



## **MINUTES & MATTERS ARISING FROM PREVIOUS COMMTEE MEETINGS**

### **1. Phase 1 lift & Garage Flooding. Point included in the agenda of the meeting (5-2-15)**

**ACTION:** Repair the faulty valve in pool 7.1 and faulty meter in 7.2

**BY WHEN:** Resortalia to manage this by 16.10.15 – The faulty valve in pool 7-1 was replaced in October. Related to the faulty meter in pool 7-2, EMUASA has been informed in several occasions and we are currently waiting for their visit. The information provided by the pool company related to this issue is that there is humidity covering the glass of the meter so that the reading cannot be done. **Update Jan 2015:** Although we have contacted EMUASA several times we are still waiting for them to come and deal with this issue. We keep on trying. **Update Feb 2015:** The technician from EMUASA comes on Wednesday 11<sup>th</sup> February and replaces the faulty meter with a new one.

**ACTION:** Alvaro Lorente to check the fire hydrants in phases 1, 7 & 2 in those buildings with water problems and the closest ones.

**BY WHEN:** 15-10-14. The architect has already done the works. The list of issues has been passed over to Resortalia (10-11-14) in order to deal with them and advise EMUASA as they have to replace the broken red valves. **Update Nov 2014:** the technician from EMUASA came to the office on Monday 24<sup>th</sup> November and took all the information in order to review one by one. He will come with his team within this week and let us know of the date. **Update December 2014:** The water company will start with the repairs in Atlántico 48-50. They have checked several other valves and we will have to report one at a time. It means that when they finish the works in Atl. 48-50, we will have to report a second one and so on. **Update Jan 2015:** We have reported a second issue related to Atlántico 44-46 and we are currently waiting for them to come, check it and repair.

As agreed, the works related to the water leak detection in Phases 1, 2 and 7 were carried out by the end of November. Alvaro presented information about the findings in the drinkable water system.



**Phase 1:** There is movement of water in the sewage system all the time in a few buildings. The Architect does not know whether there could be hidden pipes related to the irrigation of the golf course. There were no leaks found with the ultrasound test.

**Update Jan 2015:** As per the e-mail sent by Alvaro on Friday 19<sup>th</sup> December 2014 the only way to find out the source of the water would be by using a camera survey in the system. A quotation was requested and approved by RL. It was carried on Thursday 15<sup>th</sup> January 2015 and Álvaro will be sending his conclusions via e-mail.

It was agreed, as the source of the water has not been found, to test the golf course irrigation system.

IRM would be contacted in order to find the exact location of the pipes and investigate the installation for leaks.

**ACTION:** Resortalia & Alvaro Lorente to contact IRM and investigate the golf course irrigation.

**BY WHEN:** 15<sup>th</sup> January 2015 – Meeting with IRM on Tuesday 20<sup>th</sup> January in order to explain the situation and ask for a water sample from the lakes so that a new test can be done and compare this water from the water in buildings affected. The buildings are those close to the lakes in phase 2.

If the source of the water cannot be found, then the only alternative would be to take actions to waterproof the affected buildings. This may not be a cheap solution but would work.

The architect said that he has contacted the company which did the geotechnical works in the complex before the buildings were built. If he succeeds in getting the original reports, it could provide useful information in helping find out what the cause of the problem is. After Resortalia contacted Horysu (company which did the geotechnical report) they have said that as the work was contracted by Polaris Desarrollo, S.L. they are not allowed to provide the Community with a copy of it unless they receive authorization from their previous client (PD). Then, Resortalia has contacted PW in order to get this authorization. Currently waiting for their reply. **Update 28-1-15:** PW has replied saying that it is not possible for them to give authorization.

**Phase 2:** After the investigations carried out, the architect, Alvaro, said that it is very likely that the water comes from the lake close to the three buildings affected.

A sample of the water in the buildings and lake will be taken and analyzed to see if it matches.



**ACTION:** Resortalia to ask for a quotation to do the test of the water. **Update: Jan 2015.** The quotation has been requested to Pepe Burruezo, the same company which did it in different buildings in phase 1.

**BY WHEN:** January 2015. After a meeting held between Alvaro and Mariano Sánchez from IRM, Alvaro already got authorization to get a water sample for the test.

**Phase 7:** There were 3 water leaks detected:

**Atlántico 42:** leakage found close to the shower of the swimming pool – **Update Jan 2015:** waiting for the cost to start digging and locate the broken pipe. If it is a broken pipe, then the repair of the pipe could be claimed to the insurance company, but first and as there are not water damages, the breakage need to be located.

**Atlántico 50:** leakage found close to the fire system manhole – **update Jan 2015:** waiting for the cost to start digging and locate the broken pipe. If it is a broken pipe, then the repair of the pipe could be claimed to the insurance company, but first and as there are not water damages, the breakage need to be located.

**Atlántico 70:** leakage found in a valve on the pavement – **Update Jan 2015:** the exactly area needs to be identify as it could be the water company (EMUASA) responsibility. If so, the issue would be reported to them.

**ACTION:** Resortalia to work with Alvaro Lorente and action the necessary works to correct them.

**BY WHEN:** January 2015 – **Comments and updates above.**

**ACTION:** Aidan Lowe, Chris Evans and Gordon Hutchinson to document the known facts as they relate to the problems with flooding in their lifts/garage. - **ONGOING AS AND WHEN NEW INFORMATION IS AVAILABLE**

## **2. Building Repairs - Point included in the Agenda of the meeting 5-2-15**

It is important to make clear to the constructors that they have to be very careful when they start with the works so that the gardens and other areas are not damaged.

There will be a clause in the contract related to the amount retained (5%) every time a certification is submitted in case there are damages in the area where they have been working.

Furthermore, the architect said that the works will be coordinated with STV in order to avoid any damages.



**Settlement cracks:** Alvaro explained that there are at least 5 buildings in the complex where settlement cracks might be a problem. These cracks will be measured to see if they are still moving. There is a device called “fisurómetro” (crack monitors) which is installed inside of the crack and it measures the movement of it. It is checked over a period of time in order to see the progress of the crack. There will be one installed on the façade and a second one on the staircase or inside of an affected apartment.

After the explanation given, the Committee agreed that the cost to do this kind of test in the 5 buildings would be paid by the Sub-communities.

**ACTION:** Resortalia to contact the BP of the building affected and inform them about this issue.

**BY WHEN:** w/c 24-11-14 – **Sent on 10-12-14 – Waiting for the Presidents reply – Update Jan 2015:** The BP contacted for this purposes have not authorized the works yet.

**ACTION:** Alvaro will evaluate the quotes and make recommendations to the committee.

**BY WHEN:** w/c 19-1-2015. Alvaro sent the comparative and report on Monday 19<sup>th</sup> January as promised.

Once a decision is taken on who the contractors will be, a plan for implementation will be discussed and produced.

Depending on the numbers of companies contracted to do the work, there will be a different number of teams working at the same time. The plan is to carry out the works in 6 months but this will vary depending on when the work can be started. It is hoped to avoid any major work in our busiest months of June, July and August.

Alvaro confirms that the architect from the Town Hall has already given the OK to the documents presented. Now the civil servants have to prepare all the licenses which are expected to be given within January. **Update Jan 2015:** the Town Hall has already sent the invoice with the tax to be paid in order to be able to start the repair works (4% of the total cost of the repair works). The work could start in February.

There would be a contract per contractor and per group of buildings.

**ACTION:** Agree which companies will be working on the building repairs.

**BY WHEN:** At the Committee meeting on Thursday 5<sup>th</sup> February 2015.

There are still 11 Building Presidents who have not meet with Alvaro yet, or communicated with him in order to decide which actions are going to be carried out in their buildings.



**ACTION:** Alvaro will provide Ron Locke with the name of the buildings so that he can contact the BP's.

**BY WHEN:** 19-12-2014 – Update, all have been contacted and all but one has replied. All who have replied have almost completed the work.

### **3. Building Painting – Point included in the agenda of the meeting 5-2-15.**

There are two options for paying for the painting of the buildings. Either at Sub-community level or General Community level. The committee felt the fairest way was for everyone in an identical apartment, in an identical building, to pay the same amount for their building to be painted. The amount could be allocated in the General Community Budget and each owner would be paying it from the General Community Budget or the amount could be allocated in the Sub-community Budget and each owner would be paying it based on their Cuotas in that sub-community.

The issue is that in the event it is done at Sub-community level there could be some sub-communities who may decide not to do any painting. This would not be acceptable and would have a detrimental impact on our resort. The option is to create a specific fund on the General Community Budget to do the building painting and apply the same amount to each identical sub-communities by building, instead of by percentage. In other words, everyone in a Cilantro building would pay the same as everyone else in the same apartment in every Cilantro building.

All the members attending the meeting agreed with studying the way it can be done.

**ACTION:** Resortalia to prepare a report about the possibilities these expenses could be allocated by building.

**BY WHEN:** Thursday 15<sup>th</sup> January 2015 – **Update Jan 2015:** The legal department of Resortalia sent a report related to this point on Thursday 8<sup>th</sup> January 2015. Then, the legal conclusion is below:

- *General Community expenses are under HR Statutes.*
- *All the references to expenses and participation are with regard to the coefficients which are part of the Master Deed. Therefore, all the expenses have to be allocated by coefficients.*
- *If the Community wants to change this point, this would be a modification of the Bylaws, so according to article 17 of the HPA this would require unanimity. As it*



*is a qualified majority, it should be obtained in the General Community as well as in the Sub-communities.*

#### **4. Planning Permissions (Building changes)**

Document listing the current allowed modifications under the statutes issued to all committee members on the 1<sup>st</sup> October along with a new planning application form for approval.

**ACTION:** Ron Locke to write to all owners after he and Gordon Hutchinson have documented the procedure to be followed.

**BY WHEN:** 26.9.14 David Bamford is also producing a document which pulls together various bits of information in order to remind, and clarify, for owners what the rules are. The intention is to sort out what has become a difficult situation with changes to apartments. A pragmatic solution is required if we want to prevent having lots of upset owners who want to make changes, and the situation where others have already made changes, with planning permission but which aren't on the allowed list. A report produced by Resortalia was sent to the members of the Committee on the 12<sup>th</sup> December. The report was discussed by the attendees in order to get to a conclusion about the steps to follow related to the aesthetical changes.

**ACTION:** David Bamford will take all the documents and information provided by Resortalia and will prepare a report in order to establish a planning permission policy with pictures of each example referred to in the report.

**BY WHEN:** January 2015 **Update Jan 2015:** David Bamford sent the first draft of his report to all the members of the Committee on Tuesday 13<sup>th</sup> January. Some comment and thoughts were sent via e-mail and It will be also discussed at the meeting the 19-2-15.

#### **5. Maintenance plan – Point included in the agenda of the meeting 5-2-15.**

Further discussions took place related to the last version of the maintenance plan and some priorities were changed. **Stuart Billingham will update it and send it back to the Committee.**



About the items to be maintained, it was said that it is very important to make a clear policy of the kind of items which are the General Community responsibility and the Sub-communities responsibility so that it is not change every year.

The following is our definition for the maintenance of the facades:

**“Maintenance, including minor reparations covered in the specifications such as filling cracks in the facades and border tiles at ground level”**

The following was agreed as the responsibility of the Sub-community:

1. Repairs to railings.
2. Repairs to building front doors.
3. Repairs and replacement of communal windows.
4. Repairs and maintenance of any guttering put on buildings.
5. Any work on expansion joints.
6. Sensors for detecting building movement

**Path ways:** Some paths to buildings seem to be breaking up. It was agreed to do a survey of these paths in order to understand the scope of the problem.

**ACTION:** Resortalia to do an inspection of the path ways first in phase 7 and later the others.

**BY WHEN:** 11-12-2014 – The inspection of the path ways in Phase 7 has already been done. There are two main problems found:

- Unlevel area: There are areas with subsidence. The soil below them has disappeared because of the bad compacting.
- Erosion: the concrete or material used to fix the stones of the path ways is disappearing and it causes huge gaps between stones. It is very dangerous as people can trip over.

We are going to do a test in one of the path ways with subsidence in order to see the exactly situation on Friday 12<sup>th</sup> December. The maintenance man will remove the soil and the architect Alvaro Lorente will have a look at the situation with no cost for the Community in order to evaluate what is below. **Ongoing**

The tender to ask for quotation about the items already included in the maintenance plan is in process with Resortalia.

**ACTION:** Tender process based on the maintenance plan.

**BY WHEN:** New Year. The information should be available for the meeting in January.

**Update Jan 2015:** The opening of the proposals will be on Thursday 29<sup>th</sup> January.



Then the offers will be reviewed and study in order to do a comparative chart with the most relevant information.

**Garage vents:** Thomas mentioned that he had a quote to replace them with concrete vents. 100 units 65\*35cm 7, 50 € per unit + 10% VAT. Because of the bad stage of some of them it is agreed to ask for quotations in order to replace them or repaint them.

**ACTION:** Get quotations to compare and see which action is better.

- Concrete – Only one of the companies we have asked for quotation has come back to us and said that they could not find this vents in concrete and with this measure.
- Galvanize – The only cost received at the moment is of 216 € + VAT per unit. It would also include the removal of the current one and installation of the new galvanizes one.
- Plastic – The only cost received at the moment is of 145 € + VAT per unit. It would also include the removal of the current one and installation of the new plastic one.
- Treat and paint – The information about this is included in the tender process.

**BY WHEN:** 30<sup>th</sup> January 2015. – **Update Jan 2015:** Information above.

It was considered whether an architect is required to manage the maintenance work of things like the perimeter fence and the paths. More information is required before any decision to spend money on this can be taken.

**ACTION:** Stuart Billingham to make a case to the committee.

**BY WHEN:** 18-12-14, next Committee Meeting. Resortalia is currently working on a document which will give reasons on why it is necessary to arrange the service of an architect. As soon as it is done it will be sent to the Committee. **Update Jan 2015:** The report will be sent to the members of the Committee prior the next Committee Meeting.

**Benches:** An audit is being done of the benches with a view to deciding if any are no longer needed and which, if kept, need urgent maintenance work. Ron Locke, Gordon Hutchinson and Stuart Billingham had all consulted the owners on their phase as to whether any were prepared to volunteer to re-paint the benches on their phases. All reported that they had enough volunteers to take care of this on their phase.

It was agreed that other phases should organize volunteers for their phase. The GC will pay for the product and material for volunteers to get the benches refurbished.

**ACTION:** Phase Presidents to organize volunteers to do the work on their Phase



**BY WHEN:** 30<sup>th</sup> May 2015. **Update Jan 2015:** Resortalia has been reviewing the legal situation in case a volunteer is doing this task and suffer an accident. The involvement and liability of the General Community. Then, Resortalia is working in a brief report related to this which will be sent to the Committee prior the Meeting.

**Pool fence:** As per the legal advice it is necessary to keep the fences. It was agreed to get quotations to:

- a. Remove them and paint them on site.
- b. Remove them, take them away and bring back once painted.

Both quotations will include all the health and safety measures such as placing barriers or red tape.

**ACTION:** Resortalia

**By When:** 15.12.14 – **Update Jan 2015:** This action is also included in the tender process which finishes this week.

## 6. 2015 budget.

**Fountains:** It was decided to investigate the use of the small fountains as planters and have plants which hang over the edge of the edge bowl and hide a lot of the concrete. It was also felt that we should consider dispensing with the water part of the main fountain and put something which was more aesthetically striking in its place. **Update Jan 2015:** This point is included in the agenda of the next Committee Meeting the 19-2-15.

**Filter Sand to be changed in the 19 pools:** Proposals to do this task were included in the offers received by the different bidders. Atlantir were felt to be the best option but the committee decided that there were still opportunities for further negotiations on the price.

**ACTION:** Resortalia were given guidelines to go back to Atlantir in order to negotiate different parts of their offer.

**BY WHEN:** 19<sup>th</sup> December 2014 - **Update Jan 2015:** At the AGM of the General Community it was agreed that the works related to the change of the pool sand were done by Atlantir at the new negotiated cost.

**Sworn Translators:** It was also agreed to keep contracting the 2 sworn translators for the AGM in March 2015. It should be at the cost of 800 € approx. – **working on it.**

**Update Jan 2015:** The 2 ladies who did the translation in 2014 said that were not interested in doing it anymore; therefore, Resortalia has been contacted sworn



translators from the list published in Internet by the Ministry of External Issues and Cooperation. (Ministerio de Asuntos Exteriores y de Cooperación). We have currently contacted more than 15 people and only 3 came back with quotations. The information (CV and costs) has already been sent to RL for his comments.

**CPI:** Due to the fact that there is currently no inflation in Spain (negative CPI) the contracts with an allowed inflation increase should not be increasing their invoices in 2015; however it would depend on the service supplied.

**ACTION:** Resortalia to contact the different suppliers in order to confirm any increase in 2015.

**BY WHEN:** Thursday 15<sup>th</sup> January 2015 – **Update Jan 2015:** After reviewing the contracts, only STV is affected by the IPC. The update figure has been included in the GC Budget.

**Electricity Street and Perimeter lamps:** The expense included in line 7 of the budget also includes the electricity from the pump station and security cameras. As the court case against the Town Hall is nearly finished and a verdict expected soon, it could be possible to reduce the amount for 2015, as part of our claim is to get the Council to pay for the electricity for street lighting. **Update Jan 2015:** After the information provided by the Lawyer in charge of the claim against the Town Hall, the Council will not be paying for this cost at the moment. Further details in the e-mails sent by our Legal Department. Therefore, the cost of this budget line must not be reduced.

**Painting fund:** The painting money will be ring fenced and a plan on when, and how, the painting is going to be done in the following 2-3 years will be needed.

## 7. Debtors.

An update was given by Gordon Hutchinson about the experiment using 6 debtors chosen for a different UK process. 3 out these 6 have not responded yet. One responded immediately, agreeing to pay.

Gordon proposed we consider other alternative companies, which could deal with debtors in the UK and Ireland.

Gordon had some additional reporting requirements. Isaac requested a list of the requirements, which Gordon agreed to send.

**ACTION:** Try with the recovery agency Jack Russell from Macclesfield in the UK. They would only deal with UK debts. They want a minimum of 30 debt cases and a total of



£450 in admin fees. They take 10% of the amount recovered. Before committing to anything Gordon and Ron Locke would visit the company to talk to them about it.

**BY WHEN:** Early 2015. **Update Jan 2015:** The visit was done and the 30 cases selected in order to send to Jack Russell. However, a notice before further actions was sent to the selected debtors and some of them paid or agreed a payment plan. Then, other debtors were selected to fill the 30 slots. We are currently waiting for Jack Russell to send the terms and conditions to be signed before sending any documents and paying them their administration fees.

**ACTION:** Gordon to send Isaac a list of his additional requirements.

**BY WHEN:** 24.12.14 – **Update Jan 2015:** The information requested by Gordon was sent to him by the recovery department and the data base was update as per his requirements.

**ACTION:** Resortalia to inform the owners, via the Weekly Report, of the obligation the owners have to communicate any change of address, account or ownership of the property.

**BY WHEN:** 19<sup>th</sup> December 2014 – **Done.**

## 8. Tree Policy

Viv gets many, many requests in a year for trees to be moved. Some are reasonable and some aren't. To help Viv it was agreed a tree policy should be defined so owners know what the rules are for moving a tree, and the process to be followed to achieve it. A first draft of the tree policy was sent the 23<sup>rd</sup> November to the members of the Committee. Also the legal view in this matter was provided by the Legal Department of Resortalia. When the trees are in zones of the General Community, the Committee are responsible for it. Resortalia ruled that the casting vote, in the event of tie whenever a sub-community has to vote on a tree move. must be given by the Resort President. It was agreed that we would not expect to see lots of requests to move trees. They are part of the original resort design and we would not want to see a great change in this, whilst recognising that things like damage to buildings, and badly obstructed views, were a reasonable cause for considering a move.

Three amendments were proposed and agreed.

**ACTION:** Ron will amend the document and send to all owners.

**BY WHEN:** 22<sup>th</sup> December January 2015. **Update Jan 2015:** The tree policy was sent via e-mail to all the owners the 9<sup>th</sup> January 2015.



**Trees planted outside of Hector Ruiz property:** Resortalia has been checking the law in depth and considers that according to the law, and previous legal cases, the trees in question can be pruned by the Community.

**ACTION:** Resortalia to start the process to prune the 2 trees.

**BY WHEN:** January 2015 – **Update Jan 2015:** the request has been sent to STV. They will advise us on when the pruning would be done. **Update Feb 2015:** The pruning was carried out by STV on Tuesday 10<sup>th</sup> February with the attendance of Resortalia.

#### **9. Speed limit signs:**

**ACTION:** There is an issue of a couple of owners speeding on Egeo Street. It was decided that additional signs would not make any difference but the moving of a sign which is difficult to see may help. The legal department is investigating whether the speed limit signs can be placed in Egeo Street.

**BY WHEN:** As soon as the information is provided by the correspondent department in the Town Hall in Murcia. **Update February 2015:** It was said at the end of the Committee Meeting held the 5-2-15 that a meeting with the Town Hall of Murcia was taking place on Friday 6<sup>th</sup> February in order to discuss this item. Further details will be provided once the meeting takes place.