

**LONG BAY HILLS PROPERTY OWNERS ASSOCIATION LIMITED**

**MINUTES OF AN ANNUAL GENERAL MEETING**

**HELD ON MARCH 13, 2009 AT 7.30PM**

**AT GRACEWAY SPORTS CENTRE, PROVIDENCIALES**

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

Officers Present:                            Lisa Cavender, Treasurer

Road Committee :                            Stan Hartling

**1. OPENING REMARKS BY ONEAL DELANCY, MEETING CHAIRMAN**

Oneal welcomed everyone and thanked the Members for coming.

He stated that the Hon. Galmore Williams who had been invited to attend as the representative for Long Bay, was unable to attend and sent his apologies. Oneal said that Hon. Williams is aware of the issues and is willing to meet with the Board at a later occasion.

Following a short time in which membership dues were collected from members present at the meeting and tallying up the total number of paid up members, Oneil then declared that based upon the proxy votes that had been received plus the numbers of paid up members present, that the Association had a total of 39 paid up 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 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.**

- The balance sheet shows a term deposit of \$86,979 and a balance of \$12,833.97 in the checking account. Both accounts are with First Caribbean.
- Meeting space expenses totalled approx. \$150.
- Website hosting fees.
- Filing of Annual Returns - \$50
- Annual road grading expenses for which the LBHOA has neither been billed or paid for.

A motion was moved by Catherine and seconded by Marsha to approve the Accounts.

#### **Motion 1**

##### **Approval of 2008/2009 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.

Lisa noted a special mention to Sandy Elder who is exceptionally diligent in paying her membership dues and was the first member to pay the 2009/2010 membership dues. A special mention was also made to Clive and Ivor Stanbrooke who consistently pay their annual dues in advance and on multi lots (11 lots in total).

One of the members questioned why they had not received individual membership invoices by email as had been done for the previous year. Lisa responded that the reason was large amount of time taken to balance the accounts for all those members that do not pay. Kathy Barrington suggested that once the website is up and running, access to such information would be greatly facilitated. Lisa said that there is still only a 'shell' website with no content. Kathy volunteered to assist with providing website content.

#### **4. PRESENTATION FROM THE ROAD IMPROVEMENT SUBCOMMITTEE CHAIRMAN – STAN HARTLING**

Stan gave a quick summary of where we are with regards to the Road Improvement Project. He stated that 2 years ago, the Government approved \$2.5 million to assist with paving the Long bay Hills subdivision. Blue Hills Ltd. as represented by Provident, agreed to bring the roads up to grade prior to any paving project. The LBHHOA agreed sell a portion of the Association's 'reserve/park' lots to raise approx. \$1.5 million to assist with the paving project. \$300,000 was to be put into escrow for long term road maintenance and to set up designated public park access and amenity areas. In 2006, presentations were made to the respective Government Ministers and the Planning Department, all of whom approved and supported the proposed project. Despite a promising beginning (monies allocated in the 2007/2008 budget and a near sale of lot 66), the project is still facing significant setbacks and has achieved very little forward progress. It is now realized that the proposal is unconventional (re-zoning of park/reserve lands) with many complications and will ultimately require approval at the Cabinet level.

Stan went on to say that it was initially proposed to re-zone and partially sell Lot 66, but when this fell through, the subsequent plan was to subdivide 2 other beach lots (Lots 61106/14 and 61103/127). The proposed subdivision details were handed out to the members in the form of a 2 page handout (see attached). One member questioned if the Association had the authority to make the decision to sell the other 2 lots. Stan countered by saying that this had approved by vote by the Association members during the initial meeting proposing the road project.

Stan stated that the applications to Planning to subdivide Lots 61106/14 and 61103/127 and to partially rezone to allow the non-park land areas to be sold were recently refused. In hindsight, this was not totally unexpected as in light of recent events (Star Island etc), park land is a controversial topic. Stan recommended that Planning be assured that the Association has community approval and the project will ultimately benefit the general public by way of better access to Long bay Beach and designated amenity areas.

A member expressed concern that the Association needs to ensure that 'green spaces' will always be part of the subdivision. Other members agreed with this. Stan agreed that this was always part of the plan and that once the lands are transferred to the Association, onerous restrictions must be placed on these green spaces to ensure they remain as reserve/park lands. Stan also stated that Bengt/Provident is probably reluctant to move ahead with the land transfer as it involves the park/reserve land issue.

Sam Slattery questioned if was realistic to expect an imminent proposal to Cabinet based on the current political instability and was the Association wasting its time. Stan strongly recommended that the Association continue to be proactive so that the Government remains aware of the proposal and hopefully the funds allocated to the project at least remain as a budget line item. Art Forbes suggested that the project be put on hold and the Association hold an Extraordinary AGM when time is appropriate. There were further discussions regarding the pros and cons of continuing ahead with the road project at this

time. Lisa agreed that this is a frustrating situation and suggested that we agree in principle that the idea is still good, continue to be proactive and to hold an EGM as the needs dictate. Jay indicated that he would like to have specific details of the proposed plan as he was not at the original meeting

A motion was made by Zeke and seconded by Kathy Barrington to affirm minutes from the 2006 LBHHOA Road project Meeting which had membership approval of the proposed Road Improvement project (subdivide and partially sell reserve areas to raise funds for the scheme).

## **Motion 2**

**Motion to affirm minutes from the 2006 LBHHOA Road project Meeting which had membership approval of the proposed Road Improvement project (subdivide and partially sell reserve areas to raise funds for the scheme).**

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.

Camille brought up the issue of the apparent illegal clearing of lot 66 at the Eastern end of the Beach road by the developer of lot 39. While clearing and laying fill on his own lot (39), the owner, Mr. Andrew Harper, appears to have encroached upon Lot 66 which belongs to the Association. Several members verified that the Lot 66 has been partially cleared with a wide track leading towards the beach and Mr. Harper appears to have no Planning Permission as indicated by the lack of a visible PR number sign. It was suggested that a letter to Planning is written on behalf of the Association to report and further investigate this matter.

Marsha brought up the issue of zoning as it relates to the Long Bay Beach lots. Several residents have noted that the most recent zoning map issued by the Planning Department shows the beach lots zoned as 'Tourism' which is identical to the Grace Bay beach lots. Long term residents of Long Bay were under the impression that the Long Bay beach lots were all zoned residential. Several members questioned how re-zoning could happen without the knowledge of the Association.

A member expressed concern of the apparent high number of Asian workers who are now living in the apartments at the far end of Sea Sage Road and was this the start of another Labour Camp. It was suggested that the Planning Department and the Department of Environmental Health be contacted.

The existing Labour Camp for the Beaches employees on the first road on the Left in Long Bay was briefly discussed. Catherine stated that the Camp had been extended until

the end of March 2009 and she had a letter from Hon. Hanchell stating that on this date, the Camp was to be totally dismantled and removed. However, despite removal of some of the housing buildings, the recent mass storage of construction materials on the site was cause for concern. A Jan. 09 letter from Planning to the Developer indicated that they were aware of this violation of the Planning regulations and were taking the appropriate action. It was suggested that a letter is written on behalf of the Association to support and follow up with the Planning Department.

#### **4. ELECTION OF 3 DIRECTORS**

Regretfully, Oneal stated that he was tendering his resignation as Chairman of the Board as he has other commitments. The Board and the members expressed their thanks to Oneal for his active participation and wished him well in the future.

There were no successful nominations for Chairman of the Board and this position is not yet filled.

The members moved on to nominating members willing to serve on the Board of Directors.

A motion was moved and seconded to re-nominate Zeke as a Director. Zeke accepted the nomination.

#### **Motion 3**

##### **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 Catherine Dyer as a Director and Secretary. Catherine accepted the nomination.

#### **Motion 4**

##### **Nomination of Catherine Dyer as a Director and Secretary.**

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 by Art Forbes and seconded by a Member to nominate Tanis Forbes as a Director. Tanis was absent due to other commitments, but had recently expressed her willingness to serve on the Board. Art accepted the nomination of behalf of Tanis.

### **Motion 5**

#### **Nomination of Tanis Forbes 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.

## **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.

### **7. OTHER BUSINESS**

#### **a. Membership Fees**

A motion was moved and seconded to approve and the annual membership fees for the 2009/2010 at \$200.

### **Motion 8**

#### **Motion to approve the annual membership fees for the 2009/2010 year and to set the annual fee at the current rate of \$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.

#### **b. Other**

A member suggested that the Association consider paying someone to periodically clean up the trash within the subdivision. Several members have observed that illegal dumping is becoming a serious problem especially at road ends and cul de sacs.

A member brought up the issue of a recent fire as a result of arson which destroyed property on Cheshire Hall Circle.

## **8. DATE OF THE NEXT AGM**

Lisa announced that next years AGM is scheduled for March 10<sup>th</sup>, 2010.

## **9. CLOSE OF MEETING**

Oneal Delancy made closing remarks and the meeting was declared adjourned at 10.00pm.

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Catherine Dyer, Secretary

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Oneal Delancy, Director