

Minutes 1

General Assembly Minutes

Those present Henry Laxen, Nadine Laxen, John Kading, Ruth Kading, Tim Whiting, Kate Schomp, Wil Wellmer, Lori Skoda, Ed Skoda

Date Dec 4, 2012 4:02pm–5:30pm

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1.1 Quorum

A quorum was not established and after the requisite waiting period of ten minutes the assembled members were declared a quorum and meeting was brought to order at 4:15pm. The size of the quorum was determined to be 5 members, meaning that a 2/3 majority would require at least 3 votes.

1.2 Proxies

A request for proxies was made, but none were offered.

1.3 Minutes

After a brief discussion, Wil made a motion to accept the previous minutes. Seconded by Ed, and approved unanimously.

Decision: The minutes of the previous GA meeting were accepted

1.4 President's Report

Tim thanked Nadine and Henry for providing the pizza and the view, and Ruth for her tireless efforts as treasurer. He also thanked John Kading for this tireless work with Guillermo to keep the frac looking lovely.

Tim spent several minutes reviewing the events of 2012, with particular emphasis on the well crisis that took place in the summer. As you may recall, the well suddenly was pumping more mud than water. After Tim returned, he contacted Salvador Lopez from La Barca, who ran a 24 hour experiment on the well and reported his findings. His suggestions were implemented, and now the well is running much better. One of the main reasons the well problem remained a problem, and not a catastrophe, is because at the previous GA meeting in 2011 we elected to establish a contingency fund, which contained enough money to squeeze through the crisis. A lively discussion, mostly between Tim, Wil, and Henry, followed after Henry raised the topic of augmenting the contingency fund in the future with a dues increase of \$500 pesos. In the end, it was agreed that the dues increase to \$7500 pesos per year, and that \$500 pesos of the dues collected, in addition to any annual leftover funds be put into the contingency fund until it reaches \$75000 pesos. At that point, the annual dues will be reduced to \$7000 pesos as long as the contingency fund remains above \$75000 pesos. The general consensus was that this approach would minimize the likelihood of another special assessment, and make it easier for the residents of Lomas del Manglarito stay current with their obligations.

Next Ruth raised the issue of giving Guillermo, our gardener, a raise of five pesos per hour. He has been working well for three years without an increase. Will pointed out that the minimum wage in Mexico is around \$61 pesos per day, and that he believes Guillermo is greatly overpaid. Another lively discussion followed, and in the end it was decided to grant Guillermo's raise.

1.5 Treasurer's report

Ruth described the current state of affairs with our budget, and the expected expenses until the end of the year. In short, we expect to finish the year with a surplus of approximately \$15,000 pesos, meaning that last year's budget was quite accurate. The carryover will be put into the contingency fund for next year.

Item	2012 Budget	Proposed 2013 Budget
Water	40,000.00	53,000.00
Maintenance	34,000.00	53,000.00
CFE	45,000.00	37,000.00
Administration	25,000.00	32,000.00
Legal	15,000.00	10,500.00
Misc.	12,000.00	0.00
Bank Charges	4250.00	5500.00
Total	175,250.00	191,000
Bank reserves-required	20,000.00	20,000.00
Santander Serfin	10,000.00	10,000.00
Actinver	10,000.00	10,000.00
Proposed capital reserve fund		
	Proposed Budget for 2013 Approximately 27,500	
2013 Projected income	All Houses ¹	
Dues: 28 houses @ 7,500.00 + 1 log		211,000.00
Estimated Water Overage		12,000.00
Estimated Actinver gain		3000.00
Total		226,000.00
2013 Projected income	Without Morosos ¹	
Dues: 25 houses @ 7,500.00 + 1 lot		188,500.00
Estimated Water Overage		12,000.00
Estimated Actinver gain		3000.00
Total		203,500.00

The proposed budget of \$203,500 leaves us with a \$27,500 surplus, which will be placed into our contingency fund for unknown future expenses. Will moved to accept the 2013 budget as proposed. Ed seconded the motion and all voted in favor.²

Decision: The budget of \$203,500 was approved, calling for an increase in the yearly dues to \$7500 pesos.

Ruth noted that the portion of next years budget relating to water is \$81,000

¹In order to give an accurate income projection, we have split the budget into two sections. The first section assumes all houses will pay their dues, while the second assumes that the houses that have not paid in the last several years will continue to fail to do so.

²The full 2013 budget is available on line at <http://www.nadineloveshenry.com/chapala/ldm/gaMeetings/2013ldmBudget.pdf>

pesos, or 42.4%. The interest penalty rate will remain the same at 4%/month.

A Table explaining the water rates is as follows:

Amount of water in cubic meters	Price per cubic meter in pesos
0 - 300	included
301-500	3.00
501-1000	3.75
1000+	7.00

Failure to pay all dues and water overages by the date indicated (30 days from date of bill,) or to make alternative arrangements with the Treasurer before that time, shall cause interest on any unpaid amount to accrue at 4% per month. Continued noncompliance (failure to pay by 60 days from the date of the bill) shall result in the cessation of water delivery to the residence in question.

This is unchanged from the previous year.

1.6 Morosos

The following properties have not paid their past due assessments and are considered morosos. The board may in the future pursue these delinquent homeowners by whatever legal means at their disposal, including hiring an attorney and filing liens on the properties.

House # 26	Sra. Armida Toledo Gonzalez
House # 27	Sra. Marta Elena Perez Toledo
House # 35	Sr. Agustine Rosas Lomeli

1.7 President's Report Continued

Tim pointed out, for those who are not aware, that an up to date collection of documents relating to Lomas del Manglaris available at Nadine and Henry's website ³.

Tim mentioned the excellent service he received from Salvador Lopez from La Barca, when we had the well problems. It seems the well is now running well, and electricity use has not gone up, and Sr. Lopez said that the well should continue to operate for many years to come.

Next Tim addressed the CNA concession. We (Lomas del Manglar) applied for the concession six months before the end of our existing ten year concession in August 2012. He has had considerable difficulty establishing contact with Sr. Salvador Alcantar since making the final payment. Recently however, he has been reassured that all of the paperwork is in place, and he has received a receipt from the government that this is so.

³<http://www.nadineloveshenry.com/chapala/ldm/>

The outflow pipe in the arroyo next to Tim's house has been repaired, and the bank of the arroyo has been reinforced, including an arch to keep the new walls in place.

Tim would like to remind residents to take photos of their employees and contractors and submit them to Henry, who will put them on line. That way we (the residents) will know who belongs here and who does not.

1.8 New Business

Tim brought up the issue of joining the newly formed Association of Fraccionamientos of Chapala and Ajijic⁴. This association will provide greater negotiating clout with the local government, and four of the larger frags in the area have already joined. Membership is \$3000 pesos and participation in any resolutions decided upon by the members is optional. Lori motioned and Henry seconded that we add the following, printed in italic, to the bylaws:

When approved by the Board of Directors, the Colonos may join other associations and A.C.'s which have similar objectives to form a "Junta de Colonos" in accordance with Article 113 (one hundred thirteen) of the "Ley Orgánica Municipal."

Accepted unanimously.

Decision: Add language to the bylaws to allow Tim to have the power to join the newly formed Association of Fraccionamientos of Chapala and Ajijic if he decides it is in our interest

There have been complaints about the irregularity of the garbage pickup. After meeting with the new head of the sanitation department, we were promised trice weekly pic, Monday, Wednesday, and Friday between the hours of 10am and 12 noon.

For safety reasons, Tim has asked Guillermo to paint house numbers on the curb in front of each house in white with a red background. This will make it easier for emergency vehicles to find the houses in the future.

1.9 Elections

The current board resigned, paving the way for new elections.

The following slate of officers was proposed by Henry, seconded by Lori, and accepted unanimously:

President	Timothy Napier Whiting
Vice President	Lorraine Selma Skoda
Treasurer	Ruth Mapes Kading
Secretary	Henry Herman Laxen
Member at Large	Romeo Joseph Danni
Comisario	William Harold Friend

⁴<http://www.nadineloveshenry.com/chapala/ldm/AssociationOfFracs.pdf>

Any current member of the Frac who is interested in serving on the board is **strongly encouraged** to do so. Please contact one of the existing board members to express your willingness.

Decision: President Tim, Vice President Lori, Treasurer Ruth, Secretary Henry, Member Romeo, Commisario Bill

1.10 Future Meeting

The date of the next meeting was not discussed

1.11 Adjournment

Meeting adjourned at 5:30 pm.

Estos minutos puede ser obteninido en Espanol si estan pedido.