

**Glastonbury Landowners Association, Inc.**  
**Board of Directors Meeting Minutes – Final**  
**November 6, 2017**

**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 (left 9:45 p.m.), Richard Johnson, Leo Keeler, Charlotte Mizzi, Kevin Newby, Paul Ranttalo (left at 10:00 p.m.), Mark Seaver.

**ABSENT:**

**Landowners:** Svend and Donna Andersen, Debbie Blais, Timothy Brockett, John Carp-Ombudsman, Claudette Dirkers, Dorothy Keeler, Michelle McGowan, Sally Muto rep for Jeff Muto, Jeff Reiderer, Andrea Sedlak, Randy Venteicher, Ia Williams.

**Guest:** Danilie Howe

**2. Set Agenda**

Regina added: 5.3.5 Iona's timecard breakdown problem;  
5.4 Draft Budget changing name of acct and new accts that have to be added  
5.8.4 Update on Erickson variance invoice  
5.10.12 SG candidate not in good standing  
Charlene added: 5.10.13 Annual Mtg agenda  
Leo added: 5.2.3 SG 26-D Randy Ventichner- Project Review requirements for home modifications for employee housing for Mountain Sky Guest Ranch

**3. Visiting Landowner Input Period**

John Carp responded to two statements written about him that he felt were not true; the statements were from letters recently written by Val O'Connell and Ia Williams. Debbie Blais requested that email votes be published in the board meeting minutes. Charlene explained the email votes would be read aloud at this meeting and attached to the official minutes sent to landowners.

**Action Item:** *Charlene to send email motions and votes to email subscribers.*

**4. Unfinished Business**

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

Dennis reported that he never found the letter from Alanah to CUT requesting a meeting.

**Action Item:** *Dennis will look on his computer for a copy the letter; if it had been sent, he will follow up with another letter.*

**4.2. Arcturus Extension**

Leo expressed concern that funds were being spent in maintaining the extension, benefiting the landowners in that subdivision, but that all other subdivision roads did not receive services.

**Action Item:** *Dan will find the motion in the 2004 or 2005 meeting minutes wherein the board voted to maintain the Arcturus extension beyond the platted portion.*

**4.3 NG 9-B, building project different from application**

While it appeared that the Johnson's construction did not match the design submitted in the application, the siding was not yet up and the height requirement was being met. The board decided no further action was needed at this time as there was no change from the plan submitted.

**5. Officer and Committee Reports**

**5.1 President's Report – DR**

**5.1.1 Welcome, introductions**

**5.1.2 Moving forward**

### 5.1.3 Temporary Restraining Order update

The court hearing to make the order permanent was scheduled for November 8th at the City-County complex at 414 E. Callender St. in Livingston.

## 5.2 Project Review Committee Report – GD / KN

### 5.2.1 New Dwellings for assessment

Finished new dwellings that would receive an assessment in 2018: NG 9-B, NG 30-D, SG 28-C, and NG 28-A. SG 41-A should be billed for a two bedroom apartment when it was done because plans sent to state and county indicated a dwelling upstairs..  
Dwellings that have not been built yet: SG 41-A, SG 68, NG 51-A, SG 94 .

### 5.2.2 Chris Brookhart bond refund

Due to snow covering the property, nothing could be verified–Tabled.

### 5.2.3 SG 26-D Project Review requirements for home modifications - employee housing for Mountain Sky Guest Ranch, LLC

The potential buyer of SG 26-D, Mountain Sky Guest Ranch, LLC, desired to convert the current single family home into employee housing. The board discussed that since improvements would be made under the existing roof, and all other requirements would be met, that a project review was not needed. The improvements would result in 2 dwellings under one roof and affect assessments.  
**Motion:** Leo motioned and Kevin seconded that no Project Review was needed to convert the house at SG 26-D from a single family dwelling to employee housing as per Mountain Sky Guest Ranch's plans. **Motion passed unanimously.**  
**Action Item: Charge an additional dwelling assessment after remodel.**

## 5.3 Treasurer's Reports – RW 3:05:25

### 5.3.1 Highlights: P&L, Bal. Sheet, Dep/Check Details, Customer Bal Sum. Oct, 2017

**Motion:** Charlene motioned and Dan seconded to accept the October Treasurer's Reports. **Motion passed unanimously.**

### 5.3.2 Collections Update

Regina reported that 7 people were on payment plans. NG 65- William Davis' entire account needed to be recalculated before sending the case to the collection attorney. By general agreement, the board decided to ask Micah to do the recalculation.

NG 48 was not legally subdivided, so GLA had to treat it as one parcel. The landowner also claimed a \$1,025 credit should have been applied last year.

**Action Item: Regina to check if the payment to NG 48 was applied.**

**Action Item: Send entire list to Landers Wed or Thurs; Regina will take care of troublesome ones; Dan and Leo will plan to meet with Landers after.**

### 5.3.3 Recalculate NG 65

**Action Item: Regina to ask Micah Hardin at ATS to recalculate NG 65.**

### 5.3.4 Statute of limitations on Buford NG 12A and Jordan-Guess SG 105B

**Action Item: Dan will ask Landers about this.**

### 5.3.5 Iona's timecard breakdown – added by Regina

Document fulfillment hours were to be included as administrative hours and should be tagged as “hours to be invoiced”, unless it is a document request for legal purposes (only those should be marked as "document request hours").

## 5.4 Finance Committee Report – RW

### 5.4.1 2018 Draft Budget 3:38:44

New accounts were added for the draft: 1035c NG Gravel Road Magnesium Chloride and the equivalent for SG: 1036-B. Parkland utilities were reduced; "litigation" will be changed to "legal costs"; admin expense reduced.

**Motion:** Charlene motioned and Charlotte seconded to accept the draft budget to present at the annual meeting with the one change of line title "litigation" to "legal costs". **Motion passed unanimously.**

**Action Item- Regina to have Micah change name to "legal costs".**

#### **5.4.2 Davis NG 65, recalculation**

Addressed under 5.3.3

#### **5.4.3 Collection List to Attorney Rick Landers**

Addressed under 5.3.2

#### **5.4.4 PayPal fix using JTech Communications web support**

#### **5.4.5 Jeremy Backer address and delinquent letter**

Backer closed his PO Box after receiving his delinquency letter; his account will be turned over to the collections attorney.

### **5.5 Secretary Report – CRM**

#### **5.5.1 Landowner representatives**

By general consensus, the board felt a landowner's representative should have the power of attorney and act in the same manner as the landowner, i.e. request documents.

#### **5.5.2 Annual meeting changed to December 2, 2017 – mailing and new SG ballot**

Last month, the board had planned to send out a mailing to notify the membership one of the candidates was not eligible due to a violation of Covenant 10.04. The mailing was scheduled to allow 30 days prior to Nov 11. However, this candidate sent the board a legally weighted email which led the board to seek legal advice and delayed the mailing. To allow 30 days prior to the election, the date was changed to Dec. 2.

Dan will lead the meeting because Dennis is running and will not be present. Kevin will also be absent.

**Action Item: Dennis will write his President's Report, Road & Weed report, and introduction/biography and choose someone to read for him.**

**Action Item: Kevin will write his candidate statement and choose someone to read it for him. Kevin will also email Gerald the Project Review Committee Report so Gerald can present it at the meeting.**

**Action Item: Leo will address the status of the Community Property Committee**

**Action Item: Charlene to ask Jerry Ladewig to update her article in next issue of the Park County Community Journal to announce there will be no hamburgers for lunch.**

#### **5.5.3 Alternate committee meeting location**

Liberty Hall kitchen is also available for committee meetings, as another alternative to Sally Muto's home, and will not charge GLA.

#### **5.5.4 Tim Brockett Document Request**

Tim requested to copy the ballots from 2016 for research for an article. The actual ballots would not be published. The board determined that anyone could inspect, rather than copy the ballots. Tim was satisfied to do so after the election.

### **5.6 Road and Weed / Mgmt Committee Report – DR 4:00:**

#### **5.6.1 Draft Road Policy Q & A 4:01:30**

**Motion:** Leo motioned and Kevin seconded to send the Draft Road Policy Q & A with the draft Road Policy and current Road Policy with a cover letter, for 30-day

review, requesting landowner comments sent to the board. Mailing to be sent as soon as possible. Motion carried (9 in favor, one no vote-Newman; Gerald and Paul had left).

**Action Item:** *Tim Brockett and Claudette Dirkers will write the cover letter.*

#### **5.6.2 Fall grading and culvert cleaning update**

Road work was delayed. The contract for fall grading with Standish took time to finalize. Mag chloride will probably not be done due to weather. If the snow melts we may do some grading in November. Plan for next year, spring grading in late May or early June. Culvert work was completed. Culvert on Gemini now has a steep drop off. May need guard rails.

#### **5.6.3 Snowplowing contract, maps and roads to be plowed**

**Motion:** Dan motioned and Newman seconded to spend \$150 from misc. account to print and laminate 10 copies of all road maps for plow drivers and snow plow coordinators. Unanimous agreement **Motion Carried.**

#### **5.6.4 Snow fence replacement**

Park County donated \$800 in fence. We bought 41 rolls and all the poles. Permission from MT Sky Guest Ranch to install them, it took time to get this in place and then the snow came. Nelson Story gave permission to fix fence on the Sirius Hill curve and permission to build a gate to access the top of Sirius Hill.

**Motion:** Leo motioned and Regina seconded that GLA donate a gate and lock to Story Ranch costing about \$100 and the road committee will install it.

Unanimous Agreement **Motion carried.**

**Motion:** Dan motioned and Leo seconded to allocate \$2500 for snow fencing as per Road & Weed committee proposal. Unanimous agreement. **Motion Carried.**

Proposal from Road & Weed committee for or new signs was tabled.

### **5.7 Communications & Technology Committee Report – NB**

#### **5.7.1 Hire website support to customize PayPal for GLA use**

Mark got as far as he could in trying to get PayPal fully functioning. He contacted web developing company JTech 405 in Bozeman for assistance; they estimated 3 hrs., at \$135/hr. to get it up and running.

**Motion:** Kevin motioned and Charlotte seconded to hire web developer JTech 405 to assist Mark in making PAYPAL work for GLA use. **Motion carried** (10 in favor; 2 opposed- Leo and Regina).

#### **5.7.2 Draft Conflict of Interest Policy**

##### **a. identification, enforcement, penalties**

Mark had drafted a new policy, but a few directors expressed preference for the older version.

**Motion:** Charlotte motioned and Gerald seconded for the conflict of interest draft to go back to committee, then return to the board for comment and out to the membership for 30-day review. **Motion carried** (7 in favor; 5 opposed- Leo, Kevin, Mark, Regina, and Dennis).

#### **5.7.3 Lannes noise complaint – draft letter**

Newman had drafted a letter to Clawson, and asked the board for assistance with drafting a concluding letter for Lannes. In discussion, however, it was determined that since Clawson's wood cutting was a business, he should be notified of the noise ordinance and made aware of his potential violation of this covenant.

**Action Item:** *Send the letter back to committee to revise it.*

#### **5.7.4 Complaint Val O'Connell 8 15 2017 – draft letter**

**Action Item:** *Charlene will draft the letter by the next committee meeting and bring it to the board.*

#### **5.7.4 Kwiecien complaint - draft letter**

Mark drafted- and was ready to send out- a response to the landowner's letter. The complaint came in as an "aside" with payment, not as an official complaint.  
**Action Item:** *Mark will include in the letter that if Kwiecien wants to make it a formal complaint, he needs to submit a complaint form.*  
**Action Item:** *Mark will send the final product to Kwiecien and a copy to the secretary & admin assistant for the record.*

#### **5.7.5 Covenant enforcement, fines and penalties**

The Communication & Tech committee didn't have a proposal to bring to board.  
**Action Item-** *Refer this issue back to the Communication & Tech committee.*

### **5.8 Legal Committee Report – DR/DK**

#### **5.8.1 President's email to C.U.T. re: road easements, parkland**

Addressed under 4.1.

#### **5.8.2 Attorney advice re: safety concerns**

The board passed a motion to hire a uniformed security guard on advice from the attorney (email vote-- see 7.1), however, one had not yet been hired for the Dec 2 meeting. Gerald felt there should be a security guard at every meeting.  
**Motion:** Gerald motioned to hire a security guard for every GLA board meeting, including the annual meeting, thru 2018 (calculated at \$35/hr, including compensation for travel fees, an armed guard would cost \$250 per mtg). No second. **Motion failed.**

**Motion:** Charlotte motioned and Gerald seconded to hire a security guard for the Dec 2, 2017 annual meeting. **Motion carried unanimously.**

**Action Item:** *Charlene will give Dennis the phone number to Rocky Mountain Security and Dennis will hire the security guard for the meeting.*

#### **5.8.3 Invoice O'Connell's**

Dan was waiting to consult with Landers.

#### **5.8.4 Erickson invoice**

Dan wanted to have a meeting with the Erickson's, and Richard and Alyssa, the board members originally involved with managing the variance; if the phone call didn't work, they would seek legal advice.

**Action Item:** *Dan to contact the Erickson's and set up a phone meeting.*

### **5.9 Governing Documents Committee Report - LK**

#### **5.10 Election Committee Report - CRM / KN**

##### **5.10.1 Safety concerns at Annual Meeting**

Addressed under 5.8.2.

##### **5.10.11 Motion to follow Covenant 3.19**

The Election committee had recommended that the board require a landowner to be paid up on all lots owned, in order to vote. Multiple interpretations to the covenant were expressed and the importance of getting this resolved before the 2018 election (instructions and procedures determined last April 2017 would be honored for the current election). Multiple legal opinions would be sought.

**Action Item:** *Get attorney Seth Brown's opinion and look for other reputable attorneys for advice.*

##### **5.10.12 SG candidate not in good standing – added by Regina**

Because Marshall Haley did not pay his fourth installment by October 31, 2017, he was not in good standing and could not vote or run as a candidate named on the ballot.

**Motion:** Leo motioned and Mark seconded to notify Mr. Hailey that because he did not pay assessments by Oct 31, he was no longer a member in good standing and not eligible to run for the board as a ballot candidate. However, he could be a write –in candidate if he paid by the Dec 2, 2017 **Motion carried** (10 in favor, 2 opposed– Newman and Gerald).

**Motion:** Charlotte motioned to send out a new SG ballot. No second. **Motion failed.**

**Action Item:** *Charlene will contact Marshal Haley and inform him his is not qualified as a candidate named on the ballot but could be a write in candidate if he pays the assessments and late fees.*

## 5.11 Community Property Report

### 5.11.1 Water lines update

The water lines were blown out and the toilets winterized by RJ, Paul, and Hank Fabich.

## 6. NG and SG Ombudsman Report

### 7. Approve Meeting Minutes, 09 11 2017 & 10 09 2017 2:29:18

**Motion:** Kevin motioned and Dan seconded to approve the September and October meeting minutes.

**Discussion:** Leo felt there was an omission to the October minutes under the second 5.5.2 motion regarding Ms. Rakela. Leo asked to have the following added to that motion: "...due to the violation to covenant 10.04."

**Amended motion:** Kevin amended the motion to approve the minutes with the change as specified. Leo seconded the amended motion. **Motion passed unanimously.**

### 7.1 Approve Closed Sessions minutes and 3 email votes

**Email Motion voted on September 16-21, 2017:** Kevin motioned and Mark seconded to seek a restraining order against Valery and Dan O'Connell for GLA Board meetings.

**Motion carried** (8 in favor; 1 opposed; 1 abstention; 1 recusal).

**Email Motion voted on October 4-5, 2017:** Charlene motioned and Dan seconded to hire the necessary security guard for the October and November board meetings and two security guards for the November 11 Annual meeting. **Motion carried** (9 in favor).

**Email Motion voted on October 10-12, 2017:** Charlene motioned and Charlotte seconded to hire attorney Seth Cunningham to give legal advice on 1) Kathleen Rakela's eligibility to be a candidate for the board, 2) that she violated Covenant 10.04 and is not a member in good standing, 3) if there is any conflict of interest by Dennis, Mark, or Kevin voting to disqualify her. Charlene further motioned that no letter be sent to South Glastonbury landowners until attorney advice is received. **Motion carried** (9 in favor; 1 opposed).

**Email Motion begun during closed session via conference call on Oct 19, 2017:**

Charlene motioned and Leo seconded to postpone the Annual Meeting to December 2, 2017 to enable the revised ballot for SG candidates to be mailed and have 30-day notice.

**Motion carried** (10 in favor; 1 opposed- Kevin; one abstention- Charlotte).

**Email Motion begun during closed session via conference call on Oct 19:** Charlene motioned and Mark seconded to accept the SG cover letter, submitted by Charlene, to accompany the revised absentee ballot, with minor grammatical edits and clarification, provided the substance is not changed. **Motion carried** (9 in favor; 1 abstention- Charlotte).

**Email Motion voted on October 20-21, 2017:** Leo motioned and Charlene seconded to send Draft 4 to Ms. Rakela via email as a response to her email, to be sent via the Communication Committee on behalf of the board. If there is a need/purpose for sending a hard copy, sending that is included in this motion. **Motion carried** (8 in favor; 1 abstention).

**Email Motion voted on October 23-26, 2017:** Charlene motioned and Leo seconded to approve the motion made by the election committee, to 1) Host a Candidate Forum on Sat. Nov 11, 2017, 10 a.m. - noon; 2) Send a letter to invite current candidates; 3) Post the candidate forum on the website and invite all candidates, and any landowner in good standing who wants to be a write-in candidate; 4) Include the forum announcement with the SG and NG cover letter mailings to be mailed Oct 30; 5) Moderator of forum will be Andrea Sedlak. **Motion failed** (6 in favor; 1 no vote; 1 response without a vote.)

**Motion:** Charlene motioned and Dan seconded to approve the closed session minutes of Oct. 18 and Oct. 19, 2017 and approve the six email votes with the changes of Kevin voting "no" on changing the annual meeting to Dec. 2 and Mark voting "no" to hire Seth. **Motion passed unanimously.**

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

**9. NEW BUSINESS**

**10. Adjournment (11:38 p.m.)**

**11. Next Board Meeting: December 4, 2017**