

**AMWC Board Meeting
May 24, 2009**

The Board meeting was called to order at 7:10 p.m. on May 24, 2009

Board Members present: Lewis McConnell, Paula (Coombes) Bodtke, Elfriede Geiger, Joanne Schneider, Ken Kuencer (Fire Chief) [Bob Tomko out of town]

Minutes of October 16, 2008 Board meeting: The Minutes were not available for discussion/approval.

Fire Chief's Report: Ken Kuencer reported on the regular fire training conducted over the winter. He indicated that the focus had been on review and discussion of relevant sections of the fire training manual. Ken also reported on the status of the fire engines. He noted that the Green International has been removed from the Reeds' garage and is now parked (temporarily) in front of his home.

OLD BUSINESS

Delinquent Bills: Prior to the Board meeting, Bob Tomko had provided to the Board members a written Treasurer's Report (May 2009) and A/R aging summary, which shows property owners delinquent in their payments. As of May 1, 2009, delinquencies totaled \$7050.31. Elfriede briefly review items in the Treasurer's report, including the status of the CD at Eastern Sierra Bank (Oak Bank) (\$103,000). The CD will mature on June 8, 2009, at which time it will be automatically renewed unless a decision is made to take alternative action.

Water Company Survey: Lew stated that Bruce Burnworth has asked that a TV be made available at the annual meeting so that he can make a presentation to the membership regarding the assessment process.

South Fork Interest in Joining the Fire Department/Repair on Crown pump: Lew stated that there appears to be continuing interest by South Fork residents in joining the Aspendell Volunteer Fire Department. However, proceeding with this is contingent on completing repairs to the Crown engine. Steve Silcott of South Fork graciously contributed substantial time and effort to assist with the repairs over the winter and is now pursuing needed parts.

Water System Repair: Ken Kuencer reported on problems with the reservoir relays that signal the pumps to turn on and off. The problems necessitated manual operation by Ken. The problems have been resolved.

NEW BUSINESS

New Fire House: Lew reported that he had done some research regarding new steel buildings and reiterated the advantages that a new fire house would provide, including the ability to house all of the engines. The facility could also serve as an evacuation center. The concern is the cost, largely in the construction of the foundation. Lew estimated the cost at between \$200,000-300,000.

Burnworth Easement: Lew reported that Bruce Burnworth and the AMWC attorney Peter Tracy had met to discuss the easement documentation and that Mr. Tracy is now satisfied. Ken indicated that in contrast to Bruce's apparent assumption, Bruce does not have a prescriptive easement, which would require open/"notorious" access over a period of 5 years. Lew stated that a question had been raised about the legal ability of the AMWC Board to proceed to approve the easement without overall membership approval. Lew reviewed relevant sections of the AMWC By-Laws, which, by necessity, give the Board broad power to act on behalf of AMWC. Thus, the Board could approve the easement. After discussion of the merits of considering approval immediately, the Board determined that it would be most appropriate to await discussion of the matter at the upcoming annual membership meeting.

Response to Easement Emails: Lew reviewed a draft letter he had prepared to respond to comments from one of the members. The proposed response provided, in part, an explanation of the basis for the delay in the receipt of the May 6 2006 letter regarding the easement. Lew thought that the response could be more widely distributed to address this understandable concern. After discussion of the various comments received and Lew's draft response, it was decided to send a short response to those members who had commented on the proposed easement to advise that the matter would be considered at the annual membership meeting.

Burnworth Electricity: Elfriede indicated her concern with Bruce Burnworth's use of electrical power from the AMWC pump-house. It was pointed out that the cost of the electricity used is far more than offset by the fact that Bruce will provide thousands of dollars worth of services in completing the water system assessment. Elfriede acknowledged this but raised the matter of precedent and principle. She made the motion that the Board advise Bruce of his need to obtain temporary power. The motion was seconded by Paula and passed unanimously.

Fire Protection Clean-up: It was noted that we cannot expect any fire chipping service from the USFS again this year. Ken will prepare a written summary of actions that need to be taken by property owners for fire protection. This summary will be included in the newsletter. Ken will also review this information as part of his Fire Chief's report at the annual meeting.

Fire Hose Testing: The date for the annual hose testing effort was set at June 27, 2009.

Newsletter: Lew discussed the items included on his list for discussion in the newsletter, which will be mailed with the ballot, consumer confidence report and annual meeting agenda in the first week of June. Elfriede reiterated her concerns about the dog leash law and dog etiquette; she will discuss this item also at the annual meeting. Lew reported that he has asked Roy Harthorn for a brief write-up regarding the Aspendell.org website. Lew also reviewed a draft he had prepared to pose the idea of the sale of part of the AMWC acreage near the reservoir. Lew's idea is that the proceeds would be used to fund a new firehouse. The existing firehouse has served its purpose but is now dated. It would be very costly to assure code compliance were the existing firehouse to be simply remodeled, and the remodeled structure would not serve the present needs in any event. A new structure is needed and should be regarded as an investment in the future. Lew indicated that his thought was that a committee could be formed to explore options regarding the sale of the property. Joanne indicated concern about the possibility that one or more of the AMWC members might respond to an emergency in Tract 2 with Aspendell Volunteer Fire Department equipment. She recommended that the Board request that Mr. Tracy provide a legal statement/analysis regarding the liability incurred by such response, and that Mr. Tracy's analysis be included in the newsletter to assure that all members receive it. Lew made the motion to implement this recommendation. The motion was seconded by Joanne and passed unanimously. Lew advised that he would contact Mr. Tracy to make the request for his analysis.

Potluck: It was recognized that the potluck is historically an Aspendell Property Owners Association function. Lew stated that he would contact Sharon Ford, a member of the APOA Board, to determine whether the potluck is being planned, so that it can be reported in the newsletter and on the AMWC annual membership meeting agenda.

Dog Leash Law and Etiquette: see the discussion of the newsletter, above.

Insurance: Elfriede inquired about the insurance coverage held by AMWC. Lew identified the 2 policies and the types and amounts of coverage. Elfriede suggested that a review of some of the items/incidents covered might be advisable to reduce the premium. She indicated that, in particular, we need to assure adequate coverage on vehicles and general liability/officer liability.

OTHER

Annual Meeting Agenda: Lew reviewed the draft agenda for the annual meeting that he had prepared. There was discussion of the possibility of moving the fire training to the day following the annual meeting, but it was determined to leave both events on the same day, as in the past.

Adjournment: The meeting was adjourned at 9:00 p.m.

Joanne Schneider
Secretary