

## **DCLI Board Meeting**

**Tuesday, July 18, 2017 @ 7:00 PM at Tys' House**

Members Present: Ron Chandik, Simon Field (via phone), Mac Marshall, Dave McGuire, Tys Sniffen, and Ginny Stone

Members Absent: Jay McClelland; Visitor(s): None

A. Preliminary Discussion: The SBA wants DCLI to sign the \$101K SBA Loan paperwork as is and to amend the application later to get closer to \$200k. It is still not clear after several discussions between the SBA attorney and Tys that we have a good understanding about exactly what kinds of road work the SBA will fund and what it will not fund. We need to talk with a contractor who has dealt with the SBA in the past and who know their criteria.

B. Road Manager's Report: Dave requested Tys to display the Non-SBA-Loan Budget on his laptop for reference.

1. Washout is finished and rock is laid down.
2. Dirt removed from Whitson's property to Tomasso's land.
3. Dave will put down wood chips when he gets a chance.
4. He is now waiting for funding to start budgeted projects.
5. The project cost numbers that Dave used at the Spring General Meeting were from JC and not from Jim Walters. Here are Jim's estimates:
  - a. Dave has concerns about paying Walters higher bids and still being able to reserve \$15K for future paving. General Board response was to do the necessary road work first and fund the reserve with later solicitations.
  - b. Little Buck project could be "postponed".
  - c. We have to do work on the main road from 2<sup>nd</sup> bridge to Rons Rd.
  - d. Bottom 1/2 mile of Hartman: JC bid \$8-12K includes one culvert; Walters bid 17 transfers of rock \$25K. Walters rough grading of Hartman bid is \$8,272 (no rock or culvert).
  - e. Ramble from Deer Creek to Deer Creek Heights: Walters bid with 25 transfers of rock is \$38K. JC bid on Ramble is about \$11K.
  - f. Dave: We can only afford these projects if we get the SBA loan. Tys \$61K was billed plus \$4K for Admin.
  - g. Chandik: Let's just triage the projects and do them as the money comes in.
  - h. Tys: 5 projects are on our Budget list:
    - i. Washout at Whitson

- ii. Hartman - \$8K
  - iii. Ramble
  - iv. Asphalt/maintenance on Deer Creek - \$8K(Patch w/volunteers)
  - v. Upper Ramble
  - i. Deer Creek smoothing from Paint Ball to Ramble Priority 1 for \$11K using Walters.
  - j. Priority 2: JC to do bottom ½ mile of Hartman: JC bid \$8-12K includes one culvert.
  - k. Priority 3: Ramble from Deer Creek to Deer Creek Heights: JC bid on Ramble is about \$11K. Walters is \$38K. Dave to try magic.
6. Road Manager's report approved by acclamation.

#### C. Treasurer's Report

1. Tys: Received his \$1,200 check for storm damage materials purchased.
2. Mac: He paid Jim Walters ?!? Currently "about" \$12K is available in the Liberty Bank account; plus \$3K in un-deposited checks. \$15K available.
3. Tys: Invoice didn't specify to send payment to P.O. Box 10 etc. He proposes doing a follow-up billing to try to collect more funds.
4. Chandik: Costs about \$100 to do follow-up billing w/stamped Return envelope. Tys writes the letter. Ron will mail the packages.
5. Follow-up billing idea accepted and will be implemented.
6. Treasurer's report approved by acclamation.

#### D. Secretary's Report

1. June 6, 2017 DCLI Board Meeting Minutes are submitted for approval. Tys asked for approval of the Minutes and they were approved.
2. Master List updates for 17Jul17 are done and copies are available to those present here. Also available is a Listing by Map #, a Listing by APN and a Listing of all Liens and amounts. Maps are also available.
3. 94 letters were sent out to all DCLI affiliated Landowners after the Spring General Meeting soliciting comments on the approval at the meeting of an SBA Loan application. Only one email Reply was received (from John Miller) stating his disapproval of the loan application. Per Tys Dennis Smith called Tys to vote his disapproval of the loan.
4. 27 out of 94 Landowners have paid, i.e. 29%.
5. Loftis and Fuji wrote emails disputing their billings. I referred their comments to Tys. In spite of their concerns Loftus sent DCLI a check for the entire Balance Due.
6. DCLI's Liberty Bank contained \$12,960.03 this morning (18Jul17). Mac: \$2,800-\$2,900 outstanding checks; Plus \$3K in the P.O. Box today.

7. Ron Requested reimbursement for the stamps and copies relating to the 13May17 Spring General Meeting and the 17May17 follow-up letter to all Landowners requesting comments on the SBA Loan approval voted on at the Spring General Meeting: \$122 reimbursement requested.
8. Secretary's report approved by acclamation.

#### E. New Business

##### 1. Changes to Master List

- a. Eric Fuji on Hartman: General consensus is to remove Extraordinary Use Fee if the Landowner objects and no one provides facts to the contrary.
- b. Loftis: Claims he is a Non-Resident. Board agreed to bill him as a Non-Resident for FY2017/18.

#### F. Old Business

##### 1. SBA Issues

- a. DCLI received documents to sign by July 24. Tys will request extension.
- b. Tys, Mac & Ron need to sign.
- c. Tys has read documents (1/4" stack) but does not totally understand them.
- d. SBA Loan amount is for \$101K instead of the requested \$200K. SBA says we can "change the loan amount later".
- e. Tys proposes to have a lawyer friend review the SBA documents and provide us with his recommendations. Board approved Tys contacting his friend.
- f. Chandik: It appears from the documents that the liability associated with the loan is open-ended enough to provide the SBA with onerous collection options, e.g. to sue landowners individually, attach liens to property, and use a collection agency to recover any unpaid funds.
- g. Tys: When he asked the SBA what comes next, they said to sign the documents, send them back to the SBA, and get an engineer's report.
- h. Ginny: She contacted a licensed engineer who is familiar with county regulations and who she has used in the past. Her engineer would like to see the SBA documents. We didn't get a written request from the SBA for an engineer's report; it was verbally given to Tys. Her engineer says that if he has to prepare a report, it will be very expensive because of his potential liability. We should get a Reconnaissance Level Assessment from Tim Best(?) for a charge. The engineer asked that DCLI document their problem areas on a map and

state the triage priorities that we propose. Ginny thinks he will charge around \$2K.

i. Another strategy after talking with Tom Bird, was to request that a geological survey not be done immediately, but we will provide a geological survey before any permanent projects are done.

i. Tys: Sometime soon he would be willing to put together his email correspondence with the SBA and a corresponding map. He is also willing to give Tim a tour of DCLI.

j. Dave: We already have a \$200K list of projects that we had put together prior to applying for the loan, because Bird used that amount and we seem to be compatible with his projects.

k. Ginny: Can we give her anything else that might be helpful to her for her meeting with Tim tomorrow ? Tys: He can give her the plans for the \$200K of projects that he and Dave prepared for the original DCLI Budget anticipating the \$200K SBA loan. Ron: Ginny's job is to determine what Tim is willing/able to do for DCLI with regard to securing the \$200K SBA loan and how much DCLI will need to pay him.

2. Bernadette O'Neill says she paid cash to Greg Haagenson for prior years' DCLI Road Maintenance Fees. Bernadette's DCLI Balance Due to DCLI is \$322.47. She subsequently sold her parcel (APN:089—041-93) to Ken Caprino and the Balance Due was not picked up by the title company upon closing. Tys decided that Ken's Balance Due to DCLI should be \$168.47 and the Board agreed.

3. Billing of 845s: Simon: We have every right to bill 845s for the storm damage done last year. We should do a separate billing. A long discussion ensued outlining various Board positions taken in the past and trying to reach consensus on fair billing practices. No agreement was reached.

4. Re-writing the JMA: There was a long contentious discussion with very little agreement other than to NOT address the issues now.

5. Gate across the Deer Creek Road: The DCLI Board refused to take a position to maintain the unrestricted access to all DCLI roads for all DCLI Landowners. Ron, his wife, son, daughter, grandchildren, friends and perspective renters and buyers are all severely impacted by a gate installed on Upper Deer Creek Road restricting their access to Ron's personal property.

6. Frontier Phone Company refuses to fix phone lines in DCLI. It is not clear what role DCLI can play in this dispute.

G. Tys declared the meeting over.

Submitted

September 10, 2017

Ron Chandik, DCLI Secretary