



**MINUTES OF THE BOARD MEETING OF THE GENERAL COMMUNITY OF  
HACIENDA RIQUELME - THURSDAY 11<sup>TH</sup> MAY 2023**

The Board meeting was held at the HRGR Admin office on Thursday 11<sup>th</sup> May 2023 at 13.30 hours.

**ATTENDEES**

<b>Name</b>	<b>Post</b>	<b>%</b>
Richard Deeley	Phase 4 President & Resort President	10,70
Steven Nicholson (zoom)	Phase 1 President	20,50
Nigel Smith	Phase 2 President	17,90
Philip Kirwan (zoom)	Phase 3 President	9,10
Ron Locke (zoom)	Phase 5A President	7,17
Patrick Flynn	Phase 6 President	5,31
Shaneen Benson (zoom)	Phase 7 President	15,30

**REPRESENTED**

<b>Name</b>	<b>Post</b>	<b>%</b>	<b>Represented by</b>
Vivian Church	Phase 5B President	9,9	Ron Locke

Pepa Pérez as Secretary – Administrator of the General Community of HRGR.

Manuel Sánchez from MS – Legal as lawyer of the Community of the General Community of HRGR.

Richard Deeley, appointed as Resort President of HRGR at the EGM held the same day, presented his introduction on various issues related to the functioning of the Board of the GC of HRGR, etc. The introduction is included below.

*“A reminder of common board rules of being courteous, and respectful irrespective of gender, nationality, background, social standing, or career.*

*How the board operates and the votes. Sometimes it’s a simple majority other times it requires the coefficients to be counted. There are 8 phase presidents and 8 votes, there is not a casting vote for the RP.*

*Actual voting names are not minuted to protect Phase presidents, only the votes are published not the voters name. It is unless the Phase Presidents agree to add the names to the voting.*



*The board meeting agenda is issued approx. 4 weeks before the actual meeting. The expectation is that Phase presidents send it to their Building presidents, who can and should disseminate it to their owners. This then allows upward feedback following the same path.*

*Feedback is requested 10 – 14 days prior to the board meeting, to allow the board to discuss and document the minor topics of which there can be many. These are then put onto a spreadsheet, in topic order, and then attached to the minutes.*

*It has been highlighted that this system didn't operate as planned in every phase last year, it needs to happen this year, as owners should be involved.*

*Emails issued from Admin are sent to the board member's official email, this is to protect them, we recommend you stay with that process.*

*It's up to each board member if they wish to engage in social media, all items discussed in the Board meetings are to be treated as confidential until the Minutes have been formally released, you are in a trusted position please don't disrespect that.*

*In public, you should always support your fellow board members.*

*As RP I work hand in hand with Pepa, she runs the resort, she is the resort manager. Whenever you send an email to all the board members always copy Pepa in, not HR Support unless the original email came from there.*

*And finally, Self Admin are our employees and should be treated with the respect that deserves.*

*Pepa Perez then provided more details about the origin and workings of the Self Admin team. This item is covered later in these minutes and there will be a communication to all the owners.”*



## **AGENDA ITEMS – DISCUSSIONS AND AGREEMENTS**

### **1. Health & Safety**

#### **a. Theft of electricity.**

A few weeks before, security detected that there were owners in garages charging their vehicles with electricity from the building, which is not allowed. As per the clarification given by the lawyer, Manuel Sánchez, it is considered a criminal action and it is punished with fines.

**ACTION:** Phase Presidents, (extract from the guidelines), will send it to the Building Presidents so they can forward to their owners. If the BP wants to give authorization to the owners to do so, the BP will have to call an EGM so all the owners in the building agree with this.

#### **b. Garage access.**

As reported by owners and the security guards, one of the garages in HRGR has already had 3 attempted thefts. It is believed that it is because the garage door was open.

**ACTION:** Phase Presidents to send an email to the BPs to be sent to their owners about the consequence to leave the garage door manually open.

**WHEN:** June 2023.

A phase president requested assistance regarding a neighbour who continually manipulates the garage door by putting it on manual and leaving it open. Manuel Sánchez clarified that a formal communication should be sent to the owner to create the evidence saying that he is causing a security problem due to his action to leave the door open.

**ACTION:** Manuel Sánchez will write a draft letter to be sent to this owner.

**WHEN:** June 2023.

### **2. Aesthetic permission violations**

#### **a. Extending private garden area**

There was a request from an owner to extend the private garden area to the corner of the building. So, to use communal area as part of their private garden. It was agreed that as established in the current guide for aesthetical changes in apartments it must be voted at an EGM by all the owners in the building and approved by the unanimous vote of the owners.



**ACTION:** Contact the BP to call an EGM.

**WHEN:** As soon as it is possible for the BP and owners in the building.

- b. Owners who do not apply for permission before undertaking the works or do not comply with the approval given.**
- c. Contractors commencing works without asking if approval has been given or do not comply with the approval given.**

Nigel Smith made an introduction about the problems with owners and contractors who firstly do not submit a completed form for aesthetic alterations to their flats, and who do not obtain licences from the Town Hall to carry out the work either.

The question is what can be done to avoid or control this situation.

**ACTION:** Write to the owners not complying with the guidelines and process and ask them to stop the work, to provide the planning design and the licence from the Town Hall of Murcia.

The Board unanimously agreed to leave the final decision about the letter to Richard Deeley, Nigel Smith, Manuel Sánchez and Pepa Pérez.

**WHEN:** Done on 22.05.2023

The lawyer, Manuel Sánchez, explained that the fact that the owner brings the licence from the Town Hall of Murcia does not mean that the aesthetical change is allowed in HR. On the one hand, the owner or contractor must request authorisation from the Community of HRGR to confirm that the aesthetic change to be carried out complies with what is set out in the guide for aesthetic modifications in apartments. Secondly, the owner or contractor must apply for a building licence from the Murcia Town Hall. Failure to obtain a licence from Murcia City Council if someone reports the works to the police can lead to financial penalties to the owner of the apartment, and even the decree of demolition, both imposed by the City Council.

If the change is in breach of the guidelines the community of HRGR can take the necessary legal actions to bring it back to the original look of the apartment.

There is a period of 5 years from the time the work is carried out to take legal action against the offender.



The lawyer also clarified that an unauthorised aesthetic change made 5 years ago is no justification for neighbours to continue to carry it out. It is viable to take legal actions against aesthetic changes similar or identical to others carried out over 5 years ago.

It was also confirmed that no legal actions had been taken against aesthetic changes in HR apart from the legal case against an owner due to a chimney which was won by the Community and owner had to remove it and paid the legal costs.

**ACTION:** Security will ask the contractor for the licence granted by the Town Hall of Murcia, or the enabling title declared in front of the City Council to do the work. If it is not shown the guard will call the police.

**ACTION:** Nigel Smith will draft a communication to be sent to the owners doing works in their apartments that are not allowed under the guidelines.

**ACTION:** Nigel Smith will draft the procedure along with Richard Deeley, Pepa Pérez and the lawyer, Manuel Sánchez.

**ACTION:** Communication to all the BPs letting them know that if something is approved by the aesthetic compliance department, the authorization is copied in an email to the BP and PP. This is how it has been done until now and will continue.

**WHEN:** June 2023.

### **3. Building entrance doors**

Building presidents and owners have reported the poor condition of some building access doors (black double iron door). Not all buildings suffer from the same situation. However, in some buildings the gates are rusted at the bottom and are falling apart.

With the aim to obtain a good price and maintain the same design throughout the resort, a company has been approached and has submitted cost proposals based on the number of doors to be made in a single order. The material would be black aluminium instead of iron. Gordon Hutchinson has obtained the quotes shown below.

- 3.287 € VAT included per door.
- 2.299 € VAT included per door for a minimum order of 72 doors.

The electrical work to connect the lock to the intercom is not included in the cost above.

There was an exchange of opinions about the work, costs, materials, process, etc.



Patrick Flynn was working on other alternative quotes that will be presented as soon as he gets all the details.

**ACTION:** Nigel Smith will work with Patrick Flynn and Gordon Hutchinson to progress on the quotes, design, etc before sharing the information with the Building Presidents.

**WHEN:** June 2023.

#### **4. Ornamental water fountains**

This item was discussed at length via email. The voting took place and the proposal to have all the water fountains working again was rejected by the unanimity of the 8 Phase Presidents.

The main reasons for the rejection was based on the cost of water, water loss due to spillage and evaporation.

#### **5. Strip of land between the GNK marker post and the rear garden in Phase 2**

Some owners affected by the mud area between their back gardens and the GNK marker posts have requested some actions to correct this situation.

**ACTION:** The area will be refilled with pink gravel, the same that is around the buildings. It is only a trial in 2 buildings (Mejorana 3 & Eneldo 4) to see if the area improves and what kind of maintenance would need once the gravel is there.

**WHEN:** Before the summer season.

#### **6. Debtors both owners and buildings update.**

The lawyer, Manuel Sánchez, confirmed that 2 burofax have already been sent to the administrator of the building, Eneldo 3, related to the debt this building has with the GC and EUCC of HRGR.

- Debt with the GC of HRGR: 55.938, 20 €
- Debt with the EUCC of HRGR: 14.942, 64 €

They have been given 5 days to respond. Otherwise, they will be taken to court.

**ACTION:** Call an EGM of the General Community of HRGR to decide on the legal actions against the building in debt and any other action to get the debt recovered.

**WHEN:** June 2023.



The 20% surcharge due to the late payment as established in the Statutes of HRGR is already added to the debt.

Richard Deeley presented the document produced by Charlotte Robbins in charge of the recovery of debt and fees in HRGR Admin.

### **“DEBT INFORMATION”**

#### **Recuperated Polaris World Debt**

##### **2023**

*We received 996.949,25 € from PW for debt related to garages, GC and EUCC for 2019, 2020, 2021, 2022 & Q1 2023, fee and surcharges.*

##### **2022**

*We received 60% of 2017 debt related to PW garage spaces, 2018 debt related to the EUCC and PW parking spaces total of 399.929,45 € fees and surcharges.*

##### **2021**

*We received 40% of 2017 debt related to PW garage spaces, total of 99.069.86 € fees and surcharges.*

*Total recuperated for PW debt – **1,495,948. 56 €***

*Current owners who were debtors as of the 31.12.2020 **112***

*Current owners who were debtors as of the 31.12.2021 **105***

*Current owners who were debtors as of the 31.12.2022 **81***

*So, since 2020 until 2022 the apartments in debt have reduced by **31.**”*

On the date of the distribution of these minutes, the HRGR Admin team reports the payment of the second quarter 2023 fee for El Casón at both GC and EUCC has been paid by PwC. A communication has been sent to all owners informing them of this.

#### **7. Budget review GC & EUCC**

The draft reconciliation of the budget as of 31.03.2023 was discussed. The average spent during the 1<sup>st</sup> quarter of 2023 is of 26%

There was a debate about the electricity consumption for the GC.



**ACTION:** Steven Nicholson will sit with Pepa Pérez to have a better understanding of the invoices, consumptions, etc.

**WHEN:** As soon as Steven Nicholson is in HR in June 2023.

**ACTION:** The budget expense will be reviewed prior to every Board meeting.

### **8. Self-Administration.**

Along with Richard Deeley's introduction at the beginning of the meeting, Pepa Pérez gave a reminder presentation on how, when, and why the General Community and Sub-communities opted for a system of self-administration.

**ACTION:** Produce a communication to be sent to all the owners with the information related to the self-admin system.

**WHEN:** Before the end of June 2023.

### **9. Update on the STV project.**

All the phases were walked by the volunteer gardening team during the month of April 2023.

On the review of the contract there was a visit to the workers compound without prior notice. There was a spot-check to make sure that all the gardeners were working as per the schedule. There was also an spot-check in the worker's compound. Minor infringements were found. The meeting with STV for this review will be held on Friday 12.05.2023.

Related to the "Communication 47 – STV contract" sent on 27.04.2023, it was clarified that owners can place pots with plants in the pink gravel area around the buildings. However, owners will be responsible for their irrigation and maintenance.

Nigel Smith wanted to pass his thanks to the gardener that was working today 11.05.2023 around pool 2-2 doing the scarification. He did a really good job. It was passed over to Carmen from STV during the meeting.

### **10. Water storage update**

The contract with GNK to use their infrastructure to store water from the desalination plant was distributed to the PPs prior to the meeting. There has been a reasonable response with GNK.

This is not a rental agreement of the lakes of the fairways 4 and 7. It is a service contract.





If any lake or pipe has a leak, it is not the Communities problem as the Community pays for the water coming into the lakes, which must be the same amount used and paid for by the Community, less the predicted evaporation rate.

The community keeps the right to the cubic meters moved; however, GNK can manage the water in the golf course lakes and move it, though always delivering the amount of water the Community has paid for.

Another item is the product for maintaining the quality of the water. There are 2 options,

- They will send a quote based on the estimated cost they have for 2023.
- HR can buy the product and STV can put it in the water, following the instructions of GNK when doing this.

The possession of the lakes remains with GNK.

The installation of a filtering system in the new pumping system is part of the project. The 8 Phase Presidents, attending or represented, agreed to accept the presented proposal so it can be signed by the Community of HRGR.

## **11. Welcome Pack**

**ACTION:** Patrick Flynn and Shaneen Benson volunteered to work on the new Welcome Pack.

**WHEN:** By the 28. 06. 2023

Any ideas or items that the PPs consider convenient to be included in the new WP, please email Patrick Flynn.

## **12. Board roles and responsibilities**

Some of the roles and responsibilities of the Board members are listed below:

- **Communications:** Philip Kirwan.
- **Complaints procedure:** Legally there is no obligation to have one, so it was unanimously agreed that there is not going to be a formal complaints procedure. Any complaints received via email for the attention of the Board will be dealt with and agreed by the PPs. A simple spreadsheet with the topics and answers given to the owners will be produced so by the end of the year it can be reviewed. It will be kept by Philip Kirwan.
- **Webpage:** Patrick Flynn and Shaneen Benson are happy to keep working on the content of the webpage as there is a huge amount of information to be put on.



- **Trend analysis:**
  - Richard Deeley: Security.
  - Shaneen Benson: Debtors.
  - Steven Nicholson: Electricity consumption.
  - Ron Locke: He will restart the trends he used to do.
  - Pepa Pérez: Irrigation.
- **Aesthetic:** Nigel Smith
- **Procedures:** Richard Deeley with the help of Manuel Sánchez, lawyer.
- **Project management advice for the Board:** Nigel Smith.
- **BP instructions:** Richard Deeley. First one in 2023 will be done in June.
- **Board Actions list:** Nigel Smith.
- **Surveys:** Steven Nicholson.
- **Major contracts negotiations:** Richard Deeley, Nigel Smith, Pepa Pérez & Manuel Sánchez.
- **Resort maintenance:** At this point someone suggested that as Vivian Church lives in HR the whole year, she could be the person to do it. However, before the start of the meeting she confirmed that if roles were being allocated, she did not want anything allocated to her. Richard Deeley suggested that a BP in Phase 2 could be approached. Nigel Smith, as PP2, will speak to this BP.
- **Invoice payment:** 2 signatures, Richard Deeley the first one with a code and Patrick Flynn second signature with confirmation on the bank webpage.
- **STV review contract:** Richard Deeley, Pepa Pérez and the volunteers' team.
- **Social media:** Patrick Flynn & Shaneen Benson. Suggestion to have one official page only for owners, and a second one for information for anyone who wants to visit it and get info.

### 13. Annual Surveys

Steven Nicholson informed that he is working on the communication to share the results of the surveys with all the owners.

**ACTION:** Steven Nicholson to produce the communication with the survey's results.

**WHEN:** In June 2023.

There was a long debate about the way the surveys were conducted in the past in comparison to the current surveys. There was a difference of opinions about the targets and the way to measure the work of a contractor.



#### 14. Pool rules.

There was a review of the pool rules approved in February 2023. The revised pool rules document is attached to the minutes of this meeting.

#### 15. Pool guards' summer 2023.

Manuel Sanchez, from MS - Legal, presented the legal situation related to the pool guards.

There was an exchange of views on the hiring of 2 security guards for the control of the swimming pools during the months of July and August 2023.

Each Phase President presented their point of view on this issue with the aim to vote again on this topic, already voted and approved at the GC AGM of HRGR the 8<sup>th</sup> February 2023.

Below is the chart with the sense of the vote.

EDIFICIO / BUILDING	COEFFICIENT	POOL GUARDS JULY & AUGUST 2023
FASE 1	20,5	YES
FASE 2	17,9	YES
FASE 3	9,1	NO
FASE 4	10,7	YES
FASE 5A	7,17	NO
FASE 5B	9,9	ABSTENTION
FASE 6	5,31	YES
FASE 7	15,3	YES

#### 16. Car parking Indico (Phase 6)

It is requested to the Town Hall of Murcia so as soon as there is some news the information will be shared with the Board and the owners.

#### 17. Sports area

In relation to the proposal approved in 2022 for the installation of a prefabricated tennis table, the possibility of building a concrete one, which would require minimal maintenance, was discussed.

**ACTION:** It was agreed to approach a contractor, John Helm, to get the job done.



**WHEN:** As soon as possible.

### **18. Paddle court QR code for advertising.**

There are some people using the paddle court who have placed some advertising to get more people to play paddle.

**ACTION:** contact these people to get the information laminated. There is not a problem if this is not a lucrative venture.

### **19. Architect report.**

Back in November 2022, there was a visit from an external architect to some buildings to review the main problems of the buildings as the water ingress and damp in the garages.

**ACTION:** Share it with the Phase Presidents so they can share it with the Building Presidents in their Phase.

**WHEN:** before the end of May 2023.

Early 2022, Richard Deeley produced a report related to the works carried out by the company Terasprom.

**ACTION:** Shared this report again with the PPs so they can share with their BPs.

During the visit of the architect in November 2022, he expressed his total agreement with the way the actions were taken to prevent the water ingress through the ceiling of the garage. It is the water coming from the gravel area surrounding the buildings where the rain drainage system is located. This is job done by Terasprom.

He also agreed with the project executed in the buildings in Phase 1 to discharge the salty water into the drainage system of the golf course. This action alleviates the water pressure from the water table, which is the main problem in HR.

Another action to be considered relates to water entering through the foundation spandrels in the garage walls. This should be corrected with the application of sika.

### **20. Data Protection for Phase Presidents and Building Presidents.**

Shaneen Benson has produced a document related to the data protection policy.

**ACTION:** Richard Deeley will share it with the PPs for their comments.

**WHEN:** Done.



## **21. Privilege cards**

This item was debated by the Phase Presidents via email. There was a summary of the voting, and the idea about owners paying for Privilege cards was rejected by the unanimous vote of the 8 Phase Presidents.

## **22. Pools bounding and grounding.**

The work related to the bounding and grounding in pools is in progress. There have been several communications about this action. It is expected to have the 19 pools completed before the end of May 2023.

As there was not an amount budgeted for this task in the 2023 budget, the amount allocated for the pool sand change will be used for the bounding and grounding moving the change of the sand from the pool filters to 2024.

## **23. Policy document for recharging of electric cars and solar panels in buildings.**

An owner has been in touch with IBERDROLA to get some proposals for solar panels.

The offer is based on the electricity company paying for the installation.

**ACTION:** It is necessary to arrange a visit with a technician of the company to have all the requirements in writing and confirm whether their proposal is viable in HRGR.

**WHEN:** As soon as the company comes back with a proposed date.

**ACTION:** Guidance about the installation of solar panels. Roofs in buildings are not strong enough to cope with the weight of the panels.

## **24. Volunteers group for works, e.g., Painting, etc.**

For a long time there have always been offers from volunteer owners to carry out work in communal areas at no charge to the community. Whilst this is a very good idea, the liability of the community in the event of an accident is such that it is essential that any volunteering is carried out in compliance with all the requirements of an external supplier.

Providing volunteers with Personal Protective Equipment (PPE) for the work in question is an essential measure. For example, for sanding and painting benches, it will be necessary to wear goggles to protect the eyes from particles that may be released during sanding, suitable gloves, etc. And the volunteer must sign the necessary docs confirming



that they have been given the PPE and that they have been trained about occupational hazards for the work being carried out.

A summary of the requirements is listed below:

- PPE (Personal Protective Equipment).
- Guideline or protocol as if they were workers.
- Assessment of the risk.
- Precaution measures.
- Equipment needed to do the job.
- Instructions to do the job.

A disclaimer signed document will not be enough legally. And in case of an accident the Community will be liable. The insurance of the building and GC does not cover accidents related to volunteers. Moreover, the above may avoid the accident, or reduce the consequences.

**ACTION:** Manuel Sánchez will produce a draft guideline.

**WHEN:** Before the next Board meeting.

## **25. Any other business**

The following items were commented under AOB.

- **Façade Painting project 2018 - 2021:**

This item will be discussed at the Board Meeting the 28.06.2023 once Manuel Sánchez presents the report about the viable options.

- **Safety equipment:**

There is a concern about the lack of safety equipment on the lakes in case someone falls into them. Although it is not a Board responsibility, there was a situation when a dog drowned. What if it had been a child? The suggestion is to provide the security staff with ropes and a float in case something happens. As per the conversations with GNK it is not one of their priorities so for the moment they are not taken any actions.

The question was whether the community would provide the guards with some equipment.



**ACTION:** There will be a communication to owners reminding them that it is not allowed walking on the golf course.

**WHEN:** In June 2023.

- **Events on the Local Authority land (Gardens of El Casón):**

There was a Golf competition during the weekend and then there was a party, a stage, music, etc. However, there was one major thing missing. There was not a civil liability insurance arranged for the event.

Since the events are held on the EUCC land and the community is responsible for the maintenance of this area, there should be a guideline. 2 of the main documents to be included in the guideline are:

1. Permit from the Town Hall of Murcia.
2. Civil liability insurance.

**ACTION:** Richard Deeley has approached Wendy Walker and asked her for working on the guidelines of events.

**WHEN:** June 2023

- **Resin pool surrounds:**

The job in 5-2 has been suspended. It will be re-open once it is made safe. The pavement of this pool will be done after the summer in October – November 2023.

Pool 5-1, which was done by the very first contractor, needs to be done again. It will be closed in the autumn to get it done.

- **Sponsored benches in HR.**

Owners who walk around the complex on a regular basis have noticed that there are long stretches of walking without a break to reach the benches in the complex. That is, long distances between the existing benches. This is why the board have suggested the installation of benches in areas close to the pavements where people walk. These could be sponsored either by companies or even by neighbours.

**ACTION:** Communication to be sent to all the owners asking for sponsorship.

**WHEN:** June 2023.



- **Next Board Meeting:** Formulate the agenda for the next meeting in the five next days. Wednesday 17<sup>th</sup> May – Agenda items that you want to put on the main agenda. That will be published the 19<sup>th</sup> May 2023. Feedback from BPs and owners back by the 18.06.2023.

The meeting finished at 18.55 hours on Thursday 11<sup>th</sup> May 2023