

**Glastonbury Landowners Association, Inc.**  
**Board of Directors – Meeting Minutes - *final***  
**December 4, 2017 – 7:00 pm**

1. **Call to Order** The meeting was called to order by Dan Kehoe at 7:04 p.m. at Emigrant Hall.

**PRESENT:** Dan Kehoe (Vice President), Regina Wunsch (Treasurer), Charlene Murphy (Secretary), Newman Brozovsky, Gerald Dubiel (left at 9:24p.m.), Richard Johnson, Leo Keeler, Charlotte Mizzi, Kevin Newby, Paul Rantalo, Mark Seaver (via phone)

**ABSENT:** Dennis Riley (President),

**Also attending:** Iona Yabut (Administrative Assistant)

**Landowners:** Svend & Donna Andersen, Miriam Barker, Debbie Blais, Tim Brockett, John Carp, Claudette Dirkers, Dorothy Keeler, Jerry Ladewig, Michael Laverty, Tim Murphy, Sally Muto, Jeff Reiderer, Andrea Sedlak, Bob & Kristie Sones, Chad Stone, Linda Ulrich, Ia Williams.

2. **Set Agenda**

3. **Visiting Landowner Input Period**

Chad Stone stated he was angered by statements from Gerald Dubiel.

Gerald Dubiel apologized to Chad Stone for commenting that he was dangerous (in a past meeting). Chad accepted the apology. Chad felt Charlotte Mizzi owed him an apology for suggesting he assaulted her.

Ia Williams expected her letter of complaint to be on the agenda this month; said she would let it go this time; and would leave it to the board to address.

Leo reminded the board that at the last communications & technology meeting there was discussion about a letter or documentation to close every complaint, and wondered if it should be added to the agenda tonight or in the future to make sure complaints are properly closed.

Dorothy Keeler invited meeting attendees to see the Christmas lights and decorations at her house; Linda Ulrich thanked the Keeler's for uplifting the community with their décor.

4. **Officer and Committee Reports**

**4.1 President's Report – Dennis Riley (absent)**

**4.1.1 Welcome, introductions**

**4.1.2 Petition received November 27, 2017**

The petition asked the board to start the election process all over again. More than the required 5% of signatures were received.

**4.1.2 Court Order to postpone Election meeting**

The Election meeting was postponed due to this injunction. The hearing is scheduled for January 2, 2018 at 1:30 p.m.

**4.1.3 Temporary Restraining Order update, O'Connell**

Nothing new to report; until the judge makes a ruling, the temporary order stays in effect until the ruling.

**Action Item:** *Mark will post the O'Connell Temporary Restraining Order and court order on the website.*

**4.1.4 Mailing regarding postponement of election, postcard, web posting**

By general consensus, the board agreed to announce on the website and send out a postcard to the membership explaining why the election was postponed. Leo felt

landowners should be made aware of the complexity that was presented to the judge; that it was a 2-inch thick filing and could be viewed by members at the Courthouse. Board announced a meeting with Seth Cunningham to address Ms. Rakela's complaints was set for Dec. 11<sup>th</sup>.

#### **4.1.5 Determine meeting dates for 2018**

Jan 8; Feb 12; March 12; April 9; May 7; June 11; July 9; Aug 13; Sept 10; Oct 8; Nov 5; Nov 10 (Annual Election); Dec 3 (no financials).

### **4.2 Road and Weed / Management Committee Report – Dennis Riley**

#### **4.2.1 SG snow fence update and NG snow fence funding proposal**

Tim Brockett reported that the snow fencing in SG was 80% done. The committee had originally planned to hire a professional, but decided to save money by coordinating the efforts of volunteers. They finished the job under budget.

**Snow fence funding proposal:** The previous proposal included 200 ft. for NG. Tim felt the way the committee was installing it, the fence would last 10 years and cut down on snow plowing. Funding would come from unallocated funds. 1,130 feet of snow fencing in NG, and to complete snow fencing in SG.

**Motion:** Newman motioned and Paul seconded to use \$3500 for snow fencing in NG & SG. **Motion passed unanimously.**

**Action Item:** *Regina- will move \$3500 from unallocated funds to SG snow funds.*

#### **4.2.2 Fall road work update**

Grading and culvert cleaning could not proceed due to heavy snowfall in Oct.; completion of grading was left up to the contractor; culverts in SG needed to be cleaned; Arcturus and Hercules were graded and some ditches were cleaned.

#### **4.2.3 Draft Road Policy 30-day review, Dec. 13**

Landowner comments received to date: 1

### **4.3 Treasurer's Reports – Regina Wunsch 49:50**

#### **4.3.1 ~~P&L, Balance Sheet, Deposit/Check Details, Customer Bal Summary Nov. 2017~~**

The report was received too late to copy for the meeting, but the landowner version was on the website. Invoices for culvert cleaning were not in yet, so available funds will decrease. GLA incurred an IRS penalty for not filing the 2014 W2s and W3 with the IRS; breakdown of ATS charges were coming this week (Regina will get amount charged for all the recalculations); credit balance for worker's comp- dividend from 2015; need to revisit snow budget in Jan 2018.

**Motion:** Charlotte motioned and Leo seconded to approve the treasurer's report over email. **Motion passed unanimously.**

### **4.4 Finance Committee Report – Regina Wunsch**

#### **4.4.1 Update on collections-under Legal Committee**

### **4.5 Secretary's Report – Charlene Murphy**

#### **4.5.1 January newsletter articles needed**

Directors were asked to be thinking about newsletter-worthy articles. Dan suggested an update after the hearing on January 2; Landowner Claudette Dirkers suggested a thank you to those who donated gravel.

#### **4.5.2 Shredding old ballots**

Old absentee ballots prior to 2016 had landowner's names on them. The board decided by general consensus to not shred old ballots until the end of the retention

period. 2017 absentee ballots received are being kept by the Admin Assistant, as per court order until the January 2 hearing, pending further instructions by Judge Gilbert.

#### **4.6 Project Review Committee Report – Kevin Newby / Gerald Dubiel**

##### **4.6.1 Review newly completed dwellings and assessments for 2018**

No new dwellings completed since last meeting.

##### **4.6.2 Request for final approval: Michael Campbell SG 75, Haug NG 26-B-1, Brookhart NG 54-D**

Michael Campbell's residence project was dried in, and he had been living in the house for 20 years. Kevin felt the bond could be refunded.

According to Paul, Haug's project was just a shell with a full roof, but was done, and should be approved.

Gerald- Bookhart project appeared completed, but the driveway was expanded, and reseeding was not done. Postpone final review until spring when snow melt allows reseeding and final inspection.

**Action Item: Regina to refund Campbell and Haug.**

#### **4.7 Communications & Technology Committee Report – Newman Brozovsky**

##### **4.7.1 Draft Formal Complaint form**

The committee presented a draft version to the board. Mark had not had time to review it.

**Action Item: Board to review and send comments via email.**

##### **4.7.2 Clawson commercial wood cutting, Lannes noise complaint 1:16:48**

The board determined that since Clawson's s woodcutting was commercial, a new letter was needed; per the business clause in the Covenants, noise should not disturb neighbors.

##### **4.7.3 Update on Paypal payment option**

Mark had not heard anything from JTech; when he signed the contract, JTech said they were backed up and it would take 3 weeks before they could address the GLA project.

##### **4.7.4 Complaint Brian Trisler, 11/29/2017**

The complaint alleged set back problems with the garage/apartment and another out building and driving vehicles on his land in trespass. Mr. Trisler questioned Ranttalo's "good standing" status which would affect his ability to run in the upcoming election and remain on the current Board. The board noted that from 2000 to 2007 the distance from the property boundary to an accessory building was 25'; after 2007, the requirement was 50'. The complaint had not yet been addressed at the committee level, but because of the upcoming election, the complaint was addressed here to expedite the process.

**Action Item: Newman and Leo will schedule to meet at Ranttalo's property to investigate the complaint. Bob Sones will be present to represent Mr. Trisler. Newman and Leo will report findings to the board by email.**

##### **4.7.5 Doc Request, Michael Laverty letter**

Mr. Lavery complained about not receiving documents he requested, and was informed they would be mailed soon. He requested the project review application for the building which housed Paul Ranttalo's second dwelling. He questioned how this dwelling was overlooked or not reported, and inquired how Ranttalo would be billed. The board noted that the Project Review committee did not require to know about internal structural changes.

(Combined with discussion regarding 4.7.4).

#### **4.8 Legal Committee Report – Dennis Riley**

##### **4.8.1 CUT Attorney Sironi letter re: Sirius, Aries, Helios & Vesta road maintenance**

Correspondence was received from CUT through their attorney, who cited “Blazer Law”. Leo challenged the application of the Blazer case and the 1998 Board authority to sign agreement. CUT stance was that the original agreement stood: GLA maintains Aries and Sirius; it is platted; and maintenance of Helios and Vesta was the responsibility of the property owner (CUT). Dan felt that since this came from the GLA attorney,

the board needed to meet with their attorney. Various Directors stated GLA needed the GLA attorney to review and advise.

These issues were previously being handled by Alanah Griffith, but the board would shift to working with Seth Cunningham at Brown Law firm.

**Action Item:** *The Board to present this topic to Seth Cunningham when board meets with him on the 11<sup>th</sup>.*

##### **4.8.2 Demand letters to be sent by Rick Landers**

Leo reported Legal Committee met with Rick and his starting to send the Demand letters and expecting it to take about 2 weeks to get them all out.

##### **4.8.3 O’Connell, ‘Entry of Judgement’ to collect \$10,097**

Attorney Rick Landers advised to keep this debt separate from assessments, and to not send a bill, but rather, to have Brown Law Firm file an immediate entry of judgement.

##### **4.8.4 Tenants in Common, D’Argensio/Jordan-Guess SG105-B, Hull/Murphy NG 40-4, Buford NG 12-A, Statute of Limitations**

Three properties were recently discovered that were not billed properly; statute of limitations for contract law states most GLA can go back is 8 years.

**Action Item:** *Dan look for Andrea Sedlak’s email with notes and bring up to Attorney Rick Landers.*

##### **4.8.5 Old Past Due Accounts, bill 8 years prior to first lien**

Rick reported that Title Companies would seek full payment, but Courts may award only 8 years from date of first lien. He is recommending continuing to bill full amount.

##### **4.8.6 Mueller/Weiss SG47, write off Weiss due to court decision**

SG 47 was a tenancy in Common, divided 50/50. Weiss disappeared in the 1990s; Mueller received declaration that Weiss was deceased. In a court ruling, the judge Awarded 100% interest in the Tenant-in-Common deed to be held by Mueller and the Court wrote off Weiss' debt.

**Action Item:** Regina to ask accountant to take the Weiss account off the books.

##### **4.8.7 Difo/Hornack NG23, ‘Move to Intervene’ add GLA to pending case**

**Motion:** Leo motioned and Kevin seconded to have Rick Landers intervene to get GLA involved in the Difo-Hornack case to protect GLA's interest. **Motion passed unanimously.**

**4.8.8 CUT estate for years, Holder NG39, Davis NG 66**

Where CUT is the underlying owner, they will be informed and involved throughout the process. Before litigation, CUT will be asked to pay since they are the long-term owner.

**4.8.9 Burkley SG 76 & Thorburn SG93-A, send Demand letter to other TIC's**

Correction: *delinquency* letter, not demand letter. The other Tenants in Common (TIC's) had not yet received a Delinquency Letter.

**4.8.10 Criteria for hardship**

Cases would need to be assessed individually in open Board sessions. Hardships refers to those accounts sent for Collection who claim inability to pay. Various Directors expressed concern in maintaining consistency

**4.8.11 Penalties and Interest are part of Assessments**

4.8.11 Leo reported that Rick answered the question regarding whether interest and penalties were considered part of the definition of assessment in terms of having all assessments paid in order to be considered a member in good standing and Rick answered that they were.

**4.8.12 Eisvang and Kovacs, charge current owners, Richardson SG63 and Finehage NG57-A**

**Action Item:** *Regina to ask Micah Hardin to recalculate accounts.*

**Action Item:** *Charlene to send Rick Landers updated addresses.*

**4.8.13 Old Past Due Accounts – Bill as recalculated - Title Company will collect and transfer it all, but a court decision may only go back 8 years from first lien filing.**

**4.8.14 CUT Estate for Years - process first with contract holder.**

**CUT has responsibility as holder of the remainder interest and must be involved in the entire process.**

Related to 4.8.8

**4.8.15 Hardship claims – how to evaluate what is best for the Association**

Same as 4.18.10

**4.8.16 Lack of communication from Legal committee to Board.**

Regina asked the committee to communicate regularly, i.e. share correspondences, legal paperwork, and updates in general, with the board.

**5. Approve Minutes: 11 06 2017**

**Motion:** Charlene motioned and Kevin seconded to approve the minutes. **Motion carried** (9 in favor; 1 abstention- Leo. Gerald had already left).

**6. UNFINISHED BUSINESS**

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

**6.2 Arcturus Extension**

**Action Item:** Leo expressed concern for length of time and no responses from Dan on his review of old minutes. Process of assuming maintenance of roads built by subdividers will impact many roads in Glastonbury, including Sirius gravel section.

*Dan will ask Denise Orr if she started putting all motions in a searchable format.* (Results would be put into an excel spreadsheet.)

**Ericksons- Action Item:** *Dan to re-send email from August.*

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

Jerry Ladewig suggested reviewing hardship cases at intervals to make sure they were legitimate. Donna Lash-Anderson questioned attorney Rick Landers' credentials and expressed concern that he didn't market himself as a collections attorney.

**8. NEW BUSINESS**

**9. Adjournment (9:44 p.m.)**

**10. Next Board Meeting: January 8, 2018**