

## Briar Chapel Community Association Board of Directors Meeting

Teleconference, October 1, 2020

### Minutes

Quorum was established.

#### I. Call to Order

- A special meeting was called to order on October 1, 2020 at 5:35pm. by Tom Speer, President. The meeting was held by teleconference because of COVID-19 virus restrictions. The meeting was held in executive session because it involved legal matters.
- Members present:
  - Jennifer Drake, Vice President
  - Jerry Cole, Secretary/Treasurer
  - Shelley Colbert, Director
  - Jim Proper, Director
- Others present:
  - Nick Herman, the Brough Law Firm (Land use counsel to BCCA)

#### II. Old Business

##### 1) ONSWC Wastewater Issues

##### a) Framework Agreement

Based on the Board's discussion on September 30 with representatives ONSWC and NNP-Briar Chapel (Newland), a draft "framework" outlining the agreed actions of each party was considered. It was described as an "agreement to make an agreement" by Nick Herman and, in its current form, is not legally enforceable. Shelley Colbert had expressed concerns about confidentiality a result of admonition of Newland counsel, Nick Robinson, not to disclose discussions outside the meeting while "offers/counters" were being considered, and we had not yet received the ONSWC document. Nick Herman then stated, that as far as informing Stop Chatham North is concerned, "it's wide open" to disclose. After further discussion

- Motion to approve the BCCA/ONSWC/NNP-Briar Chapel, LLC Framework of Agreement outline and to approve briefings to community members by Jerry Cole and Jennifer Drake, the liaisons to Stop Chatham North  
**MSC (Speer, Cole) 4 in favor, 1 opposed (Colbert), Motion Passed**

##### b) Request by ONSWC and Newland for BCCA Support of Permit Application for Spray fields

- Motion was made to approve the setback waiver to execute Package I Zone 1,3,4,and 5 as specified in the attachment to the permit requests, as reviewed by Tom Speer and determined by him to be in the best interest of BCCA.  
**MSC (Speer, Cole) 4 in favor, 1 opposed (Colbert), Motion Passed.**  
Shelley Colbert opposed because she thought documentation was insufficient.

**III. Adjournment**

- Motion was made to adjourn the meeting at 6:18 pm.  
**MSC (Cole, Proper) Unanimous. Motion Passed.**

**Submitted by Jerry Cole, Secretary/Treasurer**  
**Signature**

  
10/21/20