

Cascadel Woods Property Owners Association  
Annual Membership Meeting & Pot -Luck  
Cascadel Clubhouse  
September 30, 2017  
Minutes

### **Call to Order**

The annual meeting was held on September 30, 2017. Present were directors Stan Eggink, Ken Wood, Ava Thiesen, Susan Odry and Aimee Cox. Board President Stan Eggink called the meeting to order at 10:08 AM and there was a quorum of the board members present. There was also a quorum of members, in person, by proxy, or by ballot which allowed the election of directors to proceed. A comment was made that the best way to assure a quorum of anything is to have a Pot-Luck event.

### **Agenda**

Order of agenda items was reviewed and approved. Motion to approve by Judy Rose seconded by Ken Trapp. No objections. Motion carried.

### **Minutes**

Minutes from the October 23, 2016 Annual Membership Meeting were reviewed and a motion to approve by Wayne Shortes and was seconded by Judy Rose. No objections. Motion carried.

### **Reports**

**President's Report:** Cindy Curtis is recovering from surgery after recent diagnosis of breast cancer. She will continue treatment. Brian Curtis will continue to assist with Cascadel Mutual Water Company (CMWC) work and Cindy intends to wrap up things related to CWPOA. In the meantime, Ken Wood and Carol Eggink will assist with accounting and administration work related to CWPOA/CWMC. We are looking into the workload analysis, possibility of electronic billing and other cost savings.

In May and June 2017, tree removal under the grants was the focus. Some changes in administrative staff at Cal Fire made it necessary to re-submit budgets. The budgets have been approved. Shane Killian Construction conducted the work and had to carry until payments were processed after a lengthy period. Mt. Bullion Crews (Cal Fire) have been in the subdivision assisting with hazardous fuels reduction (they have been up 4 times to the community since the Mission Fire) and their daily rate is being paid for by CWPOA. There is still a lot of slash from tree removal activities and there is a program where slash can be collected and taken to Mill Site to be ground into biomass (\$300/dumpster bin load). CWPOA will work with Shane Killian to transport slash material from properties to Mill Site.

Ken Wood, Brian Curtis and Stan Eggink attended the daily Cooperators Meeting during the Mission Fire and monitored the water system daily which provided over 500K gallons of water to support firefighting efforts on the 1000 acre Mission Fire. This was greatly appreciated by USFS and Cal Fire.

The CMWC's new tank location should not be a problem as it has been reviewed on site with Forest Service representative. The proposed location and planning requirements could be approved within the year.

Cal Fire Tree Mortality Grant: Stan marked 50 trees (A1-A50) with A stands for association. An additional 100 trees remain to be marked for removal under this grant after review with Registered Professional Forester (at \$150 per hour) as per Cal Fire timber harvest plan exemption process.

Questions regarding hazard tree removal on CSA-21: CWPOA is working on it with the County, as well as issue of hazard trees that were cut from CSA-21 land and piled on private land. County is liable for hazard trees on CSA-21 property.

Question on burn piles, will they be allowed? Yes, proceed as directed by burn permit (Cal Fire).

**Treasurer's Report:** Ken Wood handed out financials and explained accounting shown for early road fee payments, which were greatly appreciated, membership dues at \$3,000. The donations from several residents was also greatly appreciated (up from last year). We have spent \$9,200 so far on road repairs. We stop spending when we are out of money and we are starting to feel the pressure of the inability to collect on delinquent road fees.

Ken also shared the CSA-21 yearend cash on hand balance. The Fiscal year ends the last day of June. The amount on hand was \$36,438.80. As of the end of August the cash on hand was \$36,161.17.

Motion to approve Treasurers Report was made by Malinda Lodge and seconded by Shaunna Shortes.

### **Discussion Items**

Board needs direction. Stan referenced 1973 small claims court decision that awarded \$10 for snow plow fees as an example of how long we have used small claims court to reconcile delinquency. Small claims court has been how we have dealt with delinquent fees and State Civil Code 845 (Paragraphs a,b,c) states that property owners are responsible for maintenance of private roads. In 1976 the community signed offers of dedication of the roads to the County of Madera but this offer was not accepted so still private roads (with public access). Recent small claims court decision raised issue of standing, CWPOA not a property owner. Therefore no standing, indicating that the County/Small Claims court want the issue resolved in Superior Court. There will be legal costs to the CWPOA if this action is pursued. Subsequent case filed by Stan Eggink and Ken Wood individually determined; they were not property owners, but representatives of the CWPOA. How do we fix this? Cascadel Mutual Water Company owns four parcels. Why have two separate corporations when you could merge and result in cost savings on liability insurance as well as other dual expenses such as office employee payroll and taxes, bank accounts, etc?

CSA-21 was created in 1985 payment to purchase CSA-21 under contract to County of Madera. This contract ended in 1995. A new contract was created for maintenance assessment only. Why the title was not given back to CWPOA in 1995 is unknown. After failed RMD vote in 2013, the contract with CWPOA was cancelled and not renewed, contrary to what was stated would happen by the County. A Municipal Advisory Committee (MAC) was formed but all members subsequently resigned (couldn't get cooperation from the County?). CWPOA is dissatisfied as well. We have not been getting the responsiveness or cooperation from the County on managing the CSA-21 that we would like. However, the CWPOA will be reimbursed for mowing & weedeating the common areas this past summer as County accepted offer to pay CWPOA for this maintenance. This mowing work was so helpful with the shelter in place situation during Mission Fire.

A lengthy discussion took place among the membership and Board on ways to secure our investments and gain standing in the courts. Stan asked the group if they have a problem with Board making a decision and going forward.

Member: Thanks the Board and appreciates the opportunity to have an open forum for consensus, but the Board is sanctioned to proceed. Take the power you have been given to proceed.

### **Vandalism**

Resident complained of his drip system being turned off by someone over the past few years. Vandalism of the bulletin boards is an ongoing problem. Members agreed that Board should determine and prosecute whoever is vandalizing CMWC and or CWPOA property.

### **Election**

Ken Trapp was elected to the Board of Directors.

**Motion to adjourn** Wayne Shortes motioned and Aimee seconded. No objections. Motion carried.

Meeting Adjourned at 12:12 p.m.

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### **12:18 p.m. Special Meeting of the Board Called to Order to elected Officers:**

Elected were:

Stan Eggink, President

Susie Odry, Vice President

Ken Trapp, Treasurer

Ken Wood, Secretary,

Ava Thiesen, Director (Ken Wood-Proxy)

Meeting adjourned at 12:28 p.m.

Notes taken by Aimee Cox - outgoing Secretary.