

TIMBRSHOR ASSOCIATION ANNUAL MEETING
June 17, 2017 AT 11:00AM
Montecahto Club

I. Call to order:

- Tom Cox opened the meeting at 11:05am.
 - Attending In Person (along with the number of voting units): Lane and Aleta Mead (1), Blake Johnson (4), Tom and Sue Roy (1), Jim Cole (2), Jim Payson (1), Beverly Roundtree (1), Art Nichols, Don Roundtree, Bill Borchers (1), Audrey and Lorin Peterson (1), Doug Rotondi (1), Tom and Caryl Cox (1), Jack Manning (4), Kimberly Maxwell (1), Mark Estvold (1), Evie Fordahl (1), Justin Augustine, Nancy Lewis (1)
 - Attending On The Phone: Dan McCarthy (4), Doug Ammons (1)
 - Guests: Dennis Duty (for Tim and Kristen Rose, Nicole Borchers); Nick Fucci for Hafferman Engineering Inc.
- Proxies:
 - Tom and Caryl Cox for Feierabend Partnership (1)
 - Jim Cole for Jill Nichols (1), Steve Karpstein (1), Dan Novinski (1)
 - Dennis R. Duty for Tim and Kristen Rose (2), Nicole Borchers (3)
 - Doug Rotondi for Mary Ann Rotondi (1), John Heus (1), David Swank (1)
 - Tom and Sue Roy for Mike and Helen Cobb (4)
- Determination of quorum was made based upon 41 total units/shares represented in person, on the phone, or via proxy. Appreciation was expressed for Nancy Lewis's assistance in handling the check-in, proxy, and preparation for the voting process.
- It was noted by Tom that all water craft (motorized and non-motorized) Owners would need to be compliant with the Tribe's new invasive aquatic species (mussel) inspection requirement this year. Tom arranged for an authorized representative to visit the boat yard area today for any Owners who wished to take advantage of such. Jim Cole updated all on the tribal process (forms, location for inspection, photos required, etc.) which he noted as being easy to complete at their in-town facility behind the high school should an Owner be unable to take advantage of the on-site inspector.

- Additionally, Jim Payson noted this is the year for Montana boat registration, which can be processed at inspection locations, court house, etc.

II. Review And Approval Of 2016 Annual Association Meeting Minutes

- In consideration of the previous annual meeting minutes, Nancy Lewis moved, Tom Roy seconded, that the minutes from the Annual Association Meeting on June 4, 2016 were approved as amended by acclimation.

III. Election Of Timbrshor Association Board Members

- It was noted that the only Board position officially up for election this year was that of the Treasurer position. Dan McCarthy indicated his interest in continuing to serve for a third term. By acclimation, those attending approved his third term.
- Tom, having now completed the first year of his current term, noted that within the upcoming 4 weeks or so that he will be resigning and not completing the remainder of his term. He desired to remain active in his position until such time as the drain field project could be declared complete. Given that, Tom Cox nominated Jim Cole to serve out the rest of his term. Jim shared his background, interest, what the Community might expect from him and what he would expect from the Community. Jim noted that the Community should expect increased levels of communications, further transparency, a drive for more community collaboration and shared participation, along with informed action being taken. Jim shared that he would expect the Community to also increase its communications with the Board and one another, to look for ways to engage and participate in getting the work of the community done, and to care for one another. Tom Roy moved, Doug Rotondi seconded, and in a non-binding vote by acclimation Jim was voted to serve as the next Chairman by completing the remainder of Tom's term.
- Given Jim had two remaining years in his role as Secretary, Jim moved to nominate Dan Novinski, Nancy Lewis seconded, to have Dan serve out the remaining term. Additionally, Sue Roy voluntarily agreed to help out to assist Dan as needed given his other non-Board responsibilities. By acclimation, a non-binding vote was completed and Dan Novinski was voted to serve as the next Secretary.

IV. Engineer Report On Drain Field Project

- Nick Fucci from Hafferman Engineering Inc. (HEI) joined the meeting during which time he briefed everyone on his extensive background, current state of the project now that the major construction phase is over, reviewed the remaining punch list items, discussed steps to finalize County (and State) approval, and answered operational questions.
- All members of the Community were asked to monitor the condition of the drain fields, the condition of those areas under restoration, and overall drain field operations. Should issues or concerns be noted, the members should

forward questions to Tom Cox. Jim Cole noted that when and where possible, Community members should look to help the reclamation process by removing weeds, re-raking settled areas, watering where possible, filling in areas of erosion, and noting operational concerns.

- The Board and HEI will work to address the remaining punch list items, complete the steps necessary to finalize and secure approvals, and negotiate with the contractor a final monetary settlement for the project.

V. Chairman's Report

- Tom reviewed the drain field financial facts and figures as distributed to the Community in an email from Tom prior to the Annual Meeting. This included a review of all payments, expenditures, and what the possible settlement range could be for the construction phase of the project (including Engineering and Legal costs). Tom noted that range could be between \$562,000 and \$617,000. Details on the final numbers will come together during the upcoming weeks and will be shared with the Owners.
- Nancy Lewis commented that in regard to the Tank Replacement portion of the project, she felt that it was unfair to require Board members whose tanks needed replacement to pay for those costs directly rather than having them shared amongst all Owners along with the non-board member replacements. Tom noted that the Bylaws require that no Director receive any benefit from their position and thus the decision was made in February 2017.
- Jill Nichols, represented by Art Nichols, wrote a letter to the Board and Community which Art read from in regard to the handling of the tank replacement charges, Treasurer's report, and overall state of the Community. Jill noted similarly to Nancy that Board members should not have been required to pay for their own individual tanks simply due to being on the Board. Jill also noted her frustration and disagreement in how the voluntary tank payments were being treated by the Treasurer as something other than voluntary with those who had not paid, for whatever reason, being singled out as somehow delinquent, subject to possible action directly or indirectly.
- Further discussion ensued regarding how any of the voluntary tank payment received by the Association might be treated. Options noted included having those retained for future maintenance needs (Tom Cox), rebating those funds received evenly across all the owners who had paid their drain field assessments (Jim Cole), etc. No final decision nor course of action was determined. The Board agreed to further review and provide a response to the Community on how such funds will be handled in an upcoming communication once the final project and operational costs were known in the weeks ahead.
- Aleta Mead highlighted some possible additional concerns over the costs of the tanks which Tom agreed to review after the meeting and report back.
- Discussion took place in regard to the status of the two Owners who have yet to pay their drain field assessments. Tom noted that actions had been pursued, including filing of liens on the respective properties, loss of dock slip leases,

etc. all to urge payment of the outstanding amounts. There was discussion on whether or not the Association might have within its rights the authority to shut of other Community supplied services including trash, water, etc. to those Owners who had not paid the assessment. The Board will take into consideration and further explore any remaining options to encourage payment from these two Owners.

- Lastly, Tom noted the recent judgement in favor of the Association by the Board of Environmental Review (BER) in denying the claims brought forth by a member of the Community opposed to the approval to proceed issued earlier this year. Tom reviewed several highlights from a letter written by the Association's legal counsel.

V. Treasurer's Annual Report

- Financial Report for fiscal year 2016-17 was previously submitted to the Community via email. A limited number of items were highlighted by Dan as relayed by Board member Blake Townsend as Dan was unable to attend the meeting in person but instead dialed in via Blake's mobile phone.
- Dan (via Blake) noted that cash flow for the Association would be tight during the upcoming year, that we should keep the annual dues at the current increased level for one more year, and that further detail would be available once the final costs for the drain field were confirmed, voluntary tank replacement payments were received, and negotiations with the contractor were concluded around remaining punch list items, change orders, and the like.
- Dan's best estimate at this point in regard to the budget for the upcoming year is that the community should be in the positive by upwards of \$10,000.
- Nancy Lewis inquired, and Jim Cole confirmed, whether the current dues would remain at the level determined in last year's meeting. It is expected such dues would be able to be reduced by the following Fiscal year.
- Sue Roy moved, Nancy Lewis seconded, and the Treasurer's report was approved by acclamation.

VI. Grounds Report

- Blake updated the Association that there continues to be a need to rehab trees in the Community to avoid loss in subsequent periods. Blake reviewed the work completed by the forester hired by the Community to provide maintenance and regular trimming work.
- Blake also noted plans to address continual rehabilitation on the drain field construction areas, further work to restore the roadways, material to be added to address the growing water collection area in front of the Community trash cans, and more. Where related to the drain field project, costs for such will be part of the contractor settlement. It was also discussed and everyone was encouraged to

keep an eye out for and act should weeds be spotted while we await the seed to take hold and grow in the disturbed areas.

- Blake will provide an update for all Owners on the type of seed mix used for the major areas should Owners desire to further rehab other areas impacted by the project.

VII. Dock Report

- Jim Cole provided an update on the continued degradation of the docks, including the sun deck and walkways. After a review by a qualified contractor, it was determined that the underlying structure (support beams) were quickly rotting and no longer able to be safely maintained. As a result, Jim noted that the Boat Dock Committee invited several Contractors to bid, only one showed up for the walk through, and after several meetings estimated the cost of this initial phase of replacement (Sun deck, walkways, upper walkways, stairs, and railing) to be around \$68,000.
- The Contractor proposed a mix of steel understructure to help preserve the longevity of the decking rather than replace the current wooden beams with new, untreated lumber (required to meet overwater building specifications at the lake). It was noted that a furring strip would be secured on top of each steel beam to enable the Association to easily self-maintain decking as required over time.
- Products such as Trex were considered however due to extreme heat retention and very high costs, wood decking was recommended.
- Those on the Boat Dock Committee, including Jim Cole, Jim Payson, Bill Borchert, Dan Novinski, and Tom Cox will meet to review options, discuss the figures provided by responding contractor, and update the community on their recommendation for timing and sharing of costs between the Boat Slip Lessors and the Community.

VIII. Parking Report

- Tom Roy who leads the Parking Committee reported that given the space limitations now faced in many areas around the Community, a revised approach to the established norms for parking and vehicle/marine storage would be needed. Rather than work on a singular, Community-wide solution, Tom asked those owners around each of the impacted drain field areas to connect with one another and draw up an approach and plan for their area. For questions in regard to who you might include in discussions, ideas on options/approaches, etc., please reach out directly to Tom (Roy).

IX. General Items

- As the meeting drew to a close, Doug Rotondi publicly commended Tom Cox for his tireless service to the Community, his work on the drain fields, and guidance throughout. Such sentiment was echoed by those in the room.
- Nancy Lewis publicly thanked all the Board members for their work on behalf of the Community.

- Jack Manning recommended that a follow up meeting be scheduled for later this season to review the final outcome of the drain field project, operations and maintenance updates, and overall financial review. The Board agreed to look to hold such a meeting.
- Kimberly Maxwell suggested that perhaps in association with such a meeting, the Community hold a work day to come together and perform any needed maintenance or other activities around Timbrshor.

X. Meeting Adjourned

- Jim Payson moved that the meeting be adjourned, Doug Rotondi seconded, and the meeting was adjourned by acclamation.