

HOA SPECIAL MEMBER MEETING
APRIL 13, 2019 (Draft 2)

CALL TO ORDER- Blake Johnson opened the telephonic meeting at 10:02 AM MST and asked Dan Novinski, the HOA's Secretary, to conduct a roll call of members, determine attendance, and advise whether a quorum existed to proceed with the meeting.

ATTENDANCE- After conducting a roll call, Dan advised that the following members were in attendance either in person or by proxy and that a quorum existed to proceed with the meeting: (insert the names and votes of the members attending the meeting).

APPROVAL OF MINUTES- Blake asked if anyone had any comments or changes to the HOA Meeting Minutes of June 30, 2018 that had been circulated to members in advance of the meeting, upon hearing that there were no comments or changes, a motion was made by Doug Rotondi to approve the minutes, that motion was seconded by Sue Roy, and the HOA Meeting Minutes of June 30, 2018 were unanimously approved by a vote of the members.

HEI WATER PLAN-Blake asked Kurt Hafferman of HEI to provide the members with an overview of the revised water plan. Kurt provided a 10-15 minute overview of the plan where he talked about each of the five well sites and advised that: based on conversations with local DEQ staff, that he is 95% confident that the revised plan with its five wells would be approved by the State; water pressure should be between 45-60 psi for all units; that he would be in touch with all unit owners to understand where they would like their water line to connect to their unit; and that the DEQ continues to indicate that it will require the 13 existing non-compliant units to move to a State approved ground water source within three years but Kurt will continue to push for five. Kurt also noted that once the State approves the water plan that he will need to go back to the State for permission to drill the wells and submit as built drawings and the final form of the Water Well User Agreement. He stated that his goal is to have everything completed by this Fall.

After Kurt's review, the meeting was opened up for questions and comments from members which included the following: Amy Acher asked that the pump house near her unit be moved to a better location, and Kurt indicated that he would try and accommodate that request; Amy also asked that Well Groups have the right to construct aesthetically pleasing pump houses rather than be required to use plain industrial units, and Kurt indicated that that would be beneficial to the community; Jock Schwank and others asked about a back-up plan for Well 8 in case an easement to the site could not be acquired, and Kurt advised that the back-up plan would be to use Well 5 and storage tanks; In response to questions from Amy Acher and Nancy Lewis, Kurt confirmed that members could keep lake water access lines to use for gardening and vegetation, but only State approved ground water lines could be used for household use; In response to questions from Nancy Lewis, Kurt confirmed that in order for the water plan to be approved that the DEQ needs to approve the final form of the Water Well Users Agreement when he makes his final submissions; that he needed to know by April 24 if any owner wished to opt out of the water plan, and that the Water Well User Agreement would have to be signed before a member could connect to a well; In response to a question from Sue Roy, Kurt indicated that he needed to know by April 24 if an owner wanted to use a cistern so that such fact could be incorporated into the amended COSA that he is preparing (but noted that owners could opt for a cistern at a later date simply by paying a small fee to amend the COSA on their own). Dan McCarthy noted that the 13 non-compliant units could wait until the State ordered compliance in 3-5 years to make that decision. In response to a comment from Jack Manning, Kurt indicated that it would be very helpful if Well Groups could tell him as soon as possible which of their members planned to participate early in the development of each well; In response to questions from Mike Cobb, Kurt confirmed that locating fairly large storage tanks

should not be a problem because they could be “shallow buried”, and that all units would be provided with a spot where they would need to tap into a well system; and Sue Roy and Mike Cobb indicated that Well Groups should be allowed to determine whether their well water could be sold to cistern users.

After other discussion, Blake suggested that it was time to move to a vote on the water plan. Nicole Michione suggested that no vote be taken on the water plan until all issues and details were fully resolved. Blake and Dan McCarthy noted that, per the HOA’s normal governance process, that the members were being asked to approve moving forward with HEI’s plan upon the understanding that any changes therein would be approved by the Board as being in the best interests of the Association. Sue Roy and Mike Cobb also opposed approving the Water Well Users Agreement indicating that they needed further time to review. Dan pointed out that that agreement is an integral part of the plan, that a draft of it was provided to all members in June of 2018, that it has been on the web site for quite some time, and that no member has suggested any significant changes or revisions. Blake and Dan also pointed out that, per normal Board process, that the Board would always consider any and all reasonable changes that may be further suggested to the water plan and agreement. Upon motion from Blake, which was seconded by Jim Payson, and upon a vote of 31 for and 13 against, the following resolution was approved: “That the revised water plan prepared by HEI and the revised Water Well Users Agreement edited by Rob Erickson are approved, upon the understanding that any further changes to the foregoing or any other matter associated with the water plan will be made by the Board as it determines to be in the best interests of the Association, and that the Board will keep the members advised of significant developments pertaining to the water plan”.

WALKWAY ISSUE- Blake advised that he wanted to let everyone know that a problem had arisen in connection with the recent rebuilding of the walkway. He noted that the other day members received from Dennis Duty letters from Tim and Kristin Rose that state their views on the situation. Those views are understandable and Blake has told Tim and Kristin that the walkway was not rebuilt with the intention of intruding on to Lodge property, and that the HOA wants to amicably resolve the situation. But, as with many matters at Timbrshor, it looks like we may be dealing with an historical problem. Jim Payson has advised that the original walkway was built before boundary lines were drawn for the Lodge parcel. In 1978 Dean Borchers set up Timbrshor’s as a condominium development and withheld about seven tenths of an acre for the Lodge, which is reflected in the 1978 Wester survey. According to Jim, he and Lou Borchers rebuilt the walkway in the 1980’s and again in the 1990’s. According to the 1978 Wester Survey, a portion of the walkway appears to have been located on Lodge property. But, what we need to do now is just determine the facts. The HOA has hired Carstens Land Surveying to let us know if a portion of the walkway has been on Lodge property for years, and to pinpoint exactly where the new walkway may deviate from the old walkway and where it might encroach on to Lodge property. We have also asked Carstens to tell us any height increases in the walkway. Once we have this information we will do our best to amicably resolve the situation with Tim and Kristin. Since we should have a better understanding of the facts in the next few weeks, Blake asked members to hold their questions until the Annual Meeting. Dennis Duty, on behalf of the Roses, reiterated the positions set forth in the letters and indicated that Tim and Kristin also want to amicably resolve the matter, and have no issue with the walkway continuing to remain where it has always been.

ANNUAL MEETING- Blake noted that the Annual Meeting would be held on Saturday, June 22, 2019, at 10:00 AM in Polson, and that meeting details would be sent to members in the next few weeks.

ANY OTHER BUSINESS- Blake asked if there was any other business to consider and there was none.

ADJOURNMENT- Upon motion from Sue Roy which was seconded by Jim Payson, the meeting adjourned at approximately 12:30 PM MST.