



Yosemite West Property & Homeowners, Inc.

YWPHI Board of Directors' Meeting April 14, 2020

The meeting was called to order by President Ted Williams at 7:04pm.

Directors Present: Katrin Kuttner, Gary Mazzone, Sergio Pellegrino, Scott Renfro, Mike Stepien, Ted Williams

Officers Present: Pamela Schulz

Directors Absent: Bert Kroon

I. Minutes

No minutes were read or approved.

II. New Business

1) Property Owner Access to Yosemite West During COVID-19

Rangers are trying to refine the wording of the rules to be clearer. Any owner is allowed admission, with immediate family (e.g., kids), but no friends, short-term rentals, etc. Ted visited and when you can show paperwork that shows you own the property, you can access (resident sticker on vehicle isn't enough; need deed, property tax, or something else with your name and address in Yosemite West). Additionally, contractors are allowed both for projects with a building project or for other necessary maintenance (e.g., plumber, electrician, pest control). The contractor needs documented permission from the owner with the purpose of the visit. As of yesterday, trails are not closed, but there's no parking at trailheads and everyone is strongly encouraged to stay near their house – it's important to not participate in risky activities that might lead to a need for assistance or rescue. The village grocery store and Wawona store are open, but strictly limit the number of people in the store, etc.

2) Yosemite COVID-19 Community Calls

The Monday/Wednesday/Friday 2pm community update calls have good information, which is often summarized on <https://www.yoscommunity.com/>. Early indications are that the park doesn't expect this summer to be normal even if some access restrictions are lifted in time for summer.

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3) Status of upcoming YWPHI events

Memorial Day picnic is cancelled. Chipping is in question depending on whether the park opens early enough for people to get to their property and build piles of material to be chipped. Assuming that chipping happens, people who have piles need to email grants@yosemitewest.org to be put on the list.

We need to check whether there is a specific deadline for pine-needle clearing imposed by the Fire chief that would be a constraint on the chipping rescheduling. Burn-piles generally not allowed after May 1.

Motion: Approve YWPHI funding up to \$1000 for the 5/26/2020 community chipping program open to all YW property owners.

Motion passed (unanimous by 5 votes cast).

Current plan is that 5/26/2020 chipping will proceed. Ted will send email reminders.

4) Status of YWDAC Meetings

The March 12 YWDAC meeting was cancelled a couple of hours before the meeting without prior warning. Since then, we have been trying to get a replacement teleconference meeting – either unofficially or officially (as allowed by the now relaxed Brown Act rules). Have talked to Rosemarie Smallcombe who said she is trying to schedule a meeting. Several topics relevant to YWDAC have not received updates.

5) Status of potential Yosemite West Water System Expansion

Due to the cancellation of the YWDAC 3/12/2020 meeting and lack of updates from the county, we do not know the exact status. The expected completion of the Provost & Prichard analysis of water system capacity and ability to support Nature Bridge was planned by end of March, but it's apparently incomplete due to COVID-19 quarantine. Previous rounds of water demand analysis were done haphazardly and took input from Nature Bridge at face value without verification. We hope this analysis will be done in a more rigorous way. There should be community review by YWDAC. What we want to avoid is not disclosing the engineering report for months as has happened previously for the Prop 218 process where the Engineer's report was withheld. Supervisor Smallcombe indicated that this shouldn't happen this time. It's possible that the county could move to extend water service to Nature Bridge, and it seems like the county might be considering timeframes that don't allow for proper dry season testing of well capacity.

Supervisor Smallcombe states that the attorneys have sketched a process of defining a new zone-of-benefit for the Nature Bridge NESC. The County could then sign an agreement with the NPS, and its unclear whether there would be any other parties with standing to the agreement.

We don't know the status of other water issue questions that might have been discussed if there were a March meeting. Don't know if YC has started drilling their well again, after winter pause. It's not possible to tell if the water supply is independent, since the wells are only 1000 feet apart and likely draw from the same underground aquifer. If the total capacity doesn't increase much, then the new well still doesn't solve the problem of lack of water capacity.

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Supervisor Smallcombe has stated that the county will likely mail a letter to all Yosemite West and adjacent property owners to alert them of the discussion of expanding the water district. There's a risk that this reads like an invitation to all other area property owners to share the existing, limited Yosemite West water system capacity.

6) California State Water Board Discussions

Very disappointed that at the September meeting the CA water board representative was ill-prepared and subsequently left the water board. Ted spent a couple of hours at the State Water Board office in Fresno on February 14th. They didn't seem to be aware of the issues in Yosemite West. Ted shared some of the challenges. e.g., do YW lot owners get counted as current customers for capacity planning. Our situation is somewhat different than typical water districts because we have only a fixed number of lots where owners are already paying standby fees and have been for years. Unfortunately, the water board people seem not aligned themselves. Supervisor Smallcombe understands the concern but wants to stay hands off and let Provost & Pritchard do their analysis. For anyone who has a lot and wants to ensure they don't get excluded later from water service later, there is the possibility they should consider connecting now, switching from standby to connected by paying the connection fee and paying the monthly baseline fee. Supervisor Smallcombe has claimed that backchannel discussions between the county and the water board attorney are not yet happening.

Aren't we supposed to have two wells? Yes, a condition of our 2012 water permit was to have a plan for a second well. There was a one-page letter from Director of Public Works Peter Rei that had no details. This didn't meet the water board requirements. The county has historically claimed to not have funds to drill a second well, though the rate increase has excluded this justification. If the YC well did hit a different aquifer that didn't limit capacity of the current well, then this could provide a second source, but it's unclear how likely that outcome is.

7) YWMD Fund Accumulation

The new, increased YWMD rates result in about \$32686/month accumulating in the Fund 322 account. According to the county auditor, as of the end of February, the balance available in Fund 322 was approximately \$450,416. This is available to the county to spend on capital improvements that are currently not being made. We'd like to ensure these funds do not get lost. We found some ways in which the funds had been misspent that have since been corrected. See http://yosemitewest.org/Fund322_analysis_20200312.pdf for details.

8) Recovery of Colantuono expenses

One example concerning YWMD expenditures was the county paying attorney's fees to defend the county in the Kroon lawsuit despite the board of supervisors previously ordering that these funds come from the county liability protection fund, not the YWMD funds. In response to YWPHI questions about this expenditure, the county agreed to replace approximately \$57,860 in current fiscal year attorney's fees' expenditures to Fund 322. There remains an additional \$26,030 spent for the same purpose from the FY18-19 fiscal year that has not been replaced. It's unclear whether the county will also replace these misspent funds.

9) Tree Clearing Potentially Billed to YWMD

It also appears that the county may be using or planning to use funds from YWMD Fund 322 to clear trees along the well access road. Unfortunately, the county is using a bid that is about three times higher than what we've seen as typical bids for that work elsewhere in Yosemite West. To some degree, this relates to the Yosemite West well, but it's also strange that YC is not contributing to this cost despite actively and repeatedly using this road to drill their well. This topic was on the schedule for the March YWDAC meeting, which did not happen.

10) Kroon lawsuit

Following an in-person meeting with the judge in late-Jan/early-Feb, there was a meeting scheduled for April 10. This meeting did not happen due to the COVID-19 quarantine. A follow-up hearing by CourtCall is scheduled for April 17. It's unclear if the judge will hold this call with the attorneys given the quarantine.

11) Membership and Treasurer's Report

Pamela shared that we have 100 paid members. Treasurer is working on taxes, which have to be done by 6/28/2020, which is 4 months of end of fiscal year, which was February 29.

Draft fiscal year income is \$5450. Current checking+savings balance is about \$17,000.

Directors & Officers insurance is in place, which costs \$589 annually for \$1M liability coverage.

12) Update on mail shed solar light

Bert was planning on installing a solar light in the mailshed, but it's likely that the quarantine has interfered with getting this done.

Action Item: Bert is authorized to purchase and install solar lighting, up to about \$250 in cost. If costs are expected to be higher, please alert Treasurer/President before proceeding.

13) Status of wastewater treatment plant leach field

Currently have a 60,000 gallon per day cap on the plant due to leach field capacity. County has been in negotiation to increase capacity by acquiring rights to a downhill piece of land. However, recently the county has been negotiating an agreement with the owner, including a closed session on April 7. Supervisor Smallcombe can only confirm that negotiation continues. Securing this additional leachfield could allow increasing water system capacity by increasing wastewater treatment capacity.

14) Mariposa Board of Supervisors' Meetings

It's now possible to listen to the BoS meetings and make public comments by phone as a result of relaxed Brown Act rules. More information can be found at

<https://goldrushcam.com/sierrasuntimes/index.php/news/local-news/22788-with-no-public-participation-allowed-due-to-governor-s-shelter-in-place-order-mariposa-county-releases-ways-on-how-you-can-comment-on-mariposa-county-board-of-supervisors-meeting-items>.

15) Paper mailing

We should plan on a full paper mailing in July or August. This is critical for communicating with owners who do not have email addresses. Gary has agreed to do the actual mailing. We need to get the updated public mailing list from ParcelQuest and build out the right content for the mailing, which Pamela will tentatively do. Ted is working on an early draft about the history of property use changes in Yosemite West.

16) Fire truck or volunteer opportunities

Sergio will research this topic more to see if there's anything that can be done to assist the fire safety of the community. There is an old fire truck that Bert acquired that is currently parked on Henness Ridge Drive, and at one time Bert investigated trying to gather/train some members of a volunteer fire force. Though that effort got discouraged, we should re-initiate conversation with CalFire about what is possible. We should compare costs for making Bert's truck serviceable or instead getting some other used fire-truck from CalFire. It would be great to have a proposal, such as a way Yosemite West could have a community fire truck and people who are authorized to use it.

Action Item: Sergio to investigate with CalFire, and make proposal for a community fire-truck

TREASURER'S REPORT--April 15, 2020

Note: these numbers are UNOFFICIAL until Treasurer finishes auditing and verifying all totals.

YWPHI Current members: 100

Current (membership year 2019-2020) YWPHI Income from members' dues: \$5000.00

Fiscal Year 03/01/2019--02/28/2019 Income from dues: \$5450.00

Wells Fargo accounts:

Available Balance in Savings: \$5,588.49

Checking: \$11,459.01

Additional comments:

A Non-Profit Directors and Officers Liability Coverage insurance policy has been purchased from U.S. Liability Insurance Co. of Pennsylvania for the Directors and Officers of YWPHI.

Coverage is \$1M each claim and the total cost is \$639.00 annually including the \$50 broker's fee.

Coverage commenced on 02/21/2020.

The meeting adjourned at 9:05 p.m.

Respectfully submitted by

Scott Renfro

[edits by Ted Williams]

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