

**YOSEMITE LAKES OWNERS' ASSOCIATION  
30250 Yosemite Springs Parkway  
Coarsegold, CA 93614  
Phone: 658-7466 Fax: 658-7866**

**MINUTES OF THE  
REGULAR BOARD MEETING, NOVEMBER 15, 2005  
CALLED TO ORDER AT 6:36 PM**

**I. Call to Order** – Michael Shubert

**II. Flag Salute** – Mark Kerr

**III. Invocation** – Tom Swire

**IV. Roll Call & Establishment of Quorum – Board Members Present**

Michael Shubert, President

Craig Mommer – Director

Mark Kerr – Vice President

Robert McDonough – Director

Tom Swire – Secretary

Kris Rice - Director

Mark Zoeller – Treasurer

**V. Approval of Minutes**

**MOTION: A motion was made to approve the minutes from the Regular Board Meeting of October 18, 2005 (with a minor date correction).**

**M/S/C (Rice/McDonough) 7 Ayes, 0 Nays Motion Carried.**

**VI. Public Comment**

None

**VII. Integrated Regional Water Management Planning Grant – Tanna Boyd**

Alisa Brown introduced herself as the spokesperson sent by Tanna Boyd. She reported that Madera County was awarded a grant consisting of \$500,000 Prop 50 funds, which will be matched with \$270,000 from other grants to be used in a planning process focusing on water issues in Eastern Madera County. Ms. Brown reminded the Board that they had committed to sending a member or two to be a part of the Planning Group. The meetings begin in February of 2006, probably in Oakhurst. Any members of the Park that have a special interest or knowledge of the study areas are welcome to join the ad hoc committees: Ground Water

Availability, Water Supply Reliability, Water Quality Improvement, Increasing Water Resources, Recreation and Public Access and Sensitive Resource Resource Protection. Information is available from Tanna Boyd at the Madera County Supervisors' office.

### **VIII. Members' Right on Easements**

William Rice spoke on members' rights and easement of enjoyment, right of way on fire roads, right of ingress and egress to common areas, reaffirmation of right of use of trails 1 – 5, and civil code designation of mutual and beneficial easements as "common areas."

### **IX. YLOA Update**

1. General Manager Steve Payne presented the Manager's Report (See Attached).  
Discussion was held on employees' health insurance rising costs. The Board decided to hold a special Board Meeting on December 20, 6:30 p.m. in order to review other health care options and asked Mr. Payne to put together information on various options.
2. Restaurant Pricing -  
The recent increase and then return to prior prices at the Fairway Café was discussed. It was determined to provide the Directors with additional information and discuss this item at a Special Board meeting set for December 20.
3. Road Striping Machine -  
Steve Payne introduced information relative to the possible purchase of a used striping machine. It was determined that more information would be made available to the Board and this item would be included in the Special Board meeting of December 20.
4. Bylaws Conflicts with Unruh Act –  
Item continued to the January 2006 meeting.
5. Security Report – (See Attached) Larry Davis gave the report for Zak. Larry indicated that there had been an increase in vandalism last month, mostly in the Revis Road and North Dome areas. Relative to a question from a Director, Larry indicated that a security unit follows the school bus around as it makes it's rounds in the Park.

### **X. Financial Report**

Treasurer Mark Zoeller reviewed the financial report (see attached). Discussion took place regarding line items. Treasurer Zoeller gave the

report. He said that the Association's cash on hand showed a drop because the road project was paid from that account and not reserves. He also addressed the differences between last year and this year in various categories. Specifically, cost of goods sold was up 16.1% but sales were only up 6.8%. Also, in some other categories the expenses were up over 100%.

## **XI. Committee Reports**

1. ECC – Chairperson Swire presented report (see attached). Secretary Swire reported that there had been seven new homes approved during the last month. This brings the year total to 36 new homes.
2. Golf Committee – Lynn Musick indicated this would be her last report as her term was up. Daryl Dietrich will take over as chair of this committee. Lynn said that all of the golf events went well this past month. She encouraged all to come join the fun at the golf course.
3. Recreation Committee – Gary Hughes absent. No report.
4. Pool Committee – Kathy Casey absent. No report.
5. Road Committee – Director Mommer reviewed the recent roadway chip seal project and said that this type of project will occur every three years. Marie Touitou, lot 1393, commented that the roads crew had put additional road signs throughout the part and she was very appreciative of it and commended them for it.
6. Equestrian Committee – Sue Gribbens absent. No report.
7. Communications Committee - Secretary Swire indicated that the Committee had been working on a project to put bulletin boards at the mailbox locations within the Park. This would provide a way to get information to all of the members within the park. The project needed \$1800 to purchase the boards. Director Rice suggested that the covers be coated with a substance that makes them easily cleaned if they were subject to graffiti.

**MOTION: A motion was made to appropriate \$1900 (\$100 for graffiti coating) from “personnel savings”.**

**M/S/C (Swire/McDonough) 6 Ayes, 1 Nay (Mommer)  
Motion Carried.**

8. Governing Docs Committee – Secretary Swire reported that the Committee continues to meet and work toward the rewrite of the Bylaws and DOR's.
9. Facilities Use Committee – Ginger Julian absent – no report

## **XII. Considerations of YSPUC Proposals to YLOA – None this month.**

### **XIII. Old Business**

1. Subdivision of Lot 1612 – Secretary Swire reported that this item is to be addressed at a Madera County Board of Supervisors meeting on December 6, 2005. A YLOA Board member will be in attendance. Prior to the meeting, discussions will be made to determine the appropriate position for the YLOA.
2. Update Waiver of YSPUC Facility Fees – Secretary Swire reported that the DRAFT resolution for the consideration of the California Public Utilities Commission has been prepared. This DRAFT indicates, in part, that 28 customers who applied for water service on or after April 6, 2004 did not pay the facilities fees. Furthermore, this document instructs YSPUC to collect that fee from these customers. The Commission is scheduled to act on this DRAFT resolution on November 17, 2005. The Commission can adopt, modify, reject or take any other action they decide on regarding this DRAFT. There are some legal issues the Association will have to address if this DRAFT is approved.
3. Amendment to YSPUC Articles – This item was put on agenda in error.
4. Discussion of Committees – President Shubert listed the committee assignments as follows:
  - a. Human Resources – Swire, Kerr and Shubert
  - b. Financial – Mommer, Zoeller and Shubert
  - c. Legal – Shubert and Kerr
  - d. Bids – Swire, McDonough and Pat Burns
  - e. Communication – Swire and Rice
  - f. Facilities – Kerr and Bob Barr
  - g. Long-Range Planning – McDonough and Mommer
  - h. Roads – Mommer and Swire
  - i. Food and Beverage – Rice, Zoeller, Justin Williams and Bob Barr
  - j. Audit; Data Security – Rice and Zoeller
  - k. Special Projects; Directors' Code of Conduct – Rice
  - l. Governing Docs. – Swire
  - m. Lot 1612 – Shubert and Swire

President Shubert also named liaisons: Equestrian Committee – Mr. McDonough; Golf Committee - Mr. Kerr; Pool & Tennis – Mr. Rice and Recreation – Mr. Swire. Mr. Rice suggested a special committee to track the YSPUC non-profit status and President Shubert named himself and Mr. Rice. President Shubert also indicated that the Human Resources, Legal and Communication Committees were the only committees that had “legal responsibilities.”

**MOTION: A motion was made to approve the named committee assignments.**

**M/S/C (Shubert/Swire) 7 Ayes, 0 Nays Motion Carried.**

5. YSPUC Board Resignation – Director McDonough gave his notice of resignation from the YSPUC Board effective immediately. This was unanimously approved. Secretary Swire made a motion to send a personal letter to every person within the Park who holds a certificate pertaining to water works, inviting them to apply for the YSPUC Board. Director Mommer indicated that there exist two applicants for this vacancy now and wished to fill it.

**MOTION: A motion was made to accept the resignation of Mr. McDonough from the YSPUC board.**

**M/S/C (Shubert/Swire) 7 Ayes, 0 Nays Motion Carried.**

**MOTION: A motion was made to send a personal letter to every person within the Park that holds a certificate pertaining to water works, inviting them to apply to the YSPUC Board, set a timeline of 30 days, including the two we already have and make a decision at the January board meeting.**

**M/S/C (Swire/Kerr) 6 Ayes, 1 Nays(Mommer) Motion Carried.**

6. Code of Conduct – Director Rice asked that this item be continued.
7. Update of Disaster Preparedness Plan – Secretary Swire indicated he and Pat Burns were continuing to work on the overhaul of this plan. He also informed the Board that Eastern Madera County Office of Emergency Services was having a tabletop disaster training exercise on December 8 in Oakhurst.

#### **XIV. New Business**

1. YLOA Insurance Renewal & Risk Management – This item was put on the agenda in error.
2. Possible Conference with other HOA's – Treasurer Zoeller is aware of other Home Owners' Associations that are similar in size to YLOA. He suggests that the our Association pursue having the General Managers, Board Presidents and Board members of other HOA's get together with us on a timely basis to discuss problems and solutions relative to HOA's. All directors agreed. Mark will proceed to make appropriate contacts.
3. Funding for Rec Center Light Shields – Secretary Swire indicated that when this item was approved last month, the actual funding was not identified. Directors Zoeller and Swire were instructed to work with the General Manager to determine the appropriate funds.

#### **XV. Directors' Comments**

None

APPROVED Jan. 17, 2006

**XVI. Adjournment of Meeting**

**MOTION: A motion was made to adjourn the meeting at 8:42 PM.  
M/S/C (Swire/McDonough) y Ayes - Motion Carried.**

**Meeting Adjourned.**

**NOTICE OF EXECUTIVE SESSION**

Executive Session was held on November 3, 2005

1. Personnel Matters
2. Legal Matters