

**MINUTES – March 19, 2019**  
**BOARD OF DIRECTORS REGULAR MEETING**  
**Asociación de Colonos del Fraccionamiento Chula Vista de Chapala A.C.**

I. **Call to Order:** 10:02 a.m. A quorum was present. Louise was moved up to a voting member.

II. **Attendance:**  
**Present:**  
**Officers/Directors:** Mike Lemmo, Ian Lambert, Christine L'Ecluse  
**Directors:** David Salyers  
**Alternates:** Louise Morel  
**Comisario:** Allan Flaa  
**Guests:** Vickie Christensen, Patrick Jenkins, Tom Yuritza, Teri Ames  
**Absent:**  
**Officers/Directors:** Michael Kavanaugh  
**Directors:** Victor Gonzalez, Billy Brown  
**Alternates:** Joe de Leon, Gary Blauer, Keith Russell, Werner Zuercher

III. **MOTION:** to approve Board of Directors meeting Minutes of: February 19, 2019  
Moved: Ian Lambert Passed

IV. **Treasurer's Report** – presented by Ian Lambert  
a. Review financial information – February 2019

- Expenses are tracking favorably with the budget. There are only a few variances.
- Equipment repairs, garbage costs and federal water taxes are higher than budgeted.
- 1,000,000 pesos was put into a certificate of deposit.
- Treasurer's report attached.

  
b. Morosos: collection of overdue accounts is much improved. There are only a few account-holders who are not cooperating.

- Modelorama: officials from Guadalajara head office arranged to pay overdue fees plus pre-pay fees for 2019 on June 15.
- Lancaster property will have water trickled because of unpaid fees.

  
**MOTION:** to approve the Treasurer's Report  
Moved: David Salyers Passed

V. **President's Report** – presented by Mike Lemmo

Signed

John R. Elmer  
Signed

## Minutes, March 19, 2019

- a. Per the concession agreement between Chapala and Chula Vista, SIMAPA has the authority to cut off and reconnect water.
- Re: shutting off the water to the Jorge Witte residence as a penalty for not paying fees, Mr. Witte told Simapa that he had been paying fees for the water elsewhere. He did not provide proof of where or to whom he has paid the fees. Simapa said they will not turn off the water to Mr. Witte's residence.
- b. Meeting with Mr. Rivas of Chapala Urban Planning Department. Meeting attended by Michael Kavanaugh, John Brennen, Mike Lemmo. Mr. Rivas said that the Chula Vista Board had a personal problem with Witte and disallowed his construction permit because of Mr. Witte's nonpayment of Chula Vista fees. Mr. Rivas does not allow this. He gave Mr. Witte his permit. Mr. Rivas will send us copies of the plans and permit. He will also send us a copy of their rules and regulations.
- c. Adjacent property to Chula Vista is to be sold. Buyers and construction vehicles may want access through Chula Vista. Water, garbage service and road wear and tear may be an issue.

**ACTION:** Mike Lemmo will consult with Lic. John Brennan about the options available to Chula Vista.

**VI. Committee Reports:** presented by Mike Lemmo, Christine L'Ecluse and David Salyers

- a. Water - well #2 volume meter stuck, electric meter burned
- b. Security, Streets and Lighting – nothing to report
- c. Neighborhood Relations - community fiesta was deemed a success.
- d. Zoning & Building
  - Witte construction – see President's report
  - Chain link fence at Hochuli residence has been removed.
  - Steve Cross residence on Paseo de la Vista: razor wire fencing has not been removed

**ACTION:** David Salyers will write a letter to Mr. Cross stating that the Chula Vista Rules &

Regulations require the removal of the razor wire fence.

- e. Environment – nothing to report

**VII. Unfinished Business/ Previous Motions and Actions**

- a. Maintenance manual for the water system has not been started yet.
- b. Discussion held about Poots/Pelayo retaining wall.

**MOTION:** Hire Brad Grieve to evaluate the slope and recommend what type of retaining wall will protect the slope at the Poots/Pelayo home.

**MOVED:** Ian Lambert

Passed.

Signed \_\_\_\_\_

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c. Progress on web site improvement – Christine will talk with Gavo the designer.

### **VIII. New business**

a. Guests: Vickie Christensen and Patrick Jenkins, in response to letter fining their landlord 2,000pesos for the behavior of their dog, wished to present their side of the conflict. They summarized efforts that they have made to control their dog's behavior including hiring a dog walker, training the dog, using a bark-suppressant collar, and putting the dog inside when he barks.

- They also presented statements from 13 neighbors who said the dog did not engage in continuous annoying barking and the letter sent by the Colonos did not reflect the truth of the situation.

**MOTION:** to remove the 2,000peso fine from the account of Paul Raza, landlord of Vickie Christensen

and Patrick Jenkins and to inform all participants in this conflict of the removal of the fine.

**MOVED:** Ian Lambert

Passed

b. Guests: Teri Ames talked about her concern that our Rules & Regulations were poorly written and not enforceable for the following reasons:

- The English and Spanish versions are not equal and the Spanish version, the legal version, does not convey the meaning intended by the writers.
- There is no clear process on how fines are determined and imposed. There should be a process for all sides in a dispute to be heard and evaluated.

Ms Ames is also particularly concerned about the quality and unenforceability of the construction regulations. She offered to be a liaison with a lawyer to have the Rules & Regulations reviewed.

c. **ACTION:** David Salyers will update Cristina Rojas as to the status of her request for a permit for construction.

d. Next Board Meeting – scheduled for April 16, 2019 10 a.m.

### **IX. Adjourn - 12:12 p.m.**

Minutes submitted by Christine L'Ecluse, Secretary

Signed



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## TREASURER'S REPORT – MARCH 2019

### Year-to-date (YTD) Budget versus Actual

YTD	Budget	Actual	Variance
Water Income Received	\$ 452,461	\$ 404,853	\$ - 47,608
Water Expenses	\$ 400,958	\$ 308,537	\$ 92,420
Maintenance Income Received	\$ 715,153	\$ 1,937,691	\$ 1,222,538
Maintenance Expenses	\$ 640,655	\$ 605,918	\$ 34,737
Total Net Income	\$ 126,002	\$ 1,428,089	\$ 1,302,087

Fourth quarter water billings were \$268,442, considerably lower than the same quarter of the previous year of \$339,435. As the weather has started to warm up, water consumption is on the increase for Q1 2019.

Maintenance Income is mostly received in the early portion of the year, but the budget figure is spread over 12 months, so the YTD variance is not relevant. A better measure is the 2019 total budgeted maintenance of \$2,043,471 versus the actual members billing for the 2019 year of \$2,168,903. The 2019 total budgeted special assessment of \$510,868 versus the actual special assessment billing for the 2019 year of \$541,957.

Total Maintenance Expenses are tracking favorably ahead of budget, with significant expense variances for water and maintenance noted below.

### Significant Item Variances

YTD	Budget	Actual	Variance
Equipment Repairs	\$ 12,000	\$ 16,476	\$ - 4,476
Garbage Collection & Dumping Fees	\$ 164,077	\$ 172,753	\$ - 8,676
Legal Fees	\$ 49,000	\$ 98,228	\$ - 49,228

Garbage collection costs have risen due to higher fuel prices and significantly higher dump fees, which will continue to vary depending on volume and fuel prices. Legal fees are higher due to catching up on prior year obligations.

### CASH

Cash on hand	\$1,760,637
Less construction deposits	\$221,000
Less other deposits	\$1,826
Available working capital	\$1,537,811

Collection of accounts is much improved over last year at this time. Only a very few are still not cooperating, and we are dealing with these on a case by case basis.

Submitted by Ian Lambert

Treasurer