

DCLI Board Meeting

Monday, February 22, 2016 @ 7:00 PM at Tom Bird's House

Members Present: Bird, Chandik, McClelland (via Skype), McGuire, Miller, and Sniffen

Members Absent: Volpe

A. Next meeting: Monday, March 21, 2016 at 7:00 PM at a place to be determined.

B. Road Manager's Report

1. Delivered two transfers of rock to Ramble. 2" drain rock for Hartman was unavailable.
2. Suspended work during rain and dry out time. Rock is absorbed into roadway when wet. County ordinances restrict tractor work after Oct 15.
3. Tom presented beginning of DCLI Spring Meeting (FY2016/17) budget. Total FY2015/16 plus FY2016/17 proposed road maintenance spending of \$56K with \$10k being reserved to improve paved sections.
4. Tom is using JC for current projects, but is trying get time reserved for Shanti McCormick and Jim Walters.
5. Other
 - a. Tom met with Comstock on 21Feb16 for an hour and Comstock agreed to rescind his 20Oct15 invoice charges of \$2,475.00 to DCLI. Tom did not disclose the arguments used or promises made to attain these results.
 - b. The person who drove off the DCLI roadway was able to remove his car without damage to the roadway, and Tys took pictures of the exit spot which didn't disclose any DCLI liability type problems.
 - c. Cal Fire Letter from Rich Sampson, Division Chief, stating issues with DCLI road width and restricted gate access. This memo was written in conjunction with "other concerns" which have caused DCLI to be regarded by county government service providers as a "problem area".
 - d. Tom agreed to e-mail and talk with people who infringed on the Jack's Road right-of-way by building a fence too close to the roadway triggering the above Cal Fire letter.
 - e. Tom went to the County Environmental department to try to figure out who is responsible for removing a dump truck full of florescent bulbs parked on DCLI property but unclear as to which APN it is on.

County says it is landowner's responsibility and will send a person with GPS to determine whose land it is on.

6. A motion was made, seconded and approved to accept the Road Manager's Report.

C. Treasurer's Report

1. John distributed Balances Due Report including 845s; he reported "almost \$28K" in the DCLI Liberty Bank account; Deposited "about \$3.5K"
2. Letter from Amit Vachher-Gnanaturai requesting Payment Plan. Tys: payment plan approval process is on the agenda.
3. Request to Secretary to flag changes on Master List.
4. Tys: Some landowners apparently paid some but not all Balances Due. John: Some are protesting FY2015/16 billing and have made partial payments.
5. Discussion of partial payments and small balances due. Jay proposal to write letter to Parnello advising of \$40 remaining balance. Tys: We aren't going to analyze the list, but Parnello should be handled as an exception. Jay will write draft of letter to Parnello. Motion to accept Jay's proposal is moved, seconded and passed.
6. Tys: Have any 845s paid FY2015/16 Road Assessment? John: Mostly all Landowners with under \$100 balances due are 845s. Tys: 40% payment rate.
7. John wants discussion of "large balances due" with the intent of identifying "real numbers". Tys: Numbers are "real". Every year Landowners get billed and some just don't pay. John says it is "Common Law" that a bill older than 3 years cannot be collected. Tys: We bill what is due to DCLI and collect when the land is sold.
8. Sent Guzman lien information to the Secretary and has received no response. Secretary: He is looking at it.
9. Motion to accept Treasurer's report moved, seconded and approved.

D. Secretary's Report

1. An updated set of Master Lists was distributed.
2. Motion to accept the Minutes of the January 19, 2016 DCLI Board Meeting was moved, seconded, and approved.
3. Report of "Spring 2016 JMA Ballot Count and Landowner Voting Eligibility" was distributed. Ballot Count is self-explanatory. Voting Eligibility is based

on current JMA provisions that to vote in Directors' election Landowners must be either paid-up or have a valid payment plan in place. There is no JMA provision for Landowners voting on any issue (Budget, Liens, Payment Plans, etc.) other than directors, with the exception of voting for JMA amendments. The Secretary's interpretation of the JMA voting requirement is that ANY landowner can vote on amendments including those with balances due and those without a valid payment plans in place.

4. Stedman and Skiff have zero balances due but are not marked on the Voting Eligibility report as being eligible to vote. Needs to be corrected.

5. A motion was made, seconded and approved to accept the Secretary's Report.

E. Old Business: Tys

1. Thanks to Tom for resolving Comstock invoice issue. Chandik: For the sake of transparency for all landowners, would you please give a brief summary of how the discussion progressed ? Tom: No. I presented my points of discussion and he agreed to withdraw the invoice.

2. Lien Process: Secretary was directed at the 19Jan16 meeting to Lien all Landowners with current Balances Due. We don't want to lien today landowners with currently outstanding bills due to the erroneous FY2015/16 billing, which is being addressed with the JMA Changes proposal.

3. Lost Valley Gate: Dennis Smith will fix Lost Valley Gate and remove his stuff from the roadway. Dennis also says he will remove his trailer from Jay's property.

F. New Business: Tys

1. 16 JMA responses received. JMA doesn't say that a certain number of landowners must vote on an amendment. JMA says that 60% of the **people voting** need to agree in order for the amendment to be accepted. Mailing the amendment out to all Landowners established a "default quorum" in that all Landowners were given an opportunity to vote. John: He talked to "some" landowners who did not know that they had to vote in order to record a "No" vote. Jay thinks that more voting should be encouraged so that a small number does not determine the direction of the whole organization.

a. Given that under all reasonably foreseeable circumstances the JMA Amendment will pass, what do we do ? Do we send out a revised FY2015/16 billing now or do we re-calculate the FY2015/16 invoices and apply any plus or minus difference to the FY2016/17 invoices ?

b. Jay: We should go ahead and recalculate the FY2015/16 invoices and apply the variances to the FY2016/17 invoice total AND continue

trying to solicit more landowners to vote (in some unspecified way, see note).

c. Tys: We will be ready with the math at the Spring General Meeting and have a new invoice amount available. If a Landowner agrees to pay the revised FY2015/16 Road Maintenance Fee, the Landowner will be allowed to vote.

2. Payment Plan Negotiations for current year, FY2015/16, ONLY. FY2016/17 and beyond will follow Standard Payment Plan: Current year's Road Maintenance Fee must be paid within the Current Fiscal Year PLUS 25% of any Prior Years' Balance Due.

a. Payment Plan in effect allows Landowner to vote for Directors; about 6 Payment Plans are currently in place; they were agreed to/negotiated with Tys.

b. Tys will distribute to the Board a description of the current Payment Plans in effect.

3. Voting By Proxy

a. Specify a lien format to be sent to the Secretary via e-mail or regular mail; Secretary will record proxies for each qualified Landowner and apply them to the votes taken.

b. Tys will write up his proposal for vote at the 21Mar16 meeting.

4. Liability Insurance for road user claim of damages against DCLI.

a. Tys will ask for a quote including Contractor Liability insurance.

5. May 7, 2016 Spring General Meeting (first Saturday in May)

a. Use Boulder Creek Recreation Center rather than Scopazzi's and start earlier in the day (10:30 AM- Noon). Limit meeting to hour and a half.

b. Send voting packet ahead of meeting. Need to mail out by April 1.

c. Break out into smaller groups to focus on specific topics.

d. Need projector for meeting.

G. Tys declared the meeting over, but discussion continued with some remaining members.

Submitted March 13, 2016 by
Ron Chandik, DCLI Secretary