

LAKE DON PEDRO OWNERS' ASSOCIATION
5182 FUENTES DE FLORES
(209) 852-2312, FAX (209) 852-2771
MINUTES MONTHLY BOARD MEETING
SATURDAY, AUGUST 15th, 2009
10:00 A.M.

PRESENT: Ken Kennedy, Bill Kinsella, Victor Afanasiev, Chuck Day and Lew Richardson

EXCUSED ABSENCE: Sally Perez

Board President Ken Kennedy opened the meeting at 10:10 AM after waiting for late arrivals and a failed attempt to locate American Flag. (Numerous Hacienda functions lately and the flag is relocated for protection.) Approximately 20 member audience. Kennedy asked that there be no shouting and speaking out of turn and assured that all would have a chance to speak.

APPROVAL OF MINUTES

Motion by Bill Kinsella to approve the minutes, Seconded by Lew Richardson; Vote, yes, with the exception Victor Afanasiev was not present on July 18th 2009.

TREASURERS' REPORT: Bill Kinsella with Association Bookkeeper Nanci Dubuque reporting. Operating Account: \$225,763.89, Reserve Account: \$119,064.32, and CD \$21,227.35. Total checks written for July: \$27,531.85. Nanci advised if any member had questions to please contact her. Motion by Lew Richardson to approve Treasurer's Report; Seconded by Bill Kinsella; Vote, unanimous.

COMMITTEE REPORTS

ACC Lew Richardson (for Phil Hill), no plans approved, meeting will be on the 3rd Thursday of the month, there is one application pending.

CC&R Bill Kinsella had no report.

PR Ken Kennedy stated he would comment under New Business on some items

SCHOOLS Victor Afanasiev advised the school board voted to deny inter district transfers from Mariposa County to Don Pedro High resulting in only 25 students with a possibility of only two teachers without certain college prep classes. Supervisor John Gray is communicating with other county officials regarding the matter.

PARKS & TRAILS Lew Richardson advised of a Trailblazers initiated meeting with Tuolumne County officials. Ballfield sprinkler timer box locked. Need keys.

Motion by Chuck Day to accept reports; Seconded by Bill Kinsella; Vote, yes-unanimous.

NEW BUSINESS

Potential HS closure, Chuck Day. Funding for area severely curtailed. Loss of inter district transfers creating low enrollment directly related to cutbacks and possible closure. Lengthy discussion of potential legal remedies. Motion by Chuck Day to provide \$10,000 for legal intervention; Seconded by Bill Kinsella; Vote - yes, unanimous.

Transfer station fees for Tuolumne residents. Supervisors meeting next Tuesday attempt to stop recent \$31 charge to Tuolumne County residents when Mariposa residents pay \$3.50.

Proposed Tuolumne County Recreation Department closure cancelled. Bookmobile will continue weekly visits, Mondays for approximately four hours. Lions Club and individual donations for new books. Swim lessons at Hacienda will also be continued for next year.

Proposed culvert for P&E Trail obstruction postponed pending investigation by Public Works to ascertain source of drainage problem and to determine exact classification of concerned parcel.

Don Pedro map recognition plan, Chuck Day talking with Tuolumne County Supervisor John Gray to obtain HWY 132 Don Pedro signs and area documentation on maps.

Community enrichment class variable rental fees proposed. Further research and discussion at next meeting.

NEW BUSINESS complaints by Recall Group concerning recall election and scheduled dates continued into Good of the Order portion of meeting.

Complaints by Recall Group and board responses:

Recall group did not have enough time to advertise in the New Discoverer (they did so in another local paper and were never denied the opportunity); the New Discoverer is a selective publication and some local residents did not receive paper (US Postal Service delivers locally, only papers to "out of area owners" are address labeled for mailing, no attempt to prevent any member from receiving paper was made, board wants all members to receive paper) ; questions why Recall and Annual Election could not be conducted simultaneously (legal requirements and association attorney advice dictated separate elections); election and ballot counting dates unfair to recall supporters-how could directors advocate a "no vote" when petition had not been served (group misunderstood petition service requirements, directors responded to recall letters and an ad in other paper in anticipation of recall, legal requirements determined dates); questions as to who paid for back page ad in the New Discoverer (directors individually paid for ad, no association funds were used); question on how recall group could obtain another membership list (contact office, unlike previous boards, members have legal right to obtain list for association business related concerns); Thomas Porter stated he was serving notice to contact legal counsel to stop the election because it was not fair to both sides (board subsequently agreed to contact association attorney to determine if it was legally possible to extend election dates and a meeting with a recall representative and Ken Kennedy was also scheduled); repeated questions regarding election issues (following continuous out of order interruptions from audience, President Ken Kennedy was finally able to chronologically explain the time line of events); complaint that recall candidate with hand up was being ignored and waited too long to be recognized (Ken had already answered multiple questions of same individual and many others had their hands up, not ignoring others - merely listening to speaker who had the floor); statements in New Discoverer ad were wrongfully associated with recall group, ie, \$10,000 party and Health Fair boycott (same individuals who approved the \$10,000 party with \$45 ticket prices are prime movers in recall procedure, advertised large multi-family yard sale conducted by recall supporters held on same day); verbal personal attack by Harry Alfier against undersigned resulted in further meeting disruption eventually disintegrating into multiple group conversations; and, request that missing dedication plaques issue be addressed at next meeting (undersigned responded a policy regarding individual director recognition plaques attached to common interest property should probably be decided by majority of the members who own the property).

Motion by Bill Kinsella to adjourn the meeting; Seconded by Ken Kennedy; Vote - yes, unanimous.

Respectfully submitted;

Lew Richardson, LDPOA Board Secretary