**BAR D Board Meeting Minutes**

**Where**: Lot 94

**When**: July 3, 2020

**Website**: <https://bardownersassociation.wordpress.com>

**Email**: [bar\_d\_owners\_assocation@yahoo.com](mailto:bar_d_owners_assocation@yahoo.com)

In person Meeting was held by the board. This has been the first meeting since our annual Association meeting due to the COVID Pandemic *[Meeting Minutes- Attachment 1].* The meeting was held outside.

**Reason for Meeting**

Our current primary equipment operator, Greg Hewitt, has refused to sign or discuss signing an equipment operation agreement between himself and the BDOA or return the only key to the BDOA owned road grader until a meeting is held to remove the current President, Russ Kaufmann, who was just elected in January 2020. The Minutes summarize our discussion on this issue and provide some documentation. Our purpose was to communicate this issue for the Homeowners.

**Attendees**

Stephen Winkler – Treasurer

Russ Kaufmann – President

Celeste Jain – Member at Large, Road Committee Chair

Daphne Patton – Secretary

Alan Thompson was not in attendance as he resigned earlier this year.

**Mr. Hewitt’s Position**

1. Mr. Hewitt fells strongly that he has been wronged by the president and wants him removed.
2. Mr. Hewitt is working on a petition for this removal and wants the Board to set up an emergency meeting to remove Russ.
3. Mr. Hewitt will not sign the proposed operator agreement that the Board requires to continue operating BDOA owned equipment on behalf of the BDOA *[Operator Agreement- Attachment 2].* Additionally, he will not work with the Board to redline the agreement to make it something that he is willing to sign.
4. Mr. Hewitt will not return the keys to the BDOA owned equipment.
5. Mr. Hewitt has stated he believes he should have complete authority over the equipment and road work.
6. Mr. Hewitt has refused to log hours for the BDOA equipment (Backhoe and Road Grader) as defined in the Agreement.

**Board’s Position**

1. The Board feels strongly that any amounts paid by the BDOA to a contractor that uses BDOA owned equipment must have an accompanying agreement.
2. The Board needs to have a signed agreement with Mr. Hewitt, or any operator of the equipment owned by the members of the association. This was conveyed in a letter sent on April 30, 2020 that stated we cannot pay a contractor unless we have a written agreement between the Association and the Contractor. *[Letter to Mr Hewitt- Attachment 3].* Additionally, if Mr. Hewitt is elected, he cannot be paid per the Bylaws, Paragraph 6, section d. (i.e. he is a contractor).
3. The Board, with input and recommendation from the Road Committee, has been elected to determine how the BDOA funds will be spent each year (including Hourly Labor Charges by Mr. Hewitt). Mr. Hewitt was paid $15,956.50 by the BDOA for this last winter season, without an agreement in place. It was during this time that the Board determined an agreement was necessary between any operator and the BDOA in order to ensure expectations by both parties were outlined and agreed upon
4. The Board will not hold a special meeting as previously stated in the April 30th letter. We feel strongly that this should be resolved at the Annual Meeting in January 2021 and the fact that Mr. Hewitt will not return the keys to BDOA property should not force a change.
5. The Board will follow the Covenants and Bylaws to remove any Board member. This requires the affirmative votes of more than 56 Lots. If this “Vote” is done by Mr. Hewitt through a petition, the Secretary will need to verify with the >56 owners that this is their intention. *[**Covenants- Attachment 4].*

**Summary**

The Board hopes for a resolution soon so we can get to the work of getting the roads in shape for winter. Anyone who has a suggestion or can help please send them to our email address (bar\_d\_owners\_association@yahoo.com).*[Meeting Minutes- Attachment 1].*



*[Operator Agreement- Attachment 2].*



*[Letter to Mr Hewett- Attachment 3].*



*[Covenants- Attachment 4].*

