

**BIB PROPERTY OWNERS ASSOCIATION, INC.**

**REGULAR BOARD MEETING**

**SEPTEMBER 13, 2020**

A regular board meeting of the BIB Property Owners Association, Inc. Board of Directors was held September 13, 2020, at 05.00 pm EDT/03.00 pm BZT, via FreeConferenceCall online meeting.

**Board members in attendance:**

Kathie Miller – President  
Beth Patschke-Weary – Vice-President  
Paul Prescott – Treasurer  
Paris Cecilia Jaye – Secretary  
Doug DeGirolamo – Member at Large

**Members in attendance:**

Marcia Sickelsmith	Melissa Freedman
Dawna Bemis	Lynn Wilson
Bryan Weary	Scott Wilson
Linda DeGirolamo	Lori Wadlington
Carissa Kent	Dave Love
Melissa Freedman	Sue Waite
Michele Dangona	Paul & Cyndi Lauricella
Jenny Lodes	Susanne Jefferson
Rita Martin	Theresa Velez
Marcela	Tony and Shelley

The meeting was called to order by President Kathie Miller at 05.00 pm EDT/03.00 pm BZT.

The Proof of Notice of Meeting was posted on the FreeConferenceCall online meeting site, on the BIB website and sent out by email by our webmaster Dawna.

**• Review and Approval of Minutes**

Paul makes a motion to approve the minutes of August 10, 2020. Doug seconds. All in favor: Beth, Kathie, Paul, Doug, Paris. The motion passes 5 to 0.

**• State of the Community – President’s Report – Kathie Miller**

- As of September 7, 2020, the community gate code had to be changed as it was shared on a public forum. Please only share the code in secure ways such as in a

private message or by email. You may also get the code by contacting the board directly or logging in to the BIB website where it is posted on the Safety forum.

- Kathie acknowledges how beneficial it is that three of our board members live as permanent residents in BIB (Paul, Doug, Beth) and one lives there part-time (Paris). Kathie plans to get down there as soon as the situation permits. This ensures that the board's work is more effective. The board keeps a watchful eye on what is going on in our community 24/7.

Videos have been taken by the permanent residents to show all lot owners the improvements that are being made to the community. We encourage everyone to watch them. These residents are volunteers who spend many hours continuing the work. They know what is needed and have a passion to make it happen.

Yet there seems to be constant criticisms made. We ask that all lot owners consider becoming a part of the solution and not the problem. The board continues to exercise open and fully transparent communication. We ask that everyone be respectful and participate with us in this.

- **Treasurer Report – Paul Prescott**

Financial overview:

- Our bank balance is a total of US\$83,000.
- We took in US\$3,500 in HOA fees this past month.
- We spent about US\$5,500 in expenses. This included the expense for the garden share shed wiring upgrade.

Past due fees breakdown:

- We currently have over US\$325,000 in past due fees.
- US\$293,400 are actual HOA fees.
- US\$32,350 are late fees and interests.
- Amount due on lots owned by the developer amounts to US\$88,000.
- For lots under contract, there is a balance due of US\$36,000. There have been questions on what would happen moving forward with collections for lots under contract. From our understanding (and we are going to talk further with Axela about this), our debts are with the actual property owner, which would be BIB Ltd.

Special mentions:

- There are about 20 lots owned by the developer where interest is not charged. This stems from a 2017 agreement where the developer sold the internet tower to the HOA on the condition that the developer not pay interest on past due fees until January 1, 2022.
- The developer claimed that when a lot under contract changes ownership all past due fees are paid. This is not the case. There recently was a transfer and the HOA did not receive the past due money that was owed.

Our CCRs specify that HOA fees are due every year and then there is a 1% late fee applied to any past due amount per month. In the past, this late fee was not applied equally or consistently. Some lot owners could pay their HOA fees monthly or quarterly

and they were not charged interest. We are now applying this late fee equally to everyone across the board.

We are also starting our budget process. Paul will send out to all the committee chairs how much money was spent last year as opposed to their budget so we can come up with ideas for next year's budget.

- **Committee Status Updates**

- EAB – Doug DeGirolamo

No reports in the last month.

- Gardens – Beth Weary

All the materials for the lower milpa have been bought, but the work has not been done yet. Pictures will be sent to the EAB upon completion of the project.

Planted 20 new banana trees where Bryan filled the hole. Some are dwarf bananas and they are coming up nicely.

Planted 5 banana trees and 4 tangerine trees in the lower milpa.

Built stone walls for soil retention in the upper milpa.

Bryan built a metal roof over one of the raised beds to stop the heavy downpours that are detrimental to the little seedlings.

Added greenhouse fabric around the other raised bed for insect control.

In the vegetable garden, we are currently growing cucumbers, lettuce, radishes, broccoli, cabbage, carrots, red beets, green beans, cilantro, parsley, okra and Chaya.

We have some papayas that were started in containers.

Thank you to Alex who donated several packs of various vegetables and herb seeds to the garden that will be put to good use.

- Roads & Maintenance – Bryan Weary

Nothing new on the roads. We keep them graded.

Update on the garden share shed upgrade: The electrical is all done. The solar is installed. We now have receptacles for charging and good lighting so we can see the first aid station. Cameras will be installed shortly. We will make a video about the upgrade and send it out for everyone to see.

- Safety & Security – Linda DeGirolamo

Currently no known issues with the front gate. We change the combination regularly.

Please keep the code off any public forums. Only share it over email or in other secure ways.

Linda received positive feedback on the front gate from a family who is planning to move out to BIB. They feel safer and it saved them a lot of money from not having to buy their own gate.

There is one concern that people with motorcycles can slide underneath the gate instead of unlocking it. We can see who they are on the camera, but people who should

not be in BIB could slide in. Linda is working on a possible solution such as metal piping or chain that will swing with the gate but prevent motorcycles from sliding underneath. Bryan proposes to ask the mechanic that does our tractor work to come to BIB and weld a lower bar on the front gate.

Linda is looking into buying a patient transfer hard plastic molded backboard that can get injured people safely to a vehicle. It can be sanitized after use. Straps need to be purchased separately. The price of a backboard and straps from ebay is about US\$129 plus shipping and taxes. This purchase is within the Safety committee's budget. Linda will also stop by the fire department in Benque and ask what they use.

Bryan will make sure hooks are installed in the first aid station to keep the backboard safe and clean.

- **Discussions**

- Collection agency – Axela pros and cons

Kathie reminds everyone to keep a respectful protocol in the discussion and that any member of the community can speak. To be considered a member of the community, it is required they have title to their property.

Kathie addresses a comment from an email saying that BIB has no trouble paying bills and can afford to cut people some slack. She feels people have already been cut a lot of slack. Some people have not paid their HOA fees for 5-6 years. At the moment, with the HOA fees we receive from those lot owners that pay faithfully every year, we are able to pay our bills. However, without additional funds, it may not stay this way and we have also not been able to build anything to move our community forward (such as a community center which was promised to many lot owners upon purchase of their lot).

Beth Weary reminds everyone that we signed the CCRs where it is stated that we were going to pay about US\$1,000 per year in HOA fees. The relaxed attitude to pay the fees in the past has not been beneficial to the community. Now we are at the point where we need a company to step in. Axela has a solid reputation, is specialized in condos and homeowner associations, and is fully compliant with the Fair Debt Collection Practices Act, the Fair Credit Reporting Act and the Telephone Consumer Protection Act.

One more point: Covid-19 is not an excuse for people not to pay. It was not in play in the previous years.

Paul Prescott thinks this is a question of fairness. Less than half the number of people pay their HOA fees and these people are paying for all the other lots. If everyone paid we could cut the HOA fees amount in half. We have trimmed costs as much as we can to reduce the fees, but we need to grow our pool of money coming in. Addressing the past due fees is the best and fairest way of doing that.

Paris Cecilia Jaye and Doug DeGirolamo agree with the points above and like Axela's approach. They have a cooperative attitude and they offer payment plans.

A discussion is opened with the other community members present on the call.

Susanne Jefferson (lots 44, 45, 55, 123 and 114) thinks it is a terrible idea to employ a collection agency. We had a property management company Associa that would have done the collecting for us. Susanne has not paid her fees yet this year as a matter of protest because she does not trust the board's activities. She would like the board to work more with people as the previous board did. She thinks a solar system in the garden share shed was unnecessary. She disapproves of the fact that we voted out Gene DeMarco as a board member earlier this year.

Paul Prescott responds to Susanne's claims that we voted out Gene because he had resigned his job as treasurer but wanted to stay on the board. However, the number of board members is limited by the start of each year. We consulted with an attorney and it was done properly and above board. Disliking the board's activities is not an excuse to withhold payment of the fees and not honoring the legal contract we all signed. Finally, Associa did not include any past due amount collections in their contract. As they were not able to handle payments to our vendors, we had to cancel the contract.

Linda DeGirolamo (lot 27) feels tentative on the collection agency but understands the reasons why. She mentions that the current board did not write the current CCRs but are simply enforcing them. The only way to change the CCRs with a better proposal is legally through voting. Linda adds that for the Safety committee the solar installed at the garden share shed was completely necessary, both for our first aid equipment and security cameras.

Bryan Weary poses the question that if the past board did such a good job then why are there overdue fees in the amount of US\$325,000?

Sue Waite (lot 84) is for the collection agency as it makes things fair and reasonable. She proposes that the board considers putting liens on properties that are for sale or have been sold without collecting fees. Kathie responds that Axela will eventually do this as a last measure, but they want to avoid it and will apply every process they possibly can before.

Melissa Freedman (lot 95) thinks it's important for us to develop a plan for the future, and we need the means to pay for that. If we want increased ownership and habitation to happen, we need increased infrastructure. Many people can not live together in the jungle with the current infrastructure. She is for the collection agency as we need to become solvent to move forward.

Rita Martin (lot 97) is very pleased with the videos she has seen and says thank you to everyone in BIB who is doing a great job keeping everything up. She agrees with the conversation and with Melissa's points. She does not know if the collection agency is the right way, but she is for it providing it is not going to harm our property value. She likes the idea of placing liens and asks the board to investigate that. She would like to see a community center built down the road.

Jenny Lodes (lot 122) asks if the collection agency has any experience with international collections and what would happen to the community if several lots who can not pay would go to auction. Paul responds that Axela has experience with collecting from people in the US and Canada. They have been honest with us that they are not sure how it would go with collecting from owners that are solely located in Belize. However, as the majority of BIB lot owners live in the US, Canada and Europe, they think they will be successful. Axela has never had a property on auction. They do everything they can to avoid foreclosure. The process would stop after a lien is put on the property and those costs would be at the charge of the property owner, not the HOA.

Dave Love and Carissa Kent (lot 23) are not opposed to Axela. They suggest that the board sends out a forewarning to all lot owners that we are starting this process so they have a final chance to pay their fees before it goes to collection.

Dawna Bemis (lot 25) agrees with the collection agency as it would help us move forward with the community's projects, such as putting concrete on the roads. Improving the infrastructure will also improve the property value of lots for sale. Moving it to a collection agency is much less personal than being asked to pay HOA fees by board members and fellow community members.

Shelley and Tony (lot 104) say thank you to the board who are moving forward with the projects and keeping us posted. They would like to see more infrastructure and agree that any outstanding fees should go to the collection agency.

Discussion ends.

Kathie reminds us that the board voted at the previous meeting in August 2020 to employ Axela as a collection agency. We will be sending all ledgers to them by Friday, September 18, 2020 so anyone with past due amounts would have needed to complete their payments before Thursday, September 17, 2020 at 05:00 pm EDT.

Paul mentions that any amounts owed that are under US\$50 will not be sent to collection this time. For all other payments, there has been a grace period since January 31, 2020. Axela will handle all communication with lot owners once at collection.

- Exchanging lots for overdue interest

The board is not a realtor and does not need additional lots. This would increase the POA fees as we need a certain amount of income each year to sustain the community.

- Continue with road work/repairs (able to spend about US\$10,000)

Bryan confirms that certain roads need to be addressed. People are living in BIB full time and we have septic tanks we need to pump out. It is an investment for our property

value. If we can start collecting some fees we may have more money to spend on a bigger repair project.

It is pointed out that Bryan has handled roads for 35 years. He grades the roads according to how much rain has fallen. The board has received many comments from lot owners that the roads have been the best they have ever been.

- What should the board have done differently ie safety of our community  
The upgrade to the garden share shed was done for the well-being of the community as it covers many important safety points that have been mentioned earlier. Bryan adds that we are careful with how we spend the money and are looking at choosing high-quality solutions that can last over the long term.

- Deadline for 2020 HOA fees payment to vote  
To vote on board elections at the end of the year, people need to be a titleholder and be up-to-date on their HOA fees.

Paul makes a motion to set a deadline of October 31<sup>st</sup>, 2020, at 05.00 pm EDT for community members to have paid their HOA fees and it has been received on the account to be able to vote. Beth seconds. All in favor: Beth, Kathie, Paul, Doug, Paris. The motion passes 5 to 0.

- **Next meeting**

Thursday, October 15th, 2020, at 07:00 pm EDT / 05:00 pm BZT

- **Adjournment**

Paul makes a motion to adjourn the meeting at 06:16 pm EDT / 04:16 pm BZT  
Doug seconds. All in favor: Beth, Kathie, Paul, Doug, Paris. The motion passes 5 to 0.