
DEER CREEK LANDOWNERS, INC.

MINUTES OF GENERAL MEETING DEC 7, 2013

BOULDER CREEK PIZZA, BOULDER CREEK, CA 95006

Meeting called to order at 1:30p

Meeting was called to order at: 1:30 p.m. by Treasurer Joy Mundy, in the absence of President Ed Abner. The meeting was moved to Boulder Creek Pizza and Pub (at Joy's excellent suggestion) because of a booking error on the part of Scopazzi's. Pizza Pub was very accommodating, and because of the lower cost we may continue to have our meetings there.

Board members present at the meeting: Tom, Arden, Amit, Joy, Manuela, and Victor.
Represented landowners (either in person or by proxy): Nancy and Less Isaksen, Charles Moustirats, Denis and Kathy O'Neal, Tom and Manuela Bird-Raquelle, Victor Smith, Arden and Hiram Pierce, Amit Vachher-Gnanathurai, Mac Marshall, Richard Tucker, Ron Chandik, Joy and Tony Mundy-Navarette, Simon and Christine Field-Wolf. There was no quorum. Introductions all around.

Secretary's report

- Escrow has been opened for Dowell/Sera. DCLI should receive \$1899 after release of liens. [*Post minutes: as of 1/2014 Bishop property in escrow – upon close, we should be receiving in excess of \$4,000.*]
- IRS filings & tax filings are up to date and on time.
- In Spring, Manuela will recommend a change to the JMA, clarifying that a quorum is to be made up of 30% of members **in good standing**. This is arguably true today, but we will not change the way we define a quorum until the policy is formalized into the JMA.
- Elections are due today for Road Mgr, Secretary, and 2 directors. In addition we need a 7th member.
- Manuela is writing an instruction booklet documenting Secretarial procedures and duties, so she can step down as secretary.
- The Board plans to send a notice in January to everyone who is in arrears and not on a payment plan. A lien will be placed in one month from the notice, unless the landowner has set up a payment plan.
- Motion to accept (Arden), Bam 2nd. Approved.
- Tom moved to accept the Secretary's report, Amit 2nd, approved.

Treasurer's report

Joy displayed the Treasurer's report on the screen, and described the basics:

Overview as of 7-Dec-2013

- \$11,370 in the bank
- Obligations:
 - \$1,400 (insurance)
 - \$5,000 (emergency fund)
- Leaves: \$5,000 for road work
- Or \$10k if we nix the emergency fund. (Note, the members later voted to keep the emergency fund intact.)
- 41 of 95 landowners (43%) are fully paid up
- An additional 5 are partially paid up

So about half of landowners (either by count or by amount owed) are paid up or on a payment plan. This is similar to the level of recent years, but lower than it was in, say, the late 2000s. There was some discussion about why participation has declined, with hypotheses including:

- The road condition has improved enough that people are no longer desperate to get it fixed.
- The focus on Ramble from recent years is perceived as unfair.
- The Board is incompetent or worse.

No definitive conclusions were reached.

Report of Income and Expense, FY2012 (as of 12/7/2013)

Category	5/1/2013 - 12/7/2013		5/1/2013 - 12/7/2013
INCOME		EXPENSES	
Fees Paid:845s		Admin	231
Fees Paid:845s:Sect 01	10	Credit Adjustment	0
Fees Paid:845s:Sect 02	10	Insurance	2,730
TOTAL Fees Paid:845s	20	Misc.	575
Fees Paid:DCLI		Roadwork	
Fees Paid:DCLI:Sect 01	396	Roadwork:Section04	1,124
Fees Paid:DCLI:Sect 04	2,324	Roadwork:Section07	1,623
Fees Paid:DCLI:Sect 05	1,966	Roadwork:Section09	2,497
Fees Paid:DCLI:Sect 06	462	Roadwork:Section12	999
Fees Paid:DCLI:Sect 07	526	TOTAL Roadwork	6,242

Fees Paid:DCLI:Sect 08	2,756		TOTAL EXPENSES	9,778
Fees Paid:DCLI:Sect 09	5,087			
Fees Paid:DCLI:Sect 10	1,650			
Fees Paid:DCLI:Sect 11	500			
Fees Paid:DCLI:Sect 12	1,148			
Fees Paid:DCLI:Sect 13	1,386			
TOTAL Fees Paid:DCLI	18,201			
TOTAL INCOME	18,221			
			Income MINUS Expense	8,443
			Current Balance	11,370

The roadwork expenses to date in 2013-14 do not represent new work. Instead they account for the payment of the balance owed Jim Walters from work in 2012-13. That balance is now zero—we're fully paid up to Walters.

Analysis of 2013-14 Payments to Date, by Road Section

The next set of information in the Treasurer's report outlines who (which road section) has paid their bills.

Section	Total Billed 2013-14	New Charges 2013-14	Paid as of 12/7/13	Rez Count	% Paid Amt
1/845: DCR front	\$431	\$25	\$15	5	60%
2/845: DCR to yellow gate	7372	35	10	7	29%
1/dcli: DCR front	391	391	391	2	100%
2/dcli: DCR to yellow gate	157	56	0	1	0%
3: DCR to 3 rd bridge	90	90	0	1	0%
4: Lower Hartman	9597	2916	2044	10	70%
5: Upper Hartman	8582	5237	2146	11	41%
6: 3 rd bridge to Ramble	3293	1053	463	2	44%
7: Lower Ramble	9767	3466	526	6	15%
8: Deer Creek Hts	4982	4021	2756	6	69%
9: Upper Ramble	16202	10956	4387	15	40%
10: Little Buck	3280	2355	1739	9	74%

11: DCR to Jack's	3050	1690	500	5	30%
12: Jack's Road	20295	4127	1148	9	28%
13: Upper DCR	1901	2641	1506	6	57%

The "who pays" numbers are somewhat interesting, but some of the sections are so tiny that it's hard to draw many solid conclusions.

Who Benefits?

The final piece of analysis in the Treasurer's report is an attempt to spread the roadwork expenses over the landowners who directly benefit from them. For example, everyone drives over Section 1 to get to their property, so every \$100 spent in section 1 benefits each landowner by about \$1. In this analysis we did not attempt perfection—if you live in a section you benefit from that section's roadwork whether your property is at the bottom or the top of the road section. Nor did we even think about rez/nonrez. It was hard enough to do (and understand) as it is.

The first row in the *Who Benefits* table is easy to understand. Landowners in Section 1 drive only on section 1. We spent \$1,022 on Sect1, and everyone benefits, so everyone gets \$10.76 "benefit" from section 1 ($\$1022/95$ total landowners). Since there are 7 landowners in Section 1, the total benefit to Section 1 is \$75 ($\10.76×7).

The second row is a little harder. We spent \$1724 in Section 2, and 88 people benefitted, so each member who drives on Section 2 gets $\$1724/88 = \19.59 . But wait! They also get the \$11 benefit from driving on section 1, for a total of \$30 (with rounding). And so on down the increasingly complicated driving patterns.

Section	Drives on...	Owner Count	Total FY13 AND FY14 spending	Benefit to that section	Tot Benefit / Member
1	1	7	\$1,022	\$75	\$11
2	1,2	8	1,724	212	30
3	1,2,3	1	347	243	35
4	1,2,3,4	1	4,994	1,907	272
5	1,2,3,4,5	10	0	1,907	272
6	1,2,3,6	11	683	325	46
7	1,2,3,6,7	2	7,213	514	73
8	1,2,3,6,7,8	6	0	514	73

9	1,2,3,6,7,9	15	11,097	5,693	813
10	1,2,3,6,10 (+ half of 7)	9	0	325	46
11	1,2,3,6,11	5	155	379	54
12	1,2,3,6,11,12	9	4,776	4,094	585
13	1,2,3,6,11,13	6		379	54

For future general meetings, a member suggested that the analysis be repeated for different time spans, since a big investment on one section of the road in one time period may average out over a longer time span. This is an excellent idea, and now that I've figured out how to do this it won't be too difficult.

A question arose during the Treasurer's report about why certain sections of road that have a low % of people paying, still got some expensive roadwork in 2012-13. The question was deferred to the Road Manager, Amit, who replied that it was his prioritization last year to tackle problems on the road that he believed would lead to more expensive failures if not addressed today. Further, he prioritized "top of the road" sections, in the belief that if we don't fix the top, the middle will keep getting washed out. In the past, policies have placed somewhat greater focus on the front of the road. Joy suggested that next year maybe we focus in the middle.

- Manuela moved to accept, Ron 2nd, approved.

Road Manager's report

- Because of the fiscal realities, no new DCLI-funded work has occurred so far in 2013-14.
- Praise went out to several landowners who have volunteered on projects. Most notably, John Miller, Ron Chandik, and Gary Fitch bought a ton or so of asphalt patch to fill some of the worst potholes. This is hugely appreciated, and a big shout-out to those guys.
- The membership voted to allow the Road Manager to use up to \$5000 to fill potholes and maintain asphalt. The work might occur in the winter, weather permitting, or perhaps deferred to Spring. Amit will attempt to be as cost-effective as possible. He'll get quotes for having the work contracted, but may set up a work party instead. It's up to the Road Manager to determine who, when, and where. (Moved by Joy, 2nd Victor, approved.)
 - Strictly speaking, this activity didn't need to be voted on, but we all felt better for doing so.

Gate discussion

- Amit has spoken with several Gate contractors about the idea of placing a gate on DCR. A new gate would have the following features:
 - Monitored

- Extremely difficult to break (big magnets)
- Photos of license plate and person who punches the code
- Cameras are hidden
- Tracks usage
- Contractors would have their own code -- we could bill the contractors
- Cost is the big question, not yet answered. Realistically, \$10k is a minimum, and it's probably at least twice that. Amit should receive quotes soon, to be shared with the membership.
- All agreed that IF the gate doesn't cost too much, and IF it really can be indestructible (both of these are huge ifs), a monitored gate would solve so many problems. We could go to true usage-based billing. We could charge contractors directly for water and other heavy vehicle usage. "It would be beautiful." [*Ecstatic opining by the Treasurer does not necessarily represent The Official Position of DCLI.*]
- Two landowners who are also members of Bear Creek Canyon Road Association offered the information that a gate at Deer Creek Rd. means undesirable 'visitors' who desire access to Deer Creek Rd. will easily be able to gain it via Bear Creek Canyon over Ron's Rd. to Deer Creek Rd.
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Approval

- Gary moved to accept, Arden 2nd, approved.

Elections

- As there was no quorum, elections were not held.
- The membership present agreed with the following appointments by the Board.
 - Road Manager: Amit to continue
 - Secretary: Manuela to continue
 - All existing members are grudgingly willing to continue. Mac Marshall was pressed into service in the empty slot. Simon was willing but slightly less willing than Mac, so he dodged the bullet.
 - The current Board membership is:
 - Ed Abner: President
 - Amit: Road Manager
 - Manuela: Secretary
 - Joy: Treasurer
 - Tom Bird, Victor Smith, Mac Marshall: members at large
 - Arden: Emerita

New Business

- Tom read two emails from John Miller regarding maintaining culverts and rolling dips, and Lost Valley gate.

[Hard copy of John's emails mailed or emailed to members – posted minutes on DCLI website include John's emails]

- Tom and Amit re-emphasized that John is correct – that maintenance of culverts, ditches, etc. is the job of all landowners. But relatively few landowners actually do any ditch-cleaning, etc., at least in the absence of a work party (and not all that many during work parties).
- With respect to John's request to be put on retainer to do basic maintenance, the membership agreed that it would be better to simply follow the rules in place: John (or anyone) can suggest a specific project and request *in advance* for compensation / bill offset for that project.
- Discussion about gate for Lost Valley, and it was pointed out that because all landowners have a deeded right of way over the entire road system regardless of whether or not they are DCLI members, a key would need to be given to all landowners on Lost Valley.
- The Board agreed that they will estimate traffic for water trucks, especially for growers, and send a bill.
- Finally, as discussed in the Secretary's report, we agreed the Board will send a notice in Jan to everyone with an outstanding balance (and no payment plan). Liens will be placed (or increased) for anyone who doesn't contact the Board with a payment or payment plan.

Adjournment

Manuela moves to adjourn, Arden seconded, approved and adjourned (3:15p).