



OFSRA NEWSLETTER

NOVEMBER 2011

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President-	Shaun Velayas
Vice Pres./Sec.	Gloria Harvey
Treasurer	Del Wallis
Buildings	Dick Barrett
Equipment	Friedhelm Peter
Gate Maint.	Bill Ordwein
Health/Safety	Larry Adams
Roads	Adams
Timber	vacant
Water	Ron Hawke

President's Message

At the Nov. 12th board meeting on Saturday, property owner, Sue Reynolds came to ask some questions she couldn't get answered when she attended the Homeowners' Board meeting. The Rec. board took the time to answer all of her questions. Some of her questions, however, can only be answered by the HOA. Please take the time to read the minutes from our meeting. The Rec. Board did their best to answer Sue's thoughtful questions.

One of the frequent claims of the HOA board is that the Rec. board hasn't submitted bills for them to consider paying. The Rec. board believes the majority of property owners voted for an assessment of \$830 with the intention the money would be transferred to the Rec. board to operate the Park in the same manner it has been for 60 years. The Rec. board sent a billing, and a reminder, to the HOA board for the full assessment. The OFSHA has deliberately withheld the collected assessments with the intention to require the OFSRA board to justify each and every expenditure. They have forwarded only \$69,350 of the collectable \$302,120.

On another issue, some members of the HOA board believe the Park can be operated less expensively by employing contractors rather than a Caretaker. The Rec. board believes that a full time caretaker is an essential key to the smooth running of the Park. A caretaker that lives in the Park can look out for Park needs and, in many cases, our homes in ways that a contractor would not. Getting the roads plowed any time of the day or night as necessary, getting water breaks fixed immediately, swift care of other maintenance items which should be addressed are only a few of the myriad benefits to having a resident caretaker. Only a caretaker who lives right in the middle of the Park can be responsible for so many areas of responsibility. Having a full time caretaker helps to keep the Park beautiful and enjoyable for all of us. It is also a valuable factor often touted by Realtors when listing Park properties for sale.

Our Caretaker had the bar ditches cleaned out and ready for winter several weeks ago. Since then, strong winds blew a lot more debris off the trees. I know our own lot looks like we never cleared it just a few months ago. Mark will be addressing the ditches one last time before the winter storms.

We on the Rec. board always appreciate suggestions for ways to improve the Park. Please remember, as always, if you have any questions or issues which we have not addressed, or any suggestions, you don't have to wait for a monthly meeting to talk with me. Call me at (209) 840-2530 any time. I always enjoy hearing from you.

Shaun Velayas

REBEKAH CORNER

Rebekah Dogwood Lodge #200 meets the third Tuesday in the Board room of the Lodge.

WINTERIZE YOUR CABINS

Winter is approaching and it is time to winterize your cabins. Turn off the water and drain the pipes and take other precautions to protect your property from the winter weather.

The Pine Needle dump is still open for homeowners to dump pine needles if they have an opportunity to clean their lots before the next rains.

The OFSRA Board wishes everyone a Happy Thanksgiving.

OFSRA MEETING-November 12, 2011
Interim minutes

MEETING CALLED TO ORDER at 8:38 A.M. BY President Shaun Velayas

INVOCATION BY Ron Hawke

MEMBERS PRESENT: Larry Adams, Dick Barrett, Gloria Harvey, Ron Hawke, Bill Ordwein, Friedhelm Peter, Shaun Velayas, Del Wallis

MEMBERS EXCUSED: none

GUESTS PRESENT:

Caretaker Mark Higgins. Yvonne Peter, Nancy Hawke, Charles Varvayanis, Carol and Dave Unruh, Bob Cloak, observers. Mike VanGundy asked if the Special meeting Dec, 3 was an open meeting. YES, ANYONE CAN COME. ONLY OFSRA MEMBERS WILL BE VOTING.

Sue Reynolds was there to observe and ask some questions. At the last HOA Board meeting, guests were not permitted to comment except at the beginning of the meeting. Sue asked the following questions:

At the homeowner's meeting I heard many times they (HOA Board) haven't paid any money (to OFSRA) because they haven't received any bills. Why haven't you sent them bills? *A bill was sent dated September 15. The bill was for the total assessment (\$830 for 364 members) amount of \$302,120. The HOA had sent over \$50,000 so the amount due was \$252,120. Since then they have sent \$19,350. Outstanding amount still due is \$232,770.*

Sue stated, "I heard two different things at the last HOA meeting, I could not ask questions, so I would like your opinion about what they mean. They (HOA BOARD) say they will pay the bills specifically naming garbage and pine needles but also read a letter from their lawyer who demands the REC Board to send "detailed" bills and legal justification for any bills sent. So I'm unsure if they are referring to paying all bills you would send or do they intend to pick and choose which bills they will pay such as garbage (which I see involves more than just the cost of the bill for garbage pick up since manpower and equipment is involved). Have you sent them any bills that they will not accept? What problems do you see about their demand?"

The REC Board does not believe the HOA board has the right to require or demand anything of the REC Association. The Rec. Board presented a budget to the homeowners at the annual meeting. It was approved at \$830 per lot. Since then, the HOA has presented two budgets to the REC Board. The REC Board agreed to work within the \$830, limits of the first budget presented in June. In July another budget was proposed. Again the REC Board said they could work with that budget. However, the HOA is attempting to micromanage the expenditures of the REC Board.. This is not an effective method of operation for a corporation nor the park.

How much money have you had to borrow from the reserve accounts or timber fund to date because our \$830, assessment has not been forwarded to you to run the park? *To date \$95,000 has been drained from the reserve accounts and the timber fund to cover operating expenses. We all realize that general maintenance cannot be delayed without a deterioration of assets.*

At the July OFSRA meeting that I attended, you were given your second budget from the Homeowner's Board that you stated you could work with. At the November Homeowners meeting I just attended, they presented a budget to themselves (not including the audience) where they formed a committee of four Homeowner Board members to review the budget. What happened with the last budget presented to you in July? Do you know anything about this proposed budget? Do you know whose budget it is? I realize you may not know, but again, I was not allowed to ask questions and they did not share the budget with us.

The OFSRA has no knowledge of yet another budget. It is the understanding of the OFSRA that the homeowners voted to have the \$830.00 assessment continue from 2010-2011 budget, for the REC Board to use to run the park. A committee was to be formed to review the needs of the homeowner's board and submit another

budget for a vote to the membership by mail by Sept. 1, 2011. That request for \$953.00 was defeated. Mr. Varvayanis (an observer in the audience) spoke up at this point and stated that the \$830.00 was voted on (at the annual meeting) for the Homeowners Board and that the REC Association had no funds allowed to it. (The motion to continue the \$830 assessment for one year was made during the OFSRA meeting)

Sue Reynolds continued, "I asked the following question to the Homeowners Board. Is it their intent to have us (Sierra Park) fall under the Davis Sterling Act, where the homeowners own the property because the Davis Sterling provisions would require each homeowner to pay thousands of dollars to create reserves and if not what are you doing to prevent us from falling under the Davis Sterling Act? Fred Coleman (president of the HOA Board) gave me his opinion during the business part of the meeting where I could not ask questions. His response was he had talked to the lawyer and they can own property and don't have to pay taxes if they have reserves and still not be under the Davis Sterling Act. In the research I have done on the internet, this is not true. What does your Board know about the Davis Sterling Act and what we need to do to avoid falling under the very restrictive requirements of the Davis Sterling Act?" *The December 3, Special Meeting is being held to discuss rescinding the Water Use Agreement and the Water License. The Davis Sterling Act would require, it was estimated several years ago, at least an investment for every lot owner of \$25,000-\$30,000 to meet the reserve account requirements. This amount will not include the specialist consultants required to assess the assets in the park to determine the replacement costs. This evaluation would have to occur every three years. Each of these consultants could incur costs running into thousands of dollars. There would be one for roads, one for water, as well as buildings and possibly others to assess the pond, picnic area and playground. The agreements worked well for twenty-five years, but now it is advisable that they not be renewed. The Attorneys of both the HOA and OFSRA agree that under the Lease agreements and without CC&Rs on each property, the HOA cannot enforce payment. If the lease agreements go away, another route will be available.*

Sue stated "Fred (Coleman) made the statement that "they (the Rec Board) can sell the equipment that the homeowners helped pay for and give it to the shareholders:. Fred said he had investigated in renting/leasing a building in Twain Harte for \$200 a day plus utilities to hold the Homeowners meetings. Charles Varvayanis made the statement that the Rec Board could stop plowing the roads. Fred got a quote from Clay Peterson to plow the roads for \$35.00 an hour using Park equipment. Has the REC Board ever implied that these are issues that the homeowners should worry about? In the history of the park, has any REC Board ever sold anything and given the proceeds to the shareholders? *The shareholders of the OFSRA have never received a dividend. Selling equipment or not plowing roads has never been considered. (As stated in the Rec president's message in the October 2011, newsletter, "We will continue to maintain the Park! Sierra Park and all of our homes are too important to let a temporary problem interfere with winter preparations ...")*

Sue continued, "Fred made negative comments about him 'being locked out' of the building (referring to the Lodge Hall on November 5,) since his key wouldn't work, yet the room was warmed up because the heater had been turned on and the lights were on for the meeting. Mark (the caretaker) also stated that he had unlocked the door for the meeting and couldn't explain how it got locked again. Do you plan to deny the Homeowners' Board from using the lodge for their meetings if they follow the guidelines as stated in the last newsletter (if any group desires to use the building, they must submit a request to the president with dates, times and purpose of the meeting.) *The Lodge was prepared for the HOA meeting by the caretaker. The caretaker stated that he left the building unlocked. If the guidelines for using the building (as stated in the Oct. 2011, newsletter) are followed the building is available.*

Sue concluded with "Thank you, for your time and working for the park."

CORRESPONDENCE:

Rebekah –requesting the use of the hall and picnic area for several events next year.

Rebekah sent a copy of the letter they sent to the HOA stating that Rebekah had decided not to take on the responsibility of recreation for the Homeowners' Board. They have their own activities and projects planned for this year.

Charls Varvayanis, Steve Wallace and Fred Coleman requesting access to financial records and a list of OFSRA shareholders to prepare for the Dec. 3 meeting. Financial records were provided to them.

County of Tuolumne regarding tax assessment on Camp Cedarbrook

Email from Fred Coleman as HOA president, he stated that the HOA had agreed to pay for certain items and specified the amounts they would pay which equaled \$17,375. He stated the funds would be forwarded to the OFSRA if OFSRA agreed on the amount. *The OFSRA is pleased that the HOA recognizes that they (the HOA) need to pay for more than water but the OFSRA feel most items are not included in the list. Again the OFSRA does not believe the HOA has the authority or standing to impose its will on the OFSRA and that all assessment money should be transferred.*

APPROVAL OF MINUTES: Moved by Hawke, seconded by Barrett. Motion carried.

DIRECTOR REPORTS

WATER-RON HAWKE -No line breaks since our meeting on Oct. 15.th. Water pumped for the month was 1,080,700 gallons, this includes the water lost on the Dec. 7th break.

ROADS-LARRY ADAMS-Crack sealing was completed. A review of the park showed that more crack sealing was needed than originally estimated. It was important to get the work done before winter. The work was completed satisfactorily.

BUILDINGS-DICK BARRETT-The additional electrical circuits were added to the lodge kitchen. The light on the stairwell is installed. A discussion with another contractor on how to resolve the issue of water running across the parking lot and to the lodge building was held. This is a difficult problem with no easy solution, because any type of diversion impedes snow removal. The diversion and the repair of dry rot on the lodge building and the caretaker's cabin has been delayed until spring due to the weather. Bids and information are being gathered to improve the security of the park. The porch light on the Lodge is not working and will be taken care of by the caretaker.

EQUIPMENT FRIEDHELM PETER -Everything is doing well. A control box on the grader needs replacing but no replacement parts are available. Attempts are being made to repair the old box. However, the grader will work as well as it did last year, but still without the front wheel drive. Discussion followed about using skids on the blade of the snowplow. Skids, can be adjustable and will keep the blade from scraping the pavement and removing the sealer from the asphalt. However, with skids, a small amount of snow remains on the road. Homeowners often complain because they expect all the snow to be removed. Finding the proper balance that does not impede safety, but preserves the roads is difficult.

TIMBER HARVEY/WALLIS-Will Dorrell our forester has been asked to prepare a report on timber harvesting for the next annual meeting. Harvey reported that due to a delay in getting the environmental report prepared, the clearing of fuel along the evacuation route will be delayed until next spring. The good news is that Will Dorrell is involved in preparing the environmental report, and he is familiar with our park and the timber plan.

GATE-BILL ORDWEIN-Nothing to report

FINANCE-DEL WALLIS: Vendor bills for the month of November total \$51,033.99. Peter moved and Hawke seconded to pay the bills. Motion carried.

Many projects needed to be completed before the winter weather restricts working outdoors. Extra work was required to properly fill all the cracks to prevent the roads from deteriorating over the winter months. Proper maintenance is necessary to maintain the park's assets.

Another \$3-4000 in Federal tax refunds is possible.

Wallis moved Harvey seconded to move \$45,000 from water reserves to repay the Timber fund. The \$45,000 of timber funds was used to pay the monthly bills in July and August.

Motion carried. It was noted that using reserve funds to pay operating costs is depleting the reserve accounts. Our reserve accounts were inadequate to meet serious emergencies; using them for operating costs could lead to a funding gap in the event of a major water system problem. .

Mike VanGundy thanked Friedhelm Peter whose persistence in finding another vendor to remove pine needles created a huge savings for the park. The total cost was \$7,310 in contrast to \$15,350 last year. Had we used the same vendor as last year, the cost would have exceeded last year's cost because there was a bigger pile of needles. The contractor is interested in returning next year. The slash (chipped pine needles) was purchased by a cogeneration plant, and that off set the trucking costs. The entire project took only 24 hours. However, a crow bar in the pine needles caused some damage to the chipper. The park paid to repair the chipper. The first winter storms brought down many pine needles. The pine needle dump remains open for those who can clear their lots during the good weather.

OLD BUSINESS;

1. Camp Cedarbrook- Repair of rotted wood was more extensive than originally thought and has been completed. All air vents will be replaced to prevent water damage this winter. The lot line adjustment request to separate a two-acre parcel with the dwelling was filed with the county before the Nov. 4 deadline and will be considered at the May County Board of Supervisors meeting. Discussion followed about other decisions to be made in the future regarding using the wells and cleaning up the debris. Hawke moved and Barrett seconded to contact a Pest control company to inspect the building and treat it for pests if needed. Barrett moved, Adams seconded to have leach lines cleaned out to the tune of \$250-\$500. A check of the capacity of the septic system to be completed at the same time. Motion carried.
2. Proxy-share holders meeting December 3, 2011. The meeting will begin at 9:00 am, check in to start at 8:30 am. All OFSRA members are encouraged to send their proxy to the BOD at P.O. Box 116, Long Barn Ca 95335. Although you may be planning to attend the meeting, circumstances do change or bad weather could make it difficult to make the trip. If you mail a proxy and are able to attend the meeting, the proxy will be void and you get to place your vote. Wallis will make preparations for the meeting.

NEW BUSINESS

No new business

December monthly meeting will follow the Special meeting on December 3, 2011.

11:02 am meeting adjourned to executive session:

11:10 am executive session called to order

11:12 am executive session briefly adjourned

11:28 am executive session reconvened

1:15 pm. Executive session adjourned

1:15pm. Regular meeting reconvened

Action taken during executive session:

A secretary will be hired to take the minutes at the Dec. 3, 2011 Special Meeting and the Regular meeting.

1:16pm. Regular meeting adjourned.

Respectfully,

Gloria Harvey

REBEKAHS ASK FOR YOUR HELP: Rebekah Dogwood Lodge has selected as one of their projects for next year to upgrade the basketball court. They want to purchase new backboards and hoops. If anyone has expertise in this area and could advise them as to what products to purchase, that would hold up well with the weather in the park, please, contact Sue Reynolds at 209-586-1459.

CHRISTMAS DINNER SCHEDULED FOR DECEMBER 10TH, HAS BEEN CANCELLED. We were advised that the dinner was cancelled by the Homeowner's Board at their November 5th meeting, because no one was available to organize the event.

THE REBEKAH DOGWOOD LODGE #200 IS ON THE MOVE AGAIN! They requested permission from the OFSRA Board to use park facilities for the following activities. Permission was granted. We suggest that you put the following dates into your calendar for the 2012 year. This group has been inspirational for all of us in the projects and activities they have undertaken to enhance the amenities of the park as well as providing fellowship activities.

1) Sunday, May 27 - Request use of the Lodge Hall - Porch area to hold our annual Bake Sale Fundraiser & inside the Lodge Hall Saturday, May 26 to set-up for the bake sale.

2) Saturday, July 7 (of July 4 weekend) use of the Lodge Hall for a Bingo Nite with Wine & Cheese tasting.

3) Saturday & Sunday, Sept. 1 & 2 (of Labor Day Weekend - Baseball Field/Snack Shack/BBQ area for games & (Bring your own food) BBQ.

4) Saturday, Oct. 3 - the Lodge Hall for an Oktober Fest.

The Dogwood Lodge #200 also received permission to hang their charter in the Lodge Hall and to store some items in the Lodge Hall.

**REMINDER TO ALL OFSRA MEMBERS, SPECIAL MEETING DEC. 3, 2011, 9:00 AM.
REMEMBER TO MAIL YOUR PROXY IN THE EVENT THAT THE
WEATHER PREVENTS YOU FROM ATTENDING THE MEETING. YOUR
PROXY IS VOID AND WILL BE GIVEN BACK TO YOU IF YOU DO
ATTEND. PLEASE, MAIL TO: OFSRA, P.O.BOX 116, LONG BARN, CA
95335**

**IF YOU HAVE QUESTIONS REGARDING THE MEETING, PLEASE CALL
SHAUN VELAYAS, 209-840-2530, DEL WALLIS 209-586-0465, RON
HAWKE, 209-586-4528, OR GLORIA HARVEY 209-358-6266.**