

Colonel Tuftonborough Estates Association

Spring Annual Meeting – 23 May 2015

Held at 10:00 at Tuftonboro Town House, Tuftonboro, NH

Agenda:

- I. Call to Order
- II. Roll Call
- III. Approval of October 11, 2014 Meeting Minutes
- IV. President's Report
- V. Beach and Dock Report
- VI. Roads Report
- VII. Treasurer's Report
- VIII. Other Business
- IX. Board Election
- X. Adjournment

I. Call to Order:

Meeting is called to order by President Maughan at 10:03 in the am

II. Roll call

Lot	Owner	Present	Proxy Held By
1	Andrew, S	√	
2	Cehames	√	
3	Cehames	√	
4	Falconer		Proxy - DiFiore
5	Donaher	√	
6	Sundquist	√	
7	Maughan	√	
8	Bowen		Proxy – Cehames – lot 2
9	Andrew, R	√	
10	Shepard	√	
11	LaCroix	√	
12	Marquis/O'Regan	√	
13	Shaughnessy	√	
14	DiFiore	√	
15	Irwin		Proxy - Shepard
16	Alexander	√	
17	Berckman		Proxy – Cehames – lot 3
18	Blake		Proxy - Marquis
19	Porter		Proxy - Laramee
20	Laramee	√	
21	Cehames	√	

22	Francese/Heintz	√	
23	Andrew, R	√	
24	Smith	√	
25	Coulombe	√	
26	Entwistle	√	
27	Butler		Proxy - Donaher
28	Tamkin	√	
29	Janiak	√	
30	Andrew, S	√	

30 lots represented as shown:

23 Present
7 Proxy
0 Absent
=====

30 Total

III. Approval of October 11, 2014 Meeting Minutes

Discussion: no corrections.

Motion: to approve the October 11, 2014 meeting minutes as they are written

- Proposed by John Tamkin
- Seconded: Linda Smith

Vote: unanimous, motion passed

IV. President's Report

Joanne welcomed the groups to the Colonel Tuftonborough Association's annual meeting.

- A moment of silence to remember one of our members Sharon Blake, Rich Laramee lost his sister
- Ask for your thoughts (prayers) for Cathy Heintz
- Hopeful that Carolyn Sundquist is back and feeling much better after her surgery – Carolyn says yes hip replacement was successful!

Much has been accomplished during the past year, the following are highlights:

Beach Area:

- Fixes
 - o Installed steps to allow for easy passage from the second tier
 - o Picnic tables , steps and railing leading to beach were power washed, sanded, stained and restored
 - o New umbrellas and chairs added
 - o Fence rail at the end of the 2nd tier area overlooking the lake was disassembled and replaced with brand new fencing
 - o Both storage sheds thoroughly cleaned in spring and fall

- The Association stored all beach furniture inside the sheds during the winter to avoid damage
- Proactive drainage fix
 - To prevent further beach erosion, piping and rocks were installed and to create a new drainage system that was hooked up to the beach's existing system to drain water runoff from the perch area into the lake
- Beach wall:
 - Was badly cracked, and repaired just in time to prevent further damage during this past harsh winter
 - Prepared and received State of NH permit for beach wall which includes a one-time sand addition within 5 years (further discussion below)
 - Wall had moved less than a 1/8th of an inch, per our measurements
- Overgrown brush cleaned up
- Bug killers for ants and other insects as well as stronger geese repellent were put down on a regular basis
- Costs
 - All restoration labor was completed by volunteers at no cost to the Association, volunteers donated time and personal machinery / equipment to the effort
 - Volunteer labor 250 to 300 hours, value to CTEA members approx. \$20,000
- Rob Marquis will speak about the plans for 2015 and what has already been accomplished and what needs to be completed and some issues that have arisen

Roads:

- Used new company last year and this spring to sweep our roads, this is 2-year contract for this service at the lower price
- As directed by Association members at last year's fall meeting, we set out to patch the roads. Process included:
 - Contacting six vendors in our area and asking them to bid on the work, in person road review
 - Received bids from three vendors of the four that viewed the roads
 - After our diligence review including their physical work elsewhere the Board chose Sunday Paving and Sealing from Wolfeboro Falls.
 - Association members feedback after the patching was completed indicated extreme satisfaction
- Snow plowing and sanding
 - Invited 10 vendors, received 4 creditable bids, and reviewed references
 - Selected Blue Ridge Landscaping for plowing and sanding; they fixed the street sign that came down
- Trees
 - Numerous trees come down this past year, some on the road
 - The board arranged for prompt removal of all fallen trees from member lots that fell and blocked our roads during this winter as well as the hanging trees which jeopardized the safety of our members and their guests.
- Bob Shaughnessy will talk about ideas we have for 2015 during his detailed report

Finances:

- Prior to 2004
 - Set of books did not balance, e-version of books out by \$2,601.91, which forced a reconcile starting balance of said number

- Records Joanne (Treasurer) saw prior to this time were pen and pencil reports of all checks written for each year.
- Since 2004
 - All disbursements and deposits are recorded in Quicken software and totally balance – there had been no need to have any further “reconciling” amount
 - Bank accounts are reconciled monthly and all dues have been paid
 - Bills are issued electronically which is cheaper, and allows members to be in locations other than the Association
 - If members have questions, it allows us to be able to answer promptly
- Transparency
 - Did receive letters this past year stating that monies are in error, would like to address this below
 - Moving money from one pocket and putting it in another is not an error – you still have the same amount of money for the Association, it is simply in a different pocket and in no way changes our financial stability
 - Based on the rules provided by the Treasurer previous to 2004, which determined the rules followed since 2004, monies moved each year are shown each year on the reports provided by the Treasurer, these reports are accepted by the members each year
 - Board of Directors for all those and current years were and are open and transparent -- all amounts were provided to the membership.
 - We need to move forward not backward. We will further discuss this in the finances section
- Dues
 - Are able to stay where they are because we have had so much work done by volunteers
 - An example is the permit for the fix to the beach wall – vendor bid at \$850 for the permit only (note – more than one lot’s dues for a year!) and it was done by your Board for far less
 - Another example is to put down ant and weed killers at the beach, the bid was for almost \$900, Volunteers did this on their own time
 - Volunteer work has been valued at over \$21,000 – that is \$700 of free labor per lot and cash in your pocket!
- No member delinquencies at this point, which is a real achievement for the Association and attests to both our reasonable fees and member’s financial capacity to pay their bills on time
- Our 2014-2015 budget is accurate as you will see as part of the Kathy Francese’s Treasurer’s report. The Board reviews the Association’s revenues and expenses quarterly. Any major expenses are reviewed by each BOD member with comments and approval requested before monies are spent.

Community:

- We are a community and a community works together. Working together and volunteering creates community and keeps our costs down
- Communication
 - Set up a Gmail account so you could send in your comments, suggestions, questions and the like. Also use same account to send out all correspondence from the Board.
 - Introduced the Association’s Quarterly Newsletter to keep members current on Association matters as we want our members to know what is happening on a timely basis
 - Between the Association web site, newsletters and email our goal is to keep people informed

- Anne Coulombe - Secretary will speak on communications and a potential blog with you during her update
- Striving to increase environmental friendliness and speed of communication, we now communicate with members electronically
- The Board would like to thank all those who volunteered their time, wrote us emails on issues or sent us comments.
- Joanne thanked the Board as a tight team who text, share and talk regularly. We don't always agree however focus our decisions and attention for the better good of the Association and not for our interests

V. Beach and Dock Report

Rob Marquis presented the Beach and Dock Report

Assignments for docks and moorings have been sent out for the summer of 2015

Mooring and Docks for 2015

MOORINGS

ENTWISTLE		MAUGHAN		LARAMEE		MARQUIS/O'REGAN	
Coulombe	CHEHAMES		SHAUGHNESSY		Janiak		

DOCKS

SHEPARD	BLAKE	BOWEN	ALEXANDER	TAMKIN	ANDREW	BUTLER	BERCKMAN	GUEST DOCK
---------	-------	-------	-----------	--------	--------	--------	----------	------------

BACK DOCKS

					PORTER	CHEHAMES	CTEA BOAT	
--	--	--	--	--	--------	----------	-----------	--

Mooring situation:

- Used a different vendor to check the moorings, is creating an electronic file of ongoing history for work on each mooring: 2015 and coming years
- This will provide information about integrity of hardware such as chains, swivels, blocks, etc.
- We do have photos of the hardware, as a few of the chains out for information
- Problems mooring are #1 and #5
 - Mooring #1 block flipped and corroded
 - Mooring #5 is buried
 - Mooring #6 is 5' closer to shore, and chain is 6', too long, chain has been replaced
 - Could bring in a barge to pull up the mooring blocks and repair; trying to keep the costs down
- Docks
 - Fortunate that the docks remained in good conditions from ice-out

- There are a few issues in terms of covering material, and issues about piling and posts
- Trees at the beach: a downed tree took out the power for residents on Senter Cove Road
 - A new pole was installed, but the cut tree was left in the Swain's driveway. We did remove the tree since it fell on our property
 - There is one tree that is a peril of falling and is against the wire
- Wall repair
 - Permit process allowed for same fee, and provided a 5 year permit to put sand on the beach once in that 5 years
 - Ant control not yet applied
 - First application of goose control has been applied (natural product that Liz and Richard suggested last year)

Question: no boat size requirements was on the lottery paperwork this year

Answer: we continue to have the same constraints on boat beam for the docks, boat information is required when paying next installment.

Moorings draw for 2016

- Guaranteed for 2016: Francese/Maidhof & Chehames (note that Coulombe was awarded a mooring in 2015 when another member decided not to use in 2015, so lost the guarantee for 2016)
- Andrew - lot 23
- Janiak
- Coulombe
- Chehames
- Maughan
- Marquis / O'Regan
- Guaranteed for 2017:
 - 9) Entwistle
 - 10) Laramie
 - 11) Shaughnessy

Docks:

- Guaranteed for 2016: Falconer & Smith
- Shepard
- Blake
- Tamkin
- Andrew, S – lot 1
- Andrew, R – lot 9 (given back, not needed this year)
- Bowen
- Berckman
- Guaranteed for 2017
 - Alexander
 - Andrew, S – lot 30

Back dock:

- Only 2 applications, no lottery necessary
- Chehames & Porter

Question / answer / discussion:

- Assumption: if lost lottery in a year, you are guaranteed for the next year
- If a member having a dock/mooring drops out before the spring meeting, next person on the list will move up, and guarantee is dropped for the following year e.g. Coulombe moved into a spot in 2015 and lost guarantee for 2016 and thus goes back into the lottery for moorings
- If a member having a dock/mooring drops out after the spring meeting, then it is offered to the next person on the list if they can use it and so forth.
- It was suggested, but not yet practiced that if mooring is used, then the guaranteed spot is dropped for the following year. We expect to do this in 2016

VI. Roads Report

Rob Shaughnessy presented

Members of the current road committee are: Rob, Rich and Stu

Roads

- This has been a year of research, including the presentation at the fall 2014 meeting
- Before we determine how we fix the roads, we need to look at drainage and fix the underlying cause of many of road issues
- Original roads do not have enough sub-material, and road drainage is forced onto properties
- We now have the original plans for road and drainage from the Town. David Ladd from Lane's End confirms the issues of 'sub-par' material underneath the roads
- Drainage system
 - o One drainage basin now
 - o Originally rumored that the association would have had 2 drainage basins, 2nd would be between Shaughnessy and/or DiFiore
 - o The accepted plans by the Town only include 1 drainage basin
 - o If you live at top of hill, not too much of an issue; however the rain stays on the roads versus going into drainage system, and the drainage down on Mason stays stagnant which could be the pitch of the drains
 - o Mason road has a pond on the upside, which includes underground electrical cabling

What can we do?

- Choices
 - o Nothing
 - o Kick the can to the future
 - o Or deal with it as a community (not all lot owners affected in same way, but need to agree to the plan)
- Plan should be based on engineering proposal, take original plans as a starting point
 - o Have 3 engineering firm with a request for proposal, ask to look at existing plans, build-out, precipitation calculations for lots and roads and come up with an approach
 - Fix everything
 - Fix worst part first (spread cost over time)

- Division of Association and lot owner responsibility for drainage
- Suggest we have a proposal in the fall and vote at that time

VII. Treasurer's Report

Kathy Francese presented

Kathy presented the following with copies to the membership

- CTEA budget vs actuals to date for the year 1 June 2014 through 31 May 2015, and variance
- 5 year view: actuals for years ending 2012, 2013, 2014, YTD for 2015, and budget for year ending 2016

Focused on current year of 1 June 2014 through end of this month on 31 May 2015

- Dues of \$750/lot remain in effect, no proposed changes
- Road repairs in 2015 – had not been budgeted, but was voted at fall 2014 meeting to spend all available resources to patch roads, this was \$9250
- Snow plowing and sanding
 - With weather being snowier and less ice and new vendors, cost for vendor was lower this past year
- Misc: \$1097 was primarily due to the downed trees
- Volunteers provided savings in time and efforts - \$20-21K in relative dollars
- General liability:
 - Why much lower? Vendor came out and looked at the lot itself, we are now with a residential policy vs a previous commercial policy, thus the favorable policy quote
- Dock repair:
 - Replaced 6 mooring buoys and chains, some dock repair for \$200 in materials
- Port-a-potty
 - Already paid the May/June invoice, we wanted it in early
- Beach wall reinforcement
 - Cost \$881 – permit was \$200 for us, would have been \$800 for a vendor cost
 - Vendor cost would have been \$2600+ if vendor did this vs our own volunteers
- Supplies
 - New checks, financial program, postage, and additional key for post office box
 - Utilities costs increased over the budget
- May transfers from operating to the road fund, leave at least \$200 in account to not have a bank maintenance fees
- Did do dock repairs, over half of the allocated funds

Budget for 2016

- Assessments are \$2500 associated with roads (repairs, plowing & sanding)
- Dues remain constant
- Docks: \$400, \$175 rear, mooring \$200 each
- Roads / drainage repairs - \$10,000 as placeholder
 - This is to do pot hole and other immediate road repairs
 - Engineering work required before we can make a decision
- Plowing and sanding: averaged our cost over the last 5 years and put in budget
- Mowing is for beach property
- \$1100 for tree removal – based on the potential for further tree removal for safety
- General liability & D&O: 2 year agreement in place at this lower cost

- Beach upgrade:
 - o Beach sand have a permit included in the wall work; budget \$500 – 10 cubic yards installed is the maximum allowed on the permit. State was concerned about the step-off level between the cement and the sand level which is how the calculation was made for the amount of sand
- Mooring repairs still need to be fixed, includes cost of inspection and removal [update – work has been completed]
- Bubbler costs slightly higher
- Supplies & repairs: bird and ant deterrents
- Expect pay a non-profit registration fee this year - \$30
- Utilities: built-in an increase based on current increase levels
- No transfer to road fund, because we are using it for road and drainage repairs
- Transfer to the dock/mooring fund not full \$2500 because of cost of repairs this year

VIII. Other Business

Anne shared view about website: both public area and protected area using passwords. Expect an updated website with controlled access in the very near future

Joanne and Carolyn talked about Tuftonboro fire department having a box that can go onto your house that provides a key to your house only for Fire Department use – one time cost of about \$150 for individuals. Talk to the fire department if interested, the box is theirs.

Gary Chehames made several comments:

- Beach: about the tree that fell down – was it on our property?
- Guest boat access: before reconfiguring dock in the rear, consider that the two boats on the back are motorized and need a bit more water
- Moorings: surprised by replacement of all mooring balls, and surprised by some of the chain – discolored but remains with dimensional integrity -- diver use to splice in chain in the past. Every year chains need to be inspected by a diver. Chain may last longer on one block than another one
- Moving moorings used to be moved with a diver and an air bag when it was needed. Before spending large amounts of money, ask those involved in the past for input
- Roads: drainage concerns, design was approved in the late '70s with engineering approvals, and yes substandard under-road. Should look at cleaning out the drainage system to restore to the original specs – seems to have been totally ignored since early in the Association existence
- Budget: mooring repairs not charged against dock fund in the past, but budget may not reflect an over-inflation or ~\$8200 difference in allocation of funds, pressure to increase fees based on what we have in ops fund vs dock funds. Dock funds should be charged for repairs on dock & moorings, we should exercise monetary caution.

Clarification on 19 Sept -- Discussion about Bob's tender

- Bob Shaugnessy has offered his Watertender 9.4 to the Association to be used for accessing boats on moorings.
- In addition to discussion regarding the placement of the boat at the end of the dock the membership raised the issue of CTEA liability for the boat and concerns regarding shared

use. For a shared boat used as a tender, the Watertender could not be left on a mooring in case another boat owner wished to use the boat as a tender.

- It was recommended that the Association NOT accept responsibility for the boat but that the status remain the same as last year whereby the boat is owned by Bob and he personally offers the use of his boat to Association members.

Discussion about drainage and roads

John Tamkin:

- Drainage: given is at the bottom of the hill does see the lack of proper drainage. Perhaps a fix or redesign of drainage (over 10 years)

Bob Shaughnessy:

- Comments on water going down the road (since 1984)
- Mentions the discontent about drainage and roads since the mid-80's. Need to fix drainage at bottom of hill, before fixing the top of the hill.
- Have been nickel and diming this problem for years in CTEA We need to come up with a solid plan, then address as a group over a multiple year plan.

Jim Shepard:

- Bob Butler donated time to clean out some of the drains on Mason Road.

Bob Shaughnessy:

- Suggests that fixing the drainage with proper angles rather than accidentally creating a lake and more ice that would raise / break the road. Would have to a wetlands hearing if we do drainage changes – there is a notice of intent and a public hearing
- Provided background on what it means to use an engineer to do a study, understand what we should do, then discuss
- Town approved 1 water basin, even though many of us thought there were 2 water catch basin. Today water from 35 acres go through one catch basin? What we need is a professional engineering

Beach electric

- Tree fell on our property
- Utility company moved the tree from our yard into the neighbor Swain's property to do their work
- CTEA had responsibility to remove tree and did so

Carolyn Sundquist was asked by a group of members to read a proposal for a bylaw changes – initiated by Gary, Gerry and Robbie.

See Appendix A for the motion details

Motion: *motion to amend bylaws – See details in Appendix A*

- *Proposed: Carolyn Sundquist*
- *Seconded: Gary Chehames*

Discussion

- *Gary provided background – moving from simple majority to a 2/3rd vote of the members present in an officially called meeting*

Vote

- *(defeated by the sub-motion)*

Motion: *request for amendment to table to vote until the fall meeting, to enable the group to assess the proposal*

- Proposal: Linda Smith
- Seconded: Bob Shaughnessy

Discussion:

- Table vote until the fall
- Clarification the \$500 would apply to the capital expenses, not budgeted expenses.
 - o Question: would \$500 be too low a cap? In terms of what could happen, \$500 could be easily too little – however a cap on the top side would be warranted
- Discussion about common understanding of particular words, opportunity to clarify in amendments would make sense E.g. definition of a capital expenditure

Vote: is requested from the floor by Linda Smith

- 29 votes for
- 0 votes against
- 1 abstain
- **Motion passes**, this is tabled until the fall 2015 meeting

Motion: to request the fall meeting on or before Sept 19th 2015

- Proposal: Gerry Lacroix
- Seconder: Gary Chehames

Discussion:

- Pre-Sept 15th, is considered the summer
- Would have been Oct 10 if not for this request

Vote:

- 20 in favor
- 10 against
- **Motion passes** with a majority, the fall meeting will be scheduled before 19 September 2015

Roads committee:

- Rob Shaughnessy, Rich Laramee, Kara Andrews, Gerry Lacroix, Stu (already on committee)

Bylaws committee:

- Rob Andrew, Gary Chehames, John Tamkin, Gerry Lacroix, Anne Coulombe (as defacto as Secretary)

Motion: have a July 4th weekend picnic vs an after annual meeting picnic: sponsorship of this picnic by the CTEA continues.

- Proposer: Rob Shaughnessy
- Seconder: Richard Laramee

Discussion:

- Questions about time of day for the picnic, or that weekend?
- Perhaps 1:30-2pm
- Decision at fall meeting to see if continue in 2016
- Perhaps on the 5th of July? Motion modified to read “weekend of July 4th”

Vote:

- **Motion passed unanimous**

Motion: proposal to write an RFP to solicit 3 engineering firms proposals, delivered before the next meeting planned for September 2015

- Proposer: Rob Shaughnessy

- *Secunder: John Tamkin*

Discussion:

- *Question about scope of the RFP*
- *Bob reiterates:*
 - o *Ask engineer to review the existing plan*
 - o *Perform a precipitation calculation for the entire development*
 - o *Recommend improvements w/costs: all at once, over time, association and lot owner improvements, etc.*

Vote requested: *John Tamkin*

- *29 in favor*
- *1 abstain*
- *Motion passed with a majority*

IX. Board Election

Nomination:

- *Nominating the current board – Richard Laramée and John Tamkin*
- *Gary Chehames – Gerry Lacroix, Carolyn Sundquist*
- *Gerry Lacroix – by Gary Chehames and Jim Shepard*
- *Rob Andrew – Gary Chehames and Gerry Lacroix*

Scrutineers (non-Board members):

- *John Tamkin*
- *Ray Entwistle*

Board Election Results :

Name	# of Votes	Elected
Anne Coulombe	24	Yes
Kathy Francese	18	Yes
Rob Marquis	22	Yes
Joanne Maughan	17	Yes
Bob Shaughnessy	22	Yes
Gary Chehames	10	No
Gerry Lacroix	13	No
Rob Andrews	13	No

The current Board composition remains in place for the upcoming year

- Joanne Maughan President
- Anne Coulombe Secretary
- Kathy Francese Treasurer
- Rob Marquis VP Beach and Waterfront
- Bob Shaughnessy VP Roads

X. Adjournment

Proposal to adjourn meeting at 13:10 by Edward Alexander
Seconded by Linda Smith; all in favor.

Respectfully submitted by Anne L Coulombe, Secretary

DRAFT

Appendix A

Copy of motion presented from the floor and voted to be tabled until the fall 2015 meeting

Motion to Amend By-laws Completed at CTBEA Annual Meeting Held on May 23, 2015

I, _____, hereby make the following Motion, parts A,B, C, and D to amend our Bylaws, to be voted on this day and to henceforth be recognized as fully effective and binding on May 23, 2015 by the assent of the majority of the votes of the lot-owner members who are voting in person or by proxy, whose vote is recorded below.

Second as to the motion _____

MOTION

A. Be it resolved that the requirement for assent by lot-owner members to initiation of or a change in the amount of Special Assessments by and under Article III, Section 4(d), or a change in the amount Annual Assessments by and under Article III, Section 4(e), is henceforth amended to be two-thirds of the majority of the lot-owner members who are voting in person or by proxy, and;

B. Be it resolved that henceforth any Rule or Regulation adopted by the Board of Directors by and under Article III, Section 5 shall first have the assent of not less than a two-thirds majority of the votes of the lot-owner members who are voting in person or by proxy at a meeting duly called for this purpose, or at an annual meeting, written notice either of which shall have been sent to all lot owners at least ten (10) days in advance thereof and shall have set forth a proposal to make such Rule or Regulation, and;

C. Be it resolved that henceforth the cumulative monetary value of the Authority of the Board of Directors by and under Article V, Section 9 is now limited solely to items of capital item expenditures and the amounts of such capital item expenditure shall be further limited to amounts that are less than \$500.00 in cumulative value for each purpose, and that such Authority for capital item expenditure may not exceed \$500.00 in cumulative value without first having the assent of two-thirds majority of the votes of lot-owner members who are voting in person or by proxy at a meeting duly called for this purpose, or at an annual meeting, written notice either of which shall have been sent to all lot-owner members at least ten (10) days in advance thereof and shall have set forth a proposal to exceed a specific capital item expenditure amount of \$500.00, and;

D. Be it resolved that henceforth Article VII, Section 6, hereinafter identified as "Change, Deletion or Addition of By-laws", is hereby established and incorporated and shall read as: "Any change, deletion or addition to these Bylaws shall be effective provided such Change, Deletion or Addition of By-laws shall have the assent of not less than a two-thirds majority of the votes of the lot-owner members who are voting in person or by proxy at a meeting duly called for this purpose, or at an annual meeting, written notice either of which shall have been sent to all lot owners at least ten (10) days in advance thereof and shall have set forth a proposal to make such Change, Deletion or Addition of By-laws."