

FINAL
ANNUAL MEETING MINUTES
of the
Grapetree Area Property Owners Association, Inc.
January 16, 2021

Location:

St. Croix Yacht Club and Zoom Audio/Video Conference Call

Opening:

President John Morra opened the meeting at 5:05pm. Thirty property owners were represented at the meeting, 39 attended by Zoom Audio/Video call and several by proxy. The Secretary, Pooja Vachani, verified that a quorum was met.

John began by asking for a motion to pass the 2020 Annual Meeting Minutes. Tom Rodenhaver made the first motion, GB Bucknell second it and it passed unanimously.

The Zoom audience was not able to hear the speakers clearly so we asked the speakers to get closer to the mic and then the audio was good for the rest of the Zoom session.

Then, John asked that the Board members in attendance introduce themselves:

Greg Deegan, Vice President

Jim Pedrick, Treasurer;

Pooja Vachani, Secretary and Communication Committee Chair;

GB Bucknell, Road Committee Chair;

Isabel Brady, Architectural Review Chair;

Sara McCambridge, Board Member

Tom Rodenhaver, Nominating Committee Chair

Marie Schofield, Board Member (via Zoom)

Board Members Absent:

Win Thomas & Ona Alpert

President's Report

John Morra shared that it is hard to believe that he has been the President of GAPOA for 3 years. He

has learned a lot about the island, the community, and appreciates all the support that he has been given. He acknowledged that due to Covid-19 pandemic it has been a fairly quiet year. A lot of the committees did do a lot of work though as you can see in the reports. He thanked all the members for being here. He asked people who are new to the community to introduce themselves. That included Ed & Judy Hodgerson at 71 SGB, Dale & Bruce Horowitz at 2AC NGB.

Treasurer's Report

Jim Pedrick was very pleased to announce that we have more money in our treasury this year than the history for the association. We started off with the reserve from last year of \$51,000. In 2020, we collected \$91,300. So we have a total income in 2021 of \$142,300. Our total expenses for the year were only \$33,400. We had projected spending \$139,000. The gap or surplus is related to road maintenance due to S. Ridge Road. Some may know that we are building that road, we weren't sure of the cost. We held off using the money for paving until we knew exactly what it would cost. It will be a lot more beneficial to fix S. Ridge road this year and have reserves to do the paving and fix that road.

We had savings and legal around \$2,500. The over spent in insurance by \$2,000. The insurance said that premium jumped \$2000 due to liability, not sure if they were trying to take advantage of Covid-19. We have to search for another insurance company in 2021.

Net income is \$109,800. That P&L only relates to the revenue that was due and collected in 2020 and before. The 2021 revenue is not counted in this P&L. In the next cash flow sheet, our total cash available is \$95,180 which includes the dues collected from Nov - Dec 31st. It does not include money collected since Dec 31st till today. Total available cash available to GAPOA is \$162,000. We are projecting that we will collect \$35,000 in 2021 for the remaining dues to be paid. So we are looking at around \$190,000 that will pay for the S. Ridge Road and other expenses.

Collections Report

Jim also gave the Collection Committee report. It is good to state that every member has paid their dues except 9 members that have liened properties and they owe thousands of dollars. Last year Jim tracked a few delinquent members. He was applauded for his efforts.

John thanked Debra Tryon, GAPOA's bookkeeper, for her work and noted that she prepares a lot behind the scenes.

Q1: Is it possible to email the dues besides mailing it to addresses?

A1: Jim described the process that every member gets a mailed HOA package including the fee due letter. If someone wants the package emailed, please send us an email. Not everyone wants a package emailed, so mailing the package is an important part of the process.

John thanked Jim for being so diligent about collections and having gone out of his way, spending personal time to make sure people pay their dues. John handed the next segment to GB to share the Road report.

Road Report

GB Bucknell started with the bad news. He shared that our brush cutter has let us down. He keeps promising that he will get to it but he fails to and makes excuses. Once he gives GB a date, GB will let Pooja know to make an announcement.

We have surplus as we have been parking it for S. Ridge Road. S. Ridge construction is held up due to Cadastral that does the maps. The maps have to be submitted to the surveyor so we can add to it and then send it to the lawyer in Chicago who is the lawyer for the Divi Corporation. The reason why Divi Corporation is involved is because they allowed us to build a road on their plot, which is 36 Turner Hole. When we get Divi's lawyers' permission then we have to send the same map to Cadastral to have it recorded. When we get that back we give it to Group Eleven Construction, who were selected after the bid package went out. Group Eleven is the only one who responded to the bid package and responded thoroughly. Group Eleven will take the map to DPNR and CZM to get permits and honor the bid package. I have been told that Eleven has a good relationship with DPNR so we hope

We will grade it in 2020 and 2021. We will get the brush cut and we will hopefully move the process with S. Ridge Road. FYI, DPNR has banned us from building on the old plot (37 Turner Hole) due to Hurricane Maria and excessive runoff and damage.

Q1. Where does Ridge Road go?

A1. GB answered that the Ridge road goes from South Shore/East End, up the hill, past part of S. Slob, past part of N. Slob, and back to East End road. About 2/3rds of the way, S. Ridge road takes off Ridge Road, goes down back to Divi and back to South Shore road.

Q2: Can you give us an estimated cost?

A2: Bid is contingent on some engineering problems. It will have a dirt base with a lot of gravel, concrete swales (little ditches) to handle the run off so it doesn't erode. At the same time, we need to block off water from turning to S. Shore Road and block access to plot 37 as a requirement from Divi. This is important to keep the water from running to Divi's property. One bid is \$67,000 completed but after they build the basic road, they will do proof rolling. This is a process to test the pressure of the road, so if the road test fails, we have to do more to that road which will raise the price to \$86,000. We have enough money to do this project but we need all the steps in place including government permits.

Q3: Emelyn Morris-Sayre commented that those living on S. Ridge Road has been waiting for a long time to get this road fixed.

A3: GB understood the frustration and agreed that the road is bad. The government is delaying our process. There is another dirt road to drive through if the current one is too bad for your car and your driving conditions. He asked if anyone has connections to Cadastral, DPNR, or anyone in the government to help the Road committee.

Suggestion: Member Sweeney Toussiant had a suggestion if the Board can send a letter to the Administrator Sanes.

✓ Action: The Board agreed to send a letter to Administrator Sanes asking for help.

John applauded GB for the years he has spent trying to get the process to this point. It is a lot of work and effort.

Communication Report

Pooja Vachani shared the Communication report stating that she hopes people feel that there has been a lot of communication. With consensus the Board set up a new Facebook GAPOA private group. This allows members to communicate with the Board, with each other, and raise any concerns around safety or bring immediate awareness to an issue or a problem.

A lot of email communication goes out from Pooja so she thanked everyone for being responsive and sharing that the communication has been effective for the members. She is asked for feedback if there is anything the Communication committee could do better, she is open to suggestions.

This is the first ever Zoom HOA Board meeting we have put together. Hopefully, after the audio was clear, it is helpful to those who could not attend in person. A comment was made that the FB and email communications have been very helpful.

Q1: Sweeny Toussaint asked how many in person and Zoom attendees in total?

A1: There are 30-40 people in person and 25 people on Zoom.

John acknowledged Pooja for all the emails that she sent, drafted letters, and meeting notes throughout the year.

Beach Report

In the absence of Beach chair Ona Alpert, Pooja read a letter from Ona.

Ona served 3 years as the Beach committee chair. She thanked the Board, the committee, and members. She encouraged everyone to attend the next Beach clean up and offer their time. She organized 6 Beach cleanups during her tenure. She was able to put together gifts for the volunteers for the clean up and how important these clean ups are for the community. She wants people to feel responsible to participate in any form and to help out to keep our beach clean ups. She created the Coconut telegraph which is the GAPOA newsletter. It informs the neighborhood on the best Sea Turtle practices, water quality issues, important laws and rules. She was the Board when the budget for the Beach was only \$200, today she has secured \$4500 in 2021, which is a great accomplishment. When she was nominated to join the Beach committee she had the vision to grow the beach program and it is more in keeping with the ecological challenges of today. She thanked everyone who has participated and will participate in the future to keep this program and effort going further.

John acknowledged that everyone knows what great work Ona has done for the Beach clean ups and everything. She was also the Secretary during John's tenure as a President for 2 years, keeping up with all the effort there. She will be missed on the Board.

Architectural Committee Report

Isabel Brady introduced herself as the head of the architectural committee. She said the committee is

organized to oversee the roads and general rules and overview around building constructions. The committee ensures that the house you are designing is not within the setback. Some setbacks are 10ft, 15ft or 20 ft depending on your titles and your deed.

In 2020, we got 3 applications including 2 new homes. One of them is 71GB who have begun building and hope to be in by November. 65 SGB was approved for building a pool and a retaining wall. 100 SGB is on the high Ridge and building a house there.

Q1: Sweeny Toussaint believes that CZM has changed the rules regarding placing plastic guards so there is no run off to our oceans. With 3 new homes being built, are these requirements being met?

A1: John answered the question that Silt fences are required when you first do the excavations. As we clear the lots, we take all the brush and build a mound to ensure there is no run off when the lot has been cleared. Silt fences are left there and get buried under the brush.

✓ Action: John will share the details with Sweeney offline

Members Send off

We have 4 members that are leaving the Board that have done a lot of work. Ona Alpert did a great job with the beach clean ups. She was Secretary for 3 years, and Beach chair for 5years.

GB has been on the Road committee since 2015 and Chairmen since 2016 and has been on the Architectural committee. Road committee is like a full time job and GB has done a great job tirelessly.

Isabel has been on the Board since 2008 and has held several positions. She created the new Architectural standards for the community and has reviewed many documents to ensure safety and that the members design based on our building standards.

Jim has been on the Board for 11 years, including President, VP, Treasurer, Collections Chair, Road Chair. He has held almost every position and served our community. Special acknowledgement for Jim for making sure our collections are up to date. We are collecting 100% of our dues and it's down to the handful of members who never pay anyway. So Jim has done a tremendous job getting our collections to good standards so we have money to spend.

Nominating Report

Tom Rodenhaver said that this year there are changes in the slate. John has served 3 years (maximum allowed as per the bylaws) as the President, so Greg Deegan and John will switch positions. Greg will be the new President, John will be the Vice President, Pooja will remain as the Secretary, Tom will be the new Treasurer & Collections.

Don Gray, Naresh Boodhoo, and Celeste Jarvis are being nominated to replace the outgoing Board members.

There was unanimous approval for the new slate of Board members. Sara McCambridge made the first motion, second by GB Bucknell.

Tom shared that there is one vacancy on the Board. He is requesting that if anyone wants to join, please reach out to him. The Bylaws calls for 9-11 members and we have 10 members.

Legal Report

There was nothing to report for the legal committee. John made a request that if anyone would like to volunteer to lead the legal committee that would be helpful.

Old Business

John brought up that there have been a few incidents that he would like to address. First one, there was a complaint around people that have chicken in their yards. An email and letter was sent to the house owner. The person responded that he/she does not have a chicken coop and does not have livestock on the property. The chickens have been in the yard for a while and since this is the island, there is nothing much we can do.

Dogs have not been on leash and are being aggressive to neighbors and their dogs. John asked that we have to be respectful of our neighbors and asserted that everyone should leash their dogs.

Lastly, there have been parties going on at the 39 South Slob property pretty much every weekend. It is loud at late hours in the night. A letter was sent to the owner from the Board. After that there is nothing the Board can do. The owner/s impacted by this noise pollution should call the Police.

Emelyn Morris-Sayre spoke on behalf of the neighbor, Whitney Young, who is most impacted by this noise. Whitney has called the Police several times and Police has been ineffective.

Q1: GB Bucknell stated the owners are using VRBO and suggested that we talk to Administrator Sanes about this to discuss this with the Police Commissioner. The music stops when the Police arrive and then it's loud again after they leave.

A1: John agreed that a letter or a talk with Sanes might help.

Q2: Marie Schofield confirmed that this issue has been going on before 2020. She asked if this violates the Article 7 of C&Rs? Is there anything we can do with property owners who violate the C&Rs.

A2: John responded that we do send a letter that they are violating the C&R, besides that there is nothing we can do to fine them for this violation. One has to call the Police in this matter. The HOA Board is not the Police.

Q3: Question from the Board was if Whitney Young lodged a formal written complaint to the Police?

A3: Emelyn-Morris Sayre stated that Whitney has called the Police several times but did not confirm if a formal written complaint has been filed.

Q4: Marie Schofield asked if the Board can file a complaint to the Police?

A4: John responded unfortunately No.

Dale Horowitz took the microphone set for the Zoom audience and made two suggestions. First, she suggested that everyone should go to the party with their Bible and start preaching the Bible. Second, she said that she does not promote violence but suggested that we slash the tires of the guests at the party. Her suggestions received unanimous disagreement and John responded that the Board or its members should not do any such thing.

Q5: Sara McCambridge asked if it is possible for the HOA to file a civil suit?

A5: There was no indication that is possible

Q6: A member asked the question if the HOA can send a letter to Airbnb and VRBO?

A6: There has to be a formal complaint to the Police first. The complaint to Airbnb and VRBO might land on deaf ears

Q7: Marilyn Haler asked if the 'party' house is part of the HOA? And if we can amend our bylaws to fine owners in violation

A7: Yes this house is part of the HOA. To amend the bylaws is a long process, then to collect fines that no one can be forced to pay.

Q8: Marie Schofield brought up Article 10 Remedy of the C&R. She read verbatim No right of forfeiture for the violation of any of these covenants is restored. The Association or any of its members or any owner of the property within the Estates shall be entitled to apply for a decree of injunction against any threatened or continued violation of any of these covenants and to a judgement for any damages resulting from such violation, including costs and reasonable attorney fees.

A8: John responded that the HOA should avoid getting into any legal battles. Any attorney involved is an additional cost for the HOA members. Even if we could put a lien if the owner is in violation, it does not resolve the core issue and a lien won't really do anything. Further, the owner in violation can refuse to pay our HOA legal fees and that will not resolve the core issue either. Any legal route via the HOA will only increase the HOA expenses which can be incurred by attorney retainers, legal court fees, and additional costs. This can impact and possibly increase the HOA due per year.

✓ The Board agreed to take all these ideas and discuss it in the first 2021 Board meeting.

✓ The Board also encourages the neighbors specifically impacted by this nuisance to file a formal written complaint the Police Station.

New Business & Closing

John Morra invited the new President Greg Deegan to say a few words. There was a big round of applause for John.

Greg said that we all want what's best for the Home Owners Association. There were a lot of good ideas shared in this meeting and since we have a vacancy on the Board, it would be great if you could come

and join the Board to help solve such problems. The first Board meeting is scheduled for February 23, 2021. Greg encouraged members to join the Board.

The Board is doing the best they can and spends a lot of hours volunteering to serve the HOA community.

✓ Sara McCambridge got a unanimous vote to have a HOA picnic. The event will be held on the 1st Sunday of March at Noon at Smugglers Cove for a Beach Get Together. Stay tuned for more details.

A motion to adjourn was made by Greg Deegan and seconded by Tom Rodenhaver and so the meeting adjourned at 6:20pm.