



Sierra Park Homeowners' Association



Newsletter

January 2012

Website: www.ofsha.org

Phone: (209) 586-3733

e-mail: ofsha@ofsha.org

From the President

Dear Homeowner:

BACKGROUND

Recently, a group of lot owners gave the OFSHA Board a Petition seeking an owner vote on recall of OFSHA Board Members. A vote will be taken on the proposed recall; you will be receiving a notice of the vote and also a written ballot that you can use to cast your vote.

Several reasons were given by the petitioners for recalling the members of the OFSHA Board. Below are the charges and responses to them.

Charges and responses:

1. The charge that a budget was approved at the May 29, 2011 Annual Meeting is incorrect. Check new business number six in the minutes of the May 29, 2011 mailed to you following that meeting. The assessment for 2011-2012 was not voted on until September, 2011 using a mail-in ballot.
2. The charge that OFSHA did not pay money owed to OFSRA is correct but misleading. OFSHA has sent OFSRA many requests for back-up documentation showing the cost of the services provided by OFSRA. To date, OFSRA has refused to provide OFSHA with the requested information. OFSHA has requested this information on several occasions.
3. Another item of dispute concerns the Licensing Agreement for Roads and the Water Use Agreement. OFSRA informed OFSHA in writing that OFSRA was unwilling to extend the Licensing Agreement and the Water Use Agreement. At the OFSRA members' meeting on December 3, 2011 the membership of OFSRA, on the advice of the OFSRA Board, voted to terminate both agreements on January 10, 2012. This action was hardly the fault of the OFSHA Board.
4. The other issue with the water use agreement concerned OFSRA's violation of the California Public Utility Code. This statute makes it illegal for OFSRA to sell water to anyone other than its own members. OFSHA and OFSRA both became

Continued on page 2...

OSFHA Calendar

OSFHA Board meetings begin at 8:30 AM.

Board Meeting: February 4th, March 3rd
and April 7th



Parking and Snow Removal

Before, during, and after snow storms, please do not park along the roadways. The snow removal equipment requires access to the entire roadway to maneuver and clear the road. Also, snow thrown by the snow removal equipment can dent vehicles and break auto glass. If necessary, please park in the parking lots at the lake or near the dumpster. Do NOT park in the parking lot at the Lodge. The Lodge parking lot is reserved for staging the snow removal equipment.

CAUTION: The snow removal equipment is heavy and large and can at times become impossible to maneuver and/or stop. In addition, the equipment frequently stops and backs up and has large blind spots. It is your responsibility to anticipate and be aware of snow removal operations and maintain large and sufficient areas of clearance for snow removal equipment and operations. The snow removal equipment has the right of way at all times.

House Number Signs

California and Tuolumne County Codes require house number signs.

Please make sure that your address numbers are visible from the road so that emergency personnel can locate your home in the event of a disaster.

House Number Signs are available for purchase at the Tuolumne County Sheriff's Office Community Service Units. Information and order forms are available on the website at: www.ofsha.org/house_numbers

Newsletter & Website

Newsletter – Please consider receiving your Newsletter via e-mail, it saves money and will aid us in holding down the assessment. Please e-mail us to sign up.

Website – Protected documents password: **Call for PW**



From the President *(Continued from front page)*

aware that it was illegal for OFSRA to sell water to OFSHA. Based on the fact that OFSRA had been selling water illegally for twenty-five years, there was no way that OFSHA could legally sign an agreement that it knew furthered an illegal act.

5. The petitioners contend that OFSHA has spent tens of thousands of dollars on legal fees. This is simply untrue. However, the recall has forced OFSHA to spend some money on legal fees so that notices and ballots could be prepared correctly. This expense was necessitated by the petitioners, and not something the OFSHA Board chose to do.

RECENT EVENT

On January 9, 2012, a quorum of the OFSHA board and their attorney met in Sonora with a quorum of the OFSRA board and their attorney. The purpose of this meeting was to explore how, as a group, we could work out the best method of providing water service to the lot owners without CPUC intervention. We also explored a governance system for the subdivision that would be more democratic than the past system has been. The goal of the OFSHA board is to provide lot owners with the least expensive and the safest water possible. At the meeting on the ninth, we came up with some ideas about how to keep the CPUC out of our subdivision. Our respective attorneys are working on a plan at this time. What took place in the meeting is confidential. Therefore, none of us in attendance at the meeting on January 9, 2012 can share anything with you. If the two boards reach an agreement, then you will be informed and asked for your input and consent.

FUTURE

The future of the subdivision is in your hands. The current board has worked hard to make the governance of the subdivision more democratic and more cost-effective. We hope that you will not let OFSRA regain total control by nominating and electing an OFSHA board that is going to turn everything back over to OFSRA. We have spent too much time and effort to determine what your rights are for you to let this happen. Run for the board and insist that the lot owners be treated fairly and legally. Do not allow the OFSRA to dominate in our subdivision for another twenty-five years. You each have a substantial investment and it should be preserved and protected by the OFSHA Board which represents all 361 lot owners not by the OFSRA Board that only represents eighty some lot owners. The future of the subdivision is in your hands. Think and act accordingly.

Thank you,

Fred Coleman
President
OFSHA Board of Directors



OFSHA 2011-2012 Budget

Budget

2011-
2012
Budget

Operating Budget:

Accounting	\$7,500
Bank Charges	\$50
Clerical	\$1,250
Parks Maintenance (Common Areas)	\$8,000
Dues and Subscriptions	\$169
Gate	\$3,873
Garbage	\$14,000
Health and Safety	\$1,500
Homeowners Access to Common Areas	\$3,000
Insurance	\$8,500
Office Rental	\$2,400
Utilities	\$600
Member communications	\$3,500
Needle Expense	\$10,000
Office Supplies	\$1,700
Professional Services	\$30,000
Recreation	\$1,800
Roads Maintenance	\$46,000
Snow Plowing	\$20,000
Telephone	\$550
Water	\$69,350
Total Operating Budget	\$233,742

Revenue & Cash

2011-
2012
Budget

Revenue Budget to Cover Operating Budget:

Basic Lot Fee (Assigned by BOD)	\$236,600
Uncollectable Lot Fees	(\$6,500)
Gate Income	\$1,100
Recreation Income	\$1,800
Transfer Fees	\$700

Total Operating Revenue to cover Operating Budget	\$233,700
--	------------------

Total Lot Fees Required:

Basic Lot Fees Required (Calculated)	\$230,142
--------------------------------------	-----------

Total Lot Fees Billed:

Basic Lot Fees Billed (Assigned by BOD)	\$236,600
Uncollectable Lot Fees (Bad Debt)	(\$6,500)

Total Lot Fees Collected	\$230,100
---------------------------------	------------------

Fees Per Lot:

Uncollectable Lot Fees (Bad Debt)	10
Number of Lots	364
Basic Per Lot Fee Required (Calculated)	\$650
Basic Per Lot Fee (Assigned by BOD)	\$650

Total Per Lot Fee	\$650
--------------------------	--------------

Note:

Numbers in parentheses denote negative values

OFSHA will apply the excess funds collected this year to any proper bills presented by OFSRA and any funds projected to be remaining at the end of the year will be either be applied to next year's per lot fee or returned to the lot owners.



**Odd Fellows Sierra Homeowners' Association
Board of Directors Regular Meeting Interim Minutes
January 7, 2012**

Called to order: 8:30 A.M. by President Fred Coleman.

Invocation by Al Orth.

Board members present: President – Fred Coleman, Treasurer – Ruth Dargitz, Vice President – Steve Wallace, Al Orth, Bill Ordwein, Jesse Worsham, John Tenbrink and Larry Vaughn. Excused: Mike Ford.

Minutes December 10, 2011: Motion by Steve Wallace, to approve the minutes as presented. Seconded by Jesse Worsham, carried.

Correspondence:

The following communications were received: Letters/e-mails from members: Paul Emery, Rick Johnston, Sandra Patri, Richard Quinn, Linda Johnson, Eric Morley, Gloria Bonjean, John Wallace, Arlen and Linda Santos, Barbara Engvall. Advertisements from: AT&T and Advanced Paving. Miscellaneous information, catalog and magazine from CAI. Recorded Covenants, Conditions and Restrictions for 22153 Miriam and 25176 Abraham. A general liability insurance quote. Notice from CalFire of fire danger due to dry weather. Other correspondence from OFSRA, OFSRA attorney and OFSHA attorney.

Committee Reports:

Gate – Secretary Varvayanis / Bill Ordwein:

1. Routine gate sales: \$370.00.
2. Repairs were made to the strike plate mounts.

Recreation:

1. President Coleman to speak with attorney regarding the liability insurance issue.

Finance – Treasurer, Ruth Dargitz:

1. Total bills presented: \$10,203.09. Motion by Jesse Worsham to approve as presented. Seconded by Larry Vaughn, carried.

Unfinished (Old) Business:

1. General liability quote received. Tabled until President Coleman checks with attorney to see if it's needed for the fish derby.
2. OFSHA budget: Budget formulate by Budget Committee members (Bill Ordwein, Steve Wallace and Fred Coleman) Discussion of committee's recommended budget and minor changes were made. Motion by Steve Wallace to approve a budget of \$650.00 per lot and to obtain guidance from attorney Ann Rankin regarding a vote of the homeowners. Seconded by Jesse Worsham, carried. *Attorney advises Board approval only required.*
3. Merged lots: Discussion regarding determining number of assessments charged. President Coleman and Treasurer Dargitz to determine how to proceed with court case for collection.

New Business:

1. Letter from Paul Emery requesting a refund of his assessment – President Coleman to discuss with attorney.
2. Letter from Arlen and Linda Santos requesting refund of overpayment of assessment based on their paying for two lots and owning one – President Coleman to explain this will depend on outcome of court case (see #3 under Unfinished/Old Business).
3. Past due statement from OFSRA – To be discussed at a meeting Monday evening with both boards and their attorneys.
4. Discussion regarding Charles Varvayanis having contracted with OFSHA to do clerical work. No action taken.

Other Business:



1. None.

Members before the Board:

The following members spoke before the board: Susie Lechner, Yvonne Peter, Michael Lechner.

A recall petition was presented by Yvonne Peter for removal of the board on an individual basis – each board member voted on separately.

Barb Engvall: Taking minutes.

Motion by Steve Wallace to adjourn to Executive Session. Seconded by Jesse Worsham, carried.

Adjourned to executive session: 10:58 P.M.

Adjourned to regular session: 11:04 P.M.

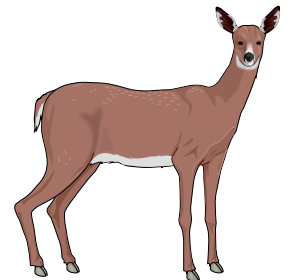
Report and activity resulting from the Executive Session:

1. It was decided that following Board Members will represent OFSHA at the January 9th meeting with OFSRA and the attorneys: Steve Wallace, Larry Vaughn, Ruth Dargitz, John Tenbrink, Al Orth and Fred Coleman.

The next regular meeting is on Saturday February 4, 2012 at 8:30 A.M.

Meeting adjourned: 11:13 P.M.

Respectfully submitted,
Barbara Engvall (edited by Fred Coleman)



Checks Disbursed 12/17/2011 - 1/11/2012

Date	Number	Payee	Memo	Amount
12/16/2011	125	AT&T – Telephone – (209) 586-3733	787 · Telephone Expense	\$23.42
1/11/2012	126	Ann Rankin – Attorney – HOA	755 · Professional Services	\$1,619.17
1/11/2012	127	Carlson, Haff & Associate – Accounting Services	756 · Accounting	\$435.12
1/11/2012	128	Fred Coleman – Mileage	705 · Automobile Expense	\$140.76
1/11/2012	129	Fitzgerald Abbott & Beardsley LLP – Attorney – Water	755 · Professional Services	\$7,500.00
1/11/2012	130	Charles Varvayanis – Clerical Support	767 · Outside services	\$250.00
1/11/2012	131	Village Mail & Print Stop – Newsletter Printing	758 · Member communications	\$191.67
1/11/2012	132	Steve Wallace – Fire Safe Purchase (Staples)	766 · Office Supplies	\$42.95

Total Disbursements \$10,203.09



Happy New Year!



Odd Fellows Sierra Homeowner's Association
P.O. 236
Long Barn, CA 95335-0236

Return Service Requested

U.S. Postage Paid
Bulk Mail
Permit #2
Long Barn, CA 95335