

WVAC BOARD MEETING MINUTES DRAFT

July 15, 2019

Pine Landing Clubhouse

MEETING STARTED 5:35PM

ATTENDANCE

Nick Anania
~~Mark Bessette~~
Chris Buerk
David Hatfield
Bruce Hutchings
Kevin Roll
Carl Tyler
Michael Young

Public
Bob Pustell
Tom Huckman

Approve minutes of June 8th Meeting

Motion to accept the minutes. Motion accepted.

TREASURER'S REPORT

July 15, 2019 Treasurer's Report

Checking a/c balance: \$1,376

Savings a/c balance: \$119,377

Assessment invoices were mailed 6.24.19. Nearly half of the current year assessments have been collected to date. They are due 7.24.19. Two members continue to have prior year assessment balances due. The associated properties have liens placed on them.

The donation to the Nature Conservancy has been made. The insurance policies have been renewed and the premiums of \$2,895 have been paid. Runway summer maintenance has occurred as planned with 60 bags of Weed & Feed applied in Mid-June. The summer maintenance invoice of \$8,500 including May & June services has been paid.

For the two members who are past due with prior year balances, after July 24th, a letter will be sent to initiate taking them to small claims court for payment.

Motion to accept the Treasurer's report. Motion accepted.

Old Business

- August Fly-in – update ?
 - Nick gave an update on the Fly-In status. Bob Pustell said he will arrange a Porta-Potty.
- Tom Huckman has a number of places he is cleaning up.

- Nick said he spoke to Steve Moore and mentioned there are a few depressions on the runway that we should fill with loam. Nick said we'll find the low areas and address it.
- Some winter maintenance is still being completed, and some taxiways have a few areas that need filling too.
- The Windssock needs replacing and Bob thinks he might have a spare one from the last time it was replaced.
- Taxiway owner's forum
 - David gave an overview of the Taxiway forum meeting, Michael young asked how was the vibe. People who attended said it was not too bad, and certainly wasn't a waste of time, and was worthwhile to move Taxiway discussions out of the annual meeting.

New Business

- A short review of the annual meeting took place, with members giving their impressions, overall everyone felt the annual meeting went very smoothly.
- Discuss proposed bylaw updates
David has proposed changes to the bylaws. To add a paragraph to section 4, to allow for telephone attendance of meetings. The motion is to amend the bylaws per this proposal, with the addition of email notification, and the removal of the comma.

See Appendix A

A motion to accept the change was made and seconded, the motion passed.

- Proposed changes to section 3, relating to annual assessments, addressing differences with WVI and WVII. Which just formalizes what we have already been doing.

See Appendix B

A motion to accept the change was made and seconded, the motion passed.

- Frank Sullivan eMail request
Frank sent an eMail requesting the board discuss a number of items, see Appendix C.

The big discussion item related to section 2 of windssock village I and II C&Rs. WVII, has an exemption, so people pay only one assessment, vs two, if property is owned, and not used. The board has discussed this in the past, and found that that very clear.

What does come up, is that the WVI C&Rs do not mention that exemption, it does not exist in there. It was raised at the taxiway owners forum, and David looked into it, and found there are three property owners who have been billed with that exemption, as they are in WVI, Tom Huckman's property, Don Meader and John Kalinuk. David retrieved the deeds for the properties, and both Kalinuk lots include aviation rights, so that would be different. Meader has been billed for 1 taxiway, and 1 aviation, he has a potential 1 taxi and 2 aviation. Huckman has been billed for 2 aviation and 1 taxi, the impact to him would be an additional 3 aviation assessments. David researched NH law and found retroactive assessments are not allowed in NH.

Because of this, the board has until next year to figure it out.

Discussion took place around the issue. A motion was made for the board to look at how this situation could be handled, and to review again in six months. The Motion was seconded. The motion was passed.

David Hatfield sent a response to Frank's email, which can be seen in Appendix D

Other new business.

- Bruce hutchings said the granite airport managers association (<http://www.gsama.org/>), has extended an invitation for us to join their group. They have quarterly meetings, and consists of 24 airport managers, Bruce sees it as a source of information, and can see us gaining from the experience of others, for example a fuel farm. Being a member would not involve dealing with the state any more than we currently do. The next meeting is at Hampton. Bruce would be happy to represent us there. A motion was made for Bruce to represent WVAC and to pursue it. Motion was seconded. Motion passed.
- Bruce asked who mows soaring heights, Tim Flynn is supposed to do it.

WVAC Member Public Input.

None

Next meeting 21st August. 7pm. Bruce Hutchings. House

MEETING ADJOURNED 7:06 PM

Appendix A

Existing Version:

Section 4. Meetings of Board

The Board may, from time to time, establish and/or amend a regular meeting schedule for the Board. Special meetings of the Board may be called at any time by the President or on request of any four members of the Board. Notice of Board meetings may be given in writing by mail, in which case such notice shall be deposited in the mail not later than five (5) days prior to the meeting; or in the alternative may be given by telephone or in person, in either of which latter cases notice shall not be later than three (3) days prior to the meeting. Failure to give such notice of any regularly scheduled meeting of the Board shall not affect the validity of any actions taken at such meeting. Actions taken at any meeting in which all members of the Board are present shall be valid, regardless of whether or not any notice was given of the meeting.

New Version:

Section 4. Meetings of Board

The Board may, from time to time, establish and/or amend a regular meeting schedule for the Board. Special meetings of the Board may be called at any time by the President or on request of any four members of the Board. Notice of Board meetings may be given in writing by mail, in which case such notice shall be deposited in the mail not later than five (5) days prior to the meeting; or in the alternative may be given by telephone, in person, or by E-Mail or other electronic means, in any of the latter cases notice shall not be later than three (3) days prior to the meeting. Failure to give such notice of any regularly scheduled meeting of the Board shall not affect the validity of any actions taken at such meeting. Actions taken at any meeting in which all members of the Board are present shall be valid, regardless of whether or not any notice was given of the meeting.

Members of the Board may participate in a meeting of the Board or any committee by means of conference telephone or similar communications equipment if all persons participating in the meeting can communicate with each other. Participation in a meeting pursuant to this Section shall constitute presence in person at the meeting.

Appendix B

Existing Version:

Section 3. Annual Assessments

The budget as adopted at the Annual Meeting, excluding the items exclusively applicable to taxiway maintenance, shall be equally divided into as many shares as there are members obligated to pay annual assessments. Taxiway specific budget items shall be charged as specified in Section 2 of the Windsock Village II Covenants and Restrictions. Each such member shall be billed prior to November 1 of each year the amount of his annual assessment for the current year.

New Version:

Section 3. Annual Assessments

The budget as adopted at the Annual Meeting shall be equally divided into as many shares as there are members obligated to pay annual assessments. Each such member shall be billed prior to November 1 of each year the amount of his annual assessment for the current year.

Appendix C

- Board meeting request
-



• **Diane and/or Frank** <disully@worldpath.net>

To: David Hatfield, Bruce Hutchings, Carl Tyler, David Sullivan, Nick Anania and 4 more...

To the Board:

Requesting the following be discussed at your next board meeting:

Interpretation of the following:

WVI- C&R's: Special Obligations Applicable To Lots with Aviation Rights and

WVII-C&R's: Special Obligations Applicable to Lots with Aviation Rights.

Also:

BYLAWS OF WV AVIATION CORPORATION,

Article 6, Section III and IV

Please advise your findings by email or in writing.

Thank you, Frank Sullivan

disully@worldpath.net

603-539-4425

Appendix D

Re: Board meeting request

Yahoo/Inbox ★



David Hatfield <david@hatco.com>

To: Diane and/or Frank

Cc: Bruce Hutchings, Carl Tyler, David Sullivan, Nick Anania, Chris Buerk and 6 more...



Jul 16 at 12:50 PM ★

Hi Frank,

The board met last night and we discussed at length the items you noted in your email.

Your email didn't include too much detail, but we assumed that you were pointing out the differences between the WV-I and WV-II C & R's and in particular the lack of a clause in WV-I that provides for an assessment exemption when an owner has multiple lots and some are not used for aviation purposes.

I had done some research in preparation for the meeting by acquiring copies of the deeds for the properties that I had identified as being in WV-I and being billed using the WV-II C & R calculation. Using those deeds, we determined that there are three of our neighbors that may have been under-billed. The board doesn't have complete institutional memory starting from day 1, but to the best of our knowledge these members have always been billed this way.

After a lengthy discussion, it was voted to table the matter for 6 months while we research this further to determine the fairest and safest way to move forward. There were two reasons we voted to table the issue for 6 months: the first is that any billing changes won't take effect until next year and secondly, while this billing change would have a very small impact on the membership in general, it would affect the three affected parties to a much larger extent. In one case the impact is significant. We want to make sure the issue is thoroughly researched because we can expect questions/concerns from the three residents if we change how they are billed.

A couple of things to note:

1. It is my understanding that NH statutes prohibit retroactive assessments. If a billing change is determined to be necessary any changes will be going forward only with no attempts to recover any past assessments.
2. My research into the deeded rights indicates that all billing of extra charges for taxiway access for the properties in question is correct and complete.

With respect to the bylaws that you listed:

1. You correctly pointed out that Section 3 is inconsistent with the assessment calculation specified in the covenants and restrictions. The board voted to amend the bylaws to bring it in sync with the C & R's. The exact language will be posted with the meeting minutes when Carl is able to post the draft minutes from the meeting to the website.
2. We weren't exactly sure what you wanted us to discuss on Section 4 (Special Assessments). If you want to give us some more guidance on that one we'll be happy to address it at the next meeting.

Note that the bylaws can be changed by the board, but any changes must be reported and explained at the next annual meeting. At that point, if the membership disapproves of the change, the bylaw changes can be reversed with a majority vote.

Sorry for the lengthy email, but we spent a considerable amount of time on these issues and I wanted to give you as much feedback as I could.

We all appreciate your interest in the Aviation Corporation.

David