



Sunlight Waters CC Board Meeting Minutes Aug 2021

Call to Order

The September 2021 meeting of the Sunlight Waters Country Club Board of Directors was held in the Clubhouse, with a Zoom option for remote attendees. Call to order at 10:00 AM.

A moment of silence in honor of people who died on 9-11.

Attendees

Terry Clinton (Treasurer), Christina Konkler (Trustee), Carl Nelson (Trustee), Jeannine Takaki (Secretary), Chris Felstad (Trustee), Darren Capps (Trustee), Doyle Beekley (Trustee), Mike Josenhans (Trustee), James Ihrke (President)

Guests (online)

multiple

Guests (in room)

multiple

Minutes

A motion was made to approve the minutes from the previous Board meeting (August); seconded and approved.

Reports

Treasurer's Report

Terry Clinton reported balances as of Aug 31:

- Checking: \$94,874.95
- Savings: \$46,859.11
- Lot elimination account: \$18,574.90
- Checking debit: \$359.12
- Total: \$263,754.33
- Total deposits for the month of Aug: \$4,341.67
- CD: \$103,086.25. The CD has matured, and that amount is final for the 2-year term. Talked to banker about our options:
 - Interest rates are low. If we renew, we will get .35% compared to interest on savings of perhaps .002%.
 - If we buy another CD, we can make a one-time change if rates change. However, you lose 6 months of interest if you withdraw money midterm.
 - There are few investment options to us as a nonprofit because of the risk factor.

- The default is to revert money to savings.

The Board asked the Treasurer for his recommendation. He said we should let it revert to savings in case we need funds for bridge. A motion was made to follow treasurers' recommendation and let the CD revert; seconded and approved.

Motion made to approve Treasurer's report; seconded and approved at 10:08 AM.

APC Committee Repost

Firewise

Carl met with Wendy Mead from Kittitas County conservation district, who toured the neighborhood and generated a preliminary assessment. She will also produce an in-depth assessment for community by October.

Firewise is a great way to collaborate with private and public properties on fire safety. Having the status of a Firewise community will help us getting grants.

Firewise practices encourage people to remove fuel loads and reduce bug infestation. Firewise is not a substitute for xeriscaping – they go hand in hand. Clearing brush is something we do every year. And putting in the right kind of plants slows growth and reduces fire risk.

Heritage gardens provide plantings of native, drought resistant plants for enhancing areas at low cost or even free.

We missed out on Firewise status for a year or two but want to have a Firewise event when it is safe.

Your official source for information is the [Kittitas County Conservation District](#).

Containers

We sent letters to properties with containers. Someone has requested to speak about it at the October meeting.

Tiny homes

Mike has gathered a lot of information on both county and association rules for building code and residential code. He reported that the code enforcement officers from the county found many issues, and lot of code violations. The APC is compiling some information for property owners, and Mike will work with APC to formulate a proper plan.

Takeaway: The County does not recognize tiny homes; they regard these as unpermitted structures.

Talk to Carl or Mike if you have questions.

Pool Committee Report

Donna has done a lot of work looking into current condition and options. A report will be made soon. The Board wants to thank Donna and the many others who have contributed so much time to keeping the pool running!

New Business

Bridge over canal

The community is feeling anxiety about the bridge and would like better communication from the Board. Questions include:

- Prompt communication about what KRD is doing, and why
- Insurance coverage, fire and ambulance, deliveries

In response, the President relayed current status:

We were not given prior warning of the change in tonnage rating. We had been told for months that KRD was performing a legal analysis of bridge ownership. However, the first we knew that they were lowering the rating was when they posted the sign. (Doubtless this was done for liability reasons, on their side.) The Board received no advance notice about any change in bridge status. Prior contacts with them in the past have been on the level of agreeing on when the bridge should be repaired. (We have purchased supplies and KRD has done the repairs.)

Change in the tonnage will be covered in a briefing from Dave Korpi. In general, Mr. Korpi believes they did not take all factors on bridge into consideration, and the weight limit could be doubled. In that case, since the ambulance weighs 6 tons and their smallest fire tanker 7 tons, emergency services will be supported.

(Mr. Korpi gave a more detailed report later; see [Bridge](#) in the Minutes.)

LID: potential development north of Sunlight Waters

Jerry Ihrke spoke about the possibility of creating a **Local Improvement District**. The purpose is to involve all the owners of properties adjoining roads in road maintenance and improvement. Currently Sunlight Waters bears the brunt of maintaining roads used by other private property owners use, such as the proposed development north of the lakes.

A LID is county level authorization that would affect taxes on area for improvement on the area, as opposed to road solely being purview of Sunlight Waters. Anyone with title of affected properties would be obliged to pay maintenance. That means people on Twin Lakes Road would pay additional costs, as would all people who use that road for their personal property access. Creating an LID puts pressure on all parties accessing Twin Lakes Road to share in maintenance costs.

- Would need to be voted on.
- We have no guarantee that the county would eventually take over the road.
- Sunlight Waters would still be the majority property owner.
- Would require a change to RCW 24A 9.
- Affected properties would be those in Division 3 (50- 60 lots?) as well as some on Twin Lakes Road
- Other private properties include those north of the lake, and KRD access points.

Action:

The Board agreed that it is an interesting idea to distribute the costs of road maintenance. Asked Jerry Ihrke to come up with a formal proposal.

Called for additional community members to help. Christina volunteered.

A motion was made to table more complete discussion of an LID to a future Board meeting; seconded and approved.

Proposal for communication strategy

Carl asked that the Board form a policy to address the way that correspondence and communication is handled, to remove confusion about who is speaking for the Board. The goal is a framework for better communication, timely correspondence, and less chaotic back and forth. A resolution was crafted and sent to Board members. **Please see [Appendix](#) for full text of proposal.**

A motion was made to accept Carl's communication policy proposal; seconded. Discussion of the proposal was requested prior to a vote:

- Would like better message security. Board members are using personal email accounts.
- Circulating documents via email is inefficient and insecure. Should post to a central location for review.
- Jerry Ihrke: In the past there was no Facebook and no Internet, and we had to mail everything. He agrees that we need transparency and greater trust in the Board.
- Comments online: It is almost 11 am; can we set this aside and get to the bridge?
- Comment online: Request that Board members use respectful language.

Action:

A motion was made to table the motion till no later than October meeting to allow for more discussion and formulate a communication strategy. Seconded and approved. Carl will facilitate a working session and Jeannine will set up a Zoom meeting for this purpose.

More residents should provide email addresses, which would allow for sending more detailed information. Communication for remote property owners is limited to FB, which not all people like or use. At next annual meeting, will ask people to provide accurate contact information and preferred method of communication.

Old Business

Bridge

Dave Korpi gave a detailed reports on the bridge. Mr. Korpi is a structural engineer who specializes in bridge engineering. He has designed bridges for 45 years. He also resides in the division affected by the bridge issue.

We had learned via Pam that KRD was engaged in internal discussion about this bridge, as well as many other bridges that cross the irrigation canal in the County. They stated that they were trying to determine who owns the bridges.

The next thing we knew, they had posted a greatly reduced weight limit of 5 tons on the bridge. This puts properties below the bridge in a bind since 5 tons is inadequate for any use except passenger cars and very light trucks.

Meeting

I got the load rating report done by Jacobson Engineering. I also reached out to Jeff Dopeminer, the engineer in their Colorado office who stamped that report. I was then invited to a Zoom meeting with the engineers and KRD on Thursday Sep 9.

In attendance:

- Members from Jacobson Engineering
- Project Manager from Jacobson's Bellevue office
- Staff from the Colorado office who did the calculations
- Several people from KRD Urban Everhart, which appears to be a kind of managing agent
- A private attorney, who is KRD's designated legal consultant
- The KRD maintenance crew manager
- Darren Capps and Dave Korpi from Sunlight Waters

The meeting was cordial. Results follow.

Load rating

Jacobson did a bridge inspection and calculated a load rating for the bridge, which resulted in the lower load being posted for the bridge. However, Jacobson's engineers admitted that they had uncovered an error in their load rating, based on some mistaken assumptions. If those assumptions were corrected, they felt the load could be raised to 5 or 10 tons. They are in the process of reviewing that. Once they have completed their updated computations, the results will be reviewed, and they will revise their recommendations to KRD about the load rating. Mr. Korpi also did independent calculations, which were sent to Jacobson for review.

There are three elements to consider:

- The floor beams are particularly weak. They haven't been weakened; they were constructed and installed at a time when heavier loads were not present. It is not deterioration causing the problem. The bridge is performing at its original load capacity.
- Ownership of the bridge and history. There aren't good records. A bridge was constructed in 1927, as were many other structures across the canal, since the canal was built at that time. KRD claims that when SW (specifically Division 3) was built, KRD was asked for permission to cross the bridge, and KRD granted it. However, there are no legal statements to this effect or other written records. KRD also claims that SW "rebuilt" the bridge, but to what extent is unknown, and there are again no records of that. However, they claim that this bridge is different from other similar bridges over the canal. The issues of Issue of ownership will be important.

Possible modifications to bridge

I asked Jacobs if they had any recommendations on how to modify it to achieve better capacity. One is to strengthen the deficient floor beams, 3 of them. Another is we could test the steel that is used. There was an assumption of the strength of the steel, so if you tested it, the load might increase by maybe 10 percent.

Some of the extra timber on the bridge could be removed, but that is not practical. They had no recommendation with regard to painting the timbers or bridge.

Would KRD allow Jacobson to work on the bridge? They prefer to retain Jacobson as their general consultant and would want to review any kind of engineering done on the bridge, on KRD's behalf. In essence Jacobson would review any proposals we might have to increase capacity.

I asked them if KRD maintenance crews who has done work on the bridge several times in past, asked if they were available to do bridge improvements. They said their crews are not experienced or equipped to do construction, only maintenance.

I asked if things could be done to improve the load rating and mentioned cover plate, and coup steel testing. They agreed those might improve the rating.

Ownership

KRD maintains that we own the bridge, but that is disputable. The Bureau of Reclamation actually owns the land that the canal is on, fee simple. KRD has a contract with them to provide irrigation water to the community. Thus, KRD cannot grant an easement, because they are not the landowners. It is a sticky situation under real estate law. Instead of an easement, we have a license to cross the bridge. Said license can be revoked at any time with cause

However, much of the discussion was ambiguous because at one point they claimed it was our bridge and then claimed they could post the limit and give us permits. That seems incongruous.

The only pertinent document is the minutes of the meeting with the commissioners, in which commissioners approved SW's use of the bridge. Another records a year or so later approves the request to run a water line across the bridge. That was recorded in the deeds.

Right now, their position is that they are giving us the ability to cross their waterway.

Conclusion

Jacobson plans to revise the load rating report. As a result, the posted load will probably be modified.

I also recommended to them that rather than post a single vehicle load, they post for three legal truck types, with a per axle load for those trucks. Because they determined that the critical truck would have a load limit of 5 tons, you can have greater load if there are more axles. The bigger the truck, the longer the truck, the more total vehicle weight.

In contrast, posting a single truck maximum weight is pretty restrictive. However, they prefer to post the lowest load. People can then request a permit for heavier vehicles.

Regardless, if they increase the load rating from 5 to 20 tons it would really help. An ambulance is 6 tons ambulance and a fire truck 7 tons.

Recommendations:

First, we need to retain a real estate attorney to represent us.

Second, we need to do discovery on the legal documents pertaining to ownership of the bridge and all of the history surrounding it. Pam has been working on that and that needs to continue.

Next, we should strengthen the bridge. If we get the rating increased to 10 tons, that might be sufficient for some, but what about commercial trucks, concrete trucks, semi-truck deliveries? We need to find

out exactly what it will take. It would be a rather small construction project to improve those floor beams.

Last thing, we need attorney to represent us with KRD to come up with a long-term crossing agreement. Get some better agreement since we don't have anything at this point.

Based on results of discovery on legal ownership and recommendation from the attorney, we can sue KRD for damages, if it in fact is their bridge.

Construction options – shoring up bridge

Water will be turned on in the canal by Oct 15. While the canal is dry, a contractor could shore up the physical posts from concrete up into the bridge. It would require adding three steel beams under the bridge 15 feet long. As bridge projects go, it would be a small works project.

In terms of use, I estimate you would be able to increase capacity of bridge to 20-25 tons. That's a guess at this point with the 3 steel beams. It would be a long-term solution and if we have recourse, we could get them to pay for it.

To do it this winter, while the canal is empty, we would need to expedite the permitting process. The engineering required to do the work wouldn't be huge. Jacobs would review and Kittitas County Public Works department. Actual construction would be about 2 weeks.

The work must be done by a licensed bridge contractor, bonded to perform this type of work. They would drill holes into the existing steel girders, and install some new steel beams, fabricated by a licensed fabricator.

A detour would not be required while the bridge is under construction. Adding 3 floor beams to the bridge does not require shutting the bridge down, just some traffic control.

Construction options – new bridge

To fabricate a new bridge offsite, and put that in, would correct all of the deficiencies. The bridge is only 38 feet long and 17 feet wide. A new bridge could be constructed on site and dropped in from a crane on the south side of canal. Footing for the crane might be difficult, but it would give us a replacement very fast. The old bridge could be lifted out and a new bridge put in within 24 hours.

Need to identify a location and work with property owners SE of the bridge. Some part of the area near the bridge is in the easement for KRD, but the bridge is not centered on the easement. Thus, if we replace the bridge, we could improve the angle of approach without having to use any adjoining property.

Jacobson's engineering expert will modify their report.

Q&A

Q: Why would KRD spend so much money to do this?

A: Because they are doing due diligence for all their bridges.

Q: What about the bulkhead?

A: Yes, that factors into the engineering

Q: Will they give different load ratings for different size trucks?

A: They have load rated it for many different trucks. Whether the bridge gets posted for those vehicles is a different issue, of real estate law. If we are owners, we would have the right to post our own signs with those loads.

Q: If they give us a 2-axle load rating, it will let us get bigger trucks across. Can we negotiate with KRD in a nice way?

A: Yes. We could achieve a better posting, based on 3 truck load ratings typically used by Kittitas County Public Works. In their inventory of bridges, they have only 2 that are posted like this, and one is over a canal, posted for 7 tons.

Q: What's the timeline for Jacobs to make these corrections?

A: I don't know.

Q: A load rating of 5 tons limits 50% of vehicles. Raising it to 10 tons might accommodate 90% of vehicles.

A: Yes, but the Board needs to look at the actual weight of vehicles that service the community down there.

Q: What does your proposed fix cost?

A: To shore up the bridge with three new beams would cost about \$50,000, mostly in contractor and labor etc. To replace the bridge would cost \$250,000 to \$300,000.

Q: Mr. Korpi, are you willing to keep helping us?

A: I am doing this pro bono. But you need an engineer to stamp engineering if it is to be constructed. I am not willing to stamp engineering, because of insurance requirements. I would be willing to do the project if you hire my firm.

Wrap-up

The president asked that we terminate discussion on this topic.

The Board thanks Dave Korpi for his report; the community is very fortunate to have you here, and we appreciate your work.

Road maintenance bids

Christina Konkler provided a report on road maintenance.

In August I learned that Road Tech would not come this year because they don't have access to the aggregate. Instead, I asked them about the materials and about options for dust control.

I checked with some other companies, but at this time, Road Tech is the only option. Therefore, no road maintenance will be done this year. However, we are working with Water district to get the crossings fixed. We are waiting for one more bid from a contractor.

For these bids, the Water District is paying for the work, but we are coordinating with them.

In general, Road Tech is slow to reply.

Snowplow bids

Christina Konkler has requests out, but contractors are slow to reply. In general companies are having trouble getting materials.

Will let everyone know when we have bids.

HVAC status

Terry Clinton is waiting for a proposal from Brad & Burke; called them several times.

Got another meeting with Thermal to get another price.

The price I originally quoted to the Board was based on using a company I work with, but to avoid any conflict of interest, we can't use them.

A Board member promised to get an additional bid from Vital Construction.

Dam project

Darren Capps: Yay, we finally got the concrete. The area is covered as of yesterday, but there is still some cleanup to do. Unfortunately, the Lake guys left us a pile of junk.

More work to do on dam. We dropped water on the upper lake.

We have a chemical for treating algae, so we will lower the lake and treat it with chemical. This should improve the lake condition. This chemical is our best shot at killing the algae.

Then we put water back in the lake over 2-3 days.

Lots of people are taking this opportunity to do dock repairs.

Dock

Darren Capps: Our promised contractor had a scheduling conflict and couldn't do it in the window of opportunity, so Darren put together a crew and just did it.

Department of Ecology has been working with Jim on this issue, so they will come out and inspect it when done.

Once the lake is back up, we can plant fish in spring. A request has already been put in for fish for both lakes.

Open Session

Comments on bridge and KRD

- All this started when a car went into the canal, and they had to divert water into Yakima River. KRD began to look at preventing such catastrophic accidents.
- KRD controls the situation and in their eye, we are gifted with the ability to cross the bridge.
- We ask that people leave communication on this issue to Pam, who has handled day to day stuff like turning on water.

- For more complicated matters, we will use an attorney or rely on Dave Korpi. Jerry recommended a real estate lawyer said to be very good. Pam will follow up.
- I believe KRD wants to work with us, and if we get lawyers involved, communication will get worse.
- KRD mentioned a permit process. This would allow a vehicle over the posted capacity to use the bridge, on a case-by-case basis. For example, you might bring in a concrete truck with only a half load. In general, KRD wants to control anything running over this bridge.
- Propane trucks might also work if they come in with a lower loads or smaller truck. AmeriGas said a full truck is 21000 pounds. They have been trying to get smaller trucks because of many such issues, but money has not been allocated to buy these trucks. The truck that serves this area is 2100 pounds.
- However, no point in applying for a permit till we get the new rating. Let Dave continue to push them for a new rating.

Board communication policy

Q: We would like to be apprised of communication between Facilities Manager and KRD.

A: We will institute a more formal process of communicating to and within the Board, and with the community.

Q: Why didn't the Board give us advance notice??

A: We did not know anything till the signs went up. All of a sudden KRD was on the bridge posting signs. I understand people are freaking out, but please let people know what is going on, and explain that we have an engineer working on it. Perhaps we could provide a summary of Dave Korpi's report.

Q: Does Fire Department know what is going on?

A: Yes, and they know the weight limit might change.

Barking dogs

Q: There is an awful lot of barking dogs. Is there anything we can do?

A: The process is you file a complaint, and the office sends them a letter. We also email them. Typically, we get multiple complaints, not just one. Barking dogs falls under general nuisance. Unfortunately, noise ordinances can be difficult to enforce in unincorporated areas.

To levy fines requires that the Board post a schedule of fines. Unfortunately, the new fine schedule cannot take effect until posted to the community, probably online and in the newsletter. We will get those updated ASAP.

New Business

Not sure if anything fell in this category?

Executive Session

Started at 12:30.

Ended at 13:22

Adjournment

A motion was made to adjourn at 1:22 PM. Seconded and approved.

Appendix: Communication Policy Proposal

(Note: The proposal was read out in full during the meeting, but the notetaker was unable to keep up and requested the text be sent later by email.)

RESOLUTION: BOARD POLICY - CORRESPONDENCE

Given the importance of clear and timely response to all correspondence between the Board of Trustees, Membership and any and all official communications and to avoid confusion, delay or potential liability it is hereby agreed that the Correspondence Policy shall be as follows:

1. The Office Facilitator is charged with the responsibility for the control of all correspondence (incoming and outgoing).
2. Copies of all incoming correspondence shall be retained on file in the Homeowners Association Business office.
3. All incoming correspondence shall be date stamped upon receipt and delivered to the President or other designated Board Member to be shared at the next official Board meeting or at the earliest opportunity.
4. Original correspondence addressed to an individual Board member shall be placed in the individual's office box within 24 hours (M-F) or delivered next day.
5. No original correspondence addressed to the Home Owners Association shall be removed from Business office.
6. Copies of all relevant correspondence shall be directed to the appropriate Trustee/Designated Trustee, Department Manager or Committee Chair.
7. Letters requiring answers by Board Members, Committee Chairs or ?? shall be referred to the proper party for a timely response.
8. Every letter and email should have a rapid acknowledgement of receipt, if the sender can be identified, and a response within ten (10) business days to the subject matter contained therein.
9. All emails shall be forwarded in group email to all Board Members.
10. All Board Members shall check and respond to Group emails in a timely fashion. After reviewing correspondence, the Point of Contact will write the response to then be shared in Group email for Board approval and then response.
11. A file of incoming correspondence shall be maintained for use by the Board of Trustees, staff and committees.
12. All Board outgoing correspondence must be approved by the Board of Trustees and shall carry the signature of the Board President or Committee Chair. This shall not limit the filling of routine requests for information by staff.
13. Follow up files shall be maintained to assure all correspondence is closed out properly.
14. No individual Board Member or Office Facilitator may speak on behalf of the Board.
15. All emails shall be forwarded to all the Board Members in group email. All hard mail shall be picked up and delivered to the President or other designated Board Member to be shared at the next official Board meeting or earliest opportunity.

16. All Board Members shall check and respond to Group emails in a timely fashion. After reviewing correspondence, the Point of Contact will write the response to be then shared in group email for Board approval. Only then shall a reply be sent.

Revision History

09/11/2021	Src document created
10/05/2021	1 st draft edits
10/05/2021	Draft sent to Board for review
10/9/2021	Approved at General meeting of board, with corrections from Christina
10/13/2021	Cleanup; inserted proposal draft (above corrections) as Appendix. Edits. Sent to Christina for review.
10/14/2021	Edits approved. Converted to PDF and sent to Webmaster.