

Timbrshor HOA Board Meeting January 30th, 2023

Attendance via Zoom: Jim, Molly, Dan, Sue, Doug.

Call to order by Jim.

Approval of November 28th, 2022, Minutes

- Discussion and review of previous minutes. Sue motioned to accept the minutes. 2nd by Doug. Minutes passed unanimously.

Water Project Update—Jim

- Finalized our client agreement contract with Worden Thane. With a contract in place, kicked off conversations with Jim, Dan (who will Co-lead), Sue, and our water committee. Three areas of focus include:
 - Advise the board, water committee, and our community about upcoming objection period to the CSKT Water Compact.
 - Navigating our existing community water rights with potential changes.
 - Advising development and settlement of an ultimate water solution. Be it well, surface, or hybrid.
- Kick-off teleconference with Elizabeth and Dana with Worden Thane Firm. Participating from the Board: Jim and Sue; participating from the Water Committee: Holly, Lorin, Tom, and Mike. Discussed and reviewed their approach and plan, as well as brought closure to the question of whether we need to file an objection to the CSKT Water Compact.
 - Advised Timbrshor not to file an objection. To be able to file an objection requires specificity and isn't for generalized objections. The process of filing an objection is very lengthy, expensive, time consuming, complex, and would run the risk of just being thrown out. 500 objections have already been filed related to the CSKT. The large number of objections, according to Worden Thane, is due to misinformation, and most are irrelevant.
- Elizabeth and Dana with Worden Thane met with Hydrometrics— got caught up on where we were with our well water plan and history. Also addressed the impending April deadline for us to begin drill well testing. However, this isn't possible due to no current permitting process from the FRWMB (Flathead Reservation Water Management Board)— which is like a mini version of the DNRC.
 - Legal team and engineers to advise Timbrshor to file a request to the DEQ for an extension to the April 23rd deadline for drilling our test wells. Recommendation was for the extension to be filed by Hydrometrics rather than our law firm. **Jim will notify and request this from Hydrometrics.**
 - When do we push back?
 - Worden Thane's advice: we must do some design work first.
 - Moving forward, we need to address the *legal* and *technical* issues. First, they need to complete their discovery work to understand our water rights from a legality purpose. First impression is that we should be in the clear even with the bankruptcy of the development corporation. Water rights

legally flow with the land they are attached to, and those rights are attached to Timbrshor. These just need to be cleaned up.

- Secondly, address the technical issues involved with our water rights. Need to investigate that there are sufficient water volumes available for how the water is being extracted from the lake. The recommendation is to retain Hydrometrics that has great relationship with all the various entities necessary to interface moving forward. Hydrometrics will be responsible for analyzing our current water draws and volume to make sure that we are technically with in our rights.
 - Can a system be designed that is reasonable in cost and operations at a price point that is equal to or less than our current well based plan? Treatment options will also need to be addressed.
- Plan is to authorize Hydrometrics after reviewing and negotiating rates/hours contract for the development of the surface plan. Prior to moving forward, however question to Hydrometrics as to whether an all-surface plan, including filtration, is economically reasonable and will the DEQ be receptive to our new proposal? **Jim will have follow-up call with Hydrometrics.**

Decision Points:

- CSKT Water Compact: Based on the advice of council and the fact that the CSKT Water Compact does not affect domestic water right, we *do not* file an objection to the CSKT Water Compact. Motioned by Sue, 2nd by Doug; motion passed unanimously.
- Based on council from Warden Thane and Hydrometrics, we will seek an extension from the state for drilling our test wells. Motion by Doug, Molly 2nd; motion approved unanimously.

Surface water plan. Jim and Dan will get confirmation from Hydrometrics and Worden Thane that this plan is reasonable (DEQ) and financially feasible. Board will need to review the two new Hydrometrics contracts; one for the design work for a surface water system and the second, “on-call” contract for when Worden Thane needs technical information from Hydrometrics. Secondly, once we finalize a contract in with Hydrometrics that the board finds reasonable, we will move ahead and execute that contract to retain Hydrometrics for the purposes of assisting in water rights and water discovery work with Worden Thane. Motioned by Doug (proposed by Jim), Dan 2nd; motion approved unanimously.

Shoreline Planning Proposal Discussion & Next Steps—Jim

- Flathead Lakeshore Consulting, LLC (Paul Bishop) Proposal. Shoreline project planning is underway. Jill and Art to co-lead process with Jim Cole.
 - Discussion included an overall timeline. Get prework done, including discovery, community survey, etc. so that
 - By the annual meeting, we will have a preliminary design for consideration which will be available to share with the community. That way, we can get additional community input and considerations as the summer season takes place.
 - By Fall 2023, we would aim to have the final draft of the master plan in place. So, for the upcoming off-season, we can begin to plan any agreed-upon project work resulting, i.e. improvement to beaches, boat ramp work, marina areas, or

none of the above. We can do a feasibility studies so that we can look to solicit bids from viable contractors in the Spring of 2024.

- Fall 2024. If there are any projects that the community agreed to, we could begin then.
- If there are quick win projects that the community all agrees on, i.e., workable boat ramp or an improved storage solution for non-powered watercrafts, we could possibly initiate earlier.
- We own 2,333 linear feet of shoreline.
- Meet as a project committee every Monday night. Drafting a survey now so that we have something to react to. Art and Jill will then send to dock committee to get their input, hopefully by the week of February 6th. The week of February 13th, the dock committee will finish giving their input. Board to review and give input to the draft the following week. The goal would be to finalize draft by the end of February.
 - Targeting the needs survey to be distributed to the community by the **first two weeks of March**. Questionnaire will go out asking the community how they want to receive survey, i.e. electronically, US Mail, etc. This survey isn't just for boat slips, but usage of beach areas, boat ramp, marinas, non-powered boats, experiences in and around the water, so that all these things will factor into the overall master shoreline plan.
- Interestingly, based off the previous survey and amount of shoreline linear ft, lakeshore development standards, according to Paul state that we could develop up to 118 boat slips. Obviously that is substantively more than the shoreline and the community would need/want.
- Paul has already met with the Tribe and Lake County, and both have given back accolades and support to Timbrshor. Army Corp of Engineers have been notified, however with no response yet. Their response is only necessary if dredging or filling, of which we are not planning neither. Lake County involvement is in the first 20 ft. inland and 20 ft. from high water mark.

Treasurer Financial Update-- Molly

- **Timbrshor Association**

Expenses by Vendor Summary

July 1, 2022 - January 28, 2023

	<u>Total (1.28.23)</u>	Budget
Advanced Septic Design & Maintenance	\$ 1,500.00	
Century Link	\$ 588.23	\$1,500
Daniel Novinski	\$ 263.49	Misc. (\$2,500)
Glacier Telemetry	\$ 488.50	\$1,000
Greg Dennison	\$ 2,100.00	\$6,000
Guys For the Job	\$ 9,200.00	\$10,000 Note: Payment includes June work but was paid in 22-
Jill Nichols	\$ 35.00	Misc. (\$2,500)
Jim Payson	\$ 248.25	Misc. (\$2,500)
Mission Valley Power	\$ 458.69	\$1,500
Quickbooks	\$ 209.58	Misc. (\$2,500)
Republic Services	\$ 1,864.48	\$3,000

Rhoades Seifert & Erickson	\$	1,479.64	\$6,000
Shoreline Protection	\$	309.10	\$309.10
State Farm	\$	1,545.00	\$1,552.00
Zoom	\$	155.52	Misc. (\$2,500)
TOTAL	\$	20,445.48	
Misc. Total	\$	911.84	\$2,500

- We are track with our budget so far. Financial health is good. Members with outstanding dues have been notified multiple times.
- Would like to run all payments through Quickbooks. This will make it so much easier for collections, reminders, along with tracking in real time. Molly gave a quick demo via share screen. Goal is to make all payments paperless.
- Well group 5/9: has not paid its entire share of the site preparation and owes \$660.00. **Lorin and Doug will send out email reminders.**
- Lifting of sanitary restriction and access to Septic System by lot 217.
 - Recently Mary Ann Rotundi was able to have sanitary restriction lifted on Lot 217. No one on the current board recalled being made aware that this application had been initiated. Question is whether owner actually paid for their percentage of construction cost during the original construction and if not, what the fee should be and should there be a % penalty assessment for joining at this time? If payment wasn't received earlier, discussed that any monies collected would then go back to the HOA. **Board members to review website records to determine if construction payment was received from 217 as part of original construction.**
- Mike Cobb has recently raised question about the HOA's specific number of developable lots.
 - **Board to look into question and revert with response.**
 - *As a legal matter, the board is not the developer and can't reaffirm, declare or validate anything. All we can do is look and report back about the governmental records, but can't render a position.*

Payson Boat Slip Resolution Proposal

- Board discussed transfer of Payson's two boat slips. Determination was made that, consistent with precedent, one boat slip will transfer with unit sale. Boat slip changes prior to the unit sale to remain in place. The remaining unused boat slip lease will made available to boat slip waitlist in accordance with boat slip policy.

Covenants and Bylaws

- This is one of the board's initiatives set forward for this year. **Board to look at other HOA Covenants and bylaws and suggest some preliminary drafts.** After we decide on amended language, we will ask Rob Erickson to review. Moving forward we have to be cognizant of attorney's fees.

Motion to adjourn by Doug. 2nd by Molly. Unanimously approved.