

Yosemite Lakes Owners Association

Open Board Meeting Minutes

June 4, 2024, at 6:30 pm

Via teleconference and at the clubhouse

Cheryl Bluhm, President
Kathy Miller, Vice President
Beate Olivas, Treasurer
Pam McDaniel, Secretary
Rose Mackey, Director
Randall Sacks, Director
Kenneth Sartain, Director

Additional Attending: Jeremy Mayes, Executive Director & Beth Hatch, CAM, Tim Kroeker, Fish & Game

* = absent **MSC** = Motion, Second & Carried **MSF** = Motion, Second & Failed

1. **Establish Quorum/ Call to Order** at 6:34 p.m.
2. **MEMBER COMMENT:** Nine (9) members addressed the Board of Directors
3. **INVITED GUEST:** Chronic Wasting Disease Expert
 1. Guest Speaker Tim Kroeker from Fish & Game spoke to the membership about Chronic Wasting Disease (CWD), the most significant disease in deer in North America. They do not believe it is transmissible to other animals outside of the Cervidae family or humans (but they cannot say it is impossible). This disease is related to Mad Cow Disease. It takes about 18 months or less to incubate, and it will not appear sick for a while; as it progresses, the deer starts behaving differently. Warning signs are as follows: staggering, drooling, weight loss, and then dying (which can take a few years). During that time, they are a danger to the deer population. People SHOULD NOT be feeding deer, as it can spread CWD through saliva and other bodily fluids, and feeding large game is against the law in California. The deer population in the area is high due to human feeding and the abundance of food (vegetation/landscaping), leading to unusual density. Members can contact the Customer Service & Support office if they suspect local deer may be infected, and management will contact Fish & Game for further guidance. Fish & Game can take a sample to determine the prevalence rate in our community.
4. **PRESIDENT'S COMMENTS:**
 1. Director/President Bluhm addresses the July meeting, a Members' Meeting that will entail the election and election results. Today's meeting will be the current board's final board meeting (if approved by the Board later in the meeting). She has enjoyed working with the last two boards. They were very progressive in getting things done and working together. They have had very challenging times; they've spent much time together as board members and many emails and interactions. She appreciates each board member, whether she agrees with everything they do or does not say anything. She respects each of them for their point of view, what they've

brought to this board, their approach, and who they are. She looks forward to moving forward and that whatever board is elected, we can also have that forward momentum happen as well. She thanks the community and board members who supported the Marsh family after their tragic loss.

5. **Director/President Bluhm motions to add Director’s Comments to the agenda. Director/Secretary McDaniel 2nds. MSC 7-0**

1. **Director Sacks** thanks the community and expresses that serving has been a pleasure despite disagreements. It has always been an honor to serve this community and be a part of this board. **Director Sartain** comments it has been six years, and it has been a roller coaster that has stretched him, and he has met incredibly intelligent people. It taught him a lot about human nature. It has made him a better person. He thanks everyone for their support. **Director Mackey** remarks that this has been her first year serving as a director, and she has tried hard to speak out for many homeowners to feel comfortable and do what is best for the community. **Director/Secretary McDaniel** states that they had a lot of great discussions and laughs and put in an enormous number of hours. Expresses the directors all have put in enormous amounts of research when it came to picking a management company. They did numerous interviews to see what could be offered. Thanks everyone and appreciates her time serving on the board. **Director/Vice President Miller** wants to thank her fellow board members and is thankful for those running for the board, voting according to their conscience and thinking for themselves. **Director/Treasurer Olivas** states this year will be a great improvement because we have GrandManors, and the financials will be in order. We will see significant enhancements; financials are on Ciranet.

6. **APPROVAL OF MINUTES**

1. April 27, 2024 & May 7, 2024, Director/President Bluhm moves to approve the April 27 and May 7 minutes. **Director/Treasurer Olivas 2nds. MSC 7-0**

7. **DEPARTMENT MANAGER’S REPORTS**

1. They are attached below. Please note: Director/President Bluhm asks Executive Director Mayes how the golf course can make money. Consider raising the green fees and estimating what similar courses charge? Executive Director Mayes plans to dive deeply into golf and restaurants in August. He also plans to have the Fairway scope ready for board review next week. Director/President Bluhm asked how much the Blue Heron is making on private events. Executive Director Mayes said he will add a Banquet & Touch Bistro Sales report to the board monthly.

8. **MANAGEMENT REPORT**

1. Attached below. Please note: Premier Valley Bank monies need to be added to Ciranet.

9. **TREASURER REPORT/FINANCIAL REPORT**

1. **April Financials**

Revenue \$33,807	Expenses \$50,000	Actual Profit \$129,000	Interest
Income \$1,607	Reserve Account Interest \$7,869	Total Interest Income \$9,400	

Golf’s income exceeded the budget by \$827, and expenses were over the budget by \$3,626, ending with a negative of \$2,799. The bill for landscaping was not recognized during that period. The bill is \$17,900, which will be reflected in the next month's financials. The Fairway Café income was under

budget by \$1,449, leaving us with a negative \$2,692. Blue Heron's revenue exceeded \$1,900, and the expenses of \$6,965 were less than the budget due to invoices for JD Foods not being reflected in the April financials for Blue Heron only. The overhead is \$8,865. The BH did not make a profit but beat the budget by \$9,000.

The interest rate at Mechanic's Bank on the intrafi account was 4.75 percent, which is reflected in the statement as 4 percent. Executive Director Mayes is contacting the bank manager to determine why it dropped.

All committees will have their own bank accounts to manage and reconcile each month.

The Mechanics Bank savings account balance ending in 138 is \$2,020,260.62, and the balance ending in 670 is \$123,546.48. We have accumulated \$26,611.05 in total interest. Total assets between reserve and operating are \$4.85 million.

Collections: 34 actions for judicial foreclosures

1.25 million outstanding

66 CAN Plans, 10 defaulted and sent to Fiore

76 total properties in collections

The board of directors asks why Fiore has yet to send the remaining money that has been collected. Executive Director Mayes explains that Erin from Fiore has requested to meet with the BOD. The BOD has already met with them regarding this, and the BOD has already decided that Fiore is to send YLOA the collected funds.

Director/President Bluhm requests that ECC fines and projects/plans be itemized. This was a motion that passed several months ago. Line items for Events/Banquets are also being requested.

10. PREVIOUS BUSINESS

1. Recension of YSPUC Full Disclosure Motion

This agenda item was previously tabled. Director/President Bluhm had a conversation again with legal counsel, and legal counsel said it was an illegal motion, so it is a moot point. It does not need to be rescinded because it was an invalid motion. Director Sartain would like to comment that he went through the minutes, and from October 2022, he believes this same subject was discussed with Fiore, and they gave us the opposite decision. Director Sartain would like to speak to Julie about this because there seems to be conflicting information. It was in an executive session, and Director Sartain thinks it should be discussed outside of an open session. Director/President Bluhm requested that Director Sartain put it in an email to legal, and then it can be discussed further in an executive session, and he agreed.

11. NEW BUSINESS

1. Document Requests Motion

- a. **Director/Vice President Miller motions** *Whereas members of the association have a legal right to inspect and receive copies of some association records, Whereas the association and its managing agent(s) may be involved in civil litigation with a loss of association funds and time for every Davis-Stirling violation, Therefore, she moves that the association and its managing agent(s) grant all members access to inspect and*

receive all documents as outlined in the Davis Stirling Act within the timeframes indicated by those laws.

Director/Vice President Miller understands it is redundant to the law. However, there has been a discussion with the board, but she cannot state anything further. Her feeling is that it should never be optional. She asks for a second so that discussion can occur. Director Sartain seconded the motion so that discussion could occur.

Director/Secretary McDaniel states that we must clarify why this motion is needed when it is the law. Director Sacks comments that he does not favor motions we are already legally bound to follow. The motion does not mean anything.

Director/President Bluhm comments that there is an IDR process, and processes are in play when there are homeowner concerns. Director Sartain cannot support a motion that is already law. **Director/Vice President Miller withdraws her motion.** Director Mackey comments that she appreciates Director/Vice President Miller putting this information together with supporting documentation. The board appreciates those specific civil codes. Director Sacks also makes one last comment on the subject. This might be addressed by simply revising the request for documents and explaining the procedure if the board doesn't think it is being followed. Director/President Bluhm explains that it is already on the request for documents, including the civil codes. Directors discussed that minutes that have yet to be approved by the board can still be requested, and a draft of the minutes or notes will be provided. All minutes are available on Ciranet (Resident Portal) and the yosemitelakespark.org website.

2. Board Notification Motion

- a. **Director/Vice President Miller motions** *Whereas the Board of Directors has a right, and duty to be knowledgeable of all matters that affect the health of the organization, Whereas civil litigation could have a deleterious effect on the financial health of Yosemite Lakes Owners Association, Board of Directors, Whereas recently there have been recent civil actions that the Board has had little to no notification of, Therefore, Director/Vice President Miller moves that the YLOA Board of Directors be notified of all filed civil litigation as soon as any managing agent, Board member, or association attorney becomes aware.* **Director Sartain 2nds. Discussion.** A notification would go to the CTE corporation system (served), and GrandManors and Executive Director Mayes would notify the Board of Directors and the association attorney. Director Sartain requested Executive Director Mayes to prepare status updates on items like this. **MSC 7-0.**

3. Tennis Court

- a. The board has two bids for tennis court replacement on the table. There are two different options for bid one. The Executive Director Mayes recommends option two. If you do option one, the asphalt option, you'll see cracks and have to replace everything in about 2-5 years. If you go with the concrete option, you'll get at least 10 useful life years before you start to see cracking or anything like that in the court. Both bids include removing the current asphalt. Management spoke with the engineering

group about drainage. We have been asked to mark the hill's western edge of the leach field. They will try to run pipes outside the leach field, which is the plan. The main water line underneath the tennis courts will be rerouted, and a French drain will be at the base to handle all the water that comes down. YLOA and YSPUC will coordinate their work together.

4. Tennis Court Fence Placement

- a. Management has called around 15 different companies, and the proposals on the table are the only ones willing to write a proposal. The association's assets that can be put on access control should be.

12. LIEN RESOLUTIONS Motioned by Treasurer Olivas

- 1. *The assessments charged against the properties identified below are more than 60 days delinquent. The board of directors hereby authorizes Fiore, Racobs & Powers to record a lien on behalf of the Association against one property. PARCEL NO 093-050-010. Director/President 2nds. MSC 7-0.*
- 2. *In the executive session meeting, which took place on June 4, 2024, the board of directors authorized its attorneys to initiate an action for judicial foreclosure of the Association's lien against the following properties: 093-310-019, 093-310-018, 092-080-008, 092-010-009, 093-370-010, 093-320-015, 093-520-006, 092-270-010*

13. COMMITTEE REPORTS

- 1. Attached to the end of the minutes.

14. NEXT BOARD MEETING

- 1. *Director/President Bluhm moves* to not have an open board meeting in July. *Director/Treasurer Olivas 2nds. MSC 7-0.* Members Meeting is on July 13th at 10:00 a.m.; if the quorum still needs to be met, it will be held on July 20th at 2:00 p.m.

15. PRIOR EXECUTIVE MEETING

- 1. 6/4/2024 (liens & personnel)

16. ADJOURNMENT TO EXECUTIVE SESSION at 9:31 p.m.



Steve Brannon (Sep 11, 2024 11:27 PDT)

09/11/2024

Board Member Signature

Date






YOSLAKES - 2024-06-04 DRAFT Board Meeting Minutes

Final Audit Report

2024-09-11

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