

LONG BAY HILLS PROPERTY OWNERS ASSOCIATION LIMITED

MINUTES OF AN ANNUAL GENERAL MEETING

HELD ON MARCH 13, 2008 AT 7.30PM

AT GRACEWAY SPORTS CENTRE, PROVIDENCIALES

Board Members Present: Oneal Delancy (Chairman)
 Ezekiel Hall
 Catherine Dyer (Secretary)

Officers Present: Lisa Cavender, Treasurer

1. OPENING REMARKS BY ONEAL DELANCY, MEETING CHAIRMAN

Oneal welcomed everyone and thanked the Members for coming.

He apologized that Stan Hartling, Chairman of the Road Improvement Subcommittee was unable to attend the meeting due to a personal commitment.

He noted that based upon the proxy votes that we had received plus the numbers of paid up members present, that we had more than 35 members and therefore a quorum was present. He therefore declared the meeting commenced.

2. ADMINISTRATIVE MATTERS BY LISA CAVENDER , TREASURER

- a. Register of Members and collection of all proxies.
- b. Based on the number of paid up members present and proxies, Lisa determined that there were well over 35 which was necessary for a quorum.
- c. Voting Procedures
Lisa suggested that a show of hands was appropriate for motions related to administrative matters such as voting of Directors and Officers and that a ballot style vote would be used if requested for any private or sensitive motions to be voted upon during the meeting.

3. PRESENTATION AND APPROVAL OF ANNUAL ACCOUNTS BY LISA CAVENDER, TREASURER.

- Income for the Association from generation of membership fees (\$180/year/lot) totaled approximately \$9,000 for the year.
- The income for the Association on interest earned on our Term Deposit amounted to approximately \$3,300 for the year.
- Meeting space expenses totalled approx. \$200.
- The legal fees for the year amounted to \$5,800 for expenses associated with the Labour Camp Issue (this had been approved at the March 07 AGM).
- Website expenses totaled \$400 out of an original approved budget of \$4,000.
- A property evaluation (parcel 66) totaled \$1,500. It was explained that an additional property evaluation would be required since parcels 127 and 144 are now to be sold.
- Total expenses were approx. \$8,700.
- The balance sheet shows a term deposit of \$85,964 and a balance of \$8,851.77 in the checking account.
- Accounts are at First Caribbean International Bank. Signatories on the account are the Treasurer and one of the Directors.

A motion was moved by ? and seconded by John Greenwood to approve the Accounts.

Motion 1

Approval of 2007/2008 Association Accounts.

Voting was conducted on a show of hands as approved by the Board of Directors in the interest of time.

It was announced by Oneal Delancy that the majority were in favor and the Motion was carried.

Oneal suggested that we move onto items 5 and 6 of the agenda (Election of Officers and Directors) and return to Item 4 (Presentation by Road Committee) as Stan was unable to attend the meeting but had prepared a handout which needed to be approved by the Board before it was distributed to the members.

4. ELECTION OF 3 DIRECTORS

A motion was moved and seconded to nominate Oneal Delancy as a Director. Oneal accepted the nomination.

Motion 2

Nomination of Oneal Delancy as a Director.

Voting was conducted on a show of hands as approved by the Board of Directors in the interest of time.

It was announced by Oneal Delancy that the majority were in favor and the Motion was carried.

A motion was moved and seconded to nominate Catherine Dyer as a Director. Catherine accepted the nomination.

Motion 3

Nomination of Catherine Dyer as a Director.

Voted was conducted on a show of hands as approved by the Board of Directors in the interest of time.

It was announced by Oneal Delancy that the majority were in favor and the Motion was carried.

A motion was moved and seconded by a Member to nominate Ezekiel Hall as a Director. Ezekiel accepted the nomination.

Motion 4

Nomination of Ezekiel Hall as a Director.

Voting was conducted on a show of hands as approved by the Board of Directors in the interest of time.

It was announced by Oneal Delancy that the majority were in favor and the Motion was carried.

A motion was moved and seconded to nominate Oneal Delancy as Chairman. Oneal accepted the nomination.

Motion 5

Nomination to approve Oneal Delancy as Chairman.

Voting was conducted on a show of hands as approved by the Board of Directors in the interest of time.

It was announced by Oneal Delancy that the majority were in favor and the Motion was carried.

5. ELECTION OF OFFICERS – SECRETARY AND TREASURER

A motion was moved and seconded to nominate Lisa Cavender as Treasurer. Lisa accepted the nomination.

Motion 6

Nomination to approve Lisa Cavender as Treasurer.

Voting was conducted on a show of hands as approved by the Board of Directors in the interest of time.

It was announced by Oneal Delancy that the majority were in favor and the Motion was carried.

A motion was moved and seconded to nominate Catherine Dyer as Secretary. Catherine accepted the nomination.

Motion 7

Nomination to approve Catherine Dyer as Secretary.

Voting was conducted on a show of hands as approved by the Board of Directors in the interest of time.

It was announced by Oneal Delancy that the majority were in favor and the Motion was carried.

Oneal thanked the members for their show of confidence in re-electing the existing Board.

6. ROAD IMPROVEMENT UPDATE BY LISA CAVENDER AND IVOR STANBROOKE

Due to Stan being unable to attend the meeting, Lisa gave a brief synopsis of work over the past year with regards to the road project. She started off by expressing sincere thanks to Stan and Ivor who have put in many tireless hours to continue to move forward the road project improvement scheme.

There have been several setbacks over the past year, the most of significant of which was the withdrawal of Government funds, despite an allocation by Government of \$3.5 million in the 2007/08 budget. However, the Association has recently received verbal assurance and a letter from the Ministry of Works and Utilities which indicate that it is the Government's intent to include the funds in the 08/09 budget and that they hope to commence work in the Summer of 2008. In addition, the initial plan to rezone and sell lot 66 (at the end of the beach) has had to be changed due to the potential buyer's offer being recently rescinded and the subsequent complications arising from the land transfer and removal of restrictive agreements.

The Road Committee and Board are now focusing on Lots 127 and 144 as approved by vote in the Sept. 18th, 2006 meeting. This is to the Association's advantage in that it will allow 3 large beach access and park areas instead of 2. Bengt (Blue Hills Ltd) has assured the Association that all parcels will be transferred to the Association in a timely fashion and he will assist with the restrictive agreements to ensure that the park areas are properly protected. Much thought is going into enhancing the intended park/beach access areas so that all residents can appreciate and enjoy them.

With regards to the Road Design Works, Ivor stated that the Ministry of Works has completed an initial survey of all the Long Bay roads. However, a full design is now needed in order for Government to assist with the project. The design work will cost approx. \$200,000. The Association does not currently have the funds available to fund the design work. It was hoped that Hertzog would undertake the design work, going on the assumption that they would receive the contract, however, with the withdrawal of Government funds in the Fall of 2007, they were unwilling to do this. It is hoped that once the Governments approves funds for the Long Bay roads in the upcoming budget, the design work will commence.

Cove has started some remedial work on the low areas using fill from the south western beach access park. Currently the beach road and some of the highway has been filled and

graded. However, they are unwilling to go much further without the assurance of forthcoming Government funds as they don't want to see the fill washed away in the time it takes to get the project officially started.

Marsha Pardee enquired if there was a Plan B if the Government did not come through with the promised funds. The Board responded that if that was the case, then the Association would have to limit the extent of the road works to the funds raised from the sale of the properties.

Sandy Elder asked if the number of beach accesses would be changed in any way. Oneal assured the members that all existing beach accesses would remain.

A discussion then followed regarding the current poor state of the roads, in particular the section from the gate entrance to the top of the hill and the Lignumvitae Rd. turn off and the need for regular filling and grading. It was suggested that Cove be re-directed to fill and grade this section as oppose to continuing at the Shipyard end of the road. The Board responded that this was unlikely as Cove was awaiting the design work before they continued much further and in any event they would probably require this to be a separate and paying contract. Oneal stated that since the previous AGM, no Association funds had been spent on road grading despite some minor gradings during the year. It was suggested by one member that heavy users (such as the Labour Camp) should contribute more than general users. The general feeling from members was that the Association should commit some funds to improving this initial stretch. Lisa suggested that the Board obtain quotes from various contractors including Cove. Instead of holding another meeting, she suggested that the Board present the information by email and voting can also carried out by email.

A motion was moved and seconded to present this information via email and to vote via email.

Motion 8

Nomination to approve voting via email to spend funds to improve the initial stretch of the Long Bay road.

Voting was conducted on a show of hands as approved by the Board of Directors in the interest of time.

It was announced by Oneal Delancy that the majority were in favor and the Motion was carried.

Official thanks were given to both Stan and Ivan for all their work on the road improvement scheme.

7. OTHER BUSINESS

a. Membership Fees

A motion was made by Tannis Forbes and seconded by Arthur Forbes to approve and increase the annual membership fees from \$180 to \$200.

Motion 9

Motion to approve the annual membership fees for the 2008/2009 year and to increase the fees from \$180 to \$200.

Voting was conducted on a show of hands as approved by the Board of Directors in the interest of time.

It was announced by Oneal Delancy that the majority were in favor and the Motion was carried.

Hazel Greenwood suggested that the Association carry out a door to door census in Long Bay to establish the number of residences as well as the number of residents in Long Bay. Personal visits to the various residences will help to better inform residents of the role of the Association as well as to hopefully encourage more members to pay the annual fee.

b. Website

This topic was not discussed at this AGM (as discussed at previous Board meeting, the website is currently under construction).

c. Labour Camp Update by Catherine Dyer

Catherine stated that based on the Detailed Development Permission issued by the Planning Department for the Labour Camp (PR 8754 – POP Holdings Ltd), the Camp was restricted to 18 months and this 18 month time frame ends in May 2008. She said the sale of her property is being negatively affected by the presence of the Camp and the uncertainty that Planning will adhere to the 18 month timeframe. She added that 2 other property owners in the vicinity of the camp are also experiencing problems selling or developing their property due to the Camp. Catherine said that she had personally written to the Planning Department to request that they enforce the 18 month time frame and reported that Planning had verbally told her that no extension had been applied for to date. Some members pointed out that realistically it was unlikely that the Camp would be removed in May 08 due to the incompleteness of the Beaches project and that POP Holdings would probably apply for an extension or pay the \$500/day fine in order to complete the project. One member suggested that members again write more letters to the Planning Department. Catherine pointed out that the Board had written a letter to the

Premier as well as to Honourable Williams in mid 2007, asking them to ensure that the Camp is removed in a timely fashion, but had never received a reply.

d. Other

Jay ? asked if anyone knew anything regarding a lot on Lignumvitae Road almost opposite to the Provo Poinés turn off, which appears to have been subdivided quite extensively with the apparent intention of building town homes. He also commented that recently someone has constructed a road off Cheshire Circle which leads to the new adjoining Government sub division. Members expressed concern as this affects security and has now compromised the one entrance/one exit status of Long Bay. He suggested that the Association obtain an up to date lot map of Long Bay. Another member suggested that the Association remind the Planning Department of Long Bay's existing established restrictive covenants. The Board agreed to look into all of these issues.

Oneal suggested that Association members have frequent informal get togethers which will allow issues to be informally discussed, encourage members to get to know each other and work together to meet Association goals.

Oneal Delancy made closing remarks and thanked the members for confidence in the Board. A special thanks was given to Lisa Cavender who continues to go above and beyond her role as treasurer and is a much valued Board member.

The meeting was declared adjourned at 9.00pm.

Catherine Dyer, Secretary

Oneal Delancy, Director