

# Lake Don Pedro Owners' Association

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Board Meeting July 19, 2008  
10:00 A.M.

## Open Regular Meeting

**The meeting was called to order** at 10:07 A.M. by President Vicki Keefe, followed by the Pledge of allegiance to the flag of the United States of America.

Board members present President Vicki Keefe, Vice President Michael Cummings, Treasurer Clem Brown, Secretary Mike Harding, Directors Carolyn Bartholomew, Ken Kennedy.

Supervisor Lyle Turpin and 12 members were present.

Secretary Mike Harding explained that there were two months of minutes to be approved as there was no formal Board Meeting on June 21, 2008. Mike Harding requested a motion to accept the minutes. Director Carolyn Bartholomew questioned, if we didn't have a meeting, why did it last for 2 1/2 hours? As Vice President Michael Cummings, Director Carolyn Bartholomew or Director Bob Steele were not present, President Vicki Keefe stated that she announced to the members that there was not a quorum and that there would not be a regular meeting, but an open Town Hall discussion would continue. No motions were brought on the floor and none were voted upon. Members, Ruth Smith and Victor Afanasiev verified that the President did state that there would be no formal meeting due to not having a quorum and there would be an open Town meeting instead. Mr. Richardson said that if you read his web site, it said that there was not a quorum. Secretary Mike Harding stated that the minutes from the June 21, 2008 meeting were from Director Ken Kennedy's minutes and notes that he took at the meeting.

**Approval of Minutes:** Secretary Mike Harding asked again for a motion to accept the minutes. Motion made by Director Ken Kennedy, second by treasurer Clem Brown. All directors voted yea, motion carried.

**Treasurer Report:** Treasurer Clem Brown reported that there was \$35,854 in the Operating Account, \$55,792 in the Reserve and two CD's in the amount of \$20,000, for a total of \$111,646. Motion to accept the Treasurers report by Mike Harding, second by Ken Kennedy. All voted yea, motion carried

## Committee Reports:

**A. Architectural Review.** Chairperson Mary Brown reported that there were 3 new plans turn in this month. Two were approved, one is pending until meeting with Mariposa

County Supervisor Lyle Turpin. A merger of two lots off Merced Falls Road and Mercado Drive was discussed in Executive Session this morning and was approved by the Board. Reason for merger was due to the terrain of the two lots and the request to build a metal garage. The county and our CCR's would have required a home to be built in order to accommodate the garage. There is little flat area on the lot to build.

**B. CC & R Compliance:** Mike Harding reported that several investigations had been resolved. Six were pending need to follow-up. Ten items are currently under investigation. Two new investigations.

**C. Public Relations:** Ken Kennedy reported that on August 1, the request for Candidates statements will be in the Yosemite Highway Herald. August 15 if we want it in the Foothill Express. Candidate Statements must be in the LDPOA offices no later than August 20, 2008. Election and Candidate time lines can be picked up in the office.

**D. Schools, Tuolumne & Mariposa:** Carolyn Bartholomew had no report on the schools but would like to talk about the pool area. Concern was that the rules regarding the pool were being ignored, play toys and blowup floats and a private party that had dogs in the pool area. President Keefe was called to the Hacienda and requested that the dog be removed. Director Bartholomew would like to see someone of authority at the pool during open hours. Suggestion was for the Public Relations Committee write an article restating the pool rules. Chuck Day brought us up to date on the Tuolumne schools. Chuck referred to a letter that LDPOA received indicating there should be no money spent in Don Pedro. This is a period of great change and frustration in the schools, we don't know how much money we are going to get to meet our kids needs. Information was handed out regarding the attendance at La Grange Elementary. Even though we got the Multi-Purpose room at the High School, there was supposed to be an area for Home Economics and a program for the acquisition on land for a new school. **The next School Board Meeting will be at Don Pedro High School on Wednesday August 13, 2008 in Room 6 at 6:00 P.M.**

**E. Parks and Trails:** Michael Cummings reported that himself, Ron Howenstine and Mike Harding are working to finalize all of the permit work required by Tuolumne County on the park and snack shack. The goal is to complete this work by September 1, 2008, the old lights are down, electrical projects are all be complete, exterior ADA requirements will be completed shortly, Mike Harding is working with the county on the inside ADA requirements. Michael Cummings is working on a long term plan to put an updated playground down by the baseball field. Ron Howenstine updated us on the change of personal in the building department. Mike Cummings will talk to Bob Kent at the Water Dept on cleaning out the reeds at Gregorious Park as this is their responsibility.

President Vicki Keefe made a motion to accept the Committee Reports, seconded by Mike Harding. All voted yea to accept the Committee Reports.

**Old Business:** None

**New Business:**

A. Reserve Study:

V.P. Mike Cummings would like to see exactly how much the cabana decking, concrete, rails. etc cost. Mike C. saw that the cost of the concrete came out of the reserve account. His understanding is that the reserve account is for emergency, repairs. Projects being spent out the reserve account need to be presented to the members, the plan discussed in an open meeting and voted upon and then there needs to be a plan to repay

that money. Mike C. Checked all of the minutes and he never saw where there has been a discussion of taking money from the reserve account. Mike C. states that he pulled up back statements from 10-31-2007 where the reserve account was \$113,733 and as of 5-31-2008 the amount is \$70,469. He states that he has had no knowledge of the expenditures or talk of a plan to repay this money. Mike C. feels that this account has been used as a slush fund, showing weekly expenditures, this need to be stopped. We need to make plans on how to put the money back into the reserve account and we need to vote on it and talk about this things. That's all I have to say about the reserve account. Bill Kinsella asked Mike Cummings if he had researched to find out where the money went and who authorized it. V.K. El Prado baseball park came out of the reserves, the cabana was removed and needed to be replaced, it also showed up in the reserve for the last yearly fiscals. Ron Howenstine, referencing the Reserve study, indicated that many items should have lasted longer, using the ice maker as an example. Vicki Keefe, the cabana was voted on by the board and announced in an open board meeting, the concrete bid and she thought and the turf. Ron Howenstine acknowledged talking about these amounts and there were no concerns brought up from the members. Ruth Smith remembered the concrete, but did not remember if the rest was discussed. Secretary Mike Harding will look in the back minutes regarding this matter. Wes Barton asked again that the old Reserve Study be cleaned up as it is a very important document for the Association to follow. Vicki Keefe indicated that a new Reserve Study was almost complete, were just waiting for the rough draft to arrive. Regarding putting money back into the reserves, this is done after we know how much money we have to work with, the operating expense need to be satisfied, then money put back into the reserve. There is money put into reserves monthly, about \$35,00 to date, about 10%. There has been an amount of \$150,000 for the reserve that seems to the right number according to past studies, M&C and TMA. In the 2008/2009 budget there is \$55,000 to go back into reserves.

**B. Annual Budget.** V.P. Mike Cummings brought up a past session of the board that voted to change the mileage reimburse rate from .31 cents to .50 cents and indicated that President Vicki Keefe had been reimbursed some \$521 for mileage. Ron Howenstine said that then President Dwight Mueller had been compensated for trips to Supervisor meeting. Vicki Keefe indicated that \$4,358 had be compensated in 2006/2007. Mike Cummings felt that this is an item that needs to be closely watched. Bill Kinsella and Ruth Smith indicated that from past experience, board members were never reimbursed for mileage except for special trips. Reference was made to the paragraph 7 of the Articles of Incorporation of Lake Don Pedro, dated in August 15,1968 which states: Articles of Incorporation of Lake Don Pedro Owners' Association, paragraph 7, "This corporation is one which does not contemplate pecuniary gain or profit to the members thereof, and it is organized solely for non-profit purposes. In no event shall the new earnings, income or assets of this corporation be distributed to, or inure to the benefit of, any member, director or officer of this corporation or other private individual, either directly or indirectly" Secretary Mike Harding will look up current laws regarding reimbursement for mileage to volunteer directors. Carolyn Bartholomew indicated that the board should review reimbursements and have two directors sign off on them.

Vicki Keefe, is there any other business before I close the meeting? Mike Cummings had one more thing. Public Relations has spent over \$500 since October 2007 on donuts and coffee. I'm not saying we can't have it, if you want to have coffee and donuts you have to pay for them. Ken Kennedy said that he had only charged one box of donuts at the store and that

he had paid other expense out of his pocket, (referring to Public Relations open meeting on Mondays) anything else has been for regular board meetings or public forums, meet the Candidates, etc.

The meeting was adjourned about 11:40 A.M.

Submitted by,

Michael S. Harding, LDPOA Secretary