

YOSEMITE ALPINE COMMUNITY SERVICES DISTRICT
Minutes of Board Meeting
June 18, 2011 at the Tenaya Lodge, Fish Camp

CALL TO ORDER. Chair Dick Ryon called the meeting to order at 10:00 a.m.

ROLL CALL and INTRODUCTIONS. Board members present: Ken Fox, Dick Ryon, Shannon Glendenning and Karen Glendenning, a quorum is present. Diane Bopp, excused absence. Public: Karen Green, Barry Green, Doris Ryon, Patti Frey, Marc Frey, Louise Hastrup, Jerry Hastrup, Alan Klatt, Tom Bopp, Gene Glendenning, Bob Keller, Suzi Keller, Bill Keller.

PUBLIC FORUM.

1. Patti Frey thanked the Board for their hard work for district, reviewing the Fox letter, reviewing Prop 218, it is a cumbersome job.
2. Karen Green will help with the meter reading on Sunday, June 26.
3. Gene Glendenning, Water master, gave a water report.
 - a. June 5th thunderstorm caused lightning strike to power pole by the post office. There was some damage to the electrical control units. YACSD is a gravity system so there was no danger of running out of water. Well #2 is operational. Well #1 is being repaired and will be back up this week. The tanks are being kept full.
4. Patti Frey questioned the PG&E reimbursement program for damages. Gene will check into this matter.

APPROVAL OF MINUTES of April 23, 2011 YACSD Board Meeting.

Motion: Accept the minutes of the April 23, 2011, as presented. Motion: Ken Fox, 2nd – Shannon Glendenning, Motion: passed, 4-0.

TREASURER'S REPORT

An overview was given by Karen Glendenning. Bob Keller asked if the Balance Year End Report was being done. The report is generated after the end of the fiscal year – YACSD's fiscal year is July 1 to June 30. Motion: Approve the treasurer's report of June 18, 2011. Motion: Shannon Glendenning, 2nd – Ken Fox, Motion – passed, 4-0.

PARCEL TAX ELECTION

A call for ballots was given. Envelopes were divided as per signed envelopes and unsigned envelopes. Shannon opened each signed outer envelope and placed the sealed inner envelope in a sack. After all signed envelopes were opened, the tally was performed, 13 for the acceptance of the rate change, 8 opposed to the rate change. The unsigned outer envelopes were then opened to see if signatures were inside. For those that were, votes were added to the tally: totaling 14 accepting the rate change, 12 opposed.

PARCEL TAX PROTEST HEARING

One protest was submitted by Robert Keller against the parcel tax rate change.

Motion: Accept Resolution 2011---x for Snow, Roads, and Administration. Motion: Shannon Glendenning, 2nd – Dick Ryon. Motion: 3-0-1 abstention – Ken Fox.

RESOLUTION 2011-004. Setting Snow, Roads, and Administrative Parcel Tax for Fiscal Year 2011-12. Fees for homes will be \$325. Setting the fees for vacant lots will be \$108.00.

Voting: Ayes: Dick Ryon, Shannon Glendenning, Karen Glendenning ; Noes: None ; Abstain: Ken Fox; Absent: Diane Bopp, Passes 3-0-1.

The election/voting of the YACSD property owners was done with ONE VOTE per parcel. This allowed for a more democratic election with each property owner having a voice. This method requires a simple majority to pass. The alternative election/voting of the YACSD property owners would have been by registered voters within YACSD, as this number is much smaller it was decided at the April 23, 2011 YACSD meeting to use the ONE VOTE per ONE PARCEL method. This method is approved by Proposition 218 and California State Constitution Sections 4 and 6 of Article XIID of the California Constitution.

Motion: Adopt Resolution for setting access fees as set for Fiscal Year 2011-12. Motion: Shannon Glendenning, 2nd: Karen Glendenning. Motion: 3-0-1, abstention – Ken Fox.

RESOLUTION 2011-005. Setting Water Access Fee and Water Rate for Fiscal Year 2011-12.

Water Access Fee for each home is \$367.00. The Water Access Fee for each vacant lot is \$123.00. Water Usage Rate will be \$6.08 per 1000 gallons. Ayes: Dick Ryon, Shannon Glendenning, Karen Glendenning, Noes: None; Abstain: Ken Fox, Absent: Diane Bopp. Passes 3-0-1.

CONNECTION FEE UPDATE

Currently the fee is \$13,000.00 per parcel.

Motion: Increase the Annexation Fee into YACSD by a 3% adjustment to \$13,390.00 for FY 2011-2012 for the Annexation Fee. Motion: Shannon Glendenning, 2nd – Dick Ryon, Motion – Yes: Dick Ryon, Shannon Glendenning, Karen Glendenning, Noes: Ken Fox, Absent – Diane Bopp. Passed 3-1.

ADOPT BUDGET FOR FY 2011-2012.

Budget was passed at April 23, 2011 meeting. The ballot vote for the adjusted fees was counted earlier in this meeting. The majority vote of the parcel owners was 13-8 with signed ballot envelopes and 14-12 adding in incorrectly signed ballot envelopes. It was affirmed that there will be a cap placed on funding for Capital Asset Maintenance. He budget was affirmed by the vote by the property owners within YACSD.

BYLAWS REVISION – COMMITTEE UPDATE

Diane Bopp and Shannon Glendenning are working on developing a rough draft of the Policy and Procedures. Items will come back to next meeting with more work put into them.

Paperwork is in a very rough draft form. Procedures are being developed to outline protocol for operations, notices, road maintenance. YAVA, Yosemite Alpine Village Association, the homeowner's organization of the property owners within the original YAV subdivision have bylaws. YAVA is a corporation, YACSD is a government entity. CA Special District Association has a Guide to Prop 218 and a library of form and documents.

GENERAL COUNSEL SEARCH UPDATE

YACSD contacted several attorneys: Gary Sawyers, Michael Slater and Jennifer Bachman. Review of these and other attorneys continues. No decision is made at this time.

KELLER FAMILY REQUEST FOR SPECIAL BENEFIT DISTRICT

Dick Ryon received a letter from the Keller attorney Emory Wishon that had nothing new offered. There was not an indication of the benefit of either option to the District. Mr. Keller asked for clarification that the action is with Robert and Lynn Keller, not the Keller family. He requested a Zone be established for the Keller property on Railroad Avenue. Dick Ryon restated a request to find the benefit to YACSD. Nothing was decided at this meeting. More information is needed to complete the decision.

UPDATE AND ACTION ON LAWSUIT FILED BY PACIFICUS REAL ESTATE GROUP vs YACSD.

No communication from PacificUS on the lawsuit. PacificUS is having the meadow property, the post office and the 2.5 acre parcel foreclosed upon. One West Bank has set a Public Auction date of Friday, July 15, 2011, at 10:00 a.m. on the Mariposa County Courthouse steps for the properties covered by their \$6.5 million loan. Also for auction will be the property with the Fish Camp General Store and former Chevron gas station located on it. PacificUS Real Estate Group filed for Chapter 11 Bankruptcy on Thursday, July 14, 2011. Subsequently, the bank rescheduled the Public Auction of the 2 foreclosures to Thursday, August 18, 2011, at 10:00 a.m. on the Mariposa County Courthouse steps. The 2 foreclosure sales have been further delayed to September 20, 2011.

FISH CAMP BIG CREEK CONSERVANCY UPDATE

No comments were made.

ITEMS BY DIRECTORS

Dick Ryon

1. Courses in Fresno in July by the California Special Districts Association on staying in compliance and recordkeeping. Dick will go to the compliance class on July 21 and Karen will go to the recordkeeping class on July 22. Both are directed to submit bills to YACSD at the next meeting.
2. Cal Fire has sent out Fire Clearance Signature Cards. Please look around your property to make sure you are in compliance.

Ken Fox suggests each property owner contact their neighbors about clearing property,

Karen Glendenning

1. Curtis Jackson with Station #33 has been citing properties that are out of compliance.
2. Cedar Valley Volunteer Fire Dept. Pancake Breakfast is Saturday, July 2 from 7:00 – 10:30 a.m.

NEXT MEETING DATE AND LOCATION. Tentatively set meeting date as Sept. 3 or 5, 2011. Confirmed date as Saturday, Sept. 3, 2011, at 1:00 pm at The Tenaya Lodge, Fish Camp.

CLOSED SESSION TO DISCUSS PACIFICUS LAWSUIT AND OTHER THREATENED LITIGATION. No closed session was held.

REOPEN MEETING. No closed session.

ADJOURNMENT. Motion: Move to Adjourn the June 18, 2011, meeting. Motion: Ken Fox, 2nd – Shannon Glendenning, Motion: passed, 4-0.

Respectfully submitted,

Karen Glendenning
YACSD Secretary