

From: Kevin Sherratt ksherratt@nvisiondc.com
Subject: PALMA VISTA BOD DOCUMENT DATED 14 SEPTEMBER 2021
Date: September 17, 2021 at 8:04 PM
To:
Bcc: Misael Osorio deltapr66@gmail.com



Dear Palma Vista BOD and Owners,

Firstly, I would like to congratulate the newly elected Palma Vista BOD and wish them every success during the next 12 months.

Attached are some of my observations and constructive feedback regarding the attached Palma Vista BOD document dated 14 September 2021, which was emailed to all Palma Vista owners.

SEWAGE DISPOSAL. In 2015, at much disruption to the entire area, a mains sewerage pipeline was installed extending all the way to the end of Las Croabas. The work took almost 12 months to complete. On completion of the work, it was expected that Palma Vista would be connected to the system avoiding the expense of having to have our sewage tanks emptied and cleaned on a regular basis, by a private contractor. Apparently, the system installed by a contractor failed because it did not meet the standards required by the agency that regulates environmental issues and ultimately could result in contamination and pollution of the Bio Bay and Seven Seas area. The company eventually folded, and the project was abandoned. This is the reason why Palma Vista continues to be reliant on a private company to empty and clean the sewage tanks. Unless the local authority has magically fixed the system that was installed there are no alternatives other than to continue with what we have been doing. As far as I am aware no residence in the Las Croabas area is connected or can be connected to mains sewerage.

RECYCLING. I commend the idea of recycling stations and I am a keen recycler. However, I am interested to know who is going to take the waste to a recycling center? I have never seen a recycling truck in Fajardo, which has led me to believe that Fajardo does not re-cycle its waste.

GARDENS. In my opinion the gardens have never looked better, yes, they need constant maintenance, but to suggest that they have deteriorated is completely erroneous.

PAINTING. As a reminder to the BOD, Dr Munoz had already started negotiations with 'Sports Painting' regarding the \$1,255.00 the owners of Penthouses were required to pay for painting costs over and above the painting levy charged to other villa owners. It was considered that this additional cost was too high, and Dr Munoz was in negotiation with the company to try to reduce the charge. Those owners present at the General Assembly may recall that Mr Maldonado had refused to pay the levy prior to the assembly and only did so at the assembly so that he had a voice, was able to vote and be nominated as a member of BOD.

Please also note that any reduction in penthouse painting costs agreed to by Sports Painting will have to be discussed at an Extraordinary Assembly and voted on by the Council of Owners.

LIMIT TERMS OF BOARD MEMBERS Puerto Rico Condominium Law 129-2020 from August

16, 2020, already states that a director cannot take up their post for more than 3 consecutive terms and this clause is also contained in the proposed Palma Vista bylaws. Dr Munoz completed a 4-year term as President, but let's put this into perspective. He was unanimously elected by a majority of owners in 2017, 2018 and 2019, because they were completely happy with the excellent work he was undertaking. In 2020 everything was shut down due to the pandemic, however Dr Munoz kindly agreed to continue in the position of President for one more year. In 2020/21 Dr. Munoz made it abundantly clear to all owners that he had no desire to run again for President especially given that this was not allowed under law.

As an aside, the only reason that I offered to undertake the position as Treasurer during the past two years is because no members of the HOA wanted to volunteer their services as Treasurer and the Palma Vista BOD could not function as a BOD with only two members.

Notwithstanding some unpleasant comments recently made by an owner, I want to stress that neither Dr Munoz nor I had any interest whatsoever in running for positions on the Palma Vista BOD in 2021. This was made very clear during 2020 when Dr Munoz kindly agreed to remain on the BOD for an additional year because of the pandemic

SHORT-TERM RENTALS. The previous BOD has already completed extensive work into developing a set of new by-laws covering short-term rentals. The by-laws are in print and ready for discussion at an Extraordinary Assembly to be determined by the current BOD. All owners that attended the 'Zoom' Extraordinary Assembly will recall that Patricia Lopez effectively prevented any discussion of the new bylaws because she insisted on having the bylaws in Spanish and wanted to compare them with the current bylaws. It is noteworthy that the new bylaws had been distributed to all owners well before the Extraordinary Assembly giving owners plenty of time to make comparisons with the current bylaws. Furthermore, the new bylaws were prepared in English because the Master Deed and current bylaws and regulations are in English.

REVISION OF THE BYLAWS. I have no idea what this is referring to as to the "*reality of Palma Vista.*" The proposed new bylaws contain what the law requires and what the Palma Vista owners agreed to regarding establishing fees, guidelines, regulations for short-term rentals as well as acceptable community behavior.

SPACE FOR KAYAKS. Why do we need to waste funds to build an area to store Kayaks given that only two owners currently have kayaks and one of these owners has confirmed that they are getting rid of their kayak?

ACTIVITIES. I appreciate the need for and encourage activities to foster good community relations. However, I find it remarkable that the current President talks about activities to get to know each other better when at the General Assembly, Mr Maldonado, in my opinion, was responsible for inciting a toxic atmosphere, which is something he has done at previous assemblies. I was appalled when a suggestion to summarize main points in English was

rejected with the comment *"if you can't understand Spanish then you need to learn it."* This comment was highly offensive.

FUTURE GENERAL ASSEMBLIES. I hope never to see a repeat of what happened at this year's General Assembly. The election of a new BOD is not meant to be a secret society run by a few members who want to get 'their' person elected. In my opinion this is what happened this year. Unfortunately, I have witnessed the same type of behavior at Palma Vista General Assemblies in earlier years. I wish to see future General Assemblies run openly and honestly. If an owner wants to run for a position on the BOD, they should make their intentions known to all owners via the administration well before the assembly. More importantly if an owner wants to be a member of the BOD, we should be able to see their credentials and why they want to run as a BOD member, and more importantly what are they going to do to improve Palma Vista. Sadly, this did not happen this year.

Kindest regards,

Kevin Sherratt

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