

CHIMNEY HILL OWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
SATURDAY, JULY 7, 2018

MINUTES

The meeting was called to order at 9:03 am by Gene Clark, President.

Present were Board members Jane Cary, Diana Gould, Kerri Tyerman, Mary Ann Montano and Keith Mears. Others present were Ken Spicer, ED, and homeowners Dennis Heberlein, Craig Creller, Jim McConnell, Marguerite Babor, Keith Herbert, Joseph Martin, and Joseph Montano

Upon a motion made and seconded the minutes of the June 2, 2018 Annual Meeting of members were approved. Upon a motion made and seconded the minutes of the June 2, 2018 Board of Directors meeting were approved.

There was discussion concerning the May 23, 2018 Board of Directors meeting minutes (tabled at the June 2, 2018 Board of Directors meeting). Kerri Tyerman contested the section of the minutes concerning this matter re: the ownership and documentation of ownership regarding a well that supplies the Maintenance area, Birchwood Recreation area as well as the Chimney Hill office in that Kerri Tyerman asserted that Board approval was never given (no minute documentation) to Ken Spicer, Executive Director, to sign on behalf of the Association for the transfer of this well from Green Mountain Self Storage to Chimney Hill Owners Association. Ken Spicer contested, asserting that Board members present (Gene Clark and Diana Gould) were present at the Board meetings where this matter was discussed. Prior Board members Dennis Heberlein and James McConnell, present at the meeting, also recalled Board discussion on this matter. Mary Ann Montano speaking as co-owner of Green Mountain Self-Storage, stated that all had been set and recorded two years ago. Mary Ann Montano argued that there was a clear distinction between a deed and contract. None of the earlier discussion was recorded in the minutes, apparently as a formal motion had not been made. Keith Mears said we will not pursue punitive action against Ken Spicer, so let's retroactively agree to give him permission to do as he did. The Board's retroactive permission will commence fall 2016.

Upon a motion made and seconded the minutes of the May 23, 2018 Board of Directors meeting were approved with the deletion of the section concerning Green Mountain Self Storage removed from the May 23, 2018 Board of Directors minutes.

A motion was made, seconded, and approved with Kerri dissenting that Ken Spicer, Executive Director, be granted retroactive permission to enter into the agreement with Green Mountain Self Storage to deed the Hoyt well to Chimney Hill Owners Association in exchange for services rendered.

Financial Report

Kerri reported that collections were up since the last meeting for homes and lots. A motion to accept the report was made, seconded, and approved by the Board.

New Business

Annual Meeting Re-cap

Ken Spicer reported that the new Facebook Group for Chimney Hill Owners (requested at the Annual Meeting) is now live and over 100 owners have already joined the group. There is enthusiasm for the new CH Facebook group, though Ken had questions. Do we let only lineal family members join, and not others, such as a girlfriend or boyfriend not on the deed? It was agreed that only lineal descendants of the homeowners of record would be allowed to join.

Ballots: Jane Cary had followed up with Ken Spicer via e-mail re Tanya Sparano's question at Annual Meeting for the need for a signature on the ballot itself. Does that not violate the voter's

privacy? After brief discussion, it was agreed that this issue will be addressed by our attorney during the By-Law and Covenant review.

Town of Wilmington Tax Sale

Ken reported that he attended the recent Town of Wilmington tax sale on behalf of Chimney Hill. Ken reported that a house on Binney Brook was sold for \$37,000, and a lot on Bracket Wall, for \$1,700., both to non-Chimney Hill owners. No purchases were made by Chimney Hill at the sale. Ken Spicer noted that the even though the properties were sold at tax sale the owners had one year to redeem the properties.

Other

Ken Spicer addressed another question Jane Cary had on behalf of the Landscape Committee. re: the many dead trees on a lot across from the Club House. That lot is privately owned, and the Board did not think it appropriate that we offer our maintenance staff to cut them down, particularly as they are on wetlands.

Old Business

Covenant and By-Law Review

Kerri Tyerman reported that Attorney Kristen Swarhout of Fisher & Fisher Law Offices will attend the September 1, 2018 Board of Directors meeting to review a draft of proposed changes to the Association's By-Laws which will be sent to the Board members in August.

Chimney Hill Facebook Group

(see under Annual Meeting Recap)

Office and Maintenance Well

(see under Minutes)

Executive Director's Report

Ken Spicer reported on a water issue that occurred in June after our regular water testing on June 26, 2018. Testing results indicated coliform results in the C-Section distribution area and the B-Section distribution area. As required repeat samples were taken resulting in both Coliform (in both sections) and E.coli in the C-Section. A boil water requirement was hand delivered to all residents in the C-Section as well as an email to those owners in the C-Section with email addresses on file. A complete survey of the system was completed by the Chimney Hill staff. Ken reported that additional testing was conducted on Friday, June 29, 2018 and results indicated no E.coli but still tested positive for coliform. The State of Vermont Water Supply Division conducted their own survey of the water system on Monday, July 2, 2018 and found no deficiencies with our system. It was the conclusion by the State and our employees that the coliform and E.coli "hits" were a result of tank cleaning and inspections that occurred between June 23-25, 2018.

Committee Reports

Architectural Control

Gene Clark reported that the Architectural Control Committee received a request for a side line variance of ten (10) feet to construct an attached garage at property number 614 Binney Brook Road. After review and discussion a motion was made, seconded, and approved that a variance to the side set back requirement of twenty (20) feet be granted allowing for a ten (10) foot set back to the garage pending notification to the adjacent owners and allowing for the adjacent owners' comments/concerns.

Committee Reports (continued):

Landscape Committee

Jane reported on the July 15, 2018 garden tour, on which seven Chimney Hill gardens would be visited. The tour was open to all Chimney Hill residents.

Clubhouse

Keith Mears reported that the June 30, 2018 tag sale held at the Birchwood Recreation Area was very successful. Special thanks were extended to Kerri Tyerman, Keith Herbert and Bibiana Braun for their efforts. Thanks were also extended to Ed Tyerman for his tireless set-up and take down assistance. The families who participated were very satisfied. CHOA made \$165 from items that had been donated to the tag sale which will be placed in the Keep the Events Alive fund. Twice Blessed took away the unsold items, and were very grateful.

Kerri Tyerman added that there would be an ice cream social and magician at the Clubhouse this evening. Kerri Tyerman also reported that on the evening of Saturday, July 21, 2018, there will be live entertainment at the Clubhouse outdoor pool and patio area beginning at 7:00 pm.

Other Business/Owner, Public Comment

Owner, Dennis Heberlein, asked about people using other-than-real names on Facebook. Ken Spicer said that they would have been unable to register without first giving their real names.

Owner, Joseph Martin, asserted that a.) the Board should have a recording secretary. The Board member acting as secretary would then be able to participate more fully in the meeting. b.) Board members not present at a meeting should not be able to vote on its outcome. (Those not yet elected should not have been allowed to vote to approve earlier meeting minutes, for example.) c.) Those Board members with a personal interest in an issue should not be able to vote on a motion regarding it.

Owner, Craig Creller, said that he had given a packet of information regarding his June 2 removal from the Board to Diana Gould, but Diana said she was given no such packet.

Executive Session

The Board entered into Executive Session at 9:45 am and came out at 11:00 am. Legal matters and board meeting procedures were discussed.

A motion to record the meetings from now on to assist the Secretary with minutes taking was moved, seconded, and approved.

The next Board of Directors meeting will be held on September 1, 2018 at the office, 10:00 am. A meeting of the Legal Committee will be held prior to the Board meeting at 9:00 am.

The meeting was adjourned at 11:02 a.m.

Respectfully submitted,
Jane Cary
Vice President/Secretary