work 11:00 to 21:00. Rest days will be covered by Vigilant. It was agreed that the recommendation to implement the use of wristbands is not to be actioned.

**ACTION:** Set up the actions for the extra guards. Rules as per the notices in the pools.

**ACTION:** Review the times on the notices of the pools to make sure that they all are open from 9.00 and 21.00.

**WHEN:** June 2022.

**ACTION:** Update the signage on the pools to consider vaping. Ask Atlantir to produce a sticker to update the current smoking signage.

The current pool rules are dated 2018.

**ACTION:** Update accordingly.

**WHEN:** June 2022.



## **12. Update on projects – For the PPs to provide information.**

### **a. Maintenance and repairs.**

Repairs have commenced on pathways; it is a work in progress. Wayne Farrell is helping the Community with the inspections after the work is completed and has suggested valid points to improve. Repairs are suspended for July and August unless there is a major H&S issue.

### **b. Climate change.**

There was a proposal to capture water from the air through a humidification process; this has been reviewed and it was found to be economically and practically not viable.

The subcommittee has highlighted the need to be more aware and conscious of lighting up times of pathways, streets, and pool lights. It is something that with the rising cost of electricity should be looked at and altered monthly or bi-monthly to adjust on and off times.

The subcommittee is also looking at the potential for small wind turbines; and will report back further.

They are investigating options to catch the rainwater from the buildings. The square meters of the buildings were required to do some calculations. The information was provided to the subcommittee via email.

**ACTION:** The subcommittee to keep working on the calculations and options to catch rainwater and other ideas.

**WHEN:** Give an update at the next Board Meeting.

### **Solar**

Photovoltaic panels: three quotes from engineers were presented to develop the project.

- 27.000€
- 26.605€
- 22.300€

After an exchange of opinions, the Board agreed to review the three quotes from the three engineers before one is appointed.

**ACTION:** Nigel Smith will send a list of the documents, requirements, and information the three engineers must present to decide which one is the best for the community.

**WHEN:** June 2022.



**ACTION:** A schedule to develop and present the project will be established once the professional who will do the project has been contracted. This project will be the document that will be used for the tender of the installation with a minimum of five installation companies. The project will also be used to apply for government grants. Although there is no guarantee that they will be granted to the community, at least we will try.

The Board will make the decisions on the project document and associated costs which will include an architect.

Once the tenders have been received, they will be issued to owners for consultation.

#### **c. Urbit.**

**ACTION:** Wendy Walker will have a meeting with the staff of Urbit to relaunch the App. Part of the relaunch is in a video that has been produced.

**WHEN:** As soon as the staff of Urbit is available.

#### **d. Policies and procedures.**

Bernard Loughrey and Nigel Smith keep working on the policies and procedures. Their initial focus is on preparation of a revised procurement policy to suit the self-administration organisation; a first draft has been prepared and is under review. They are also designing a specific template for all future policies and procedures; and have prepared a draft index of policies.

**Data Protection:** What information we keep and what usage of the information we do? Shaneen Benson and Atico34 (company managing the data of the community) will develop this.

#### **e. Communications.**

**Newsletter:** The information newsletter is going to be revisited to update the format to give helpful information to the owners. A new editor will be announced in due course. For the time being the newsletter is not being issued.

**Website:** The current website was shown on the screen. There was an explanation about how it works. It was confirmed that it is not easy to find information. Patrick Flynn also put on the screen the webpage of another Resort. In comparison to the HR website, it was clear



that the community needs something easier for the owners to log in and find information, news, etc.

There was a meeting with Tim Baily (current host) to have some changes done in the current webpage to be able to move forward to the new webpage.

**ACTION:** Richard Deeley, Patrick Flynn and Shaneen Benson were given the go ahead from all the Board Members to progress on the new website design. Now the Community is waiting to have proposals from two different designers. Once the proposals are received, they will be shared with the Board for a decision to be taken.

The estimated cost would be around 10.000€ maximum.

**WHEN:** As soon as the two proposals are received.

#### **f. Statutes.**

There is not an update for this Board meeting. Bernard Loughrey noted that the latest English translation of the Statutes from MS Legal is more understandable but requires legal ratification before being circulated and out into use by the Community.

#### **g. GNK**

Attached to the minutes is the report from Gordon Hutchinson after the meeting and follow up with GNK.

#### **13. Debtors update and comparison to April.**

Charlotte has started working on preparing all the documentation for this year's monitorios. There are fifty monitorios that we are looking to present this year. Each must have four documents prepared and the breakdown of the debt that we are going to be claiming. Some debtors have 5 years' worth of debt we are going to be claiming this year and as we only have the accounts going back to 2019, it is taking a bit longer than usual.

As the time of the meeting, Charlotte had finished the preparation of all the documents and have been signed by the RP.

The next step will be to send a burofax to each debtor. This is a legal requirement to lodge the monitorios in the court.

For some of the Board members it was not 100% clear what the monitorios process involves.





**ACTION:** Ask the lawyer in charge of the monitorios process to write an easy-to-follow guide with information on the process to provide to all Board members.

**WHEN:** July

**14.Irrigation water update.**

There is no news from the Confederación Hidrográfica del Segura (CHS) about the provisional authorization.

**15.Management of social media and web page.**

See previous comments in items 12.e and 2.

**16.Issuance of Privilege cards.**

It is necessary that owners present an electricity or water bill that is not older than 3 months to pick up their privilege card from the information office.

**17.Reimbursement increase – Jose.**

After reviewing the request from the maintenance contractor, Jose, the Board unanimously agreed to approve the increase of his hourly rate from 14€ + VAT to 17€ + VAT.

**18.Working group policy.**

**Future Requirement for any work group is to set clear objectives, monthly updates, written permissions, clear written guidelines.**

The Board agreed that for all future working parties set up by the Board of numbers from one upwards, a formal procedure outlining the objectives, permissions, guidelines, and reporting criteria will be included.

**19.Information Office.**

After reviewing the situation of the Information Office with a contractor, it was clear that to invest in the repairs would be a waste of money due to the way the office is fitted to the tiled floor and its relationship to the surrounding land (i.e., it is subject to flooding). Therefore, an estimated quote to remove the current office and built a new, raised wood information office was requested. It is around 38.000€ including all the electricity and plumbing installations. Also, the aircon units.



The Board asked Manuel Sánchez whether it was possible to use one of the empty units at El Casón for the information office. As an example, the unit that used to be the pro shop.

**ACTION:** Manuel Sánchez will contact PwC to ask for this information.

**WHEN:** July 2022.

If it is not possible to use one of these units, the RM and the RP will source a cost-effective solution.

### **20. Yvonne Verhoeven – The story.**

The Board noted the information provided by Yvonne Verhoeven. The Resort President read out an email from Yvonne that explained exactly what occurred on the night, which is slightly different from how it has been portrayed previously. A third-party owner was part of the response both calling for help and providing some assistance to the guard.

### **21. Alternative gravel to ground floor terraces (aesthetics department).**

If owners are requesting placing gravel in their private gardens, it will be subject to approval by the Aesthetical Department; and as long as it is the same stone as STV is using in other areas, it will be acceptable.

### **22. Reduction in height of hedges to ground floor terraces (aesthetics department).**

There was an exchange of opinions about this topic. The Statutes do not state anything about the height of the private hedges, however, the height of the sill surrounding the building has always been kept as a reference. There are some ground floor apartments that have higher hedges to preserve privacy, and others that prefer to have the front a little lower to enjoy the views.

The Board unanimously indicated that there is no objection to letting hedges increase or reduce in height if STV can do so within the schedule in the hedge trimming months.

### **23. Pedestrian access gate adjacent Phase 4.**

The request for this access, received from an owner, was checked with the security team, and a report has been issued, see below:



*“From a security perspective, creating a gate in the perimeter fence would be a very bad idea. It is not recommended.*

*It would weaken the current control of a sealed and alarmed resort perimeter that ensures the residents inhabit a secure, safe environment.*

*Any method of unsupervised pedestrian access will create unacceptable risks. We experience all the time residents leaving building doors open. How could we guarantee the gate would be kept locked? If keys are involved, they would be copied and handed out to other people. Local people would eventually be able to enter the resort without security control. If an electronic code lock is used the code would be shared with everyone.*

*Children will leave the gate open.*

*If there is a retaining spring fitted, you can be certain people will override it by wedging the gate to allow their friends to enter. Criminals will quickly notice a security weakness to gain access to the resort.*

*Even if the control guard could watch the gate on camera, how will they vet if the person entering through the gate has legitimate access?*

*Now with only one entrance, it is possible to control who enters and leaves. With a gate, unsupervised, anyone could enter, steal property, and easily exit through a gate without any checks. It would need a guard on the gate 24 hours a day to keep the resort secure.”*

The Board confirms refusal of this request.

#### **24.Improved access to open air con terraces.**

Some of the air con doors are open and others not. Keys are available from security.

#### **25.Landscaping.**

Due to time constraints and subsequent meetings the Board are to convene a separate meeting in July to discuss this matter.

#### **26.A.O.B.**

- a. The RP advised that a final payment has been made to Resortalia in respect of the outstanding invoice for their last month's work. Our previous lawyer had suggested we withhold payment as there had not been a proper handover carried out. Resortalia has recently notified its intention to pursue legal action to recover the withholding. So, rather than face legal costs, plus any damages that may be sought by Resortalia in pursuing the outstanding amount, we have settled the account in accordance with legal advice given by our current lawyer.
- b. Buildings AGMs: before the end of the summer there will be a communication to the BPs about the available dates of the AGMs of their buildings in 2023.



- c. A question was asked about direct phone numbers. The one most requested is security, which is 0034 968 03 2039.
- d. A bibliography with all the legal advice from the lawyer is to be developed for Board member reference purposes only. All Board members agreed with this. Bernard Loughrey will coordinate it.
- e. It has now been confirmed that the AGM of the General Community of HRGR will be held the 8<sup>th</sup> February 2023.

The meeting finished at 15.16.