

Glastonbury Landowners Association, Inc.
Board of Directors Meeting Minutes – Corrected
November 4, 2016

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

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

PRESENT: Dennis R. (Vice President), Charlene M. (Secretary), Rudy P. (Treasurer), Newman B., Ed D., Gerald D., Richard J., Dan K., Kevin N., Paul R., Mark S.

ABSENT: Charlotte M. (President)

Also attending: Iona Y. (Administrative Assistant)

Landowners: Donna A., Timothy B., Debbie D., Claudette D., Leo K., Dorothy K., Jerry L., Michael L., Dan O., Val O., Fran N., Jeff R., Wendy R., Andrea S., Linda U., Ben V., Ia W., Walter W., Regina W.

Guest: Tim M.

2. Set Agenda

Paul added 4.6.5 Road engineers report; Kevin requested to add 4.6.6 County Involvement with Dry Creek Road.

3. Visiting Landowner Input Period

Concerns were expressed about adjustments in the road maintenance fund that needed to be done to correct the financial reports; that County records suggested two properties that the Association had listed as being owned by individuals were owned by Church Universal & Triumphant; that landowners should be charged for unusual document requests only and not general research since the board was responsible for providing a certain level of service. Regarding the upcoming election, questions arose about how eligible voters would be verified and when the final day was to comment on the proposed Collection Policy.

Action Item: *Rudy will ask Micah to correct the financial reports and provide the corrected report in time for the Annual Meeting on November 12th.*

4. Officer and Committee Report

4.1 President's Report – CM

Due to Charlotte's absence, there was no report.

4.2 Project Review Committee Report – GD / KN

4.2.1 Second Dwelling Assessment SG 26-A2

Earlier this year, the landowner objected to being charged for a second dwelling assessment. Rudy removed the charge for 2016 but reinstated the second dwelling assessment for 2017. Discussion included the new letter that would be sent to landowners who would receive additional dwelling assessments in 2017; the procedure landowners could follow if they wanted to challenge the board's decision to charge the extra assessment.

Kevin also addressed a final project review application sent in by Randy R. that was on hold until his property was properly reseeded.

4.3 Treasurer's Reports – RP 25:20

4.3.1 Balance Sheet, Deposit/Check, Customer Balance Summary

Motion: Rudy motioned and Ed seconded to accept the treasurer's report: balance sheet, profit & loss statements, and check & deposit details as amended with corrections under 10.35 & 10.36 to reflect the proper allocation of funds for inclusion in the minutes. In discussion, Dennis suggested the motion be approved by email vote after the corrections were made in QuickBooks. **Motion carried** (7 in favor, 1 abstention – Newman, 2 opposed - Kevin, Dennis).

4.3.2 Draft 2017 Budget

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Rudy presented the draft 2017 budget prepared during two recent Finance Committee meetings. There was an extra \$217 that could be split between North and South in order to balance the budget to zero. **Motion:** Rudy motioned and Dan seconded to accept the draft budget with the change to zero out the \$217 by splitting it between the North & South road budgets, and that this draft would be presented at the Annual Meeting. **Motion carried unanimously.**

4.3.3 Procedure to apply payments to past due accts- Regina

Rudy has given written instructions to Micah, the accountant, to apply payments to past due accounts that were not on payment plans as per standard accounting procedures and as recommended by Regina W.

4.4 Finance Committee Report – RP

4.4.1 Discuss pymt plan SG 34B & SG 34C

Rudy created a 3-year payment plan, different from the typical 2-year plan that is offered to landowners in arrears. Rudy mentioned that if the board approved this plan, we would reserve the right to file the liens if the landowner missed a payment or put the property up for sale. **Motion:** Rudy motioned and Ed seconded that the board approve the payment plan as presented, the president co-sign the plan when she returns, and the payment plan go into effect. **Motion failed** (3 in favor – Ed, Dan, Rudy; 5 opposed – Gerald, Charlene, Kevin, Dennis, Mark; 3 abstentions – Newman, Richard, Paul). Discussion included concerns about deviating from procedures & setting precedents and a suggestion to consider a 24-month payment plan. **Motion:** Kevin motioned to ask the landowner for payments of \$180/month for 2 years. Discussion: Dan pointed out that if liens were filed, it would be going the other direction of violating the collections draft. He suggested to just file the liens. **Motion withdrawn.** Kevin withdrew his motion and proposed a new one. **Motion:** Kevin motioned and Dennis seconded to file liens on the SG34B & SG 34C properties with no negotiating payment plans. **Motion failed** (2 in favor – Kevin, Dennis; 7 opposed – Newman, Ed, Gerald, Dan, Charlene, Rudy, Paul; and 2 abstentions – Richard, Mark).

Motion: Rudy motioned and Ed seconded to reduce the payment terms to 2 years with payments of \$187/mo, and not file a lien if the landowner signed the plan. **Motion carried** (9 in favor; 1 opposed – Kevin; 1 abstention – Dennis).

4.4.2 Attorney opinion statute of limitations, 3 increased after recalculation

The board had not yet received the attorney's response. George M. had fulfilled his payment plan from 2009, but two weeks later, the recalculation revealed he owed more. On November 12 George was a board candidate and the board questioned if he should be expected to pay the \$158.53. The board considered that since he paid in full according to the agreed plan, fulfilling his obligation, the error should be written off as a bank error. Furthermore, attorney opinion was not needed. **Motion:** Rudy motioned to write off the \$158.53. In discussion, Regina suggested this should be a credit because it was an overcharge. Rudy explained he withheld George M's last assessment payment because he was waiting for attorney opinion about the recalculation mistake, so he never received his last bill.

Motion amended: Rudy motioned and Paul seconded to give George a credit for \$53.53 and give him the opportunity to pay the \$105 in 5 days so he could participate in the election. **Motion carried** (10 in favor, 1 abstention – Dan).

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4.4.3 Collection Procedure, review draft 10-26-2016

Changes to section F were reviewed regarding the inclusion of the statement that the settlement of accounts could be voted on by the board in a public meeting. Landowners had until November 10 to submit comments; if no further comments were submitted, the board could approve the draft by email vote on November 10, put it on the website for thirty days, and then start collections.

4.4.4 Assessment discount issue

Kevin noted that although the present discount was accepted by prior boards, nothing stated it needed to continue. He also felt those who wanted to continue this discount needed to write a policy. **Motion:** Kevin motioned and Charlene seconded to discontinue all discounts starting January 2017. **Motion carried** (9 in favor, 2 opposed – Newman and Rudy).

4.4.5 Discuss ownership of NG 39 & NG 65

Charlene suggested the board seek attorney advice in lieu of continued debate. **Motion:** Charlene motioned and Mark seconded for the legal committee to gather all info about NG 39 & NG 65 and ask the attorney who would be served liens, and who was legally obligated to pay when the association goes to collect on outstanding debts. Discussion included the suggestion to allow the attorney to research and interpret the information. **Motion carried unanimously.**
Action Item: *The legal committee will draft the letter requesting attorney Rick Landers' assistance in the matter.*

4.4.6 15% interim interest rate/no compound interest 3

Charlene suggested this was a job for the new board on December 5 - Tabled.

4.4.7 Revisit current assessment discount

The board felt this was already addressed under 4.4.4.

4.4.8 Report on donation fund discussion at 10-19-2016 meeting

Rudy will ask Micah, the accountant, to prepare the fund report with instructions from Regina. The fund report will be handed out at the annual meeting.

4.5 Secretary's Report – CRM

4.5.1 Annual meeting November 12, logistics and agenda

Charlene reviewed the agenda including topics for committee reports, the candidate presentation period; the need for kitchen helpers and a ballot counter from South (Walter Wunsch volunteered); and set-up the evening before.

4.5.2 Open meetings and guests

Landowners' spouses who were not listed on the deed and guests or representatives of landowners would be welcome to attend meetings as per attorney advice.

4.5.3 Special Meetings of Members canceled, Oct. 27 & Dec. 8/next mailing

The board voted via email to cancel the special meetings and would notify the membership through a letter in the mail.

4.6 Road & Weed / Management Committee Report

4.6.1 Discuss Dodge plow truck repairs

Walter W. reported that final repairs would be completed on the sander motor. The plow blade had been improved.

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4.6.2 Installation of sump on Capricorn

Gerald stated a sump (and not a culvert) needed to be installed to prevent rain getting under the road and damaging it. Three bids had been collected in the past, but the board felt there was not enough information to a make decision and moved to topic to unfinished business.

4.6.3 More snow poles & reflectors

For additional safety, fifty more poles and reflectors were ordered and would be installed soon.

4.6.4 Commercial plow truck

Walter W. proposed the idea of Fred Counts buying a commercial snowplow truck, contracting with the GLA to use the equipment as the main plow, and using the Dodge as back-up. Counts would require the GLA to pay a minimum of \$2,500 for a season and an hourly rate of \$110/hour thereafter. Strengths of the truck included its ability to go up to High South with chains; its ability to plow the width of the road in one pass; and that it was all hydraulic. Counts sought verbal consent from the board through Walter. Dennis suggested a written contract to establish GLA as Counts' priority contract. **Motion:** Charlene motioned and Paul seconded to contract with Fred Counts who will use the large commercial snow plow unit; contract for a minimum of \$2,500 a season (first 22.7 hrs.); pay \$110 an hour thereafter; expect all his paperwork be in place as an independent contractor; and GLA would be his primary contract. Discussion included the financial advantages and savings to the GLA; that as an independent contractor, Counts would be responsible for his own insurance, and comp exemption; that loading up the sander would still cost \$50 a load (separate from the \$110 per hour); and how long a commitment the GLA would make at this time. **Motion Amended:** Charlene motioned and Paul seconded to contract with Fred Counts and his big machine for \$2,500 starting Dec 2016 through end of 2017 at \$110 per hour after the contract fee of \$2,500 was used up, and \$50 to load sand. **Motion carried** (10 in favor, 1 opposed – Ed).

4.6.5 Road Engineer's report

Paul consulted engineer Alan Shaw who stressed the importance of preserving the paved roads in North with chip sealing as soon as possible. He also advised building up the gravel roads as much as possible, cleaning up the ditches, and removing material where steep banks hindered proper depth.

4.6.6 County Involvement with Dry Creek Road

Kevin initiated discussions with Parks Frady concerning adding three extra speeding signs, a sign that recommended use of tire chains, culvert clean-up, and mowing on Dry Creek Rd. Kevin was still waiting for a response.

4.7 Communications & Technology Committee Report

4.7.1 Charging for research time on Document Requests

A landowner suggested making certain documents readily available electronically and charging a specific rate for research that took over an hour. The topic was moved to Unfinished Business.

4.7.2 Revised tracking system for landowner communications

Mark and Dennis were in the process of trying to implement a new code, but difficulties with google mail, including locating original emails after long threads of discussion, were hindering progress.

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4.8 Legal Committee Report

4.8.1 Attorney opinion on open meetings and photography at meetings

Attorney Alanah Griffith confirmed the board could ban photography at meetings.

4.8.2 Attorney opinion on representatives of trusts and corporations

Attorney Alanah Griffith confirmed representatives of trusts and corporations could serve as board directors and ombudsmen.

Action Item: *Mark will post attorney letters regarding open meetings, photography at meetings, and rights of representatives of trust or corporations.*

5. Approve Meeting Minutes, 10-3-2016 & Special Meeting of Members minutes 8-27-2016

Motion: Charlene motioned and Rudy seconded to approve the August 27 meeting minutes as written. **Motion carried unanimously.**

Kevin requested that the closed session minutes include that the board agreed to file liens on the two properties, SG34B & SG 34C. **Motion:** Charlene motioned and Paul seconded to approve the October 3 board meeting minutes through number 8, not including the closed session. **Motion carried** (9 in favor and 2 opposed - Ed and Kevin).

Action Item: *Iona will provide an audio clip of the closed session discussion and write closed session meeting minutes. The board will then vote on the closed session minutes via email.*

6. UNFINISHED BUSINESS

4.7.1 Charging for research time on Document Requests

7. Visiting Landowner Input Period

Landowners commended Dennis for his performance presiding over the meeting.

8. NEW BUSINESS

9. Adjournment

The meeting was adjourned at 11:28 p.m.

10. Next Board Meeting: Friday, December 5, 2016