

**RAFTER J HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS REGULAR MEETING  
MEETING MINUTES—APPROVED  
November 29, 2005 at 7:00 p.m.  
Rafter J Office**

**IN ATTENDANCE:**

**DIRECTORS:** Vernon Martin, Kip MacMillan, Jim Huspek, Joe Greene and Chuck Rhea

**STAFF:** Cheryl Fischer

**HOMEOWNERS:** Don Martin and Craig Gould

**GUESTS:** Matt Ostdiek, Rendezvous Engineering

**CALL TO ORDER:** Kip MacMillan Vice President, called the meeting to order at 7:09 p.m.

**MINUTES: (SEPTEMBER 27, 2005)**

Jim Huspek moved to accept the minutes. Joe seconded the motion. All were in favor.

**ACCEPTANCE OF THE FINANCIAL REPORTS:**

As of October 31, Rafter J ISD has \$300,000 in a Replacement Fund transferred to it from the Homeowners Association (HOA) earning at least 3.5%. This transfer complements the transfer of ownership of the infrastructure to the ISD. After comments Kip asked for any other questions on the financials. Then Joe moved to accept the financial report for October. Vernon seconded the motion. All were in favor.

**MAINTENANCE REPORT:** It was noted that Chuck McCleary was not present and there was no maintenance report. Chuck R. mentioned some issues of Hydro-seeding, the possibility of pathway cleaning, and the possibility of signs.

**HOMEOWNERS' ISSUES AND CONCERNS:**

Don Martin was on the agenda regarding information and ideas on the SPET (Specific Purpose Excise Tax). Don thought that Rafter J could possibly derive some benefit from the SPET in future years if Rafter J could propose a project that would have a public or community benefit. Don stated that a lot of input from the Board and from the members of the Rafter J community would be needed as to what might be considered. Comments followed and Don further noted that more research would be needed to find out the dimensions of the program. More discussion followed on the uses, time, and costs.

Craig Gould was on the agenda regarding a letter he received from the Rafter J attorney on covenant violation issues. Discussion followed and the Board noted the actions for Gould to take to resolve the issues along with paying the attorney fees. Mr. Gould stated he would take care of it.

**Improvement and Service District (ISD) Issues:** The following ISD-related information was reported to the Homeowners Board:

**Jim Huspek's Trip to Casper regarding the water well:** The ISD is requesting \$150,000 for a new well in light of the most recent well drilling that appears to be a failure. He reported that our request was motioned forward. The next step will be in January with the actual WWDC and then, if accepted, it will be drafted into the Legislation and passed by the Legislator at a budget session with the money made available July 1, 2006. Jim noted that the only hitch with this is that this \$150,000 is in matching funds meaning half of it is loan and the other half is a grant. If the money is provided and it is spent, Rafter J would owe \$75,000 for the amount awarded that is a loan. There are several options as to how to pay back the loan. The Board and Matt had further comments.

**ENGINEERING REPORT:** Matt Ostdiek gave an update on the following:

**Water Supply Project:** Matt reported that nothing has been received from Weber on the work he has done on the new well. Matt stated that a meeting with Weber is needed to discuss the status of the new well. Matt noted there should be some budget left on that well because a pump has not been installed as budgeted. Matt also commented that this project was started this time last year, and the only thing outstanding is cleaning up some operation and maintenance manuals on the telemetry system. Matt noted the first manuals received were rejected and they are being redone. Matt also noted that Hansen Excavation has been awaiting payment of about \$7,200 from the county contract on the Tensleep Drive work.

**Water Tank:** Matt noted he had not done much on the water tank. He is going to subcontract the concrete design of the tank to an outfit familiar with this type of work since it would be more cost effective than having his company do it.

**Water Well:** Matt noted the previous discussion about the \$150,000 funding that would not be available until June and noted that this delay is a drawback. Matt stated that the project could be bid and ready to go as of June.

**Infrastructure Project:** Matt noted he was actively working on a demonstration project. He is working with Mike Milky with Curtis Westwood Excavation. Matt noted Mr. Milky has some experience working for another contractor in Idaho or Montana using the "mole" to push water service lines across the streets. He suggested working on Brahma and Black Baldy where most of the leaking galvanized lines are located. He is considering doing something in the second week of January when it is cold and the ground is frozen to see how it works. He also plans to use the vacuum trucks for excavation. Matt briefly explained the process along with some different methods to try on the project. Matt further noted he is trying to work this as a demonstration project so he does not have to get competitive bids. He

would try to budget for as much as a week's work of contractor's time. Matt also wants to prove that the methods work before bidding the project. After discussion, Matt stated he has to get the proposal to the state DEQ that have the loan package to make sure they agree to this action before the demonstration can be done. Vernon asked if they have to approve the process. Matt thought they needed to approve the budget to do this outside of a construction contract. After more discussion, Matt suggested having a meeting for the people on the affected streets where the work will be performed. After discussion, Matt noted this is going to take some preplanning so that all the utility locates are done and the neighbors know what is happening before any holes are dug.

Final Plans: Matt reported that over the next two months he will be getting final plans and specifications together, getting the permits, and preparing to bid the work. Discussion followed. Matt also commented that the ISD attorney may need to prepare a contract that protects the ISD and provides an easement to work on the service line. Jim stated he can understand protecting the ISD, but this could be covered in the contractor's contract. More discussion followed on that issue.

Easement Description: Matt reported that the ISD attorney asked had him to assemble easement descriptions on all the water and sewer lines that cross the common area so the ISD could be granted easements from the HOA. The attorney suggested this would be simplified if the HOA were to grant the ISD an easement on the whole common area rather than trying to describe easements on specific lines that are somewhat uncertain at this time. Jim further noted that this could be restricted as an easement for a specific purpose. Joe clarified that this would be in lieu of a restriction to specific location(s).

Water Meters: Matt reported the need to resolve whether to spend the money from the county in the near future. He thought it was something that needed to be resolved. Discussion followed and no action was taken.

Konitz: Matt reported that he had had a few conversations with the ISD attorney regarding this issue the last few weeks. The attorney wants some cost numbers from Matt. After discussion, Matt stated he would get those to Paul and copy the boards.

Schedule an ISD Meeting: Matt also noted that an ISD meeting needs to be scheduled to discuss the contract issues for the well along with discussion of more details on the demonstration project.

### **DISCUSSION ITEMS:**

Correspondence: The Board reviewed an incoming letter regarding two loose dogs that bark constantly. Discussion followed and Chuck R. stated he would talk to Chuck M. about it. The Board reviewed an outgoing letter to a homeowner in response to e-mailed questions from meeting minutes.

House Painting Letters: The Board commented on a letter response from a previous letter that was sent to two homeowners regarding the painting of their houses. After discussion, it was decided to send another letter asking them to present their plans to the Design Committee for approval by December 20<sup>th</sup>. The Board also discussed another homeowner who had received a letter but had provided no response. The decision was to follow the same course of action noted above.

Other Issues: The Board reviewed another case in which a homeowner had received a letter regarding a violation issue but had not provided a response. It was decided that the homeowner should receive a notice of filing in small claims court. Chuck R. noted that he would fill out the papers himself and would have it done before the next Board Meeting.

Camera: Kip commented on a previous suggestion regarding the use of a camera to document covenant violations.

Jerry Wilson and Partnership Accounts: The Board discussed an opinion from an attorney regarding the change in status of the Public Facilities and Corral and Stables lots regarding HOA fees. It was suggested that all outstanding fees must be paid in order to put a proposal in front of the Design Committee. It was further noted that the HOA attorney would send a letter to Mr. King, the record owner of the Corral and Stables lot. Chuck R. said he would keep the Board apprised of all correspondence related to this matter.

River Rock Lodge Parking Lot Lighting: Kip reported that he knew that Jason went to the county on the issue and he felt they were going to pursue it. Kip further noted that he hasn't heard back from Jason.

Signs and Speeding: Kip reported that he had talked to Teton County Sheriff Bob Zimmer and asked if it was possible to have a radar speed sign here in Rafter J. The sheriff had responded positively and told Kip to contact Daren Rudd which he did. Daren told Kip that the radar sign does not work very well in the wintertime so nothing can be done until spring. Kip noted Rafter J is top on the list to get it when it becomes available. Also, Zimmer told Kip that they have no authority in Rafter J to do anything regarding speeding. He suggested that Kip talk to Steve Weichman, the county attorney, which Kip did. Kip noted that Mr. Weichman got back to him and said that Keith Gingery had researched the issue and found that the sheriff does have authority here on such things as a violation for driving too fast for conditions. The sheriff's office cannot write speeding tickets in violations of our signs because these signs are not placed by, and the speed limits are not set by the state. As a result, Kip stated he is now exploring how to have the state establish the sign placement and speed limits. Kip noted that he spoke to Ms. Lennon last week because she was concerned about it and he agreed with her that more signs are needed but he thinks that signs won't do any good unless there is enforcement. Therefore, he did ask Chuck M. to provide Kip with an estimate of what signs are needed and where they should be located. Kip also noted he has a source where he can get a sign for approximately \$30. Kip further stated the signs needed to be placed a little bit higher.

Delinquent Property Owners: The Board reviewed and discussed the list of delinquent property owners.

Rafter J Accounting Software: After discussion, the board agreed to allow Vernon to decide on the new accounting software.

Copier: Vernon noted that he called Mike Remala, Teton Business Systems, who said that the bids previously received were probably still valid even though they had technically timed out. There were two copiers that he thought Rafter J would be most interested in. One is a color copier. Discussion followed as to how a color copier would be used. Vernon shared comments on desired features such as scan capability, ability to handle ledger-sized paper, and fax capability in order to replace the phone/fax unit. The color unit is just under \$10,500 and the black and white is \$7,850. Vernon stated these prices are for purchase and that Rafter J would probably lease again. Comments followed and Joe noted he would argue for leasing a black and white copier/printer without the scanner. Vernon stated technically the lease on the existing one

has expired and Rafter J has already received one bill as an extension to the expired lease assuming that a decision was probably forthcoming. Vernon further noted the other reason to get a new copier is to obtain better collating features. Vernon said that if the scanner were purchased separately, the copier/printer would probably be reduced in price. After comments, Kip moved to take the copier without the scanner. Joe seconded it. All were in favor.

Web-site: Vernon reported he hadn't done anything with it. Jim provided the name of someone to help on the web-site. Discussion followed. Vernon noted his goal is to have someone else do the initial design of the site and then he plans to learn how to be the webmaster and teach Cheryl.

Directors and Liability (D&O) Insurance: Vernon noted this insurance is due for renewal December 16. He had called Ed Murray that day and discovered the current D&O Liability policy covers not only the Homeowners Directors but also the ISD Directors. Vernon noted the ISD Directors are already being covered under an ISD policy. As a result, Vernon requested Ed Murray to remove the ISD Directors from the D&O policy carried by the HOA. After comments, it was noted there may be a fairly limited effect on the premium and the person he talked to (Randy) said that he had no way of being able to give him an estimate until the policy change was reviewed. He requested a letter on Rafter J letterhead asking that the ISD Directors be removed from the policy.

Pathway Grooming: Kip noted that he has been getting a lot of requests to have the pathway cleared of snow. Chuck R. stated Rafter J had periodically cleared the pathway last year. Kip noted he had received positive comments last year. Comments followed regarding using the blade and the snow blower along with the costs and budget. Chuck R. said he did not want to exceed \$1,000 for the year and wanted it managed so that it can be done as Rafter J desires rather than establish a contract that leaves the decision to clear the pathway up to the contracted party. Chuck R suggested letting Chuck M. manage it and to watch the weather reports. Vernon noted that it appears that pathway cleaning budget item is in the ISD's budget. Jim responded this was because in the previous budget it was a sub-line item under roads. Vernon suggested that it ought to be moved back to the HOA budget since the ISD has no revenue stream to cover pathway clearing. After comments, it was noted that the plan is to have the contracted party invoice the HOA and the HOA and ISD would resolve the budget issue later. Kip asked if is there any point in contacting the pathways group about it and was told they don't maintain winter pathways.

ADJOURNMENT: Jim moved to adjourn. Vernon seconded the motion. All were in favor. Meeting adjourned at 10:10 p.m.