



Odd Fellows Sierra Recreation Association Newsletter



Phone: 209-586-3098

August 2012

WWW.Recreation Association-PARKMGT.ORG

email: Recreation Association: ofsra-parkmgt@sierrapark.org

Board of Directors - 2012-2013:

President: Del Wallis

Buildings: Dick Barrett

Health and Safety: Larry Adams

Vice President: Ron Hawke

Equipment: Friedhelm Peter

Gate: Bill Ordwein

Secretary: Claire Veleyas

Roads: Larry Adams

Water: Ron Hawke

Treasurer: Bill Ordwein

PRESIDENT'S MESSAGE

As the summer winds down, we are looking forward to the fall colors and preparing for winter. The cleaning of the bar ditches is ahead of schedule, equipment maintenance is current and work has begun to make life for our termite population in the Recreation Hall untenable. It seems a long way off before we will see any snowflakes, but it will be here before you know it.

The demolition of all structures in Cedarbrook is well on its way. By the time you read this message, the work should be complete and the area ready for you to walk through and enjoy the beautiful acreage we have added to our timberland. Also at this time, your assessment (\$1,024.00) has either been paid or you will see late payment charges starting to be added and services likely to be interrupted. None of us on the Board looks forward to being a part of any collection effort, but it should go without saying; your assessment needs to be paid.

A Special Shareholders Meeting has been scheduled for September 23, 2012, at 9:00am in the Recreation Hall. The primary purpose of the meeting is to discuss the options available for transforming the Corporation and the eventuality of transferring assets. Not doing anything at this point doesn't seem a viable solution. It is important that your input be a part of the discussion and decision making process. All property owners are invited to attend.

Have a great Autumn and let the Board know if, or how we can improve your Park experience.

~Del Wallis



Rebekah's Corner

The Rebekah's will be hosting "**Oktoberfest**" at the lodge on Saturday, October 6th starting at 5:00pm. Children are welcome!

\$10.00 Donation for food / \$5.00 Donation for Mini meals

Hope everyone will join us; all proceeds will be donated to the refurbishing of the Basketball Court.

Thank You for your support,
Dogwood Rebekah Lodge

**ODD FELLOWS SIERRA RECREATION ASSOCIATION
BOARD OF DIRECTORS REGULAR MONTHLY MEETING
August 18, 2012**

MINUTES

The meeting was called to order at 8:58 AM by President Wallis. Board members present: Adams, Barrett, Cloak, Hawke, Ordwein, McDougall, Velayas, and Wallis. Director Peter excused.

Invocation: Given by Director Hawke

Homeowners and others present: Mark Higgins, Mike VanGundy, Joyce Aston, Michael and Susie Lechner, Wanda Lengardt, Tom and Daylene Guidice, Chris Kiriakou, Roger Townsend.

Joyce expressed some concerns regarding environmental issues such as invasive species and a problem she's having with her contact information. Please alert the Park if you are not receiving your communications at the desired location or via the desired channel. The Park email is ofsra-parkmgt@sierrapark.org

Michael Lechner has more to share about the CSD.

Roger is confused about how the Park is run and would like to see the culvert ditch in front of his house cleaned out.

Correspondence: Secretary Velayas reported the receipt of several proxies and emails. Proxies will all be kept together until the special meeting and distributed at the meeting.

Emails were received from:

Don DiAndrea regarding a change in property ownership.

Colleen Burgess with a question regarding the mailing address for the lots owned by Karen Jewell.

Michael Lechner describing an email list the ad-hoc committee has compiled.

Coleen Burgess describing the transfer of ownership of 25534 Wheeler Road from Kathryn Morris to Rene LaForge.

Tom Gribbin with questions regarding lot mergers.

Terese Roth who needed the payment information for her lot.

Claire Bradshaw with questions about what was meant by "by hand vote" with regards to the 2012-2013 assessment. "By hand vote" meant that ballots were counted by hand. Absentee ballots were included in the ballots counted, as were proxies and ballots held up by attendees at the meeting. She expressed concern that only 106 ballots were counted, and the Board agrees that 106 is a low number of votes. The Board strongly urges all homeowners to attend or at least vote at the annual meetings.

Charles Varvayanis with an 18-page document containing an analysis of the formation of a CSD put together by Fred Coleman.

Minutes of Board Meeting of July 21, 2012: Director Hawke moved that the minutes be accepted as presented, Director Barrett seconded, and motion carried unanimously.

Director Reports:

Water-Hawke: Director Hawke reported there were no line breaks since the previous meeting on July 21st. He also requests that all lot owners keep their contact information updated so that any line breaks or problems can be reported quickly. Changes in contact information can be emailed to the Park at ofsra-parkmat@sierrapark.org, mailed to the Park at PO Box 116 Long Barn, CA 95335.

Buildings - Barrett: Director Barrett reported that repairs were made to the Caretaker cabin's siding and that repairs or replacement will be necessary for the outside stairs of the cabin. If repairs will meet code, repairs will be made; otherwise the stairs will be replaced. President Wallis reported that heating duct work was improperly installed in the cabin and will be repaired. Apparently, the heating duct work beneath the floor ended in a cardboard box. Also, the flooring was improperly installed, and the flooring nails were popping up and bloodying people's feet as they walked in the kitchen. Mark has ripped out the floor, and new flooring will be installed. Director Barrett reported that the Lodge was treated for termites. The Board will investigate obtaining a termite policy with Clark Pest Control. Contractor Jeff Wunder will provide another bid for the water diversion around the Lodge to prevent dry rot. Contractor Larry Buck has ideas on how to attach generators to the Lodge, Firehouse and Caretaker's cabin.

Roads-Adams: Simunaci will perform road work from September 10 thru 12th. If any homeowners would like work done to their driveways at the same time, Simunaci's contact information is (209) 532-8718.

Equipment-Peter: Director Peter reported that the new door has been installed on the backhoe. Chains are ready for the winter snowplowing (earlier than ever, so our first snowfall won't see the caretaker scrambling but smoothly chaining up and plowing our roads). A suggestion was made that a hoist be installed to move the sander on and off the truck. Right now, moving the sander takes 3-4 people to move.

Timber-Wallis: President Wallis reported that Will Durell has been contacted for a timber plan for 2013. Some fire prevention timbering will be done the end of October, utilizing grant funds.

Gate-Ordwein: Director Ordwein reported that he is still getting the gate records into an organized database. Income during July for the gate was approximately \$300.00. The gate is working well and is in good order.

Recreation-MacDougall: Director MacDougall is coordinating with Director Peter on the Oktoberfest party to occur the 6th of October. Director MacDougall would like to remind all homeowners that the dog park is used by many people; when your dog defecates, it is your responsibility to not only pick up the feces, but also to dispose of them in a responsible fashion by taking it to the dumpster. If you have an idea for a party or event, please submit it to the Park e-mail (ofsra-parkmgt@sierrapark.org). Let's have some fun and get to know all our neighbors!

Health and Safety-Adams: Director Adams reported that all fire extinguishers have been tested and re-charged as needed. A dead tree that was threatening a home was removed on Jordan West. All lake water tests show that the lake water is safe for swimming and playing. Director Adams would also like to remind homeowners to post their house numbers on their homes or on a post on the lot so that the fire department or other emergency personnel can find your house quickly. The Community Services Office in the Junction Shopping Center in Sonora can provide the green reflective signs for \$10 to \$25 depending on size.

LEGAL ACTIONS

SUPERIOR COURT

PLAINTIFF: Odd Fellows Sierra Recreation Association, a California Corporation

DEFENDANTS: Odd Fellows Sierra Homeowner's Association, a California Non-Profit Corporation;
and Does 1 through 500, inclusive.

COMPLAINT FOR: 1) Breach of Contract; 2) Breach of the Covenant of Good Faith and Fair Dealing;
3) Common Counts - Account Stated; 4) Declaratory Relief.

DISPOSITION: \$213,770.00 judgement plus court costs and legal fees in favor of Odd Fellows Sierra Recreation Assoc.

SMALL CLAIMS COURT

PLAINTIFFS: Charles Varvayanis and Patricia T. Jones

DEFENDANTS: Odd Fellows Sierra Recreation Association, Inc.

COMPLAINTS: Sc18553 - Claims Defendant owes them \$8,860.00

Plaintiffs claim OFSRA fraudulently billed and collected assessments, special assessments and late fees for two parcels that did not exist.

Defendant requested dismissal for Lack of Jurisdiction and Plaintiffs are suing the wrong party.

Disposition: Court allowed time for Plaintiff to amend complaint to include Odd Fellows Sierra Homeowners Association, Inc. as a defendant

Trail date: September 13, 2012.

SC18563 - Claims defendant owes \$2,048.00

Plaintiffs claim \$2,048.00 is owed to adjust their account because OFSRA has charged annual assessments and late fees for two parcels that do not exist.

Defendant requested dismissal for Lack of Jurisdiction

Disposition: Court dismissed suit.

Sc18586 - Claims defendant owes 9 devices or \$270.00.

Plaintiffs claim OFSRA changed its' gate policies and procedures forcing the deactivation of their gate devices and a reduction in value in their property. They are accustomed to the previous number of devices and desire the devices over the money.

Defendant believes 33 gate opening devices far exceeds what is necessary for a property owner. Mr. Varvayanis owns four original subdivided lots, thus 24 opening devices are automatically allowed. Reimbursement for any of the 9 opening devices disconnected should be commensurate with proof of payment (receipts) for the number of disconnected openers.

Disposition: Trial Date - August 23, 2012

PUBLIC UTILITIES COMMISSION

PLANTIFFS: 1) Odd Fellows Sierra Homeowner's Association; 2) Fred Coleman, Ruth Dargitz, Steve Wallace and Larry Vaughn

DEFENDANT: Odd Fellows Sierra Recreation Association, Inc.

COMPLAINT: Odd Fellows Homeowner's Association ("OFSHA") is a non-profit mutual benefit corporation whose Directors are democratically elected by owners of all 281 lots within the Odd Fellows Sierra Park. The water for all the lot owners is supplied by Odd Fellows Sierra Recreation Association ("OFSRA"). The water system is required to be regulated by the CPUC under California Public Utility Code 2701 and 2702, but is not. OFSRA consists only of Odd Fellows and Rebekahs; OFSRA provides no financial transparency concerning costs it incurs in providing water to lot owners.

DISPOSITION: Verified answer filed - Motion for a Stay - Pre-hearing conference is scheduled for September 11, 2012.

Finance - Ordwein: Director Ordwein presented bills in the amount of \$30,968.51 + some small incidentals included after the tallying had been done. Director Hawke moved that the bills be paid. Director Barrett seconded. Motion carried. Director Hawke reported that approximately 70% of all assessments had been paid. Any assessments unpaid by September 1, will be subject to the collection process, including monthly late payment fees., legal action, and/or interruption of services. The Board sincerely hopes none of these actions will be necessary. Payments should be made to OFSRA and mailed to:

**14570 Mono Way, Suite G
Sonora, CA 95370**

Reserves are slowly being built back up after being depleted last year. Some money from the timber fund will be moved into the general fund to pay for Cedarbrook expenses.

OLD BUSINESS: President Wallis consulted with the Park's attorney regarding a prior Board's decision to deny Mr. and Mrs. Wallin's request for repairs to a hand rail associated with a parking pad installed on Park property. The attorney's opinion was that no approval had been given by the Park to build the pad and handrails, denial was correct.

NEW BUSINESS: President Wallis requested and moved that a shareholders meeting be called for September 23rd. The Shareholders meeting is being called to discuss the transfer of assets to a CSD (Community Services District), and to vote on the transfer when the CSD is formed. The meeting will be at 9:00am in the Recreation Hall. **ALL** homeowners are invited to attend. Director Velayas seconded, and the motion passed unanimously.

Currently, a CSD appears to be the best option for the future of the Park. Please contact Michael Lechner at tmlechner@earthlink.net for more information or to volunteer.

The Board was served with an amended Small Claim by Charles Varvayanis.

Executive session was entered at 11:35am and moved to a director's home to escape the heat.

Executive session ended at 12:43pm with no decisions being made.

There being no further business, President Wallis adjourned the meeting at 12:43pm.

Claire Velayas, Secretary

**Odd Fellows Sierra Recreation Assoc.
P. O. Box 116
Long Barn, CA 95335**

ODD FELLOWS SIERRA RECREATION
ASSOCIATION, INC
BUDGET REPORT
PERIOD ENDED JULY 31, 2012

<u>REVENUE</u>	<u>TWO MONTHS ENDED 07/31/12</u>	<u>2012-2013 BUDGET</u>	<u>VARIANCE</u>	<u>% OF BUDGET EXPENDED*</u>
MAINTENANCE INCOME	\$ 192,353	\$ 372,736	\$ (180,383)	51.61%
PROPERTY RENTAL(CARETAKER'S CABIN)	1,077	6,900	(5,823)	15.61%
GATE INCOME	1,595			
RECREATION INCOME	817	-	817	
FISH DONATIONS	1,048			
TRANSFER FEES	100			
INTEREST INCOME	24	-	24	
TIMBER INTEREST	3	-	3	
UNREALIZED GAIN/(LOSS) ON INVESTMENTS		-	-	
MISCELLANEOUS	20,768		20,768	
TOTAL REVENUE	217,785	379,636	(164,594)	
 <u>OPERATING EXPENSES</u>				
ACCOUNTING SERVICE	5,503	18,000	(12,497)	30.57%
BANK CHARGES	33	50	(17)	66.00%
CAMP CEDARBROOK LAND	* 4,109		4,109	
CREDIT CARD FEES	396		396	
CONTIGENCY		3,100	(3,100)	0.00%
EMPLOYEE BENEFITS/HEALTH INS REIM	1,298	12,000	(10,702)	10.82%
EQUIPMENT RENTAL	1,005		1,005	
EQUIPMENT RESERVES		2,000	(2,000)	0.00%
FISH DERBY	2,072	2,800	(728)	74.00%
FRANCHISE TAX		800	(800)	0.00%
FUEL		9,000	(9,000)	0.00%
GARBAGE	2,585	14,000	(11,415)	18.46%
GATE EXPENSE	639	3,873	(3,234)	16.50%
HEALTH AND SAFETY	553	4,000	(3,447)	13.83%
INSURANCE - GENERAL		17,000	(17,000)	0.00%
MAINTAIN BUILDING	307	11,000	(10,693)	2.79%
MAINTAIN BUILDING - CEDARBROOK	* 10,625		10,625	
MAINTAIN EQUIPMENT	278	15,000	(14,722)	1.85%
MAINTAIN LAKE		9,000	(9,000)	0.00%
MAINTAIN ROADS		35,000	(35,000)	0.00%
MAINTAIN WATER		8,000	(8,000)	0.00%
MAINTENANCE GENERAL	1,109	25,000	(23,891)	4.44%
MEMBER COMMUNICATION	983	4,500	(3,517)	21.84%
NEEDLE EXPENSE		10,000	(10,000)	0.00%
OFFICE EXPENSE - INCLUDES CLERICAL	90	1,500	(1,410)	6.00%
PAYROLL - LABOR	12,604	70,000	(57,396)	18.01%
PERMITS AND FEES		2,500	(2,500)	0.00%
PROFESSIONAL SERVICE - LEGAL		30,000	(30,000)	0.00%
PROFESSIONAL SERVICE - CONSULTING	5,438	25,000	(19,562)	21.75%
RECREATION	5,360	1,000	4,360	536.00%
ROAD RESERVES		2,000	(2,000)	0.00%
SUPPLIES SHOP	337	1,500	(1,163)	22.47%
SUPPLIES RECREATION HALL		100	(100)	0.00%
TAXES - PAYROLL	1,169	7,000	(5,831)	16.70%
TAXES - PROPERTY		3,300	(3,300)	0.00%
TAXES - PROPERTY CEDARBROOK	*	3,800	(3,800)	0.00%
TAXES AND LICENSE		1,500	(1,500)	0.00%
TELEPHONE	367	1,200	(833)	30.58%
TIMBER EXPENSE	**		-	
UTILITIES	1,295	14,000	(12,705)	9.25%
UTILITIES - CEDERBROOK	*		-	
WATER RESERVES		3,113	(3,113)	0.00%
WATER TESTING	495	8,000	(7,505)	6.19%
TOTAL EXPENSES BEFORE DEPRECIATION	58,650	379,636	(320,986)	

ODD FELLOWS SIERRA RECREATION
ASSOCIATION, INC
BUDGET REPORT
PERIOD ENDED JULY 31, 2012

	<u>TWO MONTHS ENDED 07/31/12</u>	<u>2012-2013 BUDGET</u>	<u>VARIANCE</u>	<u>% OF BUDGET EXPENDED*</u>
DEPRECIATION	5,522			
TOTAL EXPENSES	<u>64,172</u>			
NET INCOME FROM OPERATIONS	<u>153,613</u>			
ADD BACK CEDARBROOK EXPENSES	* 14,734			
ADD BACK TIMBER EXPENSES	**			
TOTAL INCOME FOR RESERVE FUNDS	<u>\$ 168,347</u>			

BANK ACCOUNT BALANCES

GENERAL ACCT	\$14,331
MONEY MARKET	127,445
TIMBER RESERVE	166,496
ROAD RESERVE	10,960
EQUIPMENT RESERVE	11,021
WATER RESERVE	11,086
MONEY MARKET - LAND	9,763

*Attributed to Cedarbrook expenses.
(Monies to offset Cedarbrook expenses will be transferred from the Timber/Land purchase accounts.)

** Monies to offset timber expenses will be transferred from the Timber account.

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