

Glastonbury Landowners Association, Inc.
Board of Directors - Meeting Minutes - Final
January 8, 2018 – 7:00 pm

- 1. Call to Order** The meeting was called to order by Dennis at 7: p.m. at Emigrant Hall.

PRESENT: Dennis Riley (President), Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Charlene Murphy (Secretary), Newman Brozovsky, Gerald Dubiel (via phone), Richard Johnson, Leo Keeler, Charlotte Mizzi (via phone), Kevin Newby (via phone), Paul Rantalo, Mark Seaver (via phone)

ABSENT:

Also attending: Iona Yabut (Administrative Assistant)

Landowners: Aija-Mara Accatino, Svend & Donna Andersen, Charles & Miriam Barker, Debbie Blais, Ross Bunson, Tim Brockett, Claudette Dirkers, Micah Dirkers, Marshall Haley, Dorothy Keeler, Sally Muto, Clare Parker, Rik Pittendorfer, Kathleen Rakela, Eleanor Scheffelin, Bob and Kristi Sones, Brian Trisler, Linda Ulrich, Ia Williams.

Guest: Danilie Howe, Jeff Magone

- 2. Set Agenda**

- 3. Visiting Landowner Input Period**

Ia Williams thanked Tim Brockett and crew for putting up snow fencing.

- 4. Officer and Committee Reports**

4.1 President's Report – Dennis Riley

4.1.1 Welcome, introductions

4.1.2 Petition received November 27, 2017

The petition was affected by the lawsuit that was filed on the 2017 election; the petition could not be addressed until the lawsuit and 2017 election were determined by the court.

4.1.2 January 2, 2018 hearing-postponed

The board had a meeting with attorney Seth Cunningham at Rib Chop House on December 11, 2018 (individuals purchased their own lunches). The people not named in the lawsuit

formed a committee to decide if those named should be indemnified; the committee then met and voted to indemnify those named. All files filed with the court are public record and posted on the GLA website.

Kathleen Rakela was present and offered an opportunity to speak. Ms. Rakela's response, though her husband, was that there were a number of communications with the board prior to her legal move.

4.1.3 Temporary Restraining Order update, O'Connell

The board had until Jan 12 to decide on a management plan so the O'Connells could participate in meetings at a safe distance. To be discussed further in the closed session.

4.1.4 Lawsuit Update – GLA Response, Status update

Val O'Connel filing to be a Joiner in the lawsuit

Mrs. O'Connell took credit for writing a letter to the board, outlining the potential for legal liability. Ms. Rakela, speaking thru her husband, declared that she wrote the lawsuit paperwork herself, not Mrs. O'Connell. Val filed to be a joiner on her own volition, and the judge had yet to decide if she would be allowed to do so.

4.2 Road and Weed / Management Committee Report – Dennis Riley

4.2.1 SG & NG snow fence updates

Dennis asked Tim Brockett to give the update. At the last meeting, the board allocated funds to complete snow fencing. Over 3,000 feet were installed. Tim thanked volunteers Bob Sones, Svend Anderson, Micah Dirkers, Kevin Newby, John Carp, Jeff Riederer, Chad & Finnegan Stone, and Leo Keeler for completing the project on time and under budget. The committee was documenting areas that needed fencing in preparation for another installation next summer or fall.

Eight rolls of old snow fencing were still useable; since they were paid for by landowners, the board wanted to make it available to them.

Motion: Leo motioned and Charlene seconded to make the old snow fence that is stored at the Quonset Hut available to landowners on a first come first serve basis (limit 2 rolls please). **Motion passed unanimously.**

The Road Committee requested the authority to purchase sand as needed.

Motion: Leo motioned and Newman seconded to transfer the funds as necessary to purchase sand as necessary for the rest of the year. **Motion passed unanimously.**

4.2.2 Snow plow coordination

Tabled until after Road & Weed committee meeting.

4.3 Treasurer's Reports – Regina Wunsch

4.3.1 P&L, Balance Sheet, Deposit/Check Details, Customer Bal Summary Dec. 2017

Motion: Dan motioned and Leo seconded to accept the treasurer's report as presented.

Motion passed unanimously.

4.3.2 Unused road budget to NG & SG Road Funds

4.3.3 Petty Cash Procedure

4.4 Finance Committee Report – Regina Wunsch

4.4.1 NG 39 under Western Shamballa ownership

Church Universal bought back the land lease and now owned the full title. They were paying the back-dues and should be paid off in full in January.

4.5 Secretary's Report – Charlene Murphy

4.5.1 January newsletter / next mailing

The next mailing would combine the January newsletter with the end of year financial reports. Typically the January newsletter recapped the election results. In its place would be an article about the postponed election with the suggestion for landowners to go to the website for updates. Other topics were generated, such as snow plowing, snow fencing, thanking gravel donors, and emergency readiness.

Action Item: *Mark to draft an article about PayPal/electronic payments and Kevin to draft a speed limit article. Dennis to draft an article about the postponed election.*

4.5.2 Feb. 15 Financial mailing

Regina reported the financials were done, and a budget meeting was needed to finalize the 2018 budget.

4.5.3 Doc Request M. Lavery

Mr. Lavery did not feel the documents he was sent made sense, nor were they accurate.

Action Item: *To clarify the information for Mr. Lavery, Leo will personally visit and explain.*

4.6 Project Review Committee Report – Kevin Newby / Gerald Dubiel

Nothing to report; no new applications.

4.7 Communications & Technology Committee Report – Newman Brozovsky

4.7.1 Draft Formal Complaint form

Motion: Newman motioned and Paul seconded to approve the new official complaint form as presented.

The board discussed adding a space documenting that the complaint was resolved: a “case closed” section.

Amended Motion: Newman motioned and Paul seconded to approve the new form with the addition of the line: “Date complaint closed and response sent” at the bottom of the form. **Motion passed unanimously.**

Action item: *Mark will post the new revised complaint form on website.*

4.7.2 Clawson commercial wood cutting, Lannes noise complaint-draft letter

The letter was not sent because only three directors offered comments over email and disagreement continued among the board. As a final point, Mr. Clawson had not previously been made aware that since his woodcutting was a commercial activity, he was obligated under covenant 5.08 to not make noise.

Motion: Charlene motioned and Regina seconded to accept and send the letter with a new date, cc to Mr. Lannes, give him 30 days to resolve the sound issue, and respond to the board.

In discussion, Dan suggested to add that if Mr. Clawson didn’t cease & desist in 30 days, he would be found a member not in good standing.

Amended Motion- Charlene motioned and Regina seconded to send the letter to Mr. Clawson with a cc to Mr. Lannes as written with a final paragraph that he must cease and desist the noise and if he does not, he would become a member not in good standing in violation of covenant 5.08. **Motion passed** (9 in favor; 2 opposed- Newman and Paul; 1 abstention- Charlotte).

4.7.3 Complaint Brian Trisler, 11-29-2017

Mr. Trisler's complaint and discussions centered on violations on the setbacks. Setbacks were measured, and violations were found. Discussions centered on Paul’s assertion variances were given to both he and Mr. Wallace on NG 30-D and recorded, but no recorded variances were found for any construction on NG 30-D or NG 30-E. Discussions questioned accepting verbal statements on variances, past Boards requests for corrective actions, the 2013 Board approval of an addition based on the building meeting setbacks, the 2013 approval wiping out all past violations and potential political intent in addressing a complaint about a current candidate for the Board. After an hour of input a motion was made:

Motion: Leo motioned and Kevin seconded that Paul be notified that the carport addition is in violation of the setbacks, the long 4 stall garage exceeds what was authorized in 2013 in size also violates setbacks, and the garage/workshop/apartment is also in violation of setbacks and he has 30 days to correct those situations or come back to the Board with justifiable reasons why he is not in violation of the Covenants. **Motion Carried** (7 in favor – Dennis, Dan, Charlene, Regina, Leo, Mark, Kevin; 3 opposed – Charlotte, Newman, Gerald; 1 abstention – Richard; Paul recused.) Gerald felt 90 days more reasonable than 30 days for changes.

Action Items: *Leo will write the letter; Iona to send Leo the motion and vote count; Dennis will sign.*

4.7.4 Complaint Ia Williams of 9-27-2017 2:44:04

The crux of Mrs. Williams' complaint was concern that Charlotte Mizzi had a conflict of interest as chairperson of the community property committee, due to her affiliation with Church Universal & Triumphant, and that Ms. Mizzi sought to develop the parklands for the benefit of CUT at the expense of Glastonbury association members. To that end, Mrs. Williams believed lack of professionalism, unilateral decision-making, and changing committee minutes was just cause for disciplinary action and asked the board to ask Ms. Mizzi to step down.

Charlotte felt everything she was accused of was a lie; that her vision to make the parkland beautiful was just a vision; that only the board can make decisions and she had never violated any covenants or bylaws.

Motion: Leo motioned to get attorney advice in writing speaking directly to the potential conflict of interest between members of Church Universal & Triumphant and board decisions impacting lands they own.

In discussion, Mark felt attorney advice was of no real legal value and a waste of GLA funds. Regina asked to see the motion changed to include board members on the NG Teaching Center board because the teaching center is an arm of CUT.

Amended Motion: Leo added board members that are tithing members of CUT.

The motion did not get a second. **Motioned failed.**

In conclusion, Mrs. Williams declared, "It's dead in the water; let's let it go."

4.7.5 Complaint Bob Sones 12-28-2017

Charlene read aloud her letter of apology to Bob & Kristi Sones. Bob Sones accepted the apology and read a brief statement, affirming he does use an ATV, it is licensed for highway use and is insured, but he has never trespassed.

4.8 Legal Committee Report – Dennis Riley

4.8.1 Late Assessment Demand Letter Update

The letters are scheduled to go out this week.

5. Approve Minutes: 12 04 2017

Motion: Charlene motioned and Dan seconded to approve the Dec 4, 2017 meeting minutes.

Motion passed unanimously.

5.1 Email Vote to approve November 2017 Financial Reports

10 Yes Votes. Motion Carried.

6. UNFINISHED BUSINESS

6.1 Settlement Agreement of 1998 on GAV, Helios and Vesta Roads - Violation of Bylaw VI(B)(2)(a), obligations exceeding 5 years

No updates- Tabled- move to beginning of February board meeting.

6.2. Arcturus Extension

No updates- Tabled- move to beginning of February board meeting.

7. Visiting Landowner Input Period – (15 minutes, up to 3 minutes per speaker)

Donna Anderson asked for the motions made at Rib-Chop House and how people voted. Leo recounted three motions: 1) To establish a committee of those not named in the lawsuit to determine if those named should be indemnified; 2) That committee voted to indemnify those named in the lawsuit; and 3) To have Seth open the door for negotiations. All motions passed unanimously.

Claudette Dirkers requested the project review committee to discuss the maximum number of buildings that are allowed per lot at the next committee meeting.

8. NEW BUSINESS

Kevin left the meeting at 9:15 p.m. and rejoined the meeting at 10:45 p.m.

9. Adjournment (10:54 p.m.)

10. Closed Session (Begin Time 11:00 p.m.)

10.1 Discuss Rakela Lawsuit Negotiations

Motion: Dan motioned and Mark seconded to notify Seth that the board's settlement offer is based on the 4 points established earlier with the additions below.

Motion carried (11 in favor and 1 opposed - Leo; Leo won't approve it until he sees the final offer Seth presents.

10.2 Discuss the TRO of the O'Connell's

Action Item: *Dennis will call Alanah Tuesday and clarify the Restraining Order.*

Closed session ended 11:30 p.m.

- 11. Next Board Meeting: February 12, 2018**

Glastonbury Landowners Association, Inc.
Board of Directors – Meeting Minutes - *final*
March 12, 2018 – 7:00 pm

- 1. Call to Order** The meeting was called to order by Dennis at 7:00 p.m. at Emigrant Hall.

PRESENT: Dennis Riley (President), Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Charlene Murphy (Secretary), Newman Brozovsky, Gerald Dubiel, Richard Johnson, Leo Keeler, Charlotte Mizzi, Kevin Newby, Paul Ranttalo, Mark Seaver (via phone)

ABSENT: Iona Yabut (Administrative Assistant)

Also attending:

Landowners: Aija-Mara Accatino, Donna Andersen, Charles & Miriam Barker, Debbie Blais, Claudette Dirkers, Dorothy Keeler, Michele McCowan, Sally Muto, Jeff Reiderer, Leticia Sandoval, Linda Ulrich, Ed Dobrowski, Clare & Rudy Parker, Marshall Haley, Sally Muto, Richard Mead, Michael Laverty, Eleanor Schieffelin, Frances Reagan, Rebecca Thompson, Pedro Pinardo, Bob and Kristi Sones, Norman Kweicien, Jerry Ladewig.

Guest: Sharon Braley

- 2. Set Agenda**

Gerald added **5.2.0** Disclaimer Document before Project Review Committee report

- 3. Visiting Landowner Input Period**

Rudy Parker questioned why Lannes, who is not in good standing, was allowed to file a complaint (Dennis explained that our covenants don't state we can ignore a formal complaint due to a landowner's standing); questioned board's actions regarding Trisler complaint making Paul Ranttalo not eligible to run for the board, statement that Kevin had a list of CUT members and they were scrutinized for covenant infractions. Kevin stated his list was of delinquent landowners and not discriminatory.

Aija Mara Accatino read a statement that the board action against Paul was politically motivated and stemmed from prejudged malicious attitudes. Illegal votes by incumbents to remove Rakela and Haley from the ballot.

Michael Laverty stated he knows of two motor homes in Glastonbury with people living them and they are not being told to leave.

Sally Muto: Asked if it would help the board in court to get a list of landowners who supported the board. The election committee didn't act without following the covenants.

Claudette Dirkers thanked the board and committees, come together to solve issues.

Ed Dobrowski: Board didn't require surveyors, so it was left up to property owners to mark the boundaries. He knows of others in Glastonbury who are violating setbacks, why isn't the board going after these landowners? Answer, the board can only respond to a formal complaint.

Marshall Haley asked for mercy and community good will on Paul's 11 inches over the setback limit.

- 4. UNFINISHED BUSINESS – Tabled from January 8, 2018 meeting**

4.1 Settlement Agreement of 1998 on GAV, Helios and Vesta Roads.

Need to resolve the easement issue. Board needs to agree on what our attorney should say in response to Sironi letter.

Action Item: *Legal committee to meet and formulate a recommendation on several courses of action regarding Sirius Road and all easements to get things correct legally, to present to board at April Board meeting.*

4.2. Arcturus Extension

Postpone discussion until the material can be copied for the board.

Action Item: *Legal committee to draft an issues document about Arcturus Extension for the board to act on in April. Draft a letter for the landowners who live on the Arcturus extension*

and invite them to come to the May meeting.

5. Officer and Committee Reports

5.1 President's Report – Dennis Riley

5.1.1 Welcome, introductions

5.1.2 Temporary Restraining Order update, O'Connell

The TRO went to the State Supreme Court; waiting for it to be signed by the district judge.

5.2 Project Review Committee Report – Kevin Newby / Gerald Dubiel

5.2.0 Gerald Dubiel read a Disclaimer draft that LO's should employ a professional to assure that building footprints have been staked out correctly. The professional has insurance. A landowner is allowed to stake the building footprint and boundary lines, but the landowner is responsible if a setback is not correct and found in violation of the covenants, from this point forward.

Motion: Gerald motioned, and Charlotte seconded that his disclaimer doc be added to the Project Review instructions and posted on the website to alert landowners AND that all projects approved prior to March 12, 2018 by the majority of the board be recognized as in compliance with the covenants without further review.

Motion failed (4 in favor – Gerald, Charlotte, Richard, Paul; 7 opposed –Kevin, Mark, Leo, Dan, Dennis, Charlene, Regina; 1 abstention–Newman).

Action Item: *Refer the Disclaimer document to the Project Review Committee for review.*

5.2.1 SG 60, Anderson, Dwelling, garage, septic, driveway

Had a shelter and 4 mobile homes with 3 drain fields; won't use any of the septic systems. New septic system, long driveway. Well already on the property. The landowner agreed to send his DEQ report.

Motion: Kevin motioned Gerald seconded to accept the project with the requirement that they obtain all necessary permits, reseed any disturbed land and the landowner has agreed to send the GLA a copy of his DEQ septic permit for the record. **Motion carried unanimously.**

5.2.2 Setbacks for outbuildings and accessory buildings

Jerry Ladewig SG33-C expressed concern about a neighbor's greenhouse that was found to be over the property line. Kevin explained the setbacks for Accessory buildings over 500 sq. ft. require a 50 feet setback. An outbuilding is less than 500 sq. ft. and has a 25 ft setback. Before the Master Plan was adopted in 2007, the setbacks for all buildings was 25 feet.

5.2.3 Discuss additional dwelling assessments for Gelderloos, Goulart, and Sharpless

At a Project Review committee meeting it was reported that these three landowners have additional dwelling units that are not being assessed.

Action Item: *The treasurer will send the standard second dwelling letters to Gelderloos, Goulart and Sharpless as per GLA procedure.*

5.3 Treasurer's Reports – Regina Wunsch

5.3.1 P&L, Balance Sheet, Deposit/Check Details, Customer Bal Summary Feb. 2018

Motion: Leo motioned and Charlene seconded to approve the Feb. 2018 Treasurers reports. **Motion carried unanimously.** Michael Laverty said he didn't receive a statement.

Action Item: *The treasurer will follow up.*

Discussed letter from an attorney regarding Fienhage NG 57- and collection of past dues of previous owner: Kovacs.

Motion: Leo motioned and Dan seconded to send this letter to our collection attorney and ask for him to respond and give us advice. **Motion carried unanimously.**

5.3.2 New liens

Ten properties received the 30-day lien warning letter. On March 16, a 10-day warning letter will be sent. On March 26 liens will be filed.

5.3.3 Rakela payments from 2011, oral fees waiver and payment schedule

Ms. Rakela could not remember which board member gave her an oral agreement in 2011 to pay her properties throughout the year without incurring penalties and finance charges. It was probably former treasurer, Sheridan Stenberg. This payment arrangement was never recorded in QuickBooks notes or in the meeting minutes. Ms. Rakela requested that her 2016 payments be credited as she directed in 2016. In the process of reapplying her payments a finance charge of \$2.15 was assessed on one of her accounts in 2016 for late payment, because no one knew of her oral agreement and the agreement was also not recorded in the board minutes. That agreement is in no longer in place.

Motion: Regina motioned and Charlene seconded to adjust the balance on one of Ms. Rakela's accounts and waive a \$2.15 late fee from April 2016. **Motion carried unanimously.**

5.4 Finance Committee Report – Regina Wunsch

It was reported that David Thorpe's property, NG6-A, would be sold at auction on Friday, March 16.

5.5 Secretary's Report – Charlene Murphy

5.5.1 Approval of Email Votes

Vote not needed.

Action Item: *Charlene will send out email votes.*

5.5.2 Correspondence follow up

All correspondence needs a timeline stated in the letter. A correspondence spreadsheet has been developed to track follow-up letters.

5.5.3 Committee minutes

The website calendar records that all board and committee meetings can attended by phone conference.

5.5.4 Admin Scanner is not working. Connectivity problem.

A scan doctor program, compatible with a MAC computer, will be tried first.

Motion: Charlotte motioned and Charlene seconded to buy equipment not to exceed \$450. **Motion carried unanimously.**

5.6 Road and Weed / Management Committee Report – Dennis Riley

5.6.1 Review draft Sirois letter #2

Motion: Kevin motioned and Dan seconded to send the letter. **Motion carried unanimously.**

5.6.2 Draft Road Policy, update on process

Claudette Dirkeers reported that after the second 30- day review, the Road Policy Advisory Group will create a spreadsheet of all comments and rework the Q & A. A meeting will be scheduled soon.

5.6.3 Selling old plow truck

Need a replacement title.

Action Item: *Walter Wunsch will get the VIN number to Dan who will follow up to get replacement title.*

5.6.4 Roadside mowing contract

Dennis reported Joanna Dawson asked that we give her a 2-year contract so she can buy a piece of equipment that can mow 48 inches wide. Tim will write the work order that will become a contract. The road committee will solicit other bids.

5.6.5 Trench and Repair of Capricorn Road

Important to have only one board member deal with a contractor so there is no confusion.

Dennis will be the contact person to coordinate with Standish Excavation. A load of gravel was put on the trench as a temporary fix. Heavy spring runoff has created a complex drainage problem, ditches clogged with plowed snow, etc.

Motion: Leo motioned and Charlene seconded to proceed with the bid from Standish, sole source, to fix the immediate problem; to spend no more than \$5000 to raise the road on Capricorn, 8-12-inches. Standish will use '3inch minus pit run' to build the base and a regular road mix on top. Standish will feather the edge of the road into the driveways of NG11-A and NG28-A on both sides of the road. **Motion carried unanimously.**

5.6.6 Contacting landowners re: a culvert under their driveway

Tabled due to time constraint.

5.7 Communications & Technology Committee Report – Newman Brozovsky

5.7.1 Paul Rantalo response to Board letter

Paul requested a legal opinion and to ask how to proceed with the alleged violation of the setback of his buildings. Dan suggested moving the carport attached to the shop and a boundary adjustment with his neighbor to give adequate setbacks for his storage shed.

5.7.2 Discussion on Legal advice re: Trisler complaint – tabled due to time constraint

5.7.3 Update on Lannes complaint – tabled due to time constraint

5.7.4 Draft Charter for the C & T Committee – tabled due to time constraint

5.7.5 Recommendation, Conflict of Interest review be done by Gov Doc Committee – tabled due to time constraint

5.7.6 Complaint Ia Williams of 9-27-2017 & 2-16-2018 – tabled by Mrs. Williams until April board meeting

5.7.7 Complaint Donna Andersen 2-15-2018 – tabled due to time constraint

5.8 Legal Committee Report – Dennis Riley

5.8.1 Update on collections

Action Item: Leo will research other collection attorneys and include Regina for questions.

5.8.2 Update on Rakela Lawsuit

Hearing scheduled on March 23, 2018, MT sixth District Court.

5.8.3 Rule 60 Motion by Chrystal O'Connell – tabled due to time constraint

6. Approve Minutes: Closed Session 01 08 2018 & 02 16 2018 – tabled due to time constraint

7. Visiting Landowner Input Period – (15 minutes, up to 3 minutes per speaker)
– tabled due to time constraint

8. NEW BUSINESS

9. Adjournment (11: 16 p.m.)

10. Closed Session

10.1 Discuss Rakela Lawsuit – tabled due to time constraint

11. Next Board Meeting: April 9, 2018

Glastonbury Landowners Association, Inc.
Board of Directors - Meeting Minutes
April 16, 2018 – 7:00 pm

1. **Call to Order** The meeting was called to order by Dennis at 7:01 p.m. at Emigrant Hall.

PRESENT: Dennis Riley (President), Dan Kehoe (left at 9:54pm) (Vice President), Regina Wunsch (Treasurer), Charlene Murphy (Secretary), Newman Brozovsky, Gerald Dubiel, Richard Johnson, Leo Keeler, Charlotte Mizzi (via phone), Kevin Newby, Paul Ranttalo, Mark Seaver (via phone)

ABSENT:

Also attending: Iona Yabut (Administrative Assistant)

Landowners: Aija-Mara Accatino, Svend & Donna Andersen, Miriam Barker, Debbie Blais, Tim Brockett, John Carp, Claudette Dirkers, Ed Dobrowski, Dorothy Keeler, Chuck & Sally Muto, Pedro Pinardo, Kathleen Rakela, Jeff Reiderer, Leticia Sandoval, Eleanor Schieffelin, Chad Stone, Rebecca Thompson, Linda Ulrich, Chris & Ia Williams.

Guest: Sharon Braley

2. **Set Agenda**

3. **Visiting Landowner Input Period**

4. **UNFINISHED BUSINESS – Tabled from January 8, 2018 meeting**

4.1 Settlement Agreement of 1998 on GAV, Helios & Vesta Roads, Aries & Sirius pavement

4.2. Arcturus Extension

The Legal Committee met on March 29. No motions made.

The Legal Committee presented their discussions from March 29th on resolving the North Glastonbury Easement problems on Sirius and Aries, extension of Arcturus status as a Community Road and the 1998 Agreement. They offered the following as a starting point for the Board and Landowners to discuss in moving forward:

1. Work with CUT to grant easement to GLA on paved portion of Aries and Sirius roads and gravel portion of Aries, not currently shown as platted roads GLA maintains.
2. Work with Road & Weed committee to develop criteria for subdivision roads to be accepted into the road system and maintained by the GLA. Requirements to include; upgraded to GLA standards, a turnaround area, subdivision members agree to allow easement for GLA onto their subdivision road. This would require a board vote to approve. Landowners of the subdivision would request to be added to GLA road system, on a first come first served basis. Road committee would inspect that road is up to standards, so equipment is not damaged. Possible roads to annex: Arcturus extension, which never got a board vote to be maintained by GLA, gravel portion of Sirius is contested to be a subdivision road. Aquila Lane has inquired about maintenance.

There are about 3.8 miles of subdivision roads within NG & SG. There are 18 miles of platted roads currently being maintained. Taking total annual road budget and dividing by 18, gives how much the GLA spends per mile on road maintenance, about \$4,000 per mile. The GLA could take on about one mile of new subdivision roads each year by raising the land assessment \$10. \$10 x 400 lots = \$4,000. Additional funds maintain the newly adopted roads with no change to maintenance of existing platted roads. This plan would not increase burden or divert funds from current roads.

Landowners and board members had questions and concerns about the Legal Committee's recommendation.

Action Item: *Charlene forward Legal Committee's recommendation to Road & Weed Committee and Road Policy Advisory Group.*

Action Item: *Dan to set up a meeting with CUT to discuss easements for Sirius & Aries paved roads.*

5. Officer and Committee Reports

5.1 President's Report – Dennis Riley

5.1.1 Welcome, introductions

5.1.2 Temporary Restraining Order update, O'Connell

Montana Supreme court reviewed it and sent back to district court. Attorney Alanah Griffith was asked to present language to district court for court to consider, still waiting for district court to sign off. 'Permanent' status will be decided by judge.

5.1.3 Update hearing March 23

March 26, 2018, court order; to hold a rescheduled 2017 election on June 16, 2018, with a new nomination period. Board is following judge's orders. Further updates from the court will be posted on the website as they are received.

5.1.4 Paul's voting status on board

Paul questioned civil statutes of limitation, judgement and enforcement. Paul wanted the board to revoke his status as being in violation and not a member in good standing. No motion was made.

Board is not pursuing legal action asking Paul to move the building. He remains in violation of setback covenants.

Motion: Leo motioned, and Dan seconded to ask Seth. "Can a board member found not to be in good standing still vote on issues of the board?" **Motion carried** (11 in favor, 1 recusal- Paul).

Action Item: *Legal Committee send this question to Seth for a legal opinion.*

Motion: Dan motioned and Charlotte seconded to ask Seth, "How far back can we go with a covenant violation, what is the statute of limitations on that, and if past, can we hold that person as not in good standing? For any covenant we haven't enforced, have we lost the ability to enforce due to Estoppel and Laches?" **Motion carried** (9 in favor; 2 opposed- Leo and Kevin; 1 recusal- Paul).

Action Item: *Legal Committee send these questions to Seth for a legal opinion.*

5.2 Project Review Committee Report – Kevin Newby / Gerald Dubiel

5.2.1 SG 56-A, Parthasarathy, Shed

Shed is 40 feet from easement and does not interfere with septic or drain field.

Motion: Kevin motioned and Richard seconded to approve this project with condition to reseed any disturbed ground. **Motion carried unanimously.**

Action Item: *Iona to notify landowner of preliminary approval and remind them to apply for Final Approval for greenhouse and bond refund.*

5.2.2 Dried-in dwellings structures

Gerald working on draft document to list requirements for a structure to be considered 'dried in' and assessed a dwelling assessment. The 'dried in' criteria should be in PR instructions.

Motion: Regina-motioned and Charlene seconded to credit the Diehl's dwelling assessment until the BOD establishes a policy and notifies them. **Motion carried unanimously.**

Action Item: *Regina will credit dwelling assessment for Diehl's partially finished dwelling.*

Action Item: *PR Committee will draft the 'dried in' criteria and bring to next BOD meeting and put it out to landowners for 30-day review.*

5.2.3 Update additional dwelling of Gelderloos, Sharpless, Goulart and Ranttalo

Richard inspected Gelderloos and Sharpless because they contacted the board but did not inspect Goulart who did not contact the board. Paul's property was not in question. Paul already pays two dwelling assessments. Dennis said to remove Paul from the list.

Gelderloos is currently assessed for two properties, each with a dwelling. Richard inspected the rental, the house and shop. No rental above the shop. No additional dwellings found.

Sharpless has a mobile home, and a building behind it with two rentals. She is assessed and paying for two dwellings but has three. Need to determine if it is a mobile home or a modular home and when it was placed, when the stick built structure was built, before 2007 Master Plan?

Action Item: *Richard to contact Sharpless for clarification.*

Goulart alleged 2 maybe 3 dwelling units.

Action Item: *Richard will contact Goulart.*

5.3 Treasurer's Reports – Regina Wunsch

5.3.1 P&L, Balance Sheet, Deposit/Check Details, Customer Bal Summary March 2018

Regina reminded the board that we used unallocated funds to pay winter bills until more assessments were received. Unallocated funds have been paying for extra roadwork, but when past due money has all been collected we must live within our means.

Motion: Regina motioned, and Dan seconded to approve the Treasurers Reports as presented. **Motion passed unanimously.**

Regina reported landowner, Healy's check for January payment was lost in the mail and never received. April statement alerted landowner of the lost check and he asked the board to waive penalties and interest. Regina reports he is never late.

Motion: Mark motioned, and Regina seconded to forgive penalties & finance charges for said landowner. **Motion passed unanimously.**

5.3.2 New bank account for PayPal

Discussed need for a separate account to receive PayPal payments.

Motion: Kevin motioned and Dan seconded we create a new ACH account for PayPal transactions. **Motion passed unanimously.**

Action Item: *Charlene will ask bank to set up another checking account and send Mark the new account number to change the PayPal profile.*

5.4 Finance Committee Report – Regina Wunsch

Lien letters went out. One landowner paid right away. Two landowners paid after liens were filed. Those two still paid \$50 lien charge.

5.5 Secretary's Report – Charlene Murphy

5.5.1 Non-participating committee members

Road & Weed committee and the election committee voted to ask the board to remove Val O'Connell from the committees due to nonparticipation which affects quorum. Val is also on the Finance and Governing Documents committees and has not participated.

Motion: Leo motioned and Charlene seconded that Val O be removed from all committees. **Motion passed unanimously.**

5.5.2 Member Petition

The member petition submitted by Clare Parker, November 27, 2017, is being considered with the Rakela lawsuit. As soon as anything is known about the petition or lawsuit it will be posted on the GLA website.

Nomination mailing sent out April 2. Candidates can use the same bio if they choose to do so but must submit a new nomination form, signed and dated. Form must be received by May 2, 2018, 5:00 p.m.

Action Item: *Charlene ask Mark to post all email votes on the website.*

5.5.3 Discuss honoring proxy forms from Nov/Dec 2017, at June 16 election

Motion: Charlene motioned and Kevin seconded that proxy forms from postponed elections in Nov. 11, and Dec. 2, 2017, be honored at the rescheduled 2017 election on June 16, 2018, unless the landowner has revoked that proxy or signed a new one.

Motion Carried (7 in favor; 4 opposed- Gerald, Charlotte, Paul, Mark; 1 abstention- Newman).

Charlene reported the GLA scanner is working and asked to rescind the motion to purchase a new scanner/copier/printer, made at the March 12, 2018, board meeting. Charlene reported the absentee ballots mailed to GLA in Nov and Dec 2017 are stored unopened in a locked file cabinet with the admin assistant. Retention Policy for election materials is three years.

5.6 Road and Weed / Management Committee Report – Dennis Riley

5.6.1 NG Pavement repair

Road & Weed Committee solicited bids for an engineer to inspect the paved roads. Received 6-7 bids with an hourly rate of \$80 to \$127. Road Comte will review and make a recommendation. Bailey Paving's \$12,000 bid was solely to repair Capricorn in one spot, doesn't include prep. Must wait for ground to thaw.

Action Item: *R & W committee meeting at Dennis' house, April 24, at 145 Hercules road.*

5.6.2 Draft Road Policy, update on process

Claudette reported a spreadsheet with comments from 28 landowners has been compiled listing concerns with maintenance cost, safety, etc. The Road Policy Advisory Group will add to their Q & A document and revise the previous draft road policy for review by the board.

5.6.3 Update gravel portion of Capricorn Rd

A question about \$6,000 voted for mag chloride in North Glastonbury. Board will wait for the road engineer's assessment to evaluate needs of all Glastonbury roads.

Motion: Leo motioned and Regina seconded to spend \$100 for safety signs. **Motion passed unanimously.**

Road & Weed committee request for 1) line item on 2019 budget for road engineer and request that 2) board allocate \$3,000 for that purpose. Discussion, a line item does not obligate spending money.

Motion: Kevin motioned and Leo seconded to add line item on 2019 budget for road engineer. **Motion passed unanimously.**

5.7 Communications & Technology Committee Report – Newman Brozovsky

5.7.1 Draft Charter for the C & T Committee

Discussed disbanding the committee before talking about a charter.

Motion: Mark motioned and Leo seconded to disband the Com & Tech committee.

Motion Carried (7 in favor; 3opposed- Charlotte, Kevin, Paul; 1 refusal- Newman).

Discussion: the President can assign complaints to rotating board members instead of

the C & T committee. Can have the Ombudsman from the area involved and a board member assigned to each complaint, with a specific amount of time to address/resolve it.

Motion: Leo motioned and Regina seconded, the President can assign the Ombudsman from the area and one board member to be two of at least 2-3 members, another can be a landowner, not necessarily a director, assigned to look into the complaint. The President will decide the severity of allegations and determine number of members involved in reviewing the complaint. **Motion carried** (10 in favor; 1 recusal- Dennis).

Action Item: *Dennis will talk to each complainant individually before he assigns people to review the current complaints. Dennis to speak with Ia Williams, Donna Anderson, Leo Keeler, Debbie Blais and Chad Stone.*

5.7.2 Recommendation, Conflict of Interest review be done by Gov Doc Committee

Newman stated the C & T committee worked on the COI and concluded it needed the governing documents committee to complete the work. Leo reported the Governing documents committee has met twice and is working to consolidate the existing COI policy, Mark's research draft and the MT Non-Profit Association's COI policy, to be finalized and ready for the board to review at May board meeting.

5.7.4 Complaint Ia Williams of 9-27-2017 & 2-16-2018

Postpone until Charlotte is physically present.

5.7.5 Complaint Donna Andersen 2-15-2018

Donna wanted the committee dissolved. She felt her complaint could be closed.

5.7.6 Complaint Leo Keeler, 3-22-2018 – FYI only, will not be discussed

Refer to Dennis.

5.7.7 Resignation of Mark Seaver from C & T committee

Committee is dissolved.

5.8 Legal Committee Report – Dennis Riley

5.8.1 Update on collections

Dennis, Leo, and Regina met with new collection attorney from The McClain, Younkin, Willett Law Firm: Within 2 weeks they will have a letter for those with long-term late assessments. First letter would be friendly, but firm, include timeline for response, stating going to court, and filing for judicial lien if no response. When no response, each case would be dealt with case-by case. Another letter to entire membership, stating "this is the process that is going on" to encourage people to keep current in paying assessments.

Action Item: *Dennis follow up with Dan to contact Attorney Landers and his services will not be needed.*

Motion: Leo motioned for board to ask Paul to step down or not vote until next re-election. **Motion failed-** no second.

5.8.2 Update on Rakela Lawsuit

Judge's order to proceed with rescheduled 2017 election scheduled on June 16. New board seated in July.

5.8.3 Rule 60 Motion by Chrystal O'Connell

Motion filed by Chrystal, basically saying O'Connell children should not be held as vexatious litigants or stopped from suing GLA. Paperwork in, waiting for judge to rule. Was appealed by O'Connell's, waiting for Judge Cybulski's ruling.

6. Approve Minutes: Closed Session: 01 08 2018 & 02 16 2018, 03 07 2018, 03 16 2018 and March 12, 2018, Board Minutes

Motion: Charlene motioned and Mark seconded to approve the 1/8, closed session minutes.

Motion passed unanimously.

Motion: Charlene motioned, Kevin seconded to approve 2/16 closed session minutes.

Motion carried (10 in favor; 1 abstention- Newman).

Motion: Charlene motioned, Regina seconded, to approve 3/7 closed session minutes. **Motion carried** (10 in favor; 1 abstention- Richard).

Motion: Charlene motioned and Leo seconded to approve 3/16 closed session minutes. **Motion carried** (8 in favor; 3 abstentions- Regina, Paul and Richard).

Motion: Charlene, motioned, Kevin seconded to approve 3/12 BOD Meeting Minutes. **Motion passed unanimously.**

7. Visiting Landowner Input Period – (15 minutes, up to 3 minutes per speaker)

8. NEW BUSINESS

9. Adjournment (10:50 p.m.)

Discussion after adjournment:

Jeff Muto sent a signed, notarized letter stating his mother Sally Muto is appointed to represent his interests in NG 27, in all matters associated with the GLA; voting, seeking elected office and serving on committees.

Motion: Leo motioned and Kevin seconded to accept Jeff's notary to empower Sally with the same authority and abilities as a trustee may assign their representative. **Motion carried** (8 in favor; 3 abstentions- Charlene, Paul and Charlotte).

***Action Item:** Leo will research Bylaws if this letter takes the place of a voting proxy.*

***Action Item:** Charlene will create a new form.*

11. Next Board Meeting: May 7, 2018

Glastonbury Landowners Association, Inc.
Board of Directors - Meeting Minutes
May 7, 2018 – 7:00 pm

1. **Call to Order** The meeting was called to order by Dennis at 7:07 p.m. at Emigrant Hall.

PRESENT: Dennis Riley (President), Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Charlene Murphy (Secretary), Newman Brozovsky, Gerald Dubiel, Richard Johnson, Leo Keeler, Charlotte Mizzi, Kevin Newby, Paul Ranttalo (via phone), Mark Seaver

ABSENT:

Also attending: Iona Yabut (Administrative Assistant)

Landowners: Aija-Mara Accatino, Svend & Donna Andersen, Miriam and Charles Barker, Debbie Blais, Tim Brockett, John Carp, Joanna Dawson, Claudette Dirkers, Ed Dobrowski, Dorothy Keeler, Michael Laverty, Michelle McCowan, Sally Muto, Kathleen Rakela, Jeff & Donna Reiderer, Eleanor Scheffelin, Andrea Sedlak, Bob & Kristina Sones, Chad Stone, Linda Ulrich, Chris & Ia Williams.

Guest: Sharon Braley

2. **Set Agenda**

Dennis added to Road Committee Report 5.6.7 Maintenance on a newly discovered platted road.

Dan added 5.6.8, replacement truck title form

3. **Visiting Landowner Input Period**

Tim Brockett thanked committees for their work to improve the community, and the Glastonbury Landowners For Positive Change for their accomplishments and foresight.

4. **UNFINISHED BUSINESS**

4.1 Settlement Agreement of 1998 on GAV, Helios & Vesta Roads, Aries & Sirius pavement

Dan talked to Susie Shimmin from CUT/Western Shamballa. We can send a letter and include the picture showing easements prepared by Leo. The GLA drives across CUT property and CUT property drives across a GLA road because it is landlocked. To work out an agreement between the two parties would save time and money. Prescriptive easements involve going to court and legal expenses. The Board previously voted to not maintain the gravel portion of Sirius Road.

Action Item: Schedule Legal Committee meeting, May 10, 2018, 7:00 p.m. at 9 Polaris Way in South Glastonbury, to formulate a letter to CUT to move forward on easements.

4.2. Arcturus Extension

Also covered in 4.1 Subdivision roads discussion. Arcturtus extension can be addressed by the proposal from the legal committee that is currently under review by the Road & Weed Committee.

5. **Officer and Committee Reports**

5.1 President's Report – Dennis Riley

5.1.1 Welcome, introductions

5.1.2 Paul's voting status on board

Attorney responded to the question of Paul as a member not in good standing voting on issues of the board. Governing documents of the GLA do not allow the board to restrict voting rights of a board member.

Attorney Seth Cunningham responded on a question of statute of limitations. The governing documents are treated as a contract under contract law and the courts consider if a statute of limitations of 8 years applies to the specific covenant. Seth said court rulings against HOA's trying to claim things from the past is a waste of landowner funds.

5.2 Project Review Committee Report – Kevin Newby / Gerald Dubiel

5.2.1 Dried-in dwellings structures

Gerald and PR committee presented a definition of a 'dried in' dwelling, to become a policy and that the policy be put in two places on website- under assessments and other under PR application instructions timeline

Motion: Kevin motioned and Leo seconded to accept the paper Gerald had written, to say new home construction is considered dried in, based on definition of dwelling that is a structure or portion of structure that leaves GLA ability to define the definition. Kevin Amended motion: New home construction is considered a dwelling unit when windows, doors, roof, are installed, and shall be assessed a dwelling assessment at that time.

Amended motion: Kevin motioned and Leo seconded to accept the draft as written except paragraph 2: "New home construction is considered a dwelling unit when all windows, door, roof, are installed, and will be assessed a dwelling assessment at that time." **Motion passed unanimously.**

Action item: *Gerald to retype changes and will be sent out to LO for 30-day review.*

5.2.2 Well Logs

Kathleen Rakela requested the document of well logs as per Covenant 5.12 Section d. Park County and DNRC keep records of all well logs.

Motion- Leo motioned and Dan seconded for the board to consider that well logs on the state website fulfill the need of GLA under covenant 5.12.d. and post this on the GLA website. **Motion passed unanimously.**

Action Item: Mark to post information on GLA website that well logs can be found on the state website.

5.3 Treasurer's Reports – Regina Wunsch

5.3.1 P&L, Balance Sheet, Deposit/Check Details, Customer Bal Summary April 2018

Discussed overage of lawsuit incurred budget item 1310a. We need to determine how much unallocated savings is available for road work. Old assessments money collected goes into unallocated savings because it is not part of the budget. Unallocated funds are currently \$35,119. After subtracting the incurred legal overage, it would leave \$22,656. Better to pay the over budget (incurred legal) out of the legal fund and that frees up money for general operating fund.

Motion: Regina motioned and Leo seconded to cover the overage of lawsuit incurred \$12,462.99, to be paid out of the Legal Fund. Same amount to be reimbursed from unallocated savings back into the Legal Fund. **Motion passed unanimously.**

Motion- Kevin motioned and Dan seconded to accept the Treasurers Reports as written. **Motion passed unanimously.**

5.3.2 Members not in good standing as of April 30

Regina has a record of envelopes for all payments received as of 5/5/18. There are 33 landowners in NG, 37 landowners in SG that are not paid in full. If payment was not postmarked by April 30, a member is not in good standing for voting at the June 16, 2018, election.

5.3.3 Following court order, Payments received by April 30

5.4 Finance Committee Report – Regina Wunsch

Lawyer sent sample letter of what to send to delinquent people **See 5.8.1**

5.5 Secretary's Report – Charlene Murphy

5.5.1 Candidates

Need volunteers for all positions at election, June 16, 2018.
List of candidates' bios available to all landowners by request.

5.5.2 Sirois, voting eligibility

Not eligible because his trailer is still parked in the easement after he received a letter.

5.5.3 Document Requests

Motion: Leo motioned and Kevin seconded that the Sept/Oct. 2017 letter signed by Dennis to CUT be sent to Debbie Blais. **Motion passed** (7 in favor; 3 opposed-Dan, Charlotte, Charlene; 2 abstentions- Newman and Paul).

Action item: *Iona to send Debbie Blais the letter.*

Tim Brocket requested Board Meeting Minutes from 1997 to 2015 for the purpose of historical research. Discussion: Meeting minutes should be available to landowners who request them but some Directors feel they should not posted on a website, which is not enforceable under the Covenants. By state law, the board is required to provide resolutions, and those are only recorded within the minutes.

Motion: Leo motioned and Kevin seconded to provide Tim the meeting minutes as per his doc request, in digital form. Motion was amended.

Amended Motion-: Leo motioned and Kevin seconded to provide Tim and any other landowner in good standing who provides a thumb drive or CD, the past meeting minutes in digital form.

Motion passed unanimously.

5.6 Road and Weed / Management Committee Report – Dennis Riley

5.6.1 NG Pavement repair

CH engineering in Bozeman, met with Dennis & Tim in SG and Dennis & Claudette in NG. The engineer will formalize in a report which will be made public when received. Engineer felt pavement was in relatively good shape for its age. Recommendation for large pavement repairs was to dig 18-24" below pavement and create a road base that's up to County standards. Road mix to even everything out before paving, and then have a paving company pave it. Do the same with all large holes. Then can chip seal it after all that is done. Cold patch where it makes sense, in small places, but cold patch is not possible with big holes as on Capricorn.

5.6.2 Road Engineer

See 5.6.1

5.6.3 Spring Grading Contract

Will address culverts in a separate funding request. Will ask for a culvert on Hercules. Possibly more culverts pending engineers official report.

Dennis wrote "water truck" into contract.

Motion: Charlene motioned and Dan seconded to approve Gravel & Grading work order as written adding "water truck" wherever it needs to be added.

Motion was amended.

Amended motion: Charlene motioned and Dan seconded to approve Gravel & Grading work order as written adding water truck wherever it needs to be added and taking money from the road funds rather than the unallocated funds. **Motion passed unanimously.**

5.6.4 Flooding in High South

Hercules turned into a bog due to Gold Meier Creek overflowing. Standish, did emergency repairs, included big trenches on side of the road and put down material. Corrected creek to put back in its banks.

Another spot of flooding, a new spring bubbled up on Hercules, half of Hercules not passable; Standish carried away a lot of water, but still bubbling up in middle of road. May need more funding.

Regina ordered reflective traffic cones. At night, dangerous to drive, may not see trenches, etc.

5.6.5 Mowing Contract

A two year contract with the contractor, commitment for budgeted amount for weed cutting, splits NG & SG equally.

Motion: Kevin motioned and RJ seconded to approve the mowing contract; commence as soon as possible.

Amended motion: Change contract #3 to commence as soon as possible in June and finish by July 31^s

Amended motion: Dan motioned and Kevin seconded to approve the mowing contract with the change at #3 "to commence as soon as possible in June and finish by July 31^s".

5.6.6 Culverts

Dennis- tabled until official road engineer's report is received.

5.6.7 New platted road discovered-

Located off of Libra Drive, no previous road work ever done to it; has one house and a new one being built on it.

Motion: Leo motioned and Charlene seconded to accept the offer to bring the road up to GLA Standards by Rich Spallone to grade and add road mix to the newly discovered platted road for \$2600 to come from SG road fund. **Motion passed unanimously.**

5.6.8 Form to request Title for white truck so can sell it

Motion: Dan motioned and Mark seconded to send in car title request and road committee has authority to sell the 1994 white plow truck and get whatever possible. **Motion passed unanimously.**

5.7 Complaints- Dennis Riley

5.7.1 Complaint Ia & Chris Williams, 4-25-2018/group complaint

Charlotte asked for time to research. She asked for minutes and recordings. Ia stated Charlotte had asked for postponement last month and would like anyone to speak at will.

Charlotte objected to proceedings.

Motion: Dan motioned to bring closure to complaint since board cannot require a board member to step down. **Dan rescinded motion.**

Motion: Leo motioned that the board ask Charlotte to step down from the board. **No second; motion failed.**

Chris Williams read a statement.

Charlotte responded to statement.

Motion: Dan motioned that the board received the complaint, not voting to ask Charlotte to resign, consider matter closed. **No second; Motion failed.**

Action Item: Dennis to review original complaint, review Charlotte's rebuttals, and then bring it back to the board.

5.7.2 Complaint Donna Andersen 2-15-2018

Donna's complaint was satisfied by dissolution of the C & T Committee

5.7.3 Complaint Leo Keeler, 3-22-2018 – FYI only, will not be discussed

tabled

5.7.4 Complaint Debbie Blais 03 25 2018

Covered in discussion under agenda item, 5.1.2

5.8 Legal Committee Report – Dennis Riley

5.8.1 Update on collections

Lawyer sent our first draft of letter. Leo made comments and will sent letter to the board, asking for a vote by written consent to finalize the letter.

5.8.2 Update on Rakela Lawsuit

Motion to Modify. Ongoing litigation.

5.8.3 Rule 60 Motion by Chrystal O'Connell

Attorney will respond.

5.9 Governing Documents Committee – Leo Keeler

5.9.1 Draft Conflict of Interest Policy

Discussion: Update developed using the Montana Nonprofit Association and Mark Seaver research as a guide.

Motion: Leo motioned and Mark seconded to accept the draft Conflict of Interest Policy.

6-Yes votes: Richard, Leo, Kevin, Mark, Regina and Dennis. 5-No votes: Newman, Gerald, Dan, Charlotte and Charlene. **Motion Carried.**

6. Approve Minutes: April 16, 2018, Board Minutes-Tabled

7. Visiting Landowner Input Period – (15 minutes, up to 3 minutes per speaker)

8. NEW BUSINESS

9. Adjournment (11:15 p.m.)

10. Closed Session

10.1 Discuss Rakela Lawsuit

Discussion began, 11:20 p.m. and ended 11:40 p.m.

Eight board members stayed for the closed session: Richard, Newman, Regina, Charlotte, Dennis, Charlene, Mark, and Leo.

Discussed the lawsuit, questions for attorney and moving forward.

Motion: Mark motioned and Leo seconded to ask the attorney to move forward with the case.

Unanimous Consent. **Motion Carried.**

Action Item: Leo will send questions and motion to our attorney Seth Cunningham.

11. Next Board Meeting: June 11, 2018

Glastonbury Landowners Association, Inc.
Board of Directors - Meeting Agenda
June 11, 2018 – 7:00 pm

1. **Call to Order** The meeting was called to order by Dennis at 7:02 p.m. at Emigrant Hall.

PRESENT: Dennis Riley (President), Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Charlene Murphy (Secretary), Newman Brozovsky, Gerald Dubiel, Richard Johnson, Leo Keeler, Charlotte Mizzi (via phone), Kevin Newby, Mark Seaver

ABSENT: Paul Ranttalo

Also attending: Iona Yabut (Administrative Assistant)

Landowners: Aija-Mara Accatino, Donna Andersen, Charles & Miriam Barker, Debbie Blais, John Carp, Claudette & Micah Dirkers, Ed Dobrowski, Ken Hurley, Dorothy Keeler, Jerry & Jeff Ladewig; Michelle McCowan, Jeff & Donna Reiderer, Eleanor Schieffelin, Rebecca Thompson, Linda Ulrich, Chris & Ia Williams, Walter Wunsch

Guest: Sharon Braley,

2. **Set Agenda**

Charlene-move 5.9.1 to 5.5.5- end of sect report- ties in to 5.5.5

Kevin objected to a campaign CD sent to members by Charlotte Mizzi, Clare & Rudy Parker and Robert Buchanan. that contained untruths, accusations and public slander. Would like it on record that Buchanan accused Newby of trespassing on his property multiple times. But Newby was there only twice with other board members present. He was the fifth board member to visit after President Mizzi and the board issued a cease & desist order.

3. **Visiting Landowner Input Period** – (20 minutes, up to 3 minutes per speaker)

Jerry Ladewig, Mizzi's bio was not correct, her corrected bio still had errors.

Dorothy Keeler- stunned by Mizzi's campaign CD and would support Newby to sue for slander. Claudette- slandered also at hands of Mizzi, letters and CD were unprofessional.

4. **UNFINISHED BUSINESS**

5. **Officer and Committee Reports**

5.1 **President's Report – Dennis Riley**

5.1.1 **Welcome, introductions**

2 new faces in audience- asked board to introduce themselves.

5.1.2 **Mowing the soccer field**

Dennis asked John Carp to speak. John asked if and how mowing will be done. Only need to mow one of the fields.

Motion: Dan to mow the lower field and have Paul turn water on after rains stop.

Newman seconded. **Motion passed** (7 in favor: Newman, Gerald, Richard, Dan, Charlotte, Charlene, Regina, 4 opposed, Leo, Kevin, Mark, Dennis) **Motion Carried.**

Action Item: Newman to contact Joanna Dawson to mow lower field and Paul to turn on water after rains stop. Set timer to water a few hours at night only.

5.2 **Project Review Committee Report – Kevin Newby / Gerald Dubiel**

Next PR mtg is July 9th.

5.2.1 **NG 51-B Skinner, Dwelling, Garage, septic**

Gerald did surveying work, set boundaries up; RJ visited property and found all in compliance, closest property boundary 82 feet; DEQ from County. Mr. Skinner is sending the remaining fees via registered mail.

Motion Kevin motioned to approve this project with the condition that they obtain an electrical permit and disturbed land is reseeded. Leo seconded. **Passed Unanimously.**

5.2.2 **NG 31-E Ranttalo two Variance requests**

One variance request for the 30x40' shop built in 2000, one corner measured 11 inches within setback and a carport was added within setback.

Another variance submitted for the shed addition in 2013. Addition was added to an existing lean-to placed on the property line.

Motion: Kevin motioned and Leo seconded that the board deny Ranttalo's variance for the 2013 shed expansion project. Leo seconded. Newman-no, Gerald-no, Richard-no, Charlotte-no, Leo-yes, Daniel-yes, Charlene-yes, Kevin-yes, Mark-yes, Regina-yes, Dennis-yes. 4 No votes, 7 Yes votes. **Motion carried.**

Motion: Leo motioned and Mark seconded that the original shop apartment that is a 30x40 foot building and that is 11" in too close, be considered a variance. Roll call vote, 11 Yes votes. **Motion Carried.**

Motion: Leo motioned and Kevin seconded to send Trisler a letter stating these two motions passed, highlighting fact Paul is still in violation for carport addition and long shed building. Unanimous consent. **Motion Carried.**

Action Item: Leo to write that letter to Trisler.

5.2.3 Fairbairn NG 41-C, Little Library Request Fairbairn

Don't have enough information to make a qualified decision.

Action Item: Dennis will follow up with Fairbairn.

5.2.4 Dried-in dwelling structures

Definition of a dwelling in new construction to be sent out for 30-day review by members. PR committee motioned to board to accept the definition of a dried-in dwelling.

Motion: Kevin for board to accept this definition of a dried- in dwelling, to send out to Landowners for 30-day review Mark seconded. Unanimous consent. **Motion Carried.**

5.2.5 Sharpless, Goulart, follow up additional dwellings

Richard met with Sharpless agrees she has 3 dwellings. About RV, Covenants say can park it, but cannot live in it. She will receive 3 dwelling assessments.

Goulart willing to pay 2 dwelling assessments.

5.2.6 Second dwelling assessment for Keeler

Keeler started a vacation rental last year and decided to continue this season, living downstairs. Home is a standard split level; living area up and down, lockable doors separate the two living areas.

Action Item: Regina will add Keeler's second dwelling assessment starting in July.

5.3 Treasurer's Reports – Regina Wunsch

5.3.1 P&L, Balance Sheet, Deposit/Check Details, Customer Bal Summary May 2018.

Motion: Charlene motioned and Dan seconded to accept treasurer's reports as presented.

Motion passed unanimously.

5.3.2 Deleting a confusing line on the statements

At the bottom of the statement page is another date. QuickBooks defaults a 30-day due date. Landowners are unsure if one installment or all three is due. Regina suggest leave off this date.

No motion. Board agreed by General consensus to remove the date.

5.4 Finance Committee Report – Regina Wunsch

Two Landowners called to get on payment plans. Need legal committee to get the invoice, to determine cost per Landowner for attorney's work and legal letters.

Action item: Leo to remind Tyler to send list of costs, amounts owed per landowner.

5.5 Secretary's Report – Charlene Murphy

5.5.1 Logistics for June 16, election meeting

Set up Friday night at 7:00 p.m. before election. Asking for help with setting up audio. Dan to intro candidates, Kevin to give opening prayer.

5.5.2 Election materials retention is 4 years

Correction to the May 7, 2018, meeting minutes which stated a 3-year retention.

5.5.3 Committee reports on June 16, Finance, Road, and Legal Committees

Directors asked to stay for tamper proofing of ballots-highlighting unchecked boxes as a measure of security when stored.

No photography allowed as per previous board vote based on attorney advice.

5.5.4 Admin Assistant position and new Secretary July 16.

Thanked Iona for 2 years work. The business of the GLA requires an admin assistant position. Charlene announced not running in November 10, 2018, election. The secretary can be a non-board member.

Motion: Charlene motioned and Charlotte seconded to approve job description and send to Job Services, Craigslist, Indeed.com to hire someone as soon as possible. **Amended motion:** Change description from “up to 18 hrs./week” to “36 hrs. per 2-week pay cycle.” Also “for immediate hiring and training”. Unanimous consent. **Motion Carried.**

Action Item: Assist Charlene with uploading job description to websites.

5.5.5 Mailing July 1, docs for member review & comment on Election Procedures, C.O.I., Dried-in criteria

Election Procedures for 30-day review by members, includes Bio guidelines. Next election is only 5 months away. Nomination letter goes out end August.

Motion: Charlene motioned and Kevin seconded to send mailing, including proposed changes in election procedures limiting bios to 150 words.

Motion passed (1 opposed – Leo).

Action Item: Charlene send mailing July 2, 2018, Election Procedures and Dried-in definition of new construction.

Action Item: Mark to post new Conflict of Interest Policy on website.

Action Item: Mark to post committee reports presented at Election Meeting on website, posted after election.

5.6 Road and Weed / Management Committee Report – Dennis Riley

5.6.1 NG Pavement repair

Dennis- Tim Brockett has done many good things for the Road & Weed committee but his behavior of verbally attacking other individuals on committees is unproductive, unprofessional and disrupts the work of the committees.

Motion: Dennis motioned and Mark seconded to remove Tim Brockett from every committee he is on. **Motion passed** (6 in favor- Gerald, Dan, Charlene, Mark, Regina, Dennis; 2 opposed- Richard, Leo; 3 abstentions- Newman, Charlotte, Kevin) **Motion Carried.**

Motion: Leo motioned and Mark seconded that Charlotte be removed from all committees she is on.

Kevin reminded the board that covenants state a director must serve on a committee to be a board member. If you remove her from all committees, then removing as a board director.

Leo withdrew his motion.

5.6.1 NG pavement repair

Pavement repair of large area on Capricorn, preliminary work is done, dug out, filled in with appropriate base. Road & Weed Committee will discuss further.

5.6.2 Road Engineer

Some recommendations are being taken care of. The new board will consider the budget and priorities recommended by the Road & Weed Committee.

Claudette reported that upper Gemini to Caspari Way needs to be added to engineer's report.

Action Item: Committee to report to Board at July 16 meeting.

5.6.3 Spring Grading

Schedule another Road committee meeting June 26, 7 p.m. at Spectec. Committee, can ask board to move funds, prioritize needs.

5.6.4 Flooding in High South

Status of Hercules: Walter Wunsch: Chad repaired second area of damage, working since Friday on major damage. Filling in with basalt and going down about 3 feet.

Regina- need to approve \$3,000 extra funding for Mercury/Venus problem because work came in over the budget.

Motion: Dennis motioned and Leo seconded that the board approve up to \$3,000 for overruns on NG Spring grading. **Motion passed unanimously.**

5.6.5 Culverts

Move to committee

5.6.7 McCowan damage compensation

\$738 to pay for damage done by water from a GLA contractor cut.

Motion: Leo motioned and Charlene seconded to pay Michelle McCowan the amount determined (\$738) by road committee that was equitable to repair damages to her property caused by a GLA contractor cut. 9 Yes Votes, 2 No votes, Richard and Charlotte. **Motion passed.**

Action Item: Regina to pay \$738 out of NG Road Fund, by consensus of the board.

Action Item: Road Committee to work with Engineer's report on long term mitigation of drainage issue with McCowan and Buford.

5.6.8 Subdivision Roads/ Arcturus Extension, Sirius gravel, etc.

Road committee is still considering board's recommendation on subdivision roads.

Claudette presented committee request for snow fence materials and Chevron signs.

Motion: Leo motioned and Dan seconded to approve snow fencing request (\$445). For 50, 12 foot pressurized 2 x 4's and 500 wood screws for new snow fences.

Motion passed unanimously.

Action Item: Committee to discuss chevron signs, pinpoint locations, how many signs are needed. Jeff Reiderer to remove chevron signs on the curve.

5.7 Complaints – Dennis Riley

5.7.1 Complaint Ia & Chris Williams, 04 25 2018/group complaint

Motion: Dan motioned and Newman seconded to table this complaint until the July board meeting. 5 Yes votes and 5 No votes. Charlotte recused herself. **Motion Failed.** Kevin motioned that every board member read and make notes for every item on the complaint. No second.

Motion: Leo motioned and Regina seconded that the current sitting board has a special meeting to address this complaint.

Amended Motion: Rather than a special meeting, each director has an assignment to side with complainants or Charlotte on each issue and turn in their writing by June 25. 8 Yes votes, Gerald, Richard, Leo, Dan, Kevin, Mark, Regina, Dennis. 2 abstentions, Newman and Charlene One recusal, Charlotte. **Motion carried.**

5.7.2 Complaint Leo Keeler, 03 22 2018

Leo's complaint that Robert Wallace's shed is on the property line is beyond 8 year statute of limitations as advised by our attorney.

Action Item: Dennis to write closure letter to Leo's complaint.

5.7.3 Complaint Rakela 05 08 2018

Rakela's complaint that the board has not kept a well log as per covenant requirement, and Dennis and Claudette are not qualified to be candidates in the June 16 election.

Motion: Leo motioned and Kevin seconded that:

WHEREAS a complaint has been received by the GLA Board regarding Members of the Association potentially not in good standing due to violating Covenant 5.12. (d) and thereby affecting their ability to vote or run in the June 16, 2018 election; and

WHEREAS prior GLA Boards have not enforced Covenant 5.12. (d) as well as several other covenants whose authority for management and enforcement are also the responsibility of either the State of Montana or Park County; and

WHEREAS in 2015 the Governing Doc Committee recommended that 5.12 (d) as well as these other covenants be put before the membership to delete from the Covenants; and

WHEREAS there are over 212 wells drilled in Glastonbury, with 94 drilled since 1997, which potentially impact landowners, of whom a number have complied with State law and filed the Form 602 Notice of Completion of Groundwater Development for their wells; and

WHEREAS the purpose of Covenant 5.12(d) is fulfilled by the State of Montana's website,

THEREFORE the GLA Board votes to waive enforcement of Covenant 5.12 (d) and will not disqualify any landowners from voting in the 2017 and 2018 elections.

Voice vote. **Motion carried.**

Action Item: Charlene will send complaint response to Kathleen Rakela.

5.7.4 Complaint Todd Mott 06 06 2018

Dennis will take the first step to investigate this complaint.

5.7.5 How to address eyesores

Board can send letters and a deadline for compliance.

5.8 Legal Committee Report – Dennis Riley

5.8.1 Update on collections

The Collection attorney sent demand letters to all landowners over two years in arrears. June 30 is deadline for response, then a notice filing legal action to collect the assessments. Avenues for collection include; small claims, district court, etc. will be handled case by case.

Discussed Kovacs who lost property to foreclosure. Bank notified the GLA but didn't respond. Bank sold the property to Fienhage in 2013. Fienhage paid all their assessments. GLA sent old debt, \$6,488.21, to Fienhage with a Demand letter. They responded with a letter from their attorney.

Motion: Leo motioned and Mark seconded to send a letter to Fienhage that a review of the records finds them current on all assessments. GLA will write off the bad debt.

Unanimous consent. **Motion Carried.**

Action Item: Legal Committee will write a letter to Fienhage. Regina will instruct accountant to write off old debt from Kovacs.

Jan Marie Hornack and Louis Difo.: Quite Title. Collection attorney entered the response on of GLA. Dual ownership. Court action involves both parties.

5.8.2 Update on Rakela Lawsuit

No new documents.

**5.8.3 Report on Legal Committee meeting, May 10, 2018 and letter drafted to CUT
Re: easements**

Letter sent last week. CUT responded by phone voice mail and will get back to Dennis after their review.

5.9 Election Committee Report – Kevin Newby / Charlene Murphy

5.9.1 New Election Procedures

Covered in 5.5.5

5.10 Governing Documents Committee – Leo Keeler

6. Approve Minutes: May 7, 2018, Board Minutes

Dan motioned and Kevin seconded to approve the May 7, 2018 board minutes.

Unanimous consent. **Motion carried.**

7. Visiting Landowner Input Period – (15 minutes, up to 3 minutes per speaker)

8. NEW BUSINESS

9. Adjournment (11:40 p.m.)

10. Closed Session

10.1 Discuss Rakela Lawsuit

A closed Session was not held.

11. Next Board Meeting: July 16, 2018

Glastonbury Landowners Association, Inc.
Board of Directors Meeting Minutes
July 16, 2018

1. Call to Order, Pledge of Allegiance, Prayer and one minute of silence

The meeting was called to order by Dennis at 7:03 p.m. at Emigrant Hall.

PRESENT: Dennis Riley (President), Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Charlene Murphy (Secretary), Newman Brozovsky, John Carp, Richard Johnson, Leo Keeler, Charlotte Mizzi (via phone), Kevin Newby, Mark Seaver (via phone).

ABSENT:

Also attending: Iona Yabut (Administrative Assistant)

Landowners: Aija-Mara Accatino, Donna Anderson, Miriam Barker, Debbie Blais, Denise Diehl, Claudette Dirkers, Ken Hurley, Dorothy Keeler, Michelle McCowan, Timothy Murphy, Fran & Chuck Nye, Ron Wartman, Ia & Chris Williams

Guest: Sharon Braley, Sam Diehl

2. Set Agenda

Kevin added: Opening/counting two misplaced absentee ballots to unfinished business. (Admin found two misplaced ballots in a binder after Annual Election on June 16. Need to process the two absentee ballots at this meeting to complete the record.)

Kevin added 5.2.6 NG 6-A Thorpe Property and 5.2.7 SG 56-A3 Bennett property

3. Visiting Landowner Input Period

4. UNFINISHED BUSINESS

Verifiers, sign-in, and ballot counters from June 16 election processed the two misplaced SG absentee ballots as per GLA election procedure. One ballot not eligible. One ballot counted. Revised count, Directors: Dobrowski-38, Newby-63, Parker-50, Rakela-48, Riley-70, Seaver-61, Ombudsman: Barker-62, Brockett-1, Ladewig-41, Seago-1.

Action Item: *Results will be notarized and uploaded on website.*

5. Officer and Committee Reports

5.1 President's Report – Dennis Riley

Newly elected board member, John Carp, introduced himself.

5.1.1 Elect board officers

President **Motion:** Kevin motioned and Leo seconded for Riley to continue as president. Newman nominated Dan who declined (Charlotte seconded). Dennis recused himself. **Motion passed unanimously.**

Vice president **Motion:** Gerald nominated and Leo seconded for Dan for Vice President. Dan accepted. **Motion passed unanimously.**

Treasurer **Motion:** Dan nominated and Gerald seconded for Regina. Regina accepted. **Motion passed unanimously.**

Secretary **Motion:** Leo nominated and Regina seconded for Charlotte; Charlotte declined.

Mark nominated Leo- who declined.

Kevin nominated Claudette; Claudette Dirkers declined.

Motion: John nominated and Regina seconded for Mark. Mark recused himself.

Motion passed unanimously.

5.1.2 Establish committee chairs & members

Motion: Leo motioned to continue all existing committees with John replacing Paul on those committees. **Motion failed.**

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Project Review **Motion:** Kevin motioned and Gerald seconded to continue as co-chairs; Leo, Richard, Donna Anderson & Ia Williams. **Motion passed unanimously.**

Finance **Motion:** Charlene motioned and Kevin seconded that Regina chair; Mark, Dan, Charlotte, and landowners: Debbie Blais; will contact Wendy and Rudy. **Motion passed unanimously.**

Governing Docs **Motion:** Charlene motioned and Dan seconded Leo as chair; Dan, Regina, Charlotte, and landowners: Linda Ulrich, Claudette Dirkers. **Motion passed unanimously.**

Election **Motion:** Leo motioned and Dan seconded for Kevin and Charlene co-chairs; landowners Andrea Sedlak, Linda Ulrich, Claudette, Dorothy Keeler. **Motion passed unanimously.**

Road Management (Board directors only, can spend limited \$ for road emergencies). No chair, usually a NG and SG member. Leo volunteered for SG. Newman nominated John Carp for NG. **Motion:** Leo motioned for he and John; Dan seconded. **Motion passed unanimously.**

Road & Weed **Motion:** Charlene motioned and Dan seconded for co-chairs: Charlotte for NG, Dennis for SG; Richard, Gerald, Mark, Charlene, John, Dennis, Newman. LOs: Linda Ulrich, Claudette, Ia, Walter Wunsch. **Motion passed unanimously.**

Legal- (Board directors only). **Motion:** Charlene motioned and Dan seconded for Dennis- chair, Charlotte, Dan, Leo. **Motion passed unanimously.**

Mark willing to continue working on website? Yes.

5.1.3 Vote on Opening Prayer

Board members described multiple positions on prayer and/or verbal prayer.

Motion: Charlotte motioned and Dan seconded that a generic prayer be created to be read at beginning of meetings. **Motion passed** (8 in favor- Newman, John, Gerald, Richard, Charlotte, Charlene, Kevin, Dan; 4 opposed- Leo, Mark, Regina,

Dennis.

Action Item: *Dan will read prayer in August; Richard in October; Gerald in November.*

5.1.4 Code of Conduct Policy draft

Board members discussed the value or lack of value about having a signed code of conduct policy.

Motion: Kevin motioned and Leo seconded to have every board member sign the code of conduct policy and their names posted on the website. **Motion passed** (7 in favor- John, Gerald, Richard, Leo, Kevin, Charlene, Dennis; 5 opposed- Newman, Charlotte, Mark, Regina, Dan.

Action Item: *Mark will post code of conduct on website (policies page).*

5.1.5 Signing the Conflict of Interest Policy

Board members discussed issues related to filling out and signing the new conflict of interest form, including the requirement of disclosing potential conflicts due to membership in other organizations and the fact that the new policy goes beyond what's covered in Montana State Law.

Motion: Charlene motioned and Dan seconded that the COI policy that was approved in May be sent to attorney Seth Cunningham to review for grammatical

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and other errors, and “given a blessing.” **Motioned failed** (6 in favor- Newman, John, Gerald, Charlotte, Charlene, Dan; and 6 opposed- Richard, Leo, Kevin, Mark, Regina, Dennis).

5.2 Project Review Committee Report – Kevin Newby / Gerald Dubiel

5.2.1 Wallace NG 30-D, New driveway needs PR application

Mr. Wallace contacted Paul to partially fill in the new GLA drainage ditch to get a boat/trailer onto the property without going through project review. Rain then sent runoff water from the ditch across Venus degrading the recent grading and Magnesium-chloride application. It turns out that the GLA ditch was put on the wrong side of Venus so adding a culvert may not be the best runoff control solution.

Action Item: *have a letter written to the Wallace’s explaining they need a Project Review application for their parking lot and put in a culvert.*

Motion: Leo motioned to find Mr. Wallace not in good standing because of his failure to seek a project review before impacting Venus Rd. Motion failed, No second.

Action Item: *Kevin will send email letter and phone call with Wallace. Will report to board over email results. Richard will follow-up if there is no response.*

Motion: Mark motioned & John seconded to send Mr. Wallace a letter to submit a project review before doing work over a GLA road in the future. Mark withdrew his motion as it looks like there is no good solution until the board understands the drainage needs. Then a project review will be required.

5.2.2 Kaiser SG 34-A1, review before purchase of land

Onsite review by Kevin and Leo indicated that all PR standards were met. Committee voted all in favor

Motion: Leo motioned and Dan seconded that the board would give tentative approval to this project as long as it keeps to the plans as submitted, and subject to his becoming an owner, and paying the fees.

Formal approval would be after the land was purchased by Mr. Kaiser and could be done by an email vote. **Vote passed unanimously.**

Action Item: *Leo will send email – followed up with a letter from Dennis.*

5.2.3 PR Checklist

Edits were suggested/discussed.

Motion: Dan motioned and Mark seconded to accept PR checklist with edits.

Edits: 1b- “are there....?” and remove 8d, 9a & 9b. **Motion passed unanimously.**

Action Item: *Kevin will make the edits* (Not going on website, just for PR committee).

5.2.4 Follow up on possible second dwellings from AirB&B, VRBO, Diehl SG-25-D, NG-49A Boderek

A Landowner (LO) sent a list of all VRBO & Air B&B units in the GLA and asked for an investigation. It was noted that most Air B&B and VRBO rentals are single units and suggested that the LO who sent the list do some investigating themselves.

5.2.5 Hot link on website in PR Instructions

Hot link direct to standards for particular projects, like driveways.

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Action Item: Mark will make a link on the website.

5.3 Treasurer's Reports – Regina Wunsch

5.3.1 P&L, Balance Sheet, Deposit/Check Details, Customer Bal Summary June 2018

Fix with Micah: "flooding on Hercules" should say, "flooding on Capricorn & Hercules..."

Ali Quiet Title- Can be charged back to Ali after legal action is done.

Can add money from chip seal fund before taking from NG Rd. Fund.

Mag chloride went over budget; Rd. Comte will have to subtract overrun from Fall grading.

Motion: Charlene motioned and Gerald seconded to approve the Treasurer's Reports as presented. **Motion passed unanimously.**

Action Item: Mark to add Balance Sheet which is missing on LO version on website.

5.3.2 Deleting a confusing line on the statements

Micah asked to seek QB help to get rid of the line, but nothing worked. Regina corrected it page by page last time because of upcoming election.

5.4 Finance Committee Report – Regina Wunsch

Four more people signed up for payment plans.

5.5 Secretary's Report – Charlene Murphy

5.5.1 Update re: needing a new Admin Assistant

Iona's last day is Aug 18, she will take minutes at Aug Board meeting. Two applicants that live in Livingston; set up interviews in Emigrant Hall. Officers, plus Charlene will be present. Interview: August 11, 10 a.m.

Motion: Charlene motioned and Dan seconded to hire Karleen McSherry as an independent contractor to do the training provided she has independent contractors license, insurance, 36 per 2 weeks (pay cycle) or 18 hrs, per week, for 5 weeks. Will travel to Livingston to train new employee. Normal compensation for mileage. **Motion passed unanimously.**

5.5.2 Reps for Legal Entities

Tabled.

5.5.3 Document Request Tim Brockett, check detail reports

There was discussion about whether or not the board already had legal advice on providing check details, with references to the O'Connell lawsuit.

Motion: Dan motioned and Leo seconded to ask Seth for recommendation on answering Brockett's document request. **Motion passed unanimously.**

Action item: Respond to Tim Brockett with mtg min excerpt that we are seeking legal advice and will get back to him.

Action item: Dennis will send doc request, points to note to Seth.

5.5.4 Committee minutes

Missing Project Review and Road & Weed Committee minutes that need to be finalized and posted on website.

5.6 Road and Weed / Management Committee Report – Dennis Riley

5.6.1 NG Pavement repair

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All on hold right now. Committee meeting to be held at Liberty Hall on July 24 to finalize details.

5.6.2 Sirius pavement pothole repair

Action Item: *Meet with CUT in early August.*

5.6.3 NG Unfinished Spring Grading

Next Road & Weed Committee meeting to focus on unfinished NG road work.
July 24, 7 p.m. Liberty Hall. Richard will chair the meeting.

5.6.4 Subdivision Roads/ Arcturus Extension, Sirius gravel, etc.

Tabled: Road committee has not addressed this.

Weeds Spraying:

Action Item: *Gerald will contact Ed Schilling, \$2500 budget for spraying.*

5.7 Complaints – Dennis Riley

5.7.1 Complaint Ia & Chris Williams, 04 25 2018/group complaint

Action Item: *Send files of board responses to their complaint to Chris and Ia Williams.*

5.7.2 Complaint John Anderson 06 15 2018

Complaint against Robert Sherwood SG 50-D for having an eyesore.

Action Item: *Dennis will send photos to the board. Dennis has contacted both Mr. Anderson and Mr. Mott. Dennis will draft a letter to Mr. Sherwood stating he is in violation of covenants due to eyesores. Ask him to explain the situation.*

5.7.4 Complaint Todd Mott 06 06 2018

Same as above.

5.7.5 How to address eyesores

Send letters to landowners with eyesore complaints against them, asking for their side and what they will do to correct it.

5.8 Legal Committee Report – Dennis Riley

5.8.1 Update on collections, Davis, Mark's Ark letters, 4 new Payment Plan

Attorneys are drafting all the court documents, except to Mr. Davis.

Action Item: *Dennis will write to Mr. Davis by the end of this week, regarding the audit of his account he requested.*

5.8.2 Update on Rakela Lawsuit

There is a settlement offer from Ms. Rakela that the board will discuss in the closed session.

5.8.3 Update re: CUT easements & parkland

Email from CUT to set up a meeting in early August.

5.9 Election Committee Report – Kevin Newby / Charlene Murphy

5.9.1 Hot Dogs and Burgers at November 10, 2018, Annual Election Meeting

Kevin will provide the food and cook the burgers.

Motion: Leo motioned and Dan seconded to replace the sandwiches provided with the offer by Kevin. **Motion passed** (11 in favor; 1 opposed- Charlotte).

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5.10 Governing Documents Committee – Leo Keeler

6. Approve Minutes: June 11, 2018, Board Minutes

Motion: Dan Motioned and Charlene seconded to approve June 11, board minutes. **Motion carried unanimously.**

7. Ombudsman Report

NG Linda Ulrich: will report next moth

SG Miriam Barker:

8. Visiting Landowner Input Period – (15 minutes, up to 3 minutes per speaker)

9. NEW BUSINESS

10. Adjournment (11.22 p.m.)

11. Closed Session Begins 11:30 11.1 Discuss Rakela Lawsuit

Discusssed Rakela Settlement offer.

Motion: Dan motioned and Newman seconded that we accept the settlement as written.

Motion failed (6 in favorl 6 opposed).

Motion: Kevin motioned and Dan seconded to make a counter offer. **Motion carried** (11 in favor; 1 opposed- Leo).

Closed Session adjourned – **11:55 p.m.**

12. Next Board Meeting: August 13, 2018

Glastonbury Landowners Association, Inc.
Board of Directors - Meeting Minutes
August 13, 2018

1. Call to Order, Pledge of Allegiance, Prayer and one minute of silence

The meeting was called to order by Dan Kehoe at 7:06 p.m. at Emigrant Hall

PRESENT: Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Charlene Murphy, Newman Brozovsky, John Carp, Richard Johnson, Leo Keeler (left meeting at 7:48 p.m.), Kevin Newby, **Via phone:** Dennis Riley (President), Mark Seaver (Secretary), Charlotte Mizzi.

ABSENT: Iona Yabut (Administrative Assistant)

Landowners: Donna Andersen, Miriam and Charles Barker, Debbie Blais, Tim Brockett Claudette Dirkers, Dorothy Keeler, Kim Kaiser, Michael Laverty, Jacob and Irena Meijer, Fran & Vernon Nye, Jeff Reiderer, Ia & Chris Williams, Linda Ulrich, Lisa Bush,

Guest: Sharon Braley

2. Set Agenda – additions

5.6.4 Add Donna Andersen as Road & Weed Committee member

5.8.2, update on collections by attorney

5.8.3, O'Connell Collections

5.8.4 Davis collection letter

5.2.4 Willie NG 34, shop

3. Visiting Landowner Input

Lisa Bush: Reported flooding from culvert any time it rains, vet bills \$3,000 plus ruined wood, total \$8,000 damage, willing to settle to for less. Reported trespassing by O'Connell's, driveway not fixed.

Michael Laverty: Lisa was compensated for a bale of hay last fall, this should have been resolved by now.

Tim Brockett, culvert in front of Bush's property, needs to connect to a culvert placed under her driveway to direct the water into the natural drainage below Capricorn.

Dorothy Keeler feels Lisa Bush should be compensated for her damages.

4. Unfinished Business

5. Officer and Committee Reports

5.1 President's Report – Dennis Riley

No report from Dennis at this time.

5.2 Project Review Committee Report – Kevin Newby / Gerald Dubiel

5.2.1 Bennett SG 56 A-3

Earth moving begun on driveway including within the GLA road easement, build site leveled, and well drilled before the project application was completed and approved by the board. Leo wanted Bennett's to be found in violation of the covenants and not allowed to vote. Discussed 30-day notice to find a member not in good standing and 10-15 days for them to comply. Leo left the meeting at 7:48 p.m..

Motion: Mark motioned that we find the Bennett's in violation of the covenants. No second to the motion was made. Motion dropped

Action Item. Kevin will phone the Bennett's Tuesday morning and tell them to stop all work. We need all completed paperwork.

Action Item: Kevin will email the breakdown of the impact fees to the board.

5.2.2 Kaiser SG 34 A-1

This project was given a pre-purchase review at the July board meeting. Purchase has been completed. All fees have been paid.

Motion: Kevin motioned and Gerald seconded to accept the project as submitted last month, with condition of reseeding disturbed land and all necessary permits are acquired. Voice Vote, Unanimous Agreement. **Motion carried.**

5.2.3 Landowner responses to dried-in definition

Discussed 30-day comments from Land Owners

Motion: Mark motioned and Gerald seconded to accept the definition. Roll call vote: 11 yes. **Motion carried.**

5.2.4 Willie NG 34,

Driveway was already there he added gravel to it. Pile of gravel placed on the land he excavated as a build site. Poles brought in.

Action Item: Gerald will call Willie and tell him no further work until the board approves his project at the September meeting.

Action Item: PR Committee to create a clear statement that no construction to begin before board approval of a project.

5.3 Treasurer's Report – Regina Wunsch

report posted to web site.

Motion: Kevin motioned and Charlene seconded to approve the Treasurer's report. Voice Vote, Unanimous Agreement. **Motion carried.**

5.4 Finance Committee Report – Regina Wunsch

No meeting, no report.

5.5 Secretary's Report – Mark Seaver

5.5.1 Meeting minutes request – T. Brockett

Tim is to be given board minutes from 1997 – 2014. He asked for 2015 to 2018. Minutes from mid-2016 to the present are posted on the website. Tim needs 2015 to mid-2016.

Action Item: Tim to provide a thumb drive to secretary in Maryland. Charlene will give Tim, Mark's address.

5.5.2 Check detail request – T. Brockett

Discussion: O'Connell's asked for check details during their lawsuit. Court upheld that the bylaws do not require check details as part of the conventional financial records required by MT law. T. Brockett noted that this was effectively an audit request on GLA spending.

Motion: Gerald's motioned and Kevin seconded to fulfill the check detail request back to 1997.

Roll call vote: 2 yes votes, Dennis and Gerald, 1 abstention, Richard. 8 no votes, Newman, Dan, Charlotte, Charlene, Kevin, John, Mark, Regina. **Motion Failed.**

Montana law: 35-2-906. Financial records available to members for the past three years. The Court defined these financial records as Balance sheet and P&L statements.

Motion: Mark motioned and Kevin seconded to provide three years of check details. As per MT law for conventional financial details. Recognizing that the check details or register are not conventional financial details. P&L cash and accrual and balance sheet are conventional financial details.

Roll Call Vote: 6 yes votes: Gerald, Richard, Kevin, Mark, Regina, Dennis, 5 no votes: Newman, Dan, Charlotte, Charlene, John. **Motion Carried.**

Action Item: Regina will email 3 years of check details. August 2015 to August 2018.

5.5.3 Voter sign-in sheet request – T. Brockett

Tim requests voter sign in sheets and election mailings from 1997 to present.

Discussed personal information issues/signatures getting published, and voting confidentiality. Noted that the GLA is a corporate entity, not a government entity.

Motion: Mark motioned and Charlene seconded that we deny this request.

Roll Call Vote: 1 no vote: Gerald. 10 yes votes: Newman, Richard, Dan Charlotte, Charlene, Kevin, John, Mark, Regina, Dennis. **Motion Carried.**

Second part of the Document request. Tim requested copies of all annual election mailings, 1997—2018. Election letter, absentee ballots. Bios, Proxy. Board not sure if this information is available.

Action Item: Regina to ask Denise about election information.

5.5.4 Board voted via email for a change to the Rakela settlement offer

Seth is drafting a full settlement offer as requested by Ms Rakela's lawyer.

5.6 Road and Weed / Management Committee Report – Dennis Riley

5.6.1 Capricorn asphalt repairs

Thursday, August 16.

5.6.2 Wallace driveway culvert

14-inch culvert installed but it is too high. After the last board meeting, Kevin spoke to Mr. Wallace to put in a 14-inch culvert and that no driveway application was needed. Mr. Wallace needs to dig it out and put it in deeper.

Action Item: Gerald will call Wallace.

5.6.3 Sirius pavement repair

On hold for now.

5.6.4 Add Donna Andersen as Road & Weed Committee member

Motion: Gerald motioned, and John seconded to add Donna to R & W Committee. Voice Vote, Unanimous Agreement. **Motion carried.**

5.6.5 NG Lisa Bush reported that rain water and snow melt are flooding of her yard, causing damage. A berm in front of her house is planned. Standish Excavation to meet August 14, 8:30 a.m. at Venus.

Action Item: Keep this topic on the board agenda under unfinished business.

5.6.6 (added in process) Tim Brockett asked about the DNRC 310 permits. Original permit was for work on 2 points. Work on 7 points was done. Regina explained that Ms. Ramp had her own 310 permit, and Walter had permission to do the additional work. He was told by DNR to document what was done and where in the final report with the DNR.

5.7 Complaints – Dennis Riley

5.7.1 Mott & Anderson Complaints re Sherwood eyesore – approve letter

Motion: Mark motioned Charlene seconded to accept the draft letter as amended to be sent to Mr. Sherwood. Voice Vote, Unanimous Agreement. **Motion carried.**

Action Item: Mark will send out the letter.

5.7.2 Noise complaints re Stone

Discussed noise complaints.

Action Item: Dennis will draft a letter to Mr. Stone regarding the noise complaints from several landowners. Dennis to restate the covenants that someone cannot make noise that disturbs LO's peaceful enjoyment of their property.

5.8 Legal Committee Report – Dennis Riley

5.8.1 Thorburn SG 93A, Collection/payment plan

Payment plan was never agreed to.

Action Item: Collection attorney to send her the follow up collection letter.

5.8.2, update on collections by attorney - Tabled

5.8.3, O'Connell Collections – Tabled

5.8.4 Davis collection letter

Action Item: Regina will draft a letter that the GLA will not pay for an audit. His account has been recalculated by the accountant and is accurate.

5.9 Election Committee Report – Kevin Newby / Charlene Murphy

5.9.1 Landowner responses to 2018 Election Procedures

Motion: Charlene motioned, and Gerald seconded to accept procedures as amended.

Roll Call Vote: 9 Yes Votes: Gerald, Richard, Dan, Charlene, Kevin, John, Mark, Regina, Dennis. 2 abstentions: Newman and Charlotte. **Motion carried.**

5.9.2 Legal entity representation

Action Item: return to committee to draft changes to letter and form.

5.9.3 Proxy voting by candidates

Covered in 5.9.1. Candidates but not sitting board members are allowed to cast proxy votes.

5.10 Governing Documents Committee – Leo Keeler

No Report

6. Approve Minutes: July 16, 2018, Board Minutes

Motion: Kevin Motioned and Gerald seconded to accept the meeting minutes of July 16. Voice Vote, Unanimous Agreement. **Motion carried.**

7. Ombudsman Report

7.1 Linda Ulrich (NG)

Action Item: Give Linda copies of the formal complaint form so LO's know the board cannot take action on complaints or concerns without a signed, formal complaint form.

8. Visiting Landowner Input - (15 minutes, up to 3 minutes per speaker)

Chad Stone stated he was being harassed by his neighbors and he had the right to use a chainsaw to cut his firewood. He stormed out, yelling and cursing.

9. NEW BUSINESS

10. Adjournment (10:35 p.m.)

11. Closed Session

11.1 Admin Hiring process.

Charlene motioned and John seconded to hire Karleen McSherry as an interim admin assistant until January 2019 or until a new admin can be hired.

Voice Vote, Unanimous Agreement. **Motion carried.**

Closed Session adjourned: 10:49 p.m.

12. Next Board Meeting: 09/10/2018

Glastonbury Landowners Association, Inc.
Board of Directors Meeting Minutes – Final
September 10, 2018

1. Call to Order, Pledge of Allegiance, Prayer and minute of silence

The meeting was called to order by Dennis Riley at 7:05 p.m.

PRESENT: Dennis Riley (President), Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Charlene Murphy (Secretary's Asst), Newman Brozovsky, John Carp, Gerald Dubiel, Richard Johnson, Leo Keeler, Charlotte Mizzi, Kevin Newby (by phone).

Also Attending: Karleen McSherry (Interim Administrative Assistant)

ABSENT: Mark Seaver.

Landowners: Miriam & Charles Barker, Debbie Blais, Sharon Braley, Lisa Bush, Claudette Dirkers, Ken Hurley, Donna Lash-Andersen, Michael & Sheila Laverty, Michelle McGowan, Jacob and Irena Meijer, Marius Michael-George, Peter & Janet Nacleria, Jeff Riederer, Janet Sharpless, Linda Ulrich, Ron Wartman, Ia Williams.

2. Set Agenda – Item moved

5.7.1 Noise Complaint moved to President's report to accommodate attendees.

3. Visiting Landowner Input Period

Claudette Dirkers: outdated meeting decorum to be removed from landowner binders.

Lisa Bush: flooding again on Sunday from culvert.

Michael Laverty: Read letter to the board asking for Mizzi to be banned from committees.

Janet Sharpless: inability to vote at member's meeting because of being out of compliance, to be discussed at 5.2.7.

Ia Williams: recording of Chad Stone's harassment; to be played during discussion of noise complaint. No filled in bottom of complaint form for Mizzi complaint.

Linda Ulrich: thanks to Charlene & Claudette for reworking the election docs and for the mailing.

Action Item: *Karleen to remove meeting decorum info from landowner binders by next board meeting.*

Action Item: *Dennis to fill out the bottom of the complaint form with the resolution and determine how to reach everyone who signed the petition.*

4. Unfinished Business

4.1 Bush property flooding

Demand letter and receipts on hand. Culvert opening started flooding. Need receipts for expenses. Will coordinate pasture and driveway repairs with fall grading to reduce costs. **Motion:** Dan motioned and Leo seconded to reimburse (\$3535 + work to be done) provided receipts are produced and for the Road & Weed Committee to work closely with the Bushes to do the driveway and pasture repair at the same time as the GLA's road repair. **Amended Motion:** Dan added to his motion that payment will come from the North Glastonbury Road Fund budget. Leo agreed to the addition. **Motion carried** (10 in favor; 1 abstention – Regina).

Action item: *Get receipts from Lisa*

Action item: *John and Ia to meet with Lisa and Chad Standish to discuss driveway and pasture repairs*

5. Officer and Committee Reports

5.1 President's Report – DR

(moved from 5.7.1) North Glastonbury Noise complaint: Mr. Stone's neighbors reported extensive noise and harassment by him that they all can hear – chain saw, weed whacker, loud music, profanities, gun shots – often late at night and into the early morning hours; restraining order obtained by Chris and Ia Williams prevents Chad from attending the board meeting if one of the Williams is in attendance; neighbors have called the sheriff who can't do anything about noise but can respond to crimes and the discharge of a fire arm but he needs proof of location. **Motion:** Leo motioned and Dan seconded that Leo will contact the collection attorney about adding noise enforcement to the court

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filing with the noise being both commercial activity and personal harassment and requesting it to be served by personal service, preferably by the Sheriff. **Motion carried unanimously.**

Action item: *Dennis to take Ia to a meeting with the Sheriff.*

5.2 Project Review Committee Report – GD / KN

5.5.1 SG 56-A-3 Bennett Dwelling, Septic, Well, Driveway

Gerald inspected the property. The PR Committee made note of the fact that the Bennett's began and finished some work before filing or receiving approval from the board. The committee recommended enforcement of Covenant 6.01 by requiring a \$500 fee to be listed on the Project Review Application for any work begun before board approval. Discussion included that the fee cannot be applied retroactively and that the board can assess fees without a covenant change (but cannot levy a fine) and that local realtors, title companies and contractors need to be told of this aspect of the covenants to pass on to new homeowners. **Motion:** Charlene motioned that the board make it clear to the Bennett's that they were in violation of Covenant 6.01 because they began the driveway and completed the well without prior review and approval, and that the board approve the project plans as submitted with the requirements that all necessary permits be obtained and disturbed land be reseeded. No second. Discussion ensued regarding missing information and improper culvert installation. **Motion withdrawn.** **Motion:** Dan motioned and Gerald seconded to approve forms A (residence) & B (well) but not C (septic) and E (driveway), that immediate correction of the culvert be undertaken, that all the necessary permits be obtained and that disturbed land be reseeded. **Motion carried** (10 in favor, 1 abstention – Leo). **2nd Motion:** Charlene motioned and John seconded, that when the admin assistant informs the Bennett's of the board's approval of forms A and B, but not C and E, that it be noted that they began their construction without prior approval, which is a violation of covenant 6.01. Therefore, they are not members in good standing until the board has approved their driveway plans. **Motion Carried** (10 in favor, Leo abstained)

Action Item: *Gerald to contact local real estate agencies, title companies and contractors to inform them of the covenants, specifically 6.01 and the need for all landowners to receive approval before beginning work.*

5.2.2 NG 51-B Skinner Well

Gerald inspected site and noted that the well was already drilled. **Motion:** Charlene motioned and Gerald seconded that the board noted the Skinner's drilled their well before review and approval of this project which is in violation of Covenant 6.01. The board will approve the project plans for the well as submitted with the requirements that all necessary permits be obtained and disturbed land be reseeded. **Motion carried** (9 in favor, 1 opposed – Leo, 1 abstention – Gerald).

5.2.3 NG 43-2 : Wartman RV Storage, Variance

Gerald inspected the site and Mr. Wartman's measurements were correct. The proposed building would be 22' short of the 50' setback. The Naclarios, the next-door neighbor most impacted by the variance, read their letter of disapproval. There was discussion about view sheds and landscaping and the extra expense of building the shed in an alternate location. The Master Plan calls for a neighborhood survey, 12 of his neighbors agreed to the variance at the preferred proposed site (copies of letters attached to board member packets). **Motion:** Leo motioned to approve the variance. No second. **Motion failed.** **Motion:** Dan motioned and Regina seconded to deny the variance. **Motion carried** (7 in favor, 3 opposed – Richard, Leo & Kevin, 1 abstention - Newman). **Motion:** Leo motioned and Gerald seconded to

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approve the RV building's alternate site closer to Capricorn that meets the setback requirements. **Motion carried unanimously.** During the Landowner Comment

Period at the end of the meeting, Mr. Wartman withdrew his project proposal and received his checks back minus the \$35 application fee.

5.2.4 NG 41-C Fairbairn Replace Mobile with Modular Home

Gerald and Richard inspected the site. The new modular will sit on the same footprint as the old mobile home that is being removed but will be a doublewide instead of a singlewide and newer. **Motion:** Gerald motioned and Leo seconded to approve the application with the condition that all the necessary permits be obtained and that disturbed land be reseeded. **Motion carried unanimously.**

5.2.5 NG 34A Willie Shop, Septic

Gerald noted that Mr. Willie began work before seeking board approval; that Gerald had surveyed one of his lines and recommended Willie submit an application before building; the shed is to be used to store work equipment and its placement meets the setback requirement. **Motion:** Richard motioned and Charlene seconded to approve the project with the condition that all the necessary permits be obtained and that disturbed land be reseeded. **Motion carried** (10 in favor, 1 recusal – Gerald).

5.2.6 NG 5-A Schreyer Dwelling, Garage, Well, Septic, Driveway

Richard and Gerald inspected the site and it complies with all requirements. **Motion:** Gerald motioned and Richard seconded to approve the project with the condition that all the necessary permits be obtained and that disturbed land be reseeded. **Motion carried unanimously.**

5.2.7 Sharpless 3-Dwelling Grandfather Decision

Charlene presented a packet of research to the board regarding Janet Sharpless' three dwellings. The mobile home was in place before 1998. There was no Project Review application submitted for the 2-story storage unit converted into 2 apartments to prove it was in compliance with the Master Plan. She will be grandfathered if she can provide proof of tenants in buildings prior to the creation of the Master Plan in 2007.

Action Item: *Ms. Sharpless to bring to the next board meeting copies of tenant ledgers to show she had tenants before 2007. Doing so will bring her into compliance and allow her to vote in the next election.*

5.3 Treasurer's Reports – Regina Wunsch

5.3.1 P&L, Balance Sheet, Customer Balance Summary – August 2018

Regina read the Treasurer's Report and noted a change in the method of applying payments to invoices of people on payment plans by retiring oldest invoices first.

Motion: Charlene motioned and Charlotte seconded for the board to accept the Treasurer's Report. **Motion carried unanimously.**

5.4 Finance Committee Report – Regina Wunsch

No business.

5.5 Secretary's Report – Charlene Murphy for Mark Seaver

5.5.1 Administrative Assistant

The Administrative Assistant job posting had not yielded any candidates living within a reasonable distance and that Karleen had agreed to do the job in the interim.

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5.5.2 Board Minutes Provided to T. Brockett

The association provided to Tim Brockett electronic copies of board meeting minutes from 1997 to 2015 and from January to June of 2016.

5.5.3 Settlement Offer Made to Rakela

There has been no response yet to the offer made to Ms. Rakela.

5.5.1 Davis Collection Response Mailed

Mr. Davis has 30 days to respond to the collection letter dated August 18.

5.5.2 Letter to Stone Email Vote

The board's email vote regarding the motion to send the letter to Chad Stone about the noise complaint filed by his neighbors carried with 9 in favor, 1 delayed – Newman, and 1 who didn't vote – Gerald.

5.6 Road and Weed Committee Report – Dennis Riley

5.6.1 Private Mowing

Dennis privately procured and paid for the services of Joanna Dawson to mow his property for which he has a receipt; Charlotte and Gerald also hire Joanna for work on their property.

5.6.2 NG Road Repairs & Maintenance

John summarized the work to be done by Standish on Gemini, Orion, Capricorn and Taurus for a total of \$14,325. **Motion:** Charlene motioned and John seconded to accept the most recent bid not to exceed \$15,000. **Motion carried unanimously.**

5.6.3 Fall Grading

Dennis reported that the Road & Weed Committee has drafted a letter that spells out how the GLA will work with contractors, including a walk through, daily reviews and site marking. A letter will be drafted for every road contract entered into. Road Committee representatives for walk-throughs will be John and Ia in North, and Dennis and Walter in South. **Motion:** Charlene motioned and John seconded to accept Wunsch's Workorder for SG Fall Grading for a maximum of \$13,000. **Motion carried unanimously.**

Motion: Leo motioned and Charlene seconded to name landowner Ken Hurley to the Road & Weed Committee. **Motion carried unanimously.**

5.6.4 Flood Repairs: Venus Mercury, Capricorn

The board discussed the proposed fix to the flooding problem including digging ditches on both sides of Mercury, cleaning out existing culverts, and connecting everything so the water flows into the natural drainage. **Motion:** Leo motioned and Gerald seconded to accept the proposal to fix the road not to exceed \$7,500. **Motion carried unanimously.**

5.6.5 NG Pavement

Motion: Dan motioned and Charlotte seconded to accept the bid of \$5,000 from Jim McDonald Asphalt Paving and Coatings from Billings for NG pavement repair and crack sealing, and the Standish Excavation estimate for ditches and hill push-back on Capricorn paved roads for \$6,000. **Motion carried unanimously.**

5.6.6 Subdivision Roads: Arcturus Extension, Sirius Gravel, Etc.

Dennis reported that a meeting is scheduled for Wednesday, September 19th between the Legal Committee and Church Universal & Triumphant for preliminary discussions regarding road easements on Aries and Sirius.

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5.7 Complaints – Dennis Riley

5.7.1 NG Noise Complaints Follow-up

Covered under President's report.

5.7.2 Sherwood Eyesore Letter Follow-up

There has been no replay from Mr. Sherwood to the letter sent to him almost 30 days ago. Discussion ensued regarding whether the GLA wants to go to court over an eyesore and the suggestion that his property is a toxic dump.

Action Item: *Dennis will draft next letter to be sent that will alert Mr. Sherwood to the involvement of the GLA attorney and the courts if the situation is not remedied within 30 days.*

5.7.3 Hink Complaint

Action Item: *Dan will send a letter to Mr. Hink regarding the 24 people the board is pursuing for payment of late assessments, including those for whom there is a court filing.*

Action Item: *Richard will talk with Mr. Hink regarding the people being taken to court for collections and tell him a letter will be sent with the policy.*

5.8 Legal Committee Report – Leo Keeler

5.8.1 Update on Collections Actions

Need physical addresses for serving delinquent landowners with court filings either by registered letter or by personal service. **Motion:** Leo motioned and Dan seconded to proceed with personal service of court documents. **Motion carried unanimously.** Discussion included the suggestion to have the sheriff deliver similar documents to Craig Lannes.

5.8.2 Davis Letter / Davis Church Universal Collection

Action Item: *Leo will contact Tyler to let him know the certified letter sent to Davis was returned and ask to have Church Universal & Triumphant sent the letter as a second owner.*

5.8.3 Rakela Lawsuit

Motion: Leo motioned and Dan seconded that because of lack of response from Rakela regarding the settlement offer, he will request that Seth proceed to summary judgment. **Motion carried unanimously.**

5.8.4 O'Connell Collection Update

Leo described a discussion with Alanah Griffith (lawyer) about what the board should do about collecting the \$18,000 judgment against the O'Connell's. Board discussion centered on a foreclosure action with brief mention of a title search.

Motion: Leo motioned and Dan seconded to tell Alanah to proceed with foreclosure and a title search if needed. **Motion carried unanimously.**

Restraining Order

The O'Connells appealed to the Supreme Court regarding the restraining order. The Supreme Court decided the children should have had legal representation when they were included in the vexatious litigant case but that it was the parents responsibility to provide for such representation. The court gave them until Nov. 5, 2018 to hire an attorney to represent the children in a vexatious litigant hearing or the case will be closed.

5.8.5 CUT Easements & Parkland

See 5.6.6.

5.8.6 Difo / Hornack Collection

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Quiet Title proceedings have completed in court. There is a sealed settlement agreement. Leo notified Tyler to send a letter requiring a response within 30 days. The property is not subdivided and all owners are responsible for all assessments.

Discussed notice in newspaper regarding Ali property. His attorney is trying to contact all legal landowners.

5.9 Election Committee Report – Kevin Newby / Charlene Murphy

5.9.1 Nomination Mailing

Nomination mailing was sent August 25th and nominations are due by September 24.

5.9.2 Legal Entity Representative Form & Letter

Motion: Charlene motioned that the board approve the Designation of Representative for Legal Entity form and letter as a “way for the board to provide a form that makes it easy and clear for a legal entity to fulfill Bylaw V, Article 6, so we have it on file and can allow the representative to attend and vote on behalf of the legal entity at any and all Annual and Special Meetings of the members.” In order to align this bylaw with state law, the board will interpret the bylaw as referring to a “legal representative” of a legal entity. A “legal representative” has broad and complete authority, as distinct from a typical proxy, which has very limited authority. As per state law, this Designation of Legal Representative of a Legal Entity form will remain in effect for three (3) years. Discussion ensued regarding the need or lack thereof for the form to be notarized. **Amended motion:** Charlene amended her motion and Dan seconded to include not requiring the form to be notarized and to include the date. **Motion carried** (7 in favor, 3 opposed – Gerald, Charlotte and John, and 1 abstention – Charlene).

5.9.3 Voting Authority (Proxy, Absentee, In-person)

Discussed amending election instructions to align with bylaws; that a proxy is honored until it expires or is revoked in writing. A valid proxy will override an absentee ballot as per state law.

Action Item: *Charlene and Election Committee will revise election instructions to align with bylaws and state law.*

6. Approve Meeting Minutes – August 13, 2018

Motion: Charlene motioned and Charlotte seconded to approve the August 13, 2013 meeting minutes **Motion carried** (10 in favor, 1 abstain – Leo).

7. Ombudsman Reports

Board received the NG report in their packets to read.

8. Visiting Landowner Input Period

Mr. Wartman withdrew his project (see 5.2.3).

9. The meeting was adjourned at 12:03 a.m.

11. Next Board Meeting: October 8, 2018

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1. Call to Order, Pledge of Allegiance, Prayer and one minute of silence

The meeting was called to order by Dennis Riley at 7:00 p.m.

PRESENT: Dennis Riley (President), Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Mark Seaver (Secretary), Newman Brozovsky, John Carp, Gerald Dubiel, Richard Johnson, Leo Keeler, Charlotte Mizzi, Kevin Newby (by phone).

Also Attending: Karleen McSherry (Interim Administrative Assistant)

ABSENT: Charlene Murphy.

Landowners: Miriam & Charles Barker, Maxim Brozovsky, Lisa Bush, Claudette Dirkers, Ellen Smith Eaton (by phone); Ken Hurley, Sharon Johnson, Donna Lash, Andrea Sedlak, Janet Sharpless, William Smith, Linda Ulrich, Ron Wartman, Ia Williams.

2. Set Agenda

3. Visiting Landowner Input Period – (20 minutes, up to 3 minutes per speaker)

Ron Wartman objected to the PR committee minutes posted on the GLA's website because he did not believe the minutes accurately reflected what he said. Leo authored the minutes but other committee members read and approved them.

4. UNFINISHED BUSINESS

4.1 Bush driveway/pasture repair

Lisa Bush expressed her dissatisfaction at the board's decision not to repair her pasture with 40 yards of soil and complained about the diversion bump created in her driveway. John explained that both Standish and he looked at the property and didn't see evidence of a delta or large amounts of soil washed away. The GLA has suggested that 4 – 5 yds of new soil would be adequate.

4.2 Sharpless 3 dwellings grandfather decision

Janet Sharpless presented her ledger of tenant rent bills showing simultaneous tenants in 2005. **Motion:** Newman motioned and Charlotte seconded that Janet Sharpless' three dwellings be grandfathered in and she be made a member in good standing upon current assessments being paid. **Motion carried** (10 in favor, 1 opposed – Leo). Discussion of whether to charge back assessments ensued with most favoring following the precedent of people paying from the point the GLA discovers the extra dwelling.

4.3 Covenant 6.01 (and 8.01) enforcement

One proposal and one motion regarding penalizing landowners for beginning construction projects before obtaining approval were brought before the board. Gerald proposed to amend the Project Review Application after a 30-day landowner review as follows:

“Prospective landowners and those that wish to build or add to their existing buildings on their tract or parcel, please be aware that any excavation or construction for a structure, driveway or drainage culvert at the end of the driveway is not allowed until the GLA board approves the project review application. If you start your project without GLA board approval, you will be fined for this violation.”

Discussion included changing the word “fine” to “fee” to avoid the need for a covenant change. It was noted that a well form is required by the GLA and that project review approval is needed prior to digging a well even though the county must approve the locations of well and septic systems. It was also made clear that the GLA has no role in insuring that a parcel has water. Gerald's amendment was sent back to the committee for reworking.

Motion: Leo motioned and Dan seconded that the board would charge a \$500 late filing fee for any landowner who begins a project with fees or a form required, as shown on the GLA's website, without prior review and approval by the board. This motion would be sent for 30-day landowner review before being implemented. **Motion carried** (9 in favor and 2 opposed – Richard & Newman).

5. Officer and Committee Reports

5.1 President's Report – Dennis Riley

5.1.1 Complaint process

The GLA doesn't have a process to handle complaints. Dennis recommended the board do something to formalize the complaint process; past boards had a complaint committee and a process.

Action Item: *Karleen – put complaint process issue on the December meeting agenda as Unfinished Business for the new board to handle.*

5.2 Project Review Committee Report – Kevin Newby, Gerald Dubiel

5.2.1 NG 43-2 Wartman RV storage

Ron Wartman resubmitted his application for a smaller building that was fewer than 500 sq. ft. and it met the 25' setback. **Motion:** Gerald motioned and Richard seconded to approve the revised project review application. **Motion carried** (10 in favor, 1 abstention – Kevin).

5.2.2 NG 64 Scariano Barn, Driveway & Septic

Gerald & Richard visited the site and all setbacks were within and met covenant requirements. The committee noted that they did build a well before receiving permission. **Motion:** Gerald motioned and Richard seconded to pass the project with conditions that they reseed upon completion and that all permits be obtained. **Motion carried** (10 in favor, 1 abstention – Kevin).

5.2.3 SG 35-C Haywood/Haley 3rd dwelling

Dan reported that the work to create three dwelling units was done in 2002. The apartment in question had a locking door and was used off and on. **Motion:** Charlotte motioned and Kevin seconded to grandfather the three dwelling units owned by Jennie Haywood SG 35C for which they were to begin paying for the extra unit as of Oct 2018. **Motion carried** (10 in favor, 1 opposed – Leo).

Amended motion: Newman amended the first motion and Charlotte seconded to add the lot number to the motion. **Motion carried unanimously.**

5.2.4 Caboose as a dwelling

Gerald reported that the inquiry about putting a caboose with railroad tracks on Aquila Lane that has a buy-sell on the property would not happen because the home would need to be put on a foundation.

5.2.5 SG 51B&D Bus & trailer storage

Gerald explained that no project review application had been submitted because the request didn't involve construction. Questions were asked of the landowner regarding the nature and placement of the vehicles. Discussion included the fact that storing a rafting company's vehicles would constitute a commercial use of the land; no vehicles may be parked in the 50' radius area (as measured from the center) designated for emergency vehicle turnaround; to store these items would require a structure or privacy fence per Covenant 5.08 so those above or driving down Arcturus or Leo wouldn't see it. **Motion:** Leo motioned and Dan seconded that the board consider the request based on registration of vehicles as commercial, that the person file an application for project review and it be processed as a commercial operation. **Motion carried** (9 in favor, 3 opposed - Kevin, Newman & Charlotte).

5.3 Treasurer's Reports – Regina Wunsch

5.3.1 P&L, Balance Sheet, Deposit/Check Details, Customer Balance Summary

Regina reported that Hoag's NG 7C-1 property sold and the GLA's legal fees and back assessments were reimbursed. **Motion:** Dan motioned and Charlotte seconded for the board to accept the Treasurer's Report. **Motion carried** (10 in favor, 1 opposed – Mark). Extensive discussion ensued regarding the pros and cons of reporting the year's costs in the P&L vs. using fund accounting that details extraordinary costs in the fund report and budgeted items in the P&L; the suggestion to have a discussion with Micah about what can and cannot be done.

Action Item: *Regina – talk with Micah about what can and cannot be done re: reporting year's costs.*

5.4 Finance Committee Report – Regina Wunsch

5.4.1 Meeting for 2019 draft budget

Action Item: *Regina – email finance committee members with the details of a meeting to put together a draft budget for 2019.*

5.5 Secretary's Report – Mark Seaver

5.5.1 Sept. action items from review

All action items from September's BOD meeting had been completed with the exception of Dennis & Ia going to the sheriff.

Action Item: *Dennis – work with Ia to set next step in dealing with Chad Stone harassment.*

5.5.2 Email vote - Amend NG fall maintenance

Adjustments to the NG fall maintenance contract were indicated by the R&W committee.

Passed: 10 yes, 1 abstain (Leo), Gerald did not vote

5.5.3 Email vote - Sherwood eyesore letter 2

A second Sherwood eyesore violation letter with Leo's edits including possible legal action was created.

Passed: 8 yes, 4 did not vote – Newman, Gerald, Dan & Kevin.

5.6 Road and Weed Committee Report – Dennis Riley

5.6.1 Venus, Mercury, Capricorn flooding repair

John reported that Standish did extensive work on Venus including:

1. Installing a sump at the bottom and a culvert across the middle to divert water from west to east away from the Bush property;
2. Mercury ditching with a sump installed at the intersection of Venus and Mercury as well as a culvert on Capricorn. Discussion included concerns about the ditching and the need to specify more details in future contracts. Other concerns included the removal of the culvert by the gravel pit; the miscommunication that caused a blocked culvert be removed and the size of the berm on the north side of Capricorn guiding water to the other culvert.

5.6.2 NG fall grading

John reported the following:

Repairs and Maintenance as specified in the work orders were finished on Oct. 3, except for (work orders kept in a separate file):

MagChloride application scheduled for Oct. 9.

Finalizing driveway repairs and soil addition with Lisa Bush

Fixing problems on NG 27

Reinforcing culvert at Capricorn and Venus: will wait until spring

Ditch performance observed during heavy rain on Oct. 4 looks good except for NG 27 driveway

Regina expressed dissatisfaction with unauthorized work beyond the easement that had been done on her NG 27 property including a 30-foot trench and the addition of about 30 yards of dirt creating a possible road hazard.

Action Item: John – meet with Standish about removing dirt.

Action Item: Gerald – mark where Standish needs to excavate, line with T posts if he can't come soon.

5.6.2.1 Rakela grading request

Weeds were mowed in the turn around; the committee determined there was no need to grade Pisces at this time although a few potholes where Pisces meets Capricorn were noted.

5.6.3 NG pavement repairs

No crack sealing would be done this year but the issue needs to be revisited in the spring.

5.6.4 SG fall grading

No business.

5.6.5 Snowplow drivers

With Fred Counts' resignation as the main snowplow contractor, the GLA needs to find someone to take his place; he sold his truck to Standish who will negotiate a contract as soon as he takes over in the new year; John and Dennis, Holt Rollins and Chris Kelly are slated as backup drivers. Kevin volunteered also to be backup.

Action Item: Mark – put the need for a primary driver announcement on the Paradise Valley Facebook page.

5.6.6 Reseeding ditches - need volunteers

Dennis investigated and it will cost \$175 for 50 lbs of seed.

5.6.7 Snow fence installation - need volunteers

Dennis reported that it was not clear where the GLA would install snow fence this year because Mountain Sky's planted winter crop goes almost to the road and they don't want the GLA on it; could put a fence on Aquila.

Action Item: Dennis – put together a crew to pound stakes and install snow fence.

5.6.8 GLA road use by neighbors

Motion: Dan motioned and Charlotte seconded to approve the two letters written to the Story Ranch and Barry Ranch neighbors regarding their use of GLAs roads.

Motion carried unanimously.

Action Item: Karleen – put letters on letterhead, change the date, add Dennis' electronic signature and send.

5.6.9 Tanner road repair request

Chuck Tanner indicated to Regina a willingness to pay his past due assessments but his driveway had been gouged by the snow plow driver a couple of years ago and he was asking for \$1,200 to remediate the situation. Dennis visited the property and couldn't see the damage; Kevin saw a small scrape two years ago, dug in about 4-6" 3 ft into the corner of Mr. Tanner's driveway; the GLA was going to fix it with the grader but Mr. Tanner never got back to the association. No action for board to take.

5.7 Complaints – Dennis Riley

5.7.1 Dawson: junk vehicles eyesore

Tabled.

5.7.2 Dubiel: delayed project review application

Tabled.

5.8 Legal Committee Report – Leo Keeler

5.8.1 Ericksen variance legal fees

The Ericksens objected to paying the legal fees for the variance they requested because they didn't use it; in a meeting with Richard Bolen and Alyssa Allen a number of years ago an agreement was reached for them to pay because it was their choice not to use the variance. Discussion included the possibility of getting a judgment against them and soliciting Tyler's advice.

Action Item: *Dan – put something together regarding the history for Leo to send to Tyler Muldowney.*

5.8.2 O'Connell court costs

The O'Connell's owe the GLA over \$18,000 in court costs. The board is working with Alanah Griffith (lawyer) to collect these.

5.8.3 Collections update

Leo reported that Park County sheriffs were used as process servers to deliver the court filings to local residents because they were the least expensive; a meeting with Ali Ansari's attorney was expected to discuss a settlement offer on the total debt. Leo confirmed Tyler Muldowney had amended Chad Stone's court filing to include the noise violation but the sheriff had not yet delivered it at that point.

5.8.4 GLA/CUT meeting re: Sirius/Aries

Dan, Dennis, Leo & Charlotte met with Alan Shaw and Sandra Schreyer of the Church Universal and Triumphant (CUT) for an introductory meeting about maintenance costs for their use of GLA roads and easement exchanges that would benefit both parties as well as to have CUT reserved land come under GLA covenants for land management. Church representatives had to go back to leadership before setting a negotiation meeting.

Action Item: *Dan – draft and run by legal committee a summary of this meeting.*

5.9 Election Committee

5.9.1 Election packet mailed Oct 6

No other business.

6. Approve minutes

Motion: Dan motioned and Gerald seconded to approve the Sept 10, 2018 meeting minutes

Motion carried unanimously.

7. Ombudsman Reports

Linda Ulrich NG received a complaint from Mr. Gelderloos about electrical lines near deep culverts; she recommended he attend the road and week committee meeting and let him know that it's a telephone cable.

Miriam Barker SG thanked the board members who have finished their terms and are not running for re-election for their service.

8. Visiting Landowner Input Period

No comments.

9. Adjournment

The meeting was adjourned at 10:49 p.m.

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1. Call to Order, Pledge of Allegiance, Prayer and one minute of silence

The meeting was called to order by Dennis at 7:00 p.m.

PRESENT: Dennis Riley (President), Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Newman Brozovsky, John Carp, Gerald Dubiel (7:08), Richard Johnson, Leo Keeler, Charlene Murphy, Kevin Newby, and Mark Seaver.

Also Attending: Karleen McSherry (Interim Administrative Assistant)

Absent: Charlotte Mizzi.

Landowners: Donna Anderson, Debbie & Ken DeGraff, Claudette Dirkers, Ken Hurley, Sharon Johnson, Dorothy Keeler, Jerry Ladewig, Debbie Newby, Andrea Sedlak, Linda Ulrich, Ia Williams.

2. Set Agenda

Add 10. Closed Session – Reply Stone Counterclaim Including Directors

3. Visiting Landowner Input Period

Ia Williams asked for confirmation about whether Ron Price had withdrawn his nomination to be on the board and then rescinded his withdrawal. Discussion ensued regarding whether someone can be reinstated after withdrawing, if he should be accepted as a regular candidate or as a write-in, and legal precedent regarding the issue. **Motion:** Mark motioned and Leo seconded that the board recognized Ron Price officially withdrew by a phone call, and the board would contact an attorney for advice regarding whether a subsequent phone call would count for him to be reinstated. **Motion carried unanimously.**

Action Item: *Legal committee to contact Seth on Monday.*

4. UNFINISHED BUSINESS

4.1 Bush driveway/pasture repair

Because of conflict between Lisa Bush and Chad Standish, none of the excess dirt from Gemini would be delivered to Lisa Bush for her pasture. Dennis reported that the dirt was moved back into the hillside and the easement. **Motion:** Charlene and John seconded to close the Lisa Bush dirt in the pasture issue. Motion carried (10 in favor and 1 abstention – Kevin).

Action Item: *Dennis to send Lisa Bush a letter letting her know the board has closed her issue.*

4.2 SG 57-C Bennett correct 2nd motion re: septic

Karleen reported that somehow in the September 10, 2018 meeting minutes, the motion regarding the Bennett's standing to vote erroneously included their septic system.

Motion: Charlene motioned and Mark seconded that the board amend the October 8, 2018 board meeting minutes to remove the words "septic and." **Motion carried unanimously.**

Action Item: *Karleen to fix minutes and Mark to post to website.*

4.3 SG 57-C Bennett driveway

Dennis received and passed along the completed Form E driveway application and reported that they had corrected the culvert. **Motion:** Kevin motioned and John seconded to accept Form E. **Motion carried** (10 in favor and 1 abstention – Leo).

5. Officer and Committee Reports

5.1 President's Report – Dennis Riley

5.1.1 Secretary resignation

Mark resigned as secretary and the issue of who would read the quorum report and voting results at end of the annual meeting was discussed. **Motion:** Dan motioned

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and Charlene seconded that the president handle the secretary's duties at the annual meeting. **Motion carried** (10 in favor and 1 abstention – Mark).

5.2 Project Review Committee Report – Kevin Newby, Gerald Dubiel

5.2.1 SG 74 Allen pergola

Richard reported that he had checked the property and all of the setbacks were met.

Motion: Richard motioned and Leo seconded to approve the Allen's pergola project with the conditions that they obtain any necessary permits and reseed upon completion. **Motion carried unanimously.**

5.2.2 Well logs

Previously the board had voted to waive the well log requirement for the June and November elections and to leave it as unfinished business for the next board. Claudette Dirkers questioned whether the board had the power to waive a covenant. Leo responded that by covenant 12.01 the board could waive it in the interest of the general membership. But it could only be waived for a specific (short) time to avoid being considered a Covenant Change. The issues discussed involved the discrepancy between the manner in which well logs were handled over 20 years ago when the requirement for GLA copies was written into the covenants and the way they are handled now. The state keeps all well log records and 50% of the houses in Glastonbury don't have recorded well logs; that it's a water rights issue, that it's a problem because of the number of shared wells in Glastonbury. The next board might consider a covenant change to not require the logs but that would require a landowner vote. Linda Ulrich found the well log for her property by researching who drilled her well. That contractor is required to keep the well log and give it to the landowner when asked for. Help with this can be received from the Montana Department of Natural Resources and Conservation (DNRC) in Helena.

5.3 Treasurer's Reports – Regina Wunsch

5.3.1 P&L, Balance Sheet, Deposit/Check Details, Customer Balance Summary

Because of the early date in the month of the board meeting, the official financial reports were not complete and would be forwarded to the board the following week. Regina presented an overview based on her calculations. Some liens and lien fees had been paid off and new dwellings found that generated added income. Mark wondered if the board could permit people who owed less than \$10 to vote in the coming election on a one-time basis only but this was litigated in the Rakela case and the GLA abides by letter of law. Anyone who owes even a few cents of their assessments are out of compliance and not permitted to vote.

5.4 Finance Committee Report – Regina Wunsch

5.4.1 2019 draft budget

Motion: Leo motioned and Mark seconded to allocate \$1,071 to each of North & South Glastonbury roads for mag chloride. **Motion carried unanimously.**

Motion: Leo motioned and Kevin seconded to zero out block 1200 in the budget.

Motion failed (3 in favor – Leo, Kevin & Dennis, 6 opposed – Newman, John, Gerald, Richard, Dan, & Charlene, and 2 abstentions – Mark & Regina).

Discussion ensued regarding providing basic maintenance; allowing for the upkeep of one field instead of two; leaving the allocated funds in the budget and allowing the next board to decide the fate of the common land. **Motion:** Kevin motioned and John seconded to maintain only one soccer field and for Newman to shut down the water supply to the other soccer field. **Motion carried** (10 in favor and 1 opposed – Leo). Draft budget accepted.

5.5 Secretary's Report –

MtgMins 11 02 2018

Approved 11 30 2018 by email vote

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5.5.1 Email vote - Amend Wartman approval

Gerald amended his motion of October 8, 2018 to include the conditions that all necessary permits be obtained and the ground be reseeded upon completion.

Motion carried (10 in favor- Dennis, Charlene, Richard, Gerald, Dan, Charlotte, Leo, Regina, Newman, John).

5.5.2 Email vote - NG 27 \$1,000 mitigation authorization

Motion: Dennis moved and Charlene seconded that the board authorize \$1,000 to mitigate the damage to NG 27 as follows: 1. Remove dirt along the banks of the road as marked to restore it to the way it was before the dump; 2. Clean up unauthorized ditch area close to the Capricorn intersection at the discharge point of the culvert; and 3. Clean up ditch debris and smooth berm not only on our side but also on the other side of Capricorn between Gemini and Aries. **Motion carried** (9 In favor – Dennis, Charlene, John, Gerald, Richard, Dan, Charlotte, Newman, Kevin; 1 opposed – Leo; 1 recusal – Regina).

5.5.3 Shredder

Motion: Charlene motioned and Leo seconded to buy a shredder at Costco for \$49.99. **Motion carried unanimously.**

5.6 Road and Weed Committee Report – Dennis Riley

5.6.1 Private road signs on Taurus & Aries

After writing to the Story's the GLA received an email from Polly Story stating she understands the GLA roads are private and there were a couple of people who used it by mistake when they were building their cabin but that now they use their own road access. However, people from Glastonbury visit her daughter who lives there and they have the right to use the GLA roads, so there is no need for private road signs. Tom Barry also responded and has agreed to pay an assessment for the use by his ranch of the GLA roads.

Dorothy found a company in Idaho with service in Montana that rents out goats for weed control that maybe more cost effective than the tradition methods.

Action Item: Dorothy – email info about goat rentals to Dennis.

Action Item: Dennis – forward Dorothy's info to the road committee to discuss at its meeting on November 12.

5.6.2 Fall grading update

Mag chloride was applied in North. In South, grading was done and the culvert in high South was done. Standish completed the Aquila repair. No gravel was allocated for South this fall. **Motion:** Richard motioned and Kevin seconded to buy 50 reflectors for \$112. **Motion carried unanimously.**

5.6.3 Use of extra dirt from NG 27

Closed. See 4.1.

5.6.4 Next committee meeting 11/13/18

Correction – the next road committee meeting would be on November 12th.

5.6.5 Road liability

John asked for discussion regarding the general liability of the association pertaining to some GLA road, such as upper Gemini and Hercules that don't have guardrails in areas where there is a drop off. The issue was sent back to the Road Committee for research and recommendations.

Action Item: Regina check liability laws.

Action Item: Dennis contact road engineer we used before and ask him.

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Action Item: John - contact insurance company regarding the limits of the association's liability insurance.

5.7 Complaints – Dennis Riley

5.7.1 Carp re: Dawson: junk vehicle eyesore
Tabled

5.7.2 Anderson re: Dubiel: delayed project review application
Tabled.

Action Item: Karleen - put Sherwood's eyesore complaint on the December agenda.

5.7.3 Gelderloos re: culvert placement

The board briefly discussed recognition of the issue in the complaint and the temporary steps being taken (extending the culvert up the hill and backfilling that would include the phone lines) as they worked toward a permanent solution; and that the Gemini road extension also needed the same treatment.

Action Item: Dennis - write a letter to Pouwel recognizing the issue and letting him know the association is looking at various ways to mitigate it.

5.8 Legal Committee Report – Leo Keeler

5.8.1 Statute of limitations on first or second liens

According to the MT Supreme Court, the starting date of a lien for the purpose of calculating the statute of limitations is the date a court action is filed and covers eight years back. The GLA's identified cases of past due assessments total an anticipated \$148,000 but that figure would reduce to \$100,000 when the statute of limitations was applied. Over \$27,000 had been collected or obligated by payment plans during the current year. The largest case was Ansara Ali who owed approximately \$40,000 but the GLA would likely only be able to collect \$28,000 with the statute of limitations. **Motion:** Leo motioned and Dan seconded for the board to authorize Tyler Maloney to negotiate on all late assessments to collect no less than the eight-year statute of limitations based on the date of court filings documents plus attorney fees and lien filing charges as invoiced. **Amended motion:** Leo amended his motion and Dan seconded to add past lien filing fees to the original motion. **Motion carries unanimously.**

Ken Mueller, who owes the association \$2,000-\$3,000 and is not at the eight-year point yet, missed his response due date. **Motion:** Leo motioned and Dan seconded for the board to grant Ken Mueller a seven-day extension to respond. **Motion carries unanimously.**

5.8.2 Ramp's gate

Prior to the meeting the board reviewed numerous documents and past board meeting minute excerpts relative to the gate Kathleen Ramp put on her property that blocks the GLA's easement into public lands. Discussion included the concern that none of the documents was conclusive in that it was unknown who from the GLA wrote many of them; the question of whether if the GLA were to try to claim a vehicular road easement, would it involve regular road maintenance; the recognition that the easement was established in 1977 and is not one of platted roads for maintenance; early on it was a jeep trail; the history of repeated lock changes on the part of Ms Ramp that blocked member use of the easement; in the spring Ms Ramp complained about the lock being cut off and about the GLA not taking care of weeds on that road; there were 4 locks on the gate and Ms Ramp eventually gave the DeGraaf's the combination to the bottom left lock.

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Action Item: *Dennis to talk to Alanah to write a letter alerting Ms Ramp to the board's position that if she changes the combination without notice to the association, at the end of 30 days the GLA will cut it off.*

Action Item – the GLA will provide the combination to Landowners.

5.8.3 Collection of Erickson variance fees

Leo stated that the legal committee had asked Tyler whether non-payment of the variance cost that is not an assessment constitutes being out of compliance with the covenants for the purpose of voting, and the best avenue to proceed. They had not yet received an answer.

5.9 Election Committee

5.9.1 Agenda, set up and handouts for annual meeting

The agenda for this year's annual meeting was the same as last year's except that Mark added "s" and "r" for people speaking or someone reading their bio or statement. **Motion:** Charlene motioned and Mark seconded that the board accept the agenda of the November 10, 2018 meeting. **Motion carried unanimously.**
Action Item: *Charlene - send the new version of the agenda to Claudette, Ken and Mark.*

5.9.2 Announcing quorum & voting results

Dennis would make the secretary's announcements at the annual meeting.

6. Approve minutes

Motion: Dan motioned and Gerald seconded to approve the October 8, 2018 meeting minutes. **Motion carried** (10 in favor and 1 abstention – Charlene).

7. Ombudsman Reports

No report.

8. Visiting Landowner Input Period

Dorothy Keeler noted that the meeting went well and was well organized.

9. Adjournment

The meeting was adjourned at 9:40 p.m.

10. Closed Session – Reply Stone Counterclaim Including Directors

The board reviewed three issues regarding Chad Stone's counterclaim.

Motion: Leo motioned and Dan seconded to ask Tyler to talk to Seth to take all actions possible to not have individual board member names included in the countersuit. **Motion carried unanimously.**

Motion: Leo motioned and Mark seconded to ask Tyler not to remove Lindsay Stone from the GLA's lawsuit until the title was clear. **Motion carried unanimously.**

The board was to meet with Tyler via phone on Monday at 3:00 p.m. Defense of 23 claims was due to Tyler on November 15th.

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1. Pre-Meeting: Early Sign-In & Continental Breakfast Buffet

2. Meeting Commencement/Pledge of Allegiance/Opening Prayer/Welcome

Dennis Riley called the meeting to order at 10:20 a.m., the group recited the Pledge of Allegiance and Susan Gough gave the opening prayer.

3. Proof of Notice of Meeting, Proxy & Quorum Certification

Dennis Riley provided proof of quorum – 330 were authorized to vote and 83 were needed for quorum; there were 101 absentee ballots, 22 proxies and 44 in attendance for a total of 167.

4. Reading of Minutes of preceding meeting

The members agreed to forego the reading of the minutes of the previous meeting.

5. Introduction of the Candidates

Dennis Riley introduced the North and South Glastonbury Candidates who gave their speeches to the membership either in person or by having a statement read by a member in attendance.

6. Question & Answer Period for Candidates

North and South Glastonbury Candidates answered questions from members and other Candidates.

7. Director & Officer Reports

Dennis Riley presented the President's Report.
Regina Wunsch presented the Treasurer's Report.

8. Reports of Committees

Road & Weed Committee:

Denis Riley presented the road report.

Project Review Committee:

Kevin Newby gave the Project Review Committee report.

9. Refreshment Break

During the break board members discussed and voted on the issue of whether an email authorization of proxy would be accepted as a legitimate document for assigning a vote.

Motion: Mark motioned and Gerald seconded for the board to accept email authorization as a valid proxy. **Motion carried** (7 in favor- Dan, Gerald, Kevin, John, Charlene, Mark & Newman, 3 opposed - Leo, Regina & Dennis). **2nd Motion:** Mark motioned and Leo seconded that the board would seek legal advice on email proxies. **Motion carried unanimously.** Discussion involved whether an email address that includes the sender's name is legally considered a signature and whether an email proxy adheres to the guidelines established on the proxy form.

10. Announcement that the Voting Period Had Ended

11. Forum for Members' Questions/Comments

Members, Candidates and Directors spoke and answered questions.

12. Announcement of Election Voting Results

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North Glastonbury Candidates and votes received:

- 61 – Gerald Dubiel
- 59 – Newman Brozovsky
- 26 – Ron Price (write-in)
- 22 – Claudette Dirkers (write-in)
- 10 – Debbie DeGraaf (write-in)
- 02 – Regina Wunsch (write-in)
- 01 – Val O'Connell (write-in)
- 01 – Ron Wartman (write-in)
- 01 – Chris Williams (write-in)

South Glastonbury Candidates and votes received:

- 65 – Ken Hurley
- 54 – Andrea Sedlak
- 51 – Jerry Ladewig
- 45 – Kathleen Rakela
- 40 – Clare Parker
- 39 – Ed Dobrowski
- 01 – Tim Brockett (write-in)

North Glastonbury Ombudsman and votes received:

- 55 – Linda Ulrich
- 01 – Penelope Price (write-in)

South Glastonbury Ombudsman and votes received:

- 70 – Miriam Barker

Dennis Riley summarized that the North Glastonbury Directors elected were Gerald Dubiel, Newman Brozovsky and Ron Price; the South Glastonbury Directors elected were Ken Hurley, Andrea Sedlak and Jerry Ladewig; the Ombudsman elected for North Glastonbury was Linda Ulrich and Miriam Barker was elected as Ombudsman for South Glastonbury.

13. Meeting Adjourned at 2:40 pm.

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1. Call to Order, Pledge of Allegiance, Prayer and one minute of silence (7:00 p.m.)

The meeting was called to order by Dan Kehoe at 7:05 p.m., followed by a minute of silence. Newman read the prayer.

PRESENT: Dennis Riley (President, by phone), Dan Kehoe (acting Vice President and initial meeting chair), Newman Brozovsky, John Carp, Gerald Dubiel, Ken Hurley, Richard Johnson, Jerry Ladewig, Charlotte Mizzi, Kevin Newby, Ron Price (until 10:10), Mark Seaver (by phone until 10:00), Andrea Sedlak (by phone until 10:00).

Also Attending: Karleen McSherry (Interim Administrative Assistant)

Landowners: Svend & Donna Andersen, Debbie Blais, Claudette Dirkers, Leo & Dorothy Keeler, Michael Laverty, Timothy & Charlene Murphy, Linda Ulrich, Ia Williams.

2. Set Agenda

Dan asked to handle 5.1.2 before 5.1.1.

Add 5.9 Election Committee to discuss annual election issues.

3. Visiting Landowner Input Period

Questions were raised about the validity of the North Glastonbury election and about allowing proxy votes to trump and replace already received absentee votes, and the retrieving of absentee ballots in favor of a landowner coming in person to vote as well as the board's vote on election day to accept email proxies. The board had received two opinions from Seth on election issues late that afternoon and Leo questioned whether Seth had been given proper information. He requested that the legal committee present Seth with the full facts. Due to the back and forth nature of the discussion it was decided to cover this issue more fully later in the meeting.

4. UNFINISHED BUSINESS

5. Officer and Committee Reports

5.1 President's Report – DR

5.1.1 Board orientation, Code of Conduct policy; Conflict of Interest statement; Confidentiality Agreement

Board members signed the Code of Conduct policy.

5.1.2 Election of Officers

All officer candidates ran unopposed and were approved by unanimous voice votes.

President: Dennis Riley

Vice President: Kevin Newby

Treasurer: Mark Seaver

Secretary: Charlotte Mizzi

Dan passed the chairing of the meeting to Kevin.

5.1.3 Re-establish committees and chairs; complaint process & possible committee

Committees and chairs are as follows:

Road Management Committee: Co-Chairs: John C. (North) and Ken H. (South)

Road & Weed Committee: Co-Chairs: John C. (North) and Ken H. (South).

Members: Newman B., Gerald D., Richard J., Dennis R., Walter Wunsch.

Project Review Committee: Co-Chairs: Gerald D. (North) and Kevin N. (South).

Members: Richard J., Ron P., Donna Andersen, Ia Williams.

Finance Committee: Chair: Mark

Members: Charlotte M.

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Motion: Charlotte motioned and John seconded to create a new complaint committee. Voice vote. **Motion carried unanimously.**

Complaint Committee: Chair: Jerry L
Members: Newman B., Ron P.

Governing Documents Committee: Chair: Jerry
Members: Ken H., Charlotte M., Andrea S.

Election Committee: Co-Chairs: Andrea and Kevin N.
Members: Charlene Murphy.

Legal Committee: Chair: Dennis R.
Members: John C, Charlotte M, Kevin N., Mark S.

Webmaster: Mark S.

Action Item: *Karleen – put on January 2019 agenda for the board to discuss the optimal size of the road committee.*

5.1.4 Determine meeting dates for 2019

The board was presented with a tentative schedule of meetings for 2019. Charlotte requested the March meeting be moved from the 11th to the 4th. All agreed to the change and the rest of the draft schedule. It was noted that the Project Review Committee meeting would also be pushed back one week to February 25th.

5.1.5 Set 2019 goals

It was agreed that committees that were to convene before the January board meeting would discuss their 2019 goals and present them during the first board meeting next year.

5.1.6 Revisit the prayer/no prayer standard for the year

Motion: Charlotte motioned and Ron seconded to have a non-denominational prayer at the beginning of each meeting. Roll call vote. **Motion carried** (7 in favor and 5 opposed – Ken, Jerry, Dennis, Mark & Andrea).

5.1.7 Meeting Safety

The board discussed Jerry's email request to lock the door once a board meeting began and to enact a no gun policy. Discussion included fire regulations prohibiting locking the door; the lack of power on the part of the association to keep someone from carrying if they are legally permitted to do so.

5.2 Project Review Committee Report – GD / KN

5.2.1 Himmelpach's shed on NG 47-C

Gerald spoke with Mr. Himmelpach and he wasn't aware he needed an app for a shed under 200 sq ft. Gerald informed him that he did whereupon he submitted an application.

Action Item: *Karleen – contact Mr. Himmelpach about submitting before the next project review committee meeting a plat map with his shed and distances to boundaries marked.*

5.2.2 Stone second dwelling

Kevin reported that there was enough supporting evidence of Mr. Stone having a 2nd dwelling for which he was receiving \$900/month. **Motion:** Charlotte motioned and Newman seconded, to send Mr. Stone a letter regarding a 2nd dwelling assessment and bill for it immediately. Voice vote. **Motion carried unanimously.**

Action Item: *Karleen – send letter and let board know when it's gone out.*

5.2.3 Small projects and driveways, i.e., Briggs NG 22-C shed

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Kevin reported that Mr. Briggs' 3.5 acres had no improvements and no structures and the request was to put a 192 sq ft movable shed in the middle of the property. He submitted his application late so it would be discussed fully at the next board meeting. Kevin noted that there was no application for a driveway and culvert. The area is undeveloped but there was a subdivision road and cul-d-sac that was 8 inches lower than the property. Discussed if access is off a subdivision road and not a GLA platted road, the association cannot require a driveway.

5.3 Treasurer's Reports

5.3.1 P&L, Balance Sheet, Deposit/Check Details, Customer Balance Summary Oct. 2018

Motion: Newman motioned and Gerald seconded to accept the October treasurer's report as presented at the annual meeting. Voice vote. **Motion carried** (11 in favor, 1 abstention – Charlotte because she didn't attend the annual meeting).

5.4 Finance Committee Report

5.5 Secretary's Report –

5.5.1 Document Request, Donna Andersen

Charlene discussed the precedent set earlier in the year when the board voted to not give Tim Brockett sign-in sheets. Signatures and knowledge of who voted and who didn't was deemed private. Discussion included whether to give Donna the documents she requested, her belief that she had a right to them; the idea that the state requires the organization to provide landowners certain documents but there are a lot of records the association is not required to provide. The next election committee meeting was set on December 17 at 6:00 pm in Emigrant Hall where election materials could be seen by all interested parties, and the flow of events could be examined.

Action Item: *Charlene to call Rose Rigler to reserve Emigrant Hall.*

5.5.2 Administrative Assistant

Charlene reminded the board that they had voted to hire Karleen as the interim administrative assistant until the first of the year. The board would need to vote to keep her on. Discussion included the difficulty in attracting candidates with a \$15/hr wage; the issue of perhaps needing to add hours especially if she would be helping Mark with scans, documentation & banking; the proposal to raise the salary to \$18/hr and provide one week of paid vacation; the need to check the budget before committing to any increases. **Motion:** Charlotte motioned and Gerald seconded to extend Karleen as the administrative assistant until August and to look into a pay raise, additional hours, and a week's paid vacation. **Amended Motion:** Charlotte motioned and Andrea seconded to extend Karleen indefinitely as the administrative assistant and to look into a pay raise, additional hours, and a week's paid vacation. Voice vote. **Motion carried unanimously.**

Action Item: *Karleen – keep track of the number of hours spent in treasurer's help.*

Action Item: *Karleen – ship the treasurer's laptop to Mark.*

5.5.3 Email Votes

1. Nov 28-30, the board voted to approve the 11 02 2018 board meeting minutes. Motion carried unanimously (all 12).

2. Nov 6-7, 2018, the board voted to send a letter to Ron Price regarding his withdrawal as a candidate and their acceptance of his withdrawal but not his reinstatement. Motion carried (9 in favor: Leo, Mark, Charlene Regina, Dennis, John, Kevin, Dan, Gerald; 1 opposed: Charlotte; 1 Recusal: Newman).

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- 5.5.4 2014 Bylaw amendment re: email notification, post to website**
Action Item: Karleen – send to Mark the document to be posted.

5.5.5 Unofficial email notifications

For the past few weeks the association didn't have a secretary and no unofficial email communications were sent out during that time. Such communications are a courtesy of board. Charlotte agreed to send them out in the future.

5.6 Road and Weed / Management Committee Report – DR / CM

5.6.1 Snowplow contract

The association needed to sign a contract with the new snowplow contractor. Fred Counts sold his equipment to Standish. It was noted that the GLA plow was stored at Fred's property and he would use it as a backup driver coming under the GLA's insurance plan.

Action Item: Dennis – follow-up with Standish and draft a contract with the new driver.

5.6.2 Authorize snowplow coordinators to dispatch as per guidelines

Motion: Charlotte motioned and Ken seconded to authorize all snowplow coordinators to dispatch snowplow drivers and make decisions as long as they follow the current snowplow guidelines. Voice vote. **Motion carried unanimously (9 members).**

5.6.3 Consider whether to reestablish markers as part of ditch work & special projects

Tabled until next meeting

5.7 Complaints – DR /MS

5.7.1 Sherwood eyesore

Dennis reported that the association had exhausted its process regarding Mr. Sherwood's eyesore, including sending two letters without receiving any response.

Motion: Dennis motioned and Jerry seconded to authorize Tyler to include the eyesore complaint as part of his action against them for non-payment of assessments. It was noted that Mr. Sherwood was on a payment plan. **Amended**

Motion: Dennis motioned and Ken seconded for Dennis to contact Seth regarding the covenant violation. **Motion carried unanimously (9 members).** It was alleged that Mr. Sherwood also has people living in a motor home on the property, which is a covenant violation.

5.8 Legal Committee Report – CM / DR

5.8.1 Update from Tyler and how to proceed with collections

Dennis would look over the paperwork and communicate with the legal committee regarding how to proceed with the ten outstanding cases. The board would then vote via email regarding what to instruct Tyler to do.

5.8.2 Collections options (pay in full now, 2-year plan or extended payment plan w/ interest)

Tabled until next meeting.

5.8.3 Legal advice from Seth: re: proxy designation via email, proxy and absentee ballot

Tabled until next meeting.

5.9 Election Committee

Action Item: Committee chairs – contact John to schedule a meeting at Liberty Hall.

Action Item: Karleen - prepare a new board contact list.

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6. Approve minutes: Annual Meeting 11-10-2018

Tabled until next meeting.

7. Ombudsman Reports

8. Visiting Landowner Input Period

9. Adjournment

Kevin adjourned the meeting at 10:25

10. Next Board Meeting: January 14, 2019

11. Closed Session (if needed)