

ASOCIACION DE REGULARIZATION DE VECINOS DE LA CHOLLA A.C

Regular Meeting of New Board – Community Center

October 25th, 2020

CALL TO ORDER:

A regular meeting of the new Board was held Sunday, October 25th, 2020. President Mike Dugan called the meeting to order at 9:05 am. The meeting was held outside on the Dugan patio, safe distancing and following Covid-19 protocols as set by the Mexican Government.

Those in attendance were: Mike Dugan, Kelly Ross, Kathy Barnard, Gretchen Ellinger, Darrell Smith, Pat Champion and Steve Lee. Absent, Lew Felton.

MINUTES:

Mr. Dugan asked if there were any corrections or additions to the minutes of March 15th, 2020. There being none, a motion was made to approve the minutes, seconded and passed.

TREASURER'S REPORT/FINANCIAL:

This is to inform the members of the Vecinos de la Cholla that Ms. Helen Dahlstrom has been relieved of all her duties and other responsibilities as Treasurer of the Association due to an ongoing criminal investigation brought by the Arizona State Attorney General.

As of today, October 25th, 2020, \$150,000 to approximately \$170,000 is missing from the Association's accounts. The exact amount will be determined upon the completion of the investigation and a thorough forensic audit has been conducted.

It is imperative that members do not attempt to contact Ms. Dahlstrom or her spouse, Mr. Rick Dahlstrom to avoid jeopardizing the investigation and pending charges against her.

The Attorney General's office has stated in an e-mail, "I only ask that the board members and others try to keep this matter civil and understand that an ongoing investigation is occurring, so please refrain from contact or interaction with the suspect or its spouse during this time."

As directed by the Attorney General of the State of Arizona, this information is all that can be shared until the investigation is complete.

MEMBERSHIP:

Mr. Dugan read the report provided by Ms. Koerner: Membership paid in full 539; Not current 374; Total Membership 913; Status unclear 12.

OLD BUSINESS:

The Board held a virtual meeting this past August 30th and voted to remove Ms. Dahlstrom from all duties and responsibilities effective immediately.

Ms. Champion asked about access passwords to Firedrum. Mr. Dugan explained that he and Ms. Koerner have been working to change passwords and Mr. Lew Felton will now facilitate the program.

CLUBHOUSE:

Ms. Pat Champion and Mr. Gabi Camargo will now assume the duties and responsibilities of the care, maintenance and rental of the facilities.

EXECUTIVE COMMITTEE:

There was nothing to report

GARBAGE:

Mr. Dugan reported that there are 700+ homes in Cholla Bay and only 300+ homes have current Oomislim stickers. He stated that Oomislim will NOT pick up garbage if the home has no current sticker visible. Consequently, garbage left by renters and weekenders without stickers on their homes, is accumulating and causing problems. Mr. Dugan stated that coyotes and dogs roaming loose will get into the unattended garbage containers and spread debris around the area. It is a problem that has been ongoing for years. Mr. Dugan suggested that people say something to those who abuse this issue and encourage them to purchase a sticker for their homes and/or pack their garbage out then they leave Cholla.

Mr. Dugan stated that the large “roll-off” from Oomislim was brought in at the request of one of our homeowners. It was to be used for bulk trash i.e. landscape materials and furniture, but has never been picked up to be emptied. Now it is being used by those not paying, to dump their wet garbage.

Ms. Ellinger expressed her concern regarding the sale and closing of homes that have been left vacant due to owner’s death or abandonment. The process cannot move forward until the garbage service has been paid. Ms. Koerner added that she has received calls for collection payments in order for a sales transaction to proceed.

Mr. Dugan reminded people who have paid for their garbage collection service and whose garbage has not picked up, to call Oomislim.

ROADS:

Mr. Kelly reported that the roads are in pretty good shape. The roads are being graded twice a week. He reminded people to please call him if they have an issue with the roads in their area.

PARKS/ENVIRONMENTS:

Mr. Smith reported, Gabi has put the posts and cables back. Mr. Smith talked with Ramon who continues to weed, trim and water the trees in the Park. He stated there is a slight elevation change due to the activity around the west and east edges of the Pickle Ball court. This difference in elevation could become a potential tripping hazard. Mr. Camargo suggested adding more caliche around the edges.

A motion was made, seconded and passed to approve 1500 pesos for purchase of one load of caliche and cost of labor to address the problem.

SECURITY:

Mr. Dugan reported that there were a few break-ins over the summer. All and all it was a relatively quiet summer. The police are making the rounds around Cholla again. Mr. Dugan spoke with the Penasco Police Commandant about reassigning Police Officer Juan Pedro back to Cholla. The Commandant told him Officer Pedro has been reassigned to another area, due to the Covid issue, where he could be more effective. When appropriate, hopefully, he will be reassigned back to Cholla.

WATER AND SEWER:

Mr. Dugan stated that the truck drivers are now in charge of paying the Oomapas (water) bill.

NEW BUSINESS:

Future Meetings: January 24th, 2021

**(Please be advised: member participation may not be possible
Should Covid-19 protocols regarding gatherings still be in place)**

Ms. Ellinger made a motion to temporarily fill the position of Treasurer by forming a Treasurer Committee consisting of Mr. Dugan, Mr. Ross and Ms. Barnard, (the Executive Committee members) until the General Election. The duties and responsibilities to be divided as needed. The motion was seconded and passed.

Mr. Dugan read the following article regarding the new law in Mexico:

Blocking access to Beaches could net fine of over 1 million pesos

Property owners will be subject to fines for any kind of obstruction that prevents free access.

Published on Wednesday, September 30, 2020

Property owners who block access to beaches could soon incur fines of more than 1 million pesos.

The Senate unanimously approved a reform to the General Law on National Assets on Monday that sets fines ranging from 260,640 pesos to 1.04 million pesos (US \$11,800 to \$47 200) for owners of coastal properties who prevent, restrict, obstruct or place conditions on access to beaches. By law all beaches in Mexico are public.

Fines can be issued if fences, barriers or buildings prevent entry to a beach or if property owners, hotel security staff or other hotel personnel block access when there is not an alternative public path to the coastline.

Repeat offenders could be stripped of permits that allow them to access the beach from their properties.

"The restriction of access to beaches ... by owners of properties adjacent to the federal maritime land zone represents an act of discrimination against citizens said Mónica Fernández, a senator with the ruling Morena party.

She said that some owners of coastal properties treat the beach as their own private land when in fact it belongs to the nation.

Antonio García, a senator with the Democratic Revolution Party and president of the upper house's tourism committee, said the reform will help to put an end to the discriminatory practices of some property owners.

He also said that it will strengthen the tourism industry, which has been decimated this year due to the coronavirus pandemic.

We're guaranteeing the right to recreation and also strengthening the tourism industry. ... The tourism industry is the sector that has been hit the hardest by the pandemic; more than 10,000 small businesses have closed... due to a lack of economic activity," García said.

After approval by the senate, the reform was sent to President López Obrador for his endorsement prior to publication in the government's official gazette.

Hotel owners have previously been warned by the government that their properties could be closed and demolished if they don't comply with orders to grant access to public beaches.

The director of the federal office of maritime law zones said last December that one hotel project in Cancun, Quintana Roo, was demolished because it would have blocked public access to the beach.

In February this year more than 1,000 people gathered outside a beach club in Playa del Carmen to protest the infringement of citizens' access to the country's beaches.

The protest followed the arrest of a couple who had refused to buy food and drinks from Mamita's Beach Club while they were enjoying the white sand and turquoise water of the Caribbean coast.

Source: El (Universal (sp), Sin Embargo (sp))

The Board members determined that our beach accesses are in compliance. This law applies primarily to the condominium resorts and hotels on all beaches.

Ms. Ellinger reported her meeting with Attorney Mario Quintana regarding ways the Association can get people to pay their dues/join the HOA. She asked the Board if she should continue to consult with the attorney. It was decided to table the consultations for the time being.

Mr. Dugan stated that the Vecinos Certified Letter of Good Standing has been very instrumental in collecting past due dues. Ms. Koerner confirmed the increase in collection of past due dues. He stated that it was also very effective in allowing entrance to the community during the Covid-19 lockdown. Mr. Dugan added, as a result of the Letter, many members, both current and not, renewed early to be ready to return.

ADJOURNMENT:

A motion was made, seconded and passed. The meeting was adjourned.

AUDIENCE PARTICIPATION:

There were no members present due to Covid-19 health and safety protocols as defined by the Mexican Government.