

## **Mary's River Estates Road District Special Meeting**

**Date: November 1, 2024** Zoom meeting opened by Debbie

Meeting will be recorded via zoom. Recording will be kept for one year on personal computer and approved written minutes will be kept on website indefinitely.

**Attendees:** Joe Chambers (President), Sandy Chapman (Secretary), (Debbie Jackson (Treasurer), Kevin Corneluis, Rick Veronen and Robyn Lillehei

**Call to order:** 7:11 PM by Debbie

**Additions/Deletions to agenda:** Get sweeping on the schedule. Tree and brush complaint near Chicory will be tabled to regular meeting

The agenda for the meeting will be to discuss how to proceed with the CCB Complaint and any other items that cannot wait for our regular meeting.

Joe, Debbie and Sandy discussion with input of the review of the meeting with CCB mediator Gerritt Southland and Blacktop Northwest representative Frank Vedack and his witness. Both sides were heard giving their opinion of the complaint. MRERD presented their opinion that the job needed to be redone or compensation for \$100,000.00 received for faulty work. Mediator said that they are here to facilitate a resolution, not being judge or jury. Mediator went with Frank and witness for about thirty minutes and he returned and told the Commissioners that no resolution was achieved, there was not any counter-offer from Blacktop NW. He talked with us at length on what our options would be: to file a court case and get back with the CCB if we are going to do that or not. The mediator also said we could get a judgement for us and the company could just fold up and go away. The dead line would be November 15th to file with CCB. Meeting ended. We consulted back to the lawyer with LGLG and we asked what our chances would be. Cost analysis would probably result in not getting much, if any compensation. A litigator was consulted at LGLG and they do not have any lawyer to take a case like ours and gave us three names for referral. No one has seen our evaluation by the engineer so the question is do we want to continue and have the litigator at LGLG review the evaluation and see what kind of backing we have with the evaluation for winning? Going to outside law group would be when the cost would start racking up. We did find out the complaint and any stages of the complaint would stay on the CCB website against Blacktop NW for ten years. An accumulation of complaints against them could cause them to lose the license. We need to file within 30 days with the CCB and let them know if we are going forward. If we do nothing now and decide later to continue, the case could be opened again by the CCB, but we need to keep them apprised of our intentions every forty-five days. Debbie's opinion: We would be pouring money down a hole. More money and energy would be going into this. We would only get access to a \$20,000.00 bond. We know we have a basis, but we need to prevail in court. Our complaint on the CCB website is going to be there for ten years. Robyn says we can file a complaint also with Better Business Bureau. And asks if there was an owner of Blacktop NW at the meeting? Joe had asked at the meeting if Frank was legally able at the meeting to represent the company, not being an owner. The mediator accepted Frank as representative because he offered the contract and we worked with him. Joe looks up Blacktop NW at the BBB and finds there are several other names listed as previous businesses associated with Blacktop NW (as well as on the CCB website) Robyn suggests when filing a complaint at the BBB, we would need to be very specific in the complaint about who the listed owners are, what other businesses were involved now and in the past. Suggestions to stay with professional sites and not social media sites would be better for people to see. Sandys opinion: it would continually cost us more money to try and sue Blacktop NW above the \$20,000.00 bond. Joe: Yes, they could

change the name of the company and we would not get anything. Suggestion we could follow up with filing in small claims court. That could be changed to district court by opposition. Yes, we could file in small claims to recoup what we have spent so far in legal fees. If we get a judgement for us in small claims, would it go against the bond? Discussion: the Commissioners have spent a lot of time and energy on this already and we need to redo our thought process to get back to the job at hand which is the road district business, there is always something we need to be doing. This would consume everyone and not have time for daily business. Sometimes we just need to walk away. Kevin says anytime he wants to hire he goes to the CCB website to look them up. Many times, they have a note to a different number that is associated. Suggests that we call every road district manager to let them know about the problem we have had with the company. Joe says he does not see that we have the money to go ahead with the litigation, but would not be opposed to small claims courts filing. **Debbie makes a motion that after our meeting on November 14, we call the CCB and let them know we are not pursuing the case any further at this time.** By then we will know if the CCB will take a small claims judgement against the bond. **Sandy seconds the motion. Joe: All in favor? All Commissioners Joe, Debbie and Sandy agree and motion passes. Second motion Debbie brings forward is to follow recommendations about filing a complaint with the Better Business Bureau and share with the other Road District managers and BCPW the professional chip seal evaluation report. Sandy seconds the motion. Joe: All in favor? All Commissioners Joe, Debbie and Sandy agree and motion passes.**

**Sweeping schedule:** Sandy makes a motion to call sweeping company to get on the schedule for sweeping when the leaves fall. Discussion about when to have them sweep. No second to motion given.

Debbie asks for tree contractors. Josh Cantrell was brought up as very reliable by two members present.

Meeting adjourned: 8:00