

Corn Hill Cottages Condominium Association (CHCCA)

Annual Meeting Minutes

October 15, 2022 – In Person and on Zoom in Cottage 19

Facilitator: Judy Pachter, Treasurer

Minutes: Laurie Hutcheson, Secretary

(* denotes non-voting attendees)

Present in person: Lynn Bowman & Damon Mayers (Damon for #7), Liz Tavares (6), Judy Pachter (9), Susan Rothstein (19), Nancy Ide and Keith* (last name?) (10), Laurie Hutcheson & Jill Bleemer* (8SLW), and Patty Spencer (5)

Present on the Zoom: Toby Wright and sister Anson Wright* (?) (12), Amy Cerel (12 SLW)

Meeting called to order by Judy Pachter at 9:35 AM

I. Introductions and voter proxy designation

Proxies: Lynn Bowman has the proxy for cottages 8 & 11 owned by Brice and Michelle McKane, and for 10 SWL owner: Adam Hunt. Liz Tavares has the proxy for Margaret Grierson, Toby Wright had proxy for his mother Shirley Wright (12)

II. Review and Approval of 2021 Meeting Minutes

Lynn asked that we look at the action items in the minutes later in the meeting to hear status on each and this was deferred to the discussion later in the meeting of committee updates.

A Vote was called. Liz moved to approve the minutes. Lynn seconded; The minutes were approved with no opposed and no abstentions.

III. Property Manager Update/Recommended Projects AND at Judy's suggestions since Tony the property manager was not present, review of property manager performance

Liz addressed Tony's report that was shared with owners in advance. Liz reminded people that there had been concerns in the past about Tony reporting timely but with Margaret working with him this past year there have been no issues.

Discussion/Recommendations made: Owners were asked if they had had any concerns with Tony's performance. Judy noted that she had found railing down to beach wearing in some places and suggested that Tony may need to inspect the stair elements more. She also raised the issue that had apparently been raised with Tony in May by Lynn that he is using regular nails and screws and should be using stainless steel or galvanized nails or screws as these materials would not deteriorate too fast. Other owners expressed great satisfaction with Tony's responsiveness and thorough work and helpfulness in finding solutions. Owners who have had work done as individuals by Tony noted that he is often very late to bill for this work. Patty Spencer raised the issue of finding a plumber and other owners offered suggestions. It was confirmed that there is a list of preferred contractors on the CHCCA website but that it may be a little out of date

Action: Liz will ask Margaret to raise with Tony and will also confirm that his weekly reports are indeed being submitted timely prior to his getting paid.

Action: Owners with a preferred contractor recommendation(s) who does not see them on the current list on the website should send the name and contact info to Nancy who will add them to the list. Anyone who notes something that should be updated on this list or removed should also let Nancy know.

IV. Special Projects - Completed and What they Cost

Report on the special projects budgeted compared to actual activity/expenditures that was provided to owners prior to the meeting. (Legal fees incurred in resolving the parking dispute were not part of the discussion). Total spent was slightly less than half of what was budgeted. Judy explained that this was in part because things are deteriorating slowly or the need for a repair was reassessed. It was noted that there is 1 project, replacement of one storeroom window, that was carried over from the prior year and was slated to be funded by reserves and it has not yet been completed. One item, the repair of the walkway in front of 10 SLW was deemed to be the Hunts' individual expense. It was thought that Margaret had explained this to Adam.

Action: Need to confirm that Margaret told Adam that the repair to his walkway is his expense.

V. Boulder Removal and Associated Costs Discussion

Judy briefly summarized the costs incurred that were associated with the settlement process that resulted in the removal of the boulders put by the Lears into our parking lot that had impeded our use of our easement and threatened loss of the easement. Judy explained that these had been laid out in the October amendment to the letter sent to owners in July. This was provided to owners prior to the meeting. She explained that we had been able to negotiate an interest free payment plan over four years and noted that the first installment is paid.

Discussion was invited and followed about the expenses incurred and the process. Different owners' concerns and questions were shared. Trustees addressed the questions and feedback and provided further clarification about the process. Toby described how the trustees' process included lawyers among the trustees and hired, and that it evolved in ways that were not anticipated, sometimes under pressure of time, particularly once the lawsuit was filed. Toby assured the owners that in the case of each decision made, that votes had been taken and a majority was always arrived at before a step was taken. He explained that many alternatives were considered and that the pros and cons of each were weighed carefully. Susan shared three key aspects of the trustees' deliberations – 1) the timing needed resolution by July 1st to avoid a parking nightmare, and 2) The lawyer indicated we had to prove that we were being harmed and the judge questioned why we waited until spring to act. She noted that a real issue would be that we could lose the claim to our easement rights if we went through the high season without doing anything.

Toby on behalf of the trustees expressed regret that the costs ultimately significantly exceeded what we had estimated and reiterated that the trustees only acted with a vote of the majority and always in the interest of the association. He noted that some of the proposed policies to be discussed later in the meeting were developed and proposed in response to some of the feedback trustees had received prior to the meeting.

Owners were informed that a final action remains to protect our easement. Another survey must be conducted to show that there are no boulders on the easement. Judy explained that our estimate from the surveyor for redoing the survey without the boulders there will cost around \$2,000. While it is agreed by all that it is essential to have this final survey completed and filed with the registry of deeds, Toby noted that he was going to try to talk with the surveyor and perhaps get an agreement for the final

survey to be done at a lower rate. It was suggested too that perhaps the settlement conclusion should also be filed with the deed.

It was also mentioned that a more solid survey that entails sinking boundary markers may be a good thing to do in the future but that to do that would require cooperation from the Lears. There is no interest among the trustees to pursue that at this time, particularly since having the revised survey without the boulders and a clear delineation of our easement would be a big step towards protecting us and our easement use. It was suggested that perhaps we should file the settlement document with the new survey of our easement.

Lynn noted that she is glad that we were able to negotiate a no interest a four-year payoff on the legal fees, and that the trustees have proposed a specific policy laying out the trustees' intention to bring unbudgeted expenditures over a certain amount to owners for consideration.

Action steps: Liz will investigate whether we can file the settlement along with the survey. Toby will negotiate the survey rate and ensure that it is conducted soon. It was agreed that between \$500- \$2,000 would need to be budgeted for the survey (and this was to be discussed later as part of our budget discussion)

VI. Trustee Reports:

Trustee on call rotation Judy explained that since there was not a chair this past year, the trustees had each taken two months when they would be "on call" should issues arise. She was curious about whether owners had made use of this on call list and there were at least a couple who said they had. She noted that it is the trustees' intention to establish another list for this year and that the trustees would share that soon.

Action Step: Trustees need to set up a new schedule for this year asap.

Opening and Closing/Closing Dates Susan reported that spring closing went smoothly and Tony is learning our system. The closing this fall will be Monday Nov 7th. As soon as owners know when they are not coming back, they are requested to let Liz know so that steps can be taken for the cottage to be shuttered then. Water won't be shut off until all have closed.

Lynn shared that 10 SLW will close on 10/26 and the propane should NOT be shut down until 12SLW is ready because the two are connected. It was noted that Margaret had already been in touch with Adam Hunt regarding his individual closing issue.

Action step: Laurie will send message this weekend to everyone regarding the need to tell Liz when you will last be in cottage.

Water testing and related issues Susan noted that the water report had been shared with owners and that she had nothing to add to the report. She added that we don't yet have the new manganese report from the test just done, and she will share it when she gets it. Toby mentioned that he had done research on water standards and learned that because of the type of entity that we are we are held to low standards and are only required to test for a few things as a result. Manganese has been elevated for a while and may be naturally in the ground water. Some people have expressed concern to Toby about the manganese, our water generally and other minerals. There are 9 drinking water metal level standards in regulation and we currently do not test for all of them. Toby asked if there is an interest in further testing on these additional minerals which include arsenic, cadmium, chromium, mercury, etc., the other minerals for which EPA has standards. He noted that a test of all of the minerals is about \$350 and a second test in a year, which is recommended would be an additional \$350 for a total additional cost to the association of \$700.

Poll: Owners polled all agreed we should do this extra test. It was agreed this would be added to the budget discussion later in the meeting.

Discussion continued about concern about the manganese levels and the proposed remedy for that which includes owners each getting filters for the faucets they use for their drinking water. It was noted that the association would not be able to fix the Manganese problem by refurbishing our well. A question was raised about whether the Association should cover the cost of filters.

Action step: Toby will do the research on remedies and the trustees will share with owners a proposal based on what the test shows and what we learn about the remedies about whether we propose it as an association or individual cost.

VII. Committee Reports:

Dune Stewardship Toby reported that our contact (contractor Jim O'Connell) has disappeared and Toby has taken no further action.

Action Step: Toby will reach back out to his fellow committee members to meet and discuss what to do next. He noted that there are a couple of options including getting other contractor bids.

Electrical Infrastructure It was noted that Brice stopped working on this early this year because of the boulder issue and likelihood that that would tap funds set aside for the electrical infrastructure. Toby said Brice told him that he hit roadblocks with the utility company. They would not engage. Owners agreed that we still want to move forward. Lynn proposed that we come up with a plan to do so.

Action Step: Toby will contact Brice to ask about resurrecting the process and whether he will continue with it. If Brice declines Toby will bring back to board to determine how to proceed.

Building Materials Judy noted that the committee did not meet but that there is still agreement that there are materials that should be approved for use in cottage repairs despite no recommendation yet from the committee. Judy also resigned from the committee so a new chair would be needed. Susan noted that there needs to be agreement on whether a material can be used because it maintains the “look” and what are the best materials. It was noted that we have been advised by more than one contractor consulted to use Azec where we can but we have differences of opinion about where it should be used.

There was agreement among owners that we might be able to discuss windows and three Azec use questions proposed by Lynn, and perhaps come to consensus on some or all today. The questions were:

1. Will we allow double pane wood windows with vinyl interior?
2. Can we use Azec in replace of trim board on sides and porch poles?
3. Can we use Azec on shutters?
4. Should we use synthetics for decking?

After a brief discussion about windows **there was a call to vote on:** Shall we allow double pane windows with wood on the outside and so that the size and look are the same?

A vote by show of hands on this proposal for windows passed unanimously.

After a brief discussion about shutters, it was agreed that we don't yet know enough about shutter material to vote. Lynn proposed that we bring three different types of materials for shutters and their prices to the next annual meeting so we can be better informed and make a decision then.

Action Step: Damon volunteered to research shutter materials to develop a proposal for next annual meeting.

After a brief discussion of decking, owners concurred that wood and not synthetic decking is recommended. The three best types are: mahogany, cedar and Ironwood/IPE. There appeared to be consensus that we do not want synthetics be used on decks but there was no further discussion of decking and a poll was not taken.

After a discussion of where Azec proposed for posts, railing and side slats should be allowed. There were objections expressed about using Azec on the porch posts because the feeling was that it changed the look too much.

A Vote was called. Nancy moved that we vote to recommend that we allow use of Azec on trim and sides but not on posts. Damon seconded it. **The vote passed unanimously.**

All agreed that posts and Azec as well as shutters material should be on next annual meeting agenda.

Alternative Energy Liz did not have a report per se. Judy asked if we could solve our low amp problem by bringing in solar. Toby – noted “solar works when you have storage.” He concurs that we need to resolve our external infrastructure before we look at the alternatives

Action Step: Liz will reach out to Rachel Pachter to focus on these questions and also see if alternative energy can replace our need for infrastructure solution.

VIII. Governance- Officers roles and responsibilities

Next Chair(s) It was proposed that Toby and Liz be co-chairs going forward. A poll was taken and this proposal received unanimous approval.

Proposed policies regarding about Trustee Roles, Term Limits, Code of Conduct Toby provided the context for the proposal that was shared with all owners before the meeting, and explained that it is a policy to lay out intentions and procedures and would not require an amendment to the Declaration of Trust. He then recapped the key elements including the intention to distribute the burden of participation as a trustee at some point among all owners. There was a question about how it would be remedied if a trustee who has agreed to the code of conduct is found to be in breach of one or more of its terms. The explanation was given that the trustees would investigate and take appropriate action. It is also noted that there are provisions in our Declaration of Trust for the circumstances and processes for approval and removal of trustees.

After discussion, there was a **vote** on acceptance of proposal. All but one opposing cottage (18) supports the principles outlined in the proposal. The one opposed does not agree that there should be term limits. There were no abstentions. **The proposal is adopted.**

Action Steps: The three longest serving trustees will resign by year end. Trustees will develop the mechanism for identifying two owners who should next be invited to become trustees so that there are five filled trustee slots. They will share the process and names of new trustees to be voted in to the two vacancies and will complete this process and put two names forward for a vote by or before December 1st.

Proposal for a policy regarding Spending Thresholds and Owner Communication Toby explained the context for this policy proposal that was shared with owners before the meeting. He explained that the practice over the years has been transparency for communicating with owners and consulting about large unbudgeted expenses. During discussion of the proposed policy procedure, it was suggested that it should be amended to add that the amount that would trigger going to all owners for discussion would be either 20% of reserves or \$10,000.

A vote on the policy proposal with this amendment included was taken.

Results: All were in favor but for one opposed (cottage 18). No abstentions. The non-binding policy is adopted.

Owners asked for a discussion of the role of the treasurer and how the treasurer relates to the bookkeeper we employ. Discussion ensued. This last year was the first year that there was an official treasurer.

Action Step: Judy will develop a draft description of the treasurer role with Laurie's help that will be shared with owners before the end of the calendar year.

IX. Discussion and proposal for a committee to investigate whether/how to protect CHCCA and the look and feel of our association

Susan and Nancy explained the context for their proposal that there be a committee to investigate whether and how to limit ownership of cottages or other ways that would help us protect the look and feel of our condo association.

Action Step: Susan and Nancy will research the risks and possible remedies to present at the next annual meeting in 2023. Any owner who wants to work with them on this committee should reach out to them directly.

X. Old Business

Dog Policy follow up Judy said there was only one complaint this past year when allowing owners to bring dogs in the shoulder months was an ongoing pilot. The complaint was about a dog barking. There was no action taken on it as it was after the fact.

Proposed changes to the Dog Rules to allow owners to bring dogs in high season Liz presented the proposal of the change to the dog rules that was shared with owners prior to the meeting. There was discussion of how the dog rules evolved and of the pros and cons of this proposed change to the dog policy.

One owner asked to change the policy further and allow owners' family members extending out to cousins to bring dogs. The dog policy currently and as proposed retains the limit on ability to bring dogs to *owners only*. There did not appear to be interest in broadening the policy to include owners' family members and no vote on adding this aspect to the policy was proposed.

A couple of owners suggested some enforcement and liability specifics that should be added to the proposed policy. It was also suggested that it be considered a one-year pilot to see how it goes. Proponents of the proposed policy agreed to work on adding such specifics and to it being a pilot. Judy suggested that a follow-up poll be taken to see how the owners and renters react to the change in the dog policy. There was little interest in doing this.

A vote was called on the proposed change to the dog policy. With beneficial interest included, the policy change passed (47.2% For and 40.3% Against). The votes by cottage were as follows.

Cottage	Vote	Beneficial Interest %
5	no	8.2
6	yes	6.3
7	no	6.3
8	no	6.3
9	no	6.3
10	yes	6.3
11	no	6.3
12	no	6.9
18	yes	3.8
19	abstain	
8 SLW	yes	10.7

10 SLW yes 9.4
12 SLW yes 10.7

Action Step: Liz and Laurie will add additional specificity to the policy and Nancy will add language about the change to the owner and renter dog rules so it is clear. Owners will be asked to explain to new rule to renters. If there is a change in the individual to whom complaints are to be brought going forward owners will be informed and will be asked to inform renters.

Parking space allocation A description of the steps taken this last season to ameliorate parking issues was shared with owners prior to the meeting. Owners reported that it has been working well.

Action Step: Owners need to inform renters that there are NO assigned spots.

Insurance Renewal (blanket vs per unit coverage) Judy explained the changes that our insurer, Lloyds of London has implemented this year which has resulted in less coverage for a higher premium. We also no longer have blanket replacement coverage and instead have a per cottage allocation. In the short term, we have paid to renew (Policy is 10/1-9/30) but depending on the outcome of the budget discussion, may immediately add to our premium to bring our coverage rate increase to \$3.2M for an increase in our premium. We have per cottage allocations from estimates obtained last year but they get us to a total that is higher (\$3.7M) than what Lloyds has told us we can raise it to. We will need to at a minimum reduce the per cottage allocation amounts to get the total down to \$3.2. This will happen in the next couple of months. At the same time, Judy and trustees will investigate whether we can get a blanket coverage policy again and/or whether there is another insurer who might offer a better premium to get us to the coverage level we believe we need – also still to be finalized.

Action Steps: Judy and trustees will determine the allocations per cottage for the total \$3.2M coverage, and inform owners. Judy will explore further with insurers and with trustees will arrive at a proposal for owners for how to proceed in 2023 until the next annual meeting.

Emergency Preparedness It was noted that this should not be on the agenda any longer. A committee needs to determine next steps.

Action Steps: Trustees need to convene a committee to determine next steps.

XI. New Business

1. Adam is requesting that between his door facing parking that looks at laundry shed, he wants tall grass like that in front of Jeff's home be planted to obstruct the view of the laundry shed. Judy noted that beach grass plantings last year had not taken

Action Step: Liz will ask Margaret to get a price.

In response to owners' request to ensure that we had addressed all action steps in the minutes from last year's meeting we took a quick look together and were satisfied that we had.

XII. Budget Recommendations

After a review of the budget that had been distributed to owners and a recap of what we had discussed during the meeting that should be added (\$700 for two water tests, a \$2,000 max new survey without boulders of our easement and the proposed special project list: walkway replacement, light sensors, small handrail at top of beach stairs and storage room window replacement and new washing machine \$1,000) a few things were noted. Judy noted that we would not be contributing to reserves this year. She also noted we might run a very small deficit. She suggested that the survey amount which could be \$500 or \$2,000 should come from reserves. Owners asked for a tally of where this got us to. There was then a discussion of the proposed washing machine repair/replacement and agreement that there needs to be investigation into whether best to repair or replace. Then there was a discussion of whether the association or only the owners who originally purchased the washer and dryer should pay for the repair/replacement.

It was proposed that the original investing owners should be the ones to bear the expense. The originals were: 5,6,7,8,9,10,11,12, and 18. Jill noted that 8 SLW, which originally contributed to the washer and dryer purchase does also use it and so would also contribute.

A Vote was called – All were in favor but for cottages 12 and 18 which opposed.

Action Step: Some ones of these owners should further determine replace or repair and then when the cost is incurred it should be billed to the original investing owners and 8 SLW.

A Vote was then called on the proposed budget (with washer expense removed).

Results of Vote: Unanimous Approval of the Budget

XIII. Discussion of Next year's meeting date

It was noted that our Declaration of Trust says we meet on Labor Day and that this should be changed. We have been alternating between Indigenous People's day weekend and Oyster Fest weekend. The question was posed whether it should just be Indigenous People's day.

A poll vote resulted in agreement among owners that we will continue to rotate between the two. This means that next year's meeting will on the Saturday of Indigenous People's Day weekend.

Owners were given a few reminders:

1. Reminder to put fire extinguishers in storage room for inspection.
2. Conserve electricity by supplying night lights for your renters and use them yourself.
3. Owners please tell renters that Jay Vivian, local historian and Corn Hill Landing neighbor leads Historical Tours and has CHCCA's permission to bring up groups to our property. **Action Step:** Laurie will ask Jay to give her advance notice to share with owners when he is planning tours.
4. Nancy asks – anything for webpage send to her and also any contractor list suggestions. Send owner list updates.
5. Reminders that owners check smoke detectors and carbon monoxide detectors and put fire extinguishers in the store room.
6. Turn off gas heaters when leaving the house.

Meeting was adjourned at 1:43 PM