

**SKYLINE RANCH IMPROVEMENT AND SERVICE DISTRICT
MINUTES OF MEETING**

December 8, 2016

A public meeting of the Directors of the Skyline Ranch Improvement and Service District was held on December 8, 2016, at 4:00pm at the office of Berkshire Hathaway in Jackson, Wyoming

The following Directors, constituting a quorum, were present: Kurt Harland, Latham Jenkins and Jim Lewis. Carly Schupman, the Districts bookkeeper and homeowner Chris Thulin were also in attendance.

Kurt served as Chairman, Jim served as Vice-Chairman and Treasurer and Latham served as Secretary.

Kurt called the meeting to order at 4:07pm

1. Approval of Minutes

Kurt made a motion to approve the November minutes as amended, including the detailed technical edits made by Bob Norton, with respect to the Clearwater presentation at the November board meeting. Jim seconded the motion and the minutes were approved unanimously.

Following the approval of the Minutes it was decided to forward Bob's comments to Janet Bari beau at Clear Water and Latham volunteered to do this.

2. Treasurer's Report and November's bills

The Board reviewed the December Treasurer's Report and November's bills.

Chris raised a question about the invoice from Paul D'Amours, the District's legal counsel, and weather these opinions are in writing. Jim confirmed that the opinions from Paul are all via email and that these are available upon request. Jim added that in looking back for the past 3 fiscal years, there were only two invoices from Paul, and the notation on the invoice was "Telephone conversation with Kurt Harland" on a specific date. No other details were provided. Carly recalled that one of the invoices had to do with the Skyline website, and what is legally required.

Jim stated that in one the current invoice amount, Paul opined, among other questions, on the need for liability coverage for the ARC members. Chris requested that the email from Paul on liability coverage be sent to all the ARC members.

Follow up: Jim said he would do so.

There being no further discussion of the invoices, Kurt made a motion to approve the Treasurer's Report and payment of the bills. Jim seconded and the motion was unanimously approved.

Jim raised a question to Carly on the water and road reserves, and Carly confirmed that each month, the increase in each reserve is limited to the bank interest earned on the accounts, and that just once, prior to year end, board approved transfers to the water and road reserves will be made.

Later in the meeting, the Treasurer's report was amended to include an invoice from Hub International for machinery, which is due on 12/28/16, prior to our next board meeting. Kurt made a motion to amend the report to include approval of Hub's invoice for \$573.07. Motion to amend passed unanimously.

3. Alpine Aspens bookkeeping contract and scope of activities

The Board discussed Carly's contract and scope of services for a trial period from 12/31/16 to 2/28/17 at a flat rate of \$1,300/month with any work beyond the scope of services or special projects would be at a charge of \$50/hour. Carly will advise the Board at the February board meeting regarding how things are going. Kurt made a motion to accept the terms of the trial contract. Latham seconded and the motion passed unanimously.

As Carly has been handwriting checks, she asked if the Board would approve purchasing printable check stock, so that all but the signatures can be printed. Latham made the motion to approve the purchase of printable check stock. Kurt seconded and the motion approved unanimously.

Chris asked for an update on some of the status of various homeowners' water payments:

Krisik- paid

Ulrich- paid and water meter reading submitted.

Machol- Jim is working on it.

Levy- now has a bill and will be taken care of (per Kurt)

Chapman's- the quarterly \$75 has been paid, and paid in advance. Kurt does not think they've irrigated in that last 2-3 years while home has been under-construction. Moreover, they've been living in San Diego while the house has been under-construction. Jim had a photo taken of the water meter, but Kurt has a call into the contractor to make sure everything is hooked up properly, as the photo raised some questions.

Ashley- Kurt will follow-up with Bob Norton.

Fleck- Kurt will follow-up; difficulty in getting in to install a meter.

Lot 42 (Hemmings' lot is 43)- Kurt said they've only been using water from a hose to water their newly planted trees and have estimated their usage.

Follow-up: Kurt-Ashley, Fleck and Chapman; Jim- Machol

As Carly's bookkeeping aspects of the meeting were concluded, Carly left the meeting at 4:42pm.

4. Determine protocols for improved communication with ISD homeowners.

- a. The board discussed and agreed that the draft agenda should be sent to homeowners no later than 4 business days prior to the board meeting, i.e. the Monday prior to the regularly scheduled board meeting.
- b. The board agreed that homeowners would be advised that the means to contact the directors would be via info@skylineranchisd, and Latham, during the meeting, set up a method that all such emails would automatically be directed to the director's personal emails. The benefit of this is that there would always be a permanent record of the communication.

Action: Latham to advise the homeowners.

Following a question from Chris Thulin about how the Board intends to both acknowledge and address any questions from homeowners, there was discussion around an "auto-receipt response", and then the directors would decide, among themselves who was best qualified to address the issue, or in some cases, request the ARC to address. It depended on the nature of the homeowner's question.

Chris also asked about the protocol for a homeowner getting something on the agenda. Board members were unclear among themselves, and Kurt felt that this should best be addressed by one of the committees that the board would establish.

Follow-up: Board

- c. Timing for posting of board approved minutes and treasury reports. It was agreed that this should be done as soon as possible after a board meeting. Kurt mentioned that before Carly left the meeting that these could be uploaded to the website within one week from a board meeting.

Follow-up: Carly

5. Discuss and agree on setting up special project committees, reporting to the Board, addressing the following:

- a. Rules and regulations- Water Policy
- b. Rules and regulations- Road Policy
- c. Rules and regulations- Site Committee (responsibility of ARC)
- d. Analysis of marginal cost of water and recommendations.

The above specific project committees were discussed and it was agreed that these were all good. Kurt mentioned in 5(d) we also might want to include a capacity study.

It was agreed to solicit volunteers for these committees, although 5 (c) would be assigned to the ARC. Jim advised the Board that Susan Dong has volunteered to head the Water Policy project.

6. Chapman water meter setup, and longstanding vehicle, construction hut, etc. parking at lower level.

The water meter situation had been previously discussed. Kurt's personal view on the vehicles and construction hut is that if it's not contrary to county regulations and it's not covered in our CCR's then there's not much we can do. Jim said the construction hut hasn't been used for months as all work is being done inside the house and the contractor is simply parking it at the lower level. Kurt added, and Latham concurred that the black Jeep belongs to the owner. Kurt also said that the lower garage is packed with vehicles and nothing more can be placed inside. Jim mentioned that, for months, there has been an old car also parked as well as a deflated rubber boat on a trailer and that it was unsightly in the neighborhood. Kurt said he'd talk with the contractor about the trailer when he talks to him about the water meter setup.

Chris asked about getting a timeline for completion of the Chapman house as it's been under construction for quite some time. Kurt said that there's never been a requirement for a timeline, only, according to the CCR's completion within 12 months, and given the nature of the houses constructed, extensions have been given and bonds extended, if they are actively at work. The Glick's are another case entirely.

Follow-up: Kurt on the water meter hookup and the construction trailer.

7. Machol water meter photo and payment past due.

Jim said he's been talking with Warren and as he has gone back and reviewed all board minutes and email communication going back to September 9, 2014 when this all started from a communication from Warren about a depression in his property outside the curb stop. Doing my due diligence and looking thru all the correspondence from the initial communication to the zeroing out of the potholing invoice, the entire episode took 22 months, generating angst on both sides. It all started from a District invoice for potholing, which stated "excavation was requested by the homeowner...." and this clearly was not factually correct. And from there it snowballed. The Machol's had a prompt payment history going back almost 20 years and only started withholding payments in order to get resolution on this issue as there is no appeal process to a board decision. So after considerable due diligence, Jim concluded that this all started from a Board mistake.

Kurt said that he'd be willing to entertain a reasonable solution to this problem. Jim then made the following motion:

"In order to acknowledge in the Minutes and correct a Board mistake, regarding District Invoice #3376, dated August 9, 2015, in the amount of \$1,125, addressed to the Machols, the Board wishes to state the following:

1. The Machol's never requested nor agreed to pay for Fish Creek's excavation outside the curb stop.
2. The invoice should have never been sent to them in the first place nor should have repeated demands for payment been made over many months, despite communication by the Machol's with various board members to resolve the error.
3. This action and lack of quick resolution resulted in the Machol's appearing as past due for months and caused unnecessary frustration and duress to the Machol's.
4. The board further acknowledges that the Machol's withheld, for the time being, their regular water payments as leverage to get this problem resolved.
5. This board desires to correct the previous action and apologizes for the duress this may have caused the Machol's.

Jim felt that this would result in the outstanding water payment being paid and a meter reading being received.

Kurt accepted public comment:

Chris asked if Warren has requested payment by the District for his legal fees of approximately \$600 that he incurred. Jim said that Warren had requested that, but that his personal view was this would set a precedent for the District. Jim said that he's focused on getting the mistake addressed publically, and getting the last Machol water invoice he saw of approximately \$525 paid, and a meter reading. Chris asked the board to consider linking the apology to an agreement that this particular matter is settled and no further requests will be made to cover legal expenses. Jim responded that he did not think the board can legislate a homeowner from doing anything and Kurt added that that would be another dangerous precedent by trying to absolve us ahead of time. Kurt added that it was never his intention, to cause duress and if this motion addresses Warren's concerns and acknowledges a board mistake that he trusts Warren that going forward we will get the payment of the annual fixed charge and estimated water usage fee and a get a water meter reading. Kurt added that he doesn't think the District has ever compensated anyone for legal fees or research unless a court order requires us to do so and that out of principal that opens the District up to unknown consequences and liability.

Kurt reiterated that it was never his intention to cause duress and that if this would get the matter resolve and result in payment made and a water meter reading, he was comfortable in seconding the motion. Jim confirmed that Warren indicated that he was ready to write a check.

There was no further public comment.

Kurt seconded the motion. The motion passed unanimously.

8. Status of Glick ARU construction project (last Site Committee extension approval required completion by 12/31/16).

Kurt said that the Glick's have recently stated that they will have the certificate of occupancy by 12/31/16. Kurt said that he'd check back with the Glick's again, closer to year-end and get back to the Board by email.

Latham checked the county records online during the meeting and stated that the county shows that the last inspection was done on November 15th regarding the grading, according to the county; the electrical walk-thru had not been scheduled. While the board was skeptical of the year-end certificate of occupancy stated by Tim Glick, we have to give the homeowner the benefit of the doubt for the balance of the month.

Additional comment was made about the condition of the work site, with equipment out in plain sight without plastic sheeting to tidy up the appearance of the front of the building visible from the road.

Follow-up: Kurt

9. Request to ARC to review Glick shed request and make recommendations to Board at next Board meeting.

Kurt said that he had checked with Paul D'Amours about this issue as the Glick's request was handled outside of a Board meeting. Paul said that Site Committee work is held to a different standard than a Board, and it can deal with matters outside of a board meeting. However, if it is held within a board meeting, the board must adjourn (temporarily) and reconvene as the Site Committee. Following the Site Committee business being concluded and the meeting closed, the Board meeting can then be reopened. Paul said that it's much like a subcommittee of the board, which can meet anytime without prior notice, and does not have to comply with Open Meeting rules.

Kurt reported a statement from Renee wherein she indicated that since the shed does not have a foundation, a "trailer" does not need either County or Site Committee approval. The Board stated that we should check the accuracy of this with the county planning compliance officer, Jennifer Garner.

Jim mentioned that even looking at the plans they submitted to the Site Committee, they stated that the skirting would cover the frame and wheels. It clearly does not, as the tongue which is part of the frame is sticking out in plain view of passing

neighbors. They are not in compliance with their own plans. In Jim's view, the tongue comes off or is skirted, in accordance with the plans.

Jim was asked by a homeowner to read a statement into the minutes:

"There is absolutely no reason to grant any more time or leeway for the Glicks. They came to Skyline putting up their own road signs and totally ignoring good neighbor courtesies and policies. We have a wonderful neighborhood; they seemed to think it was a homestead free-for-all. "Live and let live?"

They had the covenants before they bought....and wantonly ignored them. Their project has looked like a landfill for the last two, going on three years. It is time to call a halt. To brazenly add a construction shack, in the midst of all that, is unconscionable."

Kurt agreed that this is a hot topic and reiterated that we should talk with the County Compliance Officer.

Jim said that going forward, the Site Committee should make a distinction between construction projects done by a big name professional contractor for a homeowner and a do-in-yourself project by a homeowner, who has other commitments, as the Glick project will be going on for 3 years this coming April. Kurt generally agreed, but said we have to be aware in crafting our rules and regs as many construction projects in Skyline have historically been done on a do-it-yourself basis. Latham referred to the CCR's, and reading paragraph 11, quoted the requirement to that if a construction project is delayed, the construction worksite should be maintained in a neat and safe manner. Kurt said that in our new policies, this should be spelled out more clearly. Kurt also said that he would check on the permit process with the County, after he talks with Tim Glick.

There being no other items on the agenda, Kurt opened the meeting up to Other Business.

Jim said that a homeowner had sent him an email about Lot 43, where again, there appear to be a number of commercial vehicles with the landscaping company logo, parked there for the winter season looking at the amount of snow accumulated on the trucks. Kurt's view was that this issue in general should be looked at by the ARC, when considering the site committee policies, so that there is a clear understanding of what's acceptable in our community.

Kurt went over a few action items:

1. Kurt will follow-up with Bob Norton to get the keys to the pump houses.
2. Jim asked about the map of our water distribution system. Kurt said he had a copy and we should get it digitalized so we can get to get it to someone in a hurry if needed.

3. Kurt will follow up Bob on the Ashley's, will follow up again with the Chapman's, the Flecks will be after the new year.
4. Kurt will follow-up with Jennifer Garner on both the Glick's and the Nunn's fence.

Chris Thulin brought up two items:

1. The election results were not mentioned in the last minutes, i.e. the number of ballots cast, etc. Jim said that in all the minutes he's seen, the results are in the minutes and they'll be filed with the County Clerk. Jim said he'd get them.
2. Who's doing the minutes going forward? Jim said that he'd be doing this board meeting's minutes. Kurt said perhaps we should solicit volunteers or hire someone who can transcribe directly from the recorder to a transcript, which is then edited. Latham wondered if we could post an audio file, and then summarize the highlights. Kurt thanked Chris for the 13 hours it took to do the minutes for the November meeting and said we should find a better way to do it, as no one should have to spend that much time.

In closing, Latham mentioned that his wife suggested that Skyline have some sort of get-together after Christmas. A venue and volunteer host in Skyline would be needed.

The next meeting will be held on Thursday, January 12th at 4:00pm at the offices of Berkshire Hathaway, at 138 N. Cache Street.

Kurt adjourned the meeting at 5:43pm.

Kurt Harland



Latham Jenkins


