

R.I.I.A. BOARD MEETING

Jan. 16, 2023 7:00

All Saints Camp, Raft Island

Board Members Present: Hurley, Crain, West, Fort, Phillips, Flood, Rees, Weiss

Board Members Absent: Scea, Figueira,

Members Present: Kate Hurley #14, Jonathan Laurie #272, Dave Walsh #111, Mike Hirko #113, Bob McCoy #239, Jim Cushing #132, Gene Barkin #18, Barbara Daelman #134, Cliff Quisenbery #119

Request to Add Agenda Items: Weiss requested to add a discussion of financing the tennis court.

Barkin asked to add the question of gravel on the footpath across the corner above the bridge.

Member's Request to Address Board: none

Approval of minutes:

- approval of Nov. minutes – approved

Comments from President Crane following up on November meeting:

- ❖ She wanted to make it clear so that everyone understands a survey on FB is not official communication from or to the Board.
- ❖ Fitzgerald fine for jumping – paid graciously with assurance it won't happen again.
- ❖ In regard to Lantz's statement that chips are inappropriate to be spread on the wetland behind the tennis court after the alders were removed: Brad Hines, water mitigation contractor has informed RIIA that standard practice in the industry is to use arborist chips for wetland mitigation.

- ❖ Swenson has agreed to gravel and level what he's dumped on the side of Raft Island Drive near the intersection with Camp Rd.
- ❖ Bulkhead work on #3 – public hearing at 6:30 on Jan 25th at the Gig Harbor Planning Commission.

Treasurer's Report – no report

Old Business:

Status of legal actions

- Sprague – RIIA is in first position for foreclosure, but other creditors have now foreclosed. Attorney Huh recommended RIIA let the creditors pay for the foreclosure and RIIA will get paid.
- Sylvain – waiting for the attorney's recommendation

Hewitt debt - **West moved to Write off Hewitt debt in the amount of \$5319.06 per Attorney Huh's recommendation.** Hurley seconded.

Discussion: Why should RIIA write off this debt? Attorney feels Hewitt is judgment proof. RIIA would spend a lot of money on legal fees and get nothing in the end.

-> unanimously approved

New Business:

- Will the Board renew the gravel on the path across the triangle of grass above the bridge and widen the bridge over the culvert?
 - Crain got feedback as well that people would like steps, which should be pretty inexpensive.
 - ➔ Barkin, Fort and Crain will take on this project.
- Cold weather road policy –
 - She wanted to make clear that everyone understands a survey on FB is not official communication from or to the Board. (There was a survey on an unofficial Facebook page concerning what to do to the roads in the case of snow.)
 - Crain stated there is no budget line item for weather related work because it's unpredictable. Some years we have several inches of snow which lasts for a week and some years, we have very little snow at all.

- Crain got 5 names from the Island Mgr. of potential snow removal contractors. She contacted all of them.
 - 1 is out of business;
 - 3 didn't reply;
 - The only response she received was from Norlander. Norlander stated that they could not guarantee they would not damage the speed bumps or reflective road turtles. Norlander has a \$4000 minimum. When Crain asked for clarification as to whether the \$4000 is for each snow event or each trip to the Island, she got no reply.
- It is not RIAs job to make sure everyone's drive isn't snowy/icy.
- RIA should have a policy, but it's the member's responsibility to be prepared to deal with PNW weather to get to work, or appointments.
- There have been times when the bridge is blocked by stuck and abandoned cars in the snow. However, Washington Water said RIA could not store sand at the well. Ted Smith spoke to Shaun O'Neil, Washington Water Manager, who has agreed to meet to discuss stockpiling sand at the well site.
- Crain asked if anyone has any useful and pragmatic ideas.
- Fort stated the bridge and the hills on either side of the bridge are the crucial places. There was general agreement.
- Ray Swift said he has a spreader, but he won't use it to spread sand as it will ruin the spreader, however, he will spread salt.
 - He was asked how timely he would be available to spread the salt? He stated that if it's just snow, it's not a problem until it gets to be icy.
 - Swift also has a dump trailer, which he can use to spread sand.
- Hirko suggest the policy contain road priorities and what is not included.

➔ Reese will draft a policy statement.

- Financing for tennis court improvement :
 - Weiss stated that his bid to refence the tennis court is only good for two weeks. There is no money in the budget for the fence this

- year and now there is other work that has taken priority over the fence.
- Crain stated that the membership voted to use \$51K for ditch work; Hurley found a contractor, Brad Hines, who bid \$35K for the ditch work & \$16K for the tennis court ditch. Ditch work has been done at the tennis court.
 - There is more work to be done and Hines has been asked for a bid to do that work, which will not be done until next budget year and will not be worked until August.
 - Crain stated that the next step is to figure out how to resurface the court and there is more work to be done.
 - She pointed out that netting, like is used at driving ranges, would be less expensive than fence.
 - Fir trees will be planted in the spring where Alders were removed.
 - Hurley wants to remove more alders.
 - Crain emphasized that before more trees are removed, the membership will be notified.
 - Swift - stated cedars are better than firs because they have a deeper root system.
 - Crain - Will ask for ideas for that area at the annual meeting.
 - Crain stated that the plan presented at the last annual meeting has become OBE by current work.
 - Wood piled next to the road is available to anyone who wants it.

Committee Reports

1. Gate Committee – got a letter back from USDA which was consistent with the original decision. The letter is copied at the end of these minutes.
 - The committee will have a meeting with USDA in two weeks
2. Security- prowler on Cedar was reported, then packages and missing mail was found on Cedar.
 - There was a discussion regarding the futility of calling the police for such crimes.
 - Crimes can be reported on line.
3. Investment Committee quarterly report

- TOTAL \$458,717
- \$274,199 USDA reserve (10 year average return on investment is 12%)
- General Fund \$185,670

Letter to the Gate Committee from the USDA:

Rural Development • Olympia State Office

1835 Black Lake Blvd, Suite B • Olympia, WA 98512 Voice (360) 704-7737 • Fax (855) 847-5488



United States Department of Agriculture

December 22, 2022

Raft Island Improvement Association

Andy Flood, Trustee

P.O. Box 64 Gig Harbor, WA 98335

Sent via Email Only

Dear Mr. Flood,

This letter is in response to your letter dated 10/25/22 regarding the installation of a privacy gate at the bridge to the island that USDA Rural Development financed. In conjunction with our national office staff, we reviewed the regulations and discussed your inquiry.

As was noted when this topic was discussed with former CP Director Peter McMillin, 7 CFR 1942.17(e) states “all facilities financed under the provisions of this subpart shall be for public use”. You asked for clarification of what public use meant.

Public use means anyone in the service area is allowed access to the project/service/facility/etc. In addition, 7 CFR 1942.17(b)(1)(ii) states “Essential community facility applicants other than utility- type must have significant ties to the local rural community. Such ties are necessary to ensure to the greatest extend possible that a facility under private control will carry out a **public** purpose and continue to primarily serve rural areas. Also further supported by

eligible loan purposes §1942.17(d)(1)(B) “essential community facilities are those **public** improvements requisite to the beneficial and orderly development of a community operated on a nonprofit basis” and §1942.17(d)(1)(C)(ii) “to construct or relocate **public** buildings, roads, bridges, fences or utilities, and to make other **public** improvements.”

In part, our definition of an essential community facility states an essential community facility must be something that is customarily provided by a local unit of government (the government is not allowed to provide a private access road or bridge) and it must not include private affairs. A restricted access to a private island would be construed as a private affair.

Based on the above, USDA Rural Development is not able to fund the installation of a gate before the bridge. We are also unable to approve the installation of a gate financed by other means. Your Loan Resolution Security Agreement, Form RD 1942-9, item K, that was signed when the loan was closed, states “It (borrower) will provide adequate service to all persons within the service area who can feasibly and legally be served and will obtain Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Organization or public body”.

USDA is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (PDF), found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

You do have the option to refinance with commercial credit and then the restrictions would no longer apply and you would be able to install the gate.

If you have any questions, please call me at 360-704-7737 or email koni.reynolds@usda.gov.

Sincerely,

Koni Reynolds

Community Programs Director