

# Deer Creek Landowners Inc. General Meeting Spring 2015

Saturday May 2, 2015, Scopazzi's

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**Landowners Present:** Ron Chandik, Andrew Clark, Gary Fitch, Roberta and Manuel Gutierrez, Harold Hall, Mac Marshall, John Miller, Arden and Hiram Pierce, Emmanuela Raquelle and Tom Bird, Ann Schwarzmans and Greg Haagenson.

**Landowners Represented by Proxy:** John Chalk, James McClelland and Heidi Feldman, Charles Moustirats, Tony Navarrete and Joy Mundy, Dennis and Kathy O'Neal, Dennis Smith, Tys and Melissa Sniffen (proxy, to be given to secretary after meeting, was not received), Ginny Stone (proxy, to be given to secretary after meeting, was not received).

Payments received before meeting start: John Miller: \$20.00. Andrew Clark: \$200.00

1. Meeting called to order at 1:00 p.m. by Victor Smith, acting President.
2. Welcome and Introductions - All.
3. Secretary's Report - Ann Schwarzmans: Board met 4 times during the last 6 months. 7 liens removed by the Board during the last 6 months: 6 liens paid, 1 lien placed in error. March 21st Social was attended by 29 folks, representing 19 landowners. Greg made a motion to accept the secretary's report, and Mac seconded. Motion passed.
4. Treasurer's Report - Victor Smith for Joy Mundy. See attached 5 page handout. Not including the \$5,000 emergency fund, we have \$5,984 currently available. The report has listing of landowner payments, but not all amounts seem to be correct. Discussion of how finances are set up (landowners are "Transfers"). Manuela had questions regarding payments, which developed into a discussion of whether or not the second amendment to our JMA was ever passed. Victor noted that it was withdrawn from discussion at a general meeting held 1 1/2 years ago, so how could it be in effect? Victor knows of no evidence of it being passed. Manuela made comment that this means that people who are not up to date on their dues can still vote on the budget (i.e. where money goes onto our road system) to which they do not financially contribute. Victor agreed with the assessment, but also commented that the road changes over time and it is the responsibility of the road manager with the direction of board, to put monies where it is needed. We elected the board to handle these issues. Motion made to accept the treasurer's report by Greg, seconded by Tom. Motion passed.
5. Road Manager's Report - Greg Haagenson. He made a brief comment regarding how road maintenance has been handled these last 6 months - all roads on our road system got worked. The road system is in pretty good shape with a couple trouble spots. Drainage still needs work. \$36,000 spent on the whole road system. John Miller commented that road ditching went well on parts of the road which have not been done for years, with Greg present for all work done; if we do it regularly and more often, we'll be better off and spend less money each year for maintenance. Greg went over 2015 - 2016 budget; see attached. Greg asked that the membership double last year's budget to \$70,000 to plan for El Nino is Greg's suggestion. Tom wanted specifics for work, that the money amount Greg suggested may be a little over and we set aside monies. Greg believes we need \$18,000 to 20,000 for ditching, then standard places for maintenance added to that, so an excess of \$5k isn't going to cut it. After acknowledging that the road manager's budget discussion was premature, Harold made motion to accept road manager's report, Andrew seconded. Motion passed.
6. Quorum Check - Ann Schwarzmans. We did not have a quorum to take a vote - we had a total of 18 people present and proxies held in hand, but needed 28 for quorum.
7. Elections - will be held at 2pm for positions: no quorum; therefore we at the meeting act in an advisory capacity. Victor noted that traditionally when board seats are vacated the remaining board appoints people to those positions. He proposed that we use this approach for the open positions, that we would only be letting the board know who we suggest for specific positions and the board should seriously consider the suggestions. President: Simon Field, Marco Volpe. Treasurer: Mac Marshall, John Miller. Directors (2 positions): Simon Field, Marco Volpe, Daniel Tees, Andrew Clark. Victor verified that no one had any objection to any person suggested for a board position, with the exception of Greg having concerns regarding Mac representing the board while not respecting the road when he drove

it. Manuela suggested that suggestions be opened up to our membership, but concern was expressed that this could be under discussion for a long time.

8. RCD Grant Update - Tom Bird. No word yet on two requests: 1) resolve drainage issue on Rons Road onto Deer Creek involving the culvert and slide which has a downspout; and 2) potential slide right before 3rd bridge. We received an RCD report, but no recommendations. We got a verbal report from RCD regarding Rons Road. There are no grants in process currently. The State of California has authorized people to collect rain water and you can get a grant for \$999 for tank and rainwater catchment. Qualification: water catchment structure must avoid soil erosion. RCD contact is Angie Rice 831.464.2950. They will come out to pre-qualify then again after installed (they check your receipts, etc.). As an example, Tom and Manuela spent about \$3400 for everything.
9. CalFire Grant Update - Tom Bird. Brush Clearing: in partnership with South Skyline Fire-safe Council (Las Cumbres, Bear Creek Canyon, Deer Creek) a proposal was submitted for approximately \$400,000 to clear brush along our roadways to create defensible space, but Las Cumbres at the last moment decided to include in the proposal reopening a road and that hitch disqualified us.
10. Lien Policy Discussion - All. Victor summarized JMA regarding liens - the board has the ability to make liens. Some people think that the lien policy creates an antagonistic situation, but some people will never, ever pay and therefore we should lien properties. The verbal policy, as stated by Tom, is to notify 3 times before the lien is actually placed. Ron Chandik commented that it has been the policy of board to lien properties since he's been attending, but that collection was the problem. Ann commented that the Board's recent lien releases has taken a more forgiving approach and that we have had people pay in after seeing work done on their section of the road system. Manuela believes that the lien protects the road association - Roberta Gutierrez agreed. Arden commented that we need to be consistent. It was noted that we have never won a judgment when we have taken a landowner to court. An advisory vote regarding whether to lien or to not lien was taken with a general consensus that we should lien, without suggesting an approach or policy. The board should create a policy to be consistent on how and when we lien.
11. 2015-2016 Budget Setting - All. A quorum is not required to set the budget. Greg proposed an overall budget of \$74,000 (double \$37,000). It was noted that there are people who have offered to give large donations for asphaltting sections of the road, but these monies should not be considered in the budget. An alternative proposal was made by Ron to keep it at \$37,000 and make a better attempt at collecting the owed monies. Harold believed that while we should double the budget, he thought it would be best to gradually increase dues and therefore proposed \$50,000, an approximate increase of 20%. It was mentioned that we spent approximately \$50,000 and thought we should prepare for El Niño so proposed \$60,000. Comment that the road has been getting better and better with the attention given it. Andrew commented that he needs to get in and out of the road every day and would rather take the hit now rather than come to the membership after the disaster strikes; also commented that Greg has shown his mettle by putting in the work and we should consider what he has asked for. Voting taken, from highest to lowest, voting until a majority is reached. \$74,000: 2 votes. \$60,000: 4 votes. \$50,000: 16 votes. \$37,000: 3 votes. The 2015-2016 budget is \$50,000.
12. Other Items as raised - All. Nothing discussed.
13. Andrew made motion to adjourn; Greg seconded. Motion passed. Meeting adjourned at 2:30pm.