

Deer Creek Landowners, Inc. Spring General Meeting

November 5, 2016

A. The meeting was called to order at 11:00 AM by President, Tys Sniffen. A Fall 2016 Landowner Voting Eligibility (based on Member in Good Standing JMA provisions) spreadsheet (Attachment #1) had been prepared and voting ballots were distributed as eligible Landowners signed into the meeting at the door. A Proxy Voting Eligibility spreadsheet (Attachment #2) was used to distribute eligible ballots to Proxy assignees.

B. Landowners present at the meeting introduced themselves and their land location throughout the room.

C. President Comments:

1. Tys described the events surrounding the posting and removal of a DCLI Bulletin Board announcing the DCLI Fall General Meeting date, time and place.
2. We have 80 DCLI Members plus another 15 that we call "845s" (people in front of Yellow Gate). A quorum for making business decisions is defined in our JMA as 30% of the total DCLI Members, so a quorum is $30\% \times 80 = 24$.
3. Board Policy is: What we decide at this meeting today is official unless somebody raises an issue regarding the existence of a quorum; in case of some objection we will have to re-decide the issue(s) at another meeting with a quorum.
4. Secretary Note: The final sign-in count at the door was 15 and there were 10 valid proxies resulting in a total of 25 DCLI Landowners and establishing a quorum for this meeting.
5. There was a discussion initiated by non-landowner, Hilliary Clarkson with two proxies, that the meeting be held at a different time of year so as not to interfere with cannabis harvesting. Tys reiterated the JMA provisions establishing specified dates for the DCLI Spring and Fall General meetings.

D. Road Manager's Report by Tom Bird:

1. Road projects were discussed and approved at the Spring 2016 General meeting. Completed and unfinished projects were listed on Tom's spreadsheet.
2. We did not collect enough funds to do all of the projects planned and they had to be prioritized. When enough money was collected to start work, the rains started.
3. By the end of next week he expects the roads to be dried out enough to begin doing some work.

4. Dave (Road Mgr candidate) and Tom re-surveyed the road system recently and re-established priorities to address the worst sections of the road. The projects to be addresses first are:
 - a. Ramble above the Johnson (Bamboo) fence. Clean newly discovered culvert and ditch roadway.
 - b. Fence-to-Upper-Deer-Creek-Heights needs to be out-sloped.
 - c. Ramble at the "S" curve; remove dip and install culvert.
 - d. Little Buck: add culvert at what was Robert's property. Boundaries of DCLI maintained roadway ends at Mary's Gulch (Hairpin curve, remnants of old slide, downed redwood trees). Road is gated and DCLI doesn't have access to sections of it. Three transfers of 1 1/2" rock from Ramble road to Mary's Gulch.
 - e. Deer Creek Heights: re-graded and rocked.
 - e. Jack's Road: lots of rock and grading plus three donated transfers were installed last year. DCLI had rocked the road correctly, but two donated transfers added too much and created an unstable roadway. A new project will clean out excess rock from the ditches and re-position it where needed.
 - f. Hartman Creek: Bottom section at Haagenson's driveway is difficult to maintain due to lower community. It needs rock and culverts cleaning.
 - g. Repair potholes: From the yellow gate up Deer Creek will require about \$3.2K to dig out and fill the holes. This does not include recommended grading and shaping the roadway.
 - h. Repair the roadway due to heavy vehicle damage; 100-200 yard section is collapsing. Needs to be dug out, compacted and re-asphalted.
 - i. Deer Creek from Bear Creek to Ramble: Did work at the early part of the Summer to slope and shape the road, but rock put on the hard road was pushed off into the ditches and now needs to be re-positioned on the roadway and pressed down. Also needs more rock at the paintball area. Moe: We put drain rock on the roadway but didn't have enough funds to add base rock and roll it to solidify the road. We need to collect more money.
5. Report of money spent by section: Sections 01, 02, 03, 06, and 12 had the indicated work done plus there is \$8.5K in work that the Road Mgr still needs to identify by section.
6. Tys: www.dcli.org is the DCLI web site where you can find many things including Minutes of the General and Board meeting Minutes, JMA, Maps and various other documents, one of which is the Sector Map referred to above.

7. Tys: At the Spring meeting is when we decide what road projects we want to address in the new fiscal year and how much Road Maintenance Fees we want to access ourselves in order to pay for these projects.

8. Motion made, seconded and carried to accept the Road Manager's report.

E. Secretary's Report by Ron Chandik

1. Secretary works on issues relating to land ownership and sale, tax issues, and several documents used to facilitate the smooth and efficient administration of corporate issues:

a. Parcel Map of DCLI road system with Map #s and APNs relating back to the landowner. This is used to identify who owns land on each road and how far they travel on the road for billing purposes.

b. Balance Due report (Attachment #3) shows how much each DCLI Landowner has been billed for current and past Road Maintenance Fees and how much each Landowner has paid and how much each Landowner currently owes (if any) to DCLI. \$108,632 as of November 5, 2016 is owed to DCLI by Landowners and has not yet been collected.

c. DCLI has initiated a lien process to try to collect unpaid Road Maintenance Fees.

2. Inquiry from Hilliary Clarkson regarding follow-up by directly contacting landowners and Moe's and Tys reply regarding ongoing efforts to work out issues with each landowner, but it is a long, tedious, time-consuming process.

3. Elections: At the Fall General meeting we elect a Secretary, Road Manager and one Director at Large.

a. To vote in the election Landowners must be paid up or have a valid payment program in place. For a valid Payment Program you must pay your current year's Road Maintenance Fee PLUS 25% of your prior years' Balance Due. Ballots for eligible Landowner-voters were handed out as people signed into this meeting. 41 Landowners currently are eligible to vote; a list is available at the table in the front of the room.

4. Tys: Master List kept by the Secretary also includes mileage traveled to each parcel on the road system.

5. Secretary's report accepted by acclamation.

F. Treasurer's Report by Mac Marshall:

1. Mac provided an annotated Bank Register (Attachment #4). We have received \$28K and have spent \$27K. \$2,100 spent on insurance and \$375 on paper work. We pay Scopazzi's \$100 per meeting.
2. The report also shows the amount spent on each road section.
3. Hilliary Clarkson inquiry regarding current status of road projects: Tys: After sending 44 Lien Warning letters, we have had additional payments come in within the last week. We are Liening Landowners with Balances Due in excess of \$500 and Liens include a 10% interest and 10% penalty charge. We do have about \$10K that we will be using to complete projects on the Approved Projects List. Traditionally \$5K has been kept for an Emergency Contingency Reserve.
4. Dave & Tom: It's possible that we may be able address the Ramble/ "S" curve issue before the next rain.
5. The Treasurer's Report was accepted.

G. Elections were conducted as follows:

1. The Secretary, Road Manager, and one director at large are elected at the Fall General Meeting. Vote is for DCLI Members in Good Standing only. Members in Good Standing are defined as DCLI Landowners who are completely paid up (NO Prior Years' Balances Due) or have a Board approved payment plan in effect. 41 DCLI Landowners are eligible to vote in this election and we have 10 proxies.
2. Nominations were open for Road Manager. Dave McGuire was nominated and seconded. There were no other nominations and Dave was accepted by acclamation.
3. Nominations were open for Secretary. Tys nominated Ron Chandik. Seconded by Moe. There were no other nominations and Ron was accepted by acclamation.
4. Nominations were open for Director #2 currently held by Dave McGuire, who has accepted the position of Road Manager. Tys nominated Simon Field and the nomination was seconded by Tom. Hilliary was nominated, but JMA rules suggest that only Landowners can serve on the Board. There were no other nominations and Simon was accepted by acclamation.

H. President Comments:

1. Board meets once a month to resolve critical issue that arise that impede unencumbered, efficient and congenial Landowner access to their property.
2. A Landowner is renting space on Air BnB. As a result, unfamiliar non-locals are driving around more or less disoriented on our steep mountain roads and causing road damage and trespassing concerns. Current DCLI policy is to charge

for additional renters on a property. The Board has been discussing how to deal with the Air BnB Landowner. Proposals are to charge full time renter charge for each rental unit or to charge some percentage of the full time renter charge, since the rents are likely to be intermittent. Choices: 1. 100% of Rental Fee, 2. 50% of Rental Fee, and 3. 33 1/3% of Rental Fee. Moe: Whatever the Board decides, the Landowner has the right to present evidence to the Board concerning the frequency of the rentals. Andrew: Whatever rate is decided should be contingent upon the Landowner providing sufficiently detailed instructions to renters to allow them to get to the rental property without interacting with local Landowners. Manuela: Retreat site on Bear Creek Canyon pays by the car. Further discussion ensued. Advisory Vote: 33 1/3 = 4, 50% = 5, 100% = 6

3. Bulletin Board at Yellow Gate: Should we publish Landowner Balances Due on the Bulletin Board or is this some sort of violation of privacy? Further discussion ensued. Advisory Vote: 3 for Posting on the Bulletin board; many more opposed.

4. Stuff on the road: Abandoned and functional cars are parked along the roadway, in turn outs, and in the emergency vehicle right of way. Further discussion ensued. Tys: He and Hilliary will look into the options, if nobody objects. Andrew offered some insights and suggested interested Landowners meet after this meeting for a short discussion.

5. JMA changes: Tys solicited volunteers to serve on a Committee to identify desired JMA modifications. His intention is to address this issue at the Fall 2017 General meeting.

6. On November 19 there will be a Road Work party at the bottom of Ron's Road at 10:00 AM and Social Event afterward. Possible additional events may be held later in the year.

7. 55 of 79 Landowners are currently "on the road".

I. Tys formally closed the meeting.

Respectfully Submitted by DCLI Secretary,

Ron Chandik

26Nov16