

August 25,2020

Minutes of a meeting of the Calle Feliberto Road Maintenance Committee  
Zoom call hosted by Steve Haskin

Attendees:

Bill Bridgers  
Doug Bridgers  
Doug Daubert  
Steve Haskin  
Roland Jacobs  
Carrie Kahn  
Dion Smith  
Rhonda Vanderhoff

The meeting was called to order at 5:30pm.

No minutes of the last meeting, June 11, 2020, were approved so are attached here for your review and approval. They will then be posted on the website (CalleFeliberto.org) currently maintained by Steve Haskin.

There was no financial report since Lee did not participate in the meeting.

The resignation of Lee Boothby as Secretary/Treasurer was accepted and Bill Bridgers was nominated and approved to assume the position of Treasurer and Director. Since Lee Boothby is no longer on the Board, it was agreed that Bill Bridgers as treasurer and Roland Jacobs, as President would assume the financial responsibilities and would replace Lee Boothby on the bank account documents.

The first order of business was a discussion of the existing gate at the North end of Calle Feliberto. At issue is the maintenance of the gate.

The gate was installed in 2010 and paid for with a \$4,660 contribution from Steve Haskin and Ron Soskin to protect the end of the road from home theft and trespassers trying to get to the Manby Hot Springs.

Steve Haskin was successful in having Google and Apple Maps and the Country Hot Spring app remove the route to the Hot Springs from their systems. There may still be an issue with Mapquest and no mention was made of Wayz, and tourist traffic to the Springs has declined, but locals still may be accessing the road. Doug Daubert queries anyone he sees on the road. Karen Soskin suggested changing the gate code which might cut down on this traffic. Recommendations and a list of those to be notified will be a discussion item on next meeting's agenda.

This led to a long discussion of gate maintenance.

In two instances, damage to the gate was caused by contractors and each paid promptly to repair the damage. In addition, Maya Builders helped with maintenance

and repairs at no charge to the organization. Over the years there has been damage done by unidentified parties.

Recently there was \$1,000 worth of damage to the gate. The party that caused the damage is not known. Who should pay for the gate repair has been a matter of discussion. Upkeep of the gate is not included in the Bylaws and there is no formal Road Maintenance Agreement within the bylaws that anyone is aware of therefore since not all property owners north of the gate were party to the decision to install a gate and historically have not been asked to underwrite the costs of its repair several issues regarding who is now responsible need to be clarified.

In addition, the Bylaws themselves require amendment:

Article IV states that "Lot Owners who have signed the "Road Construction and Maintenance, Electrical Extension and Fire Protection Construction Agreement" are Members of the corporation. Please note:

- 1) No such agreement exists
- 2) Fire protection was never implemented

In Article XIV, Section 1 it states that "Subsequent to the completion of the Calle Feliberto road construction, installation of utility lines and fire protection equipment and underground storage tanks, the Association shall have the right and power to subject property of its Members an annual maintenance fees and charges."

- 1) These Bylaws seem to have been established with the idea that subdivisions were going to happen and that the developers would pay for many of these substantial charges. There is still no fire protection so it sounds like we currently have no authority without removal of this clause from the Bylaws.

There ensued a discussion of a budget for the coming year. Bill Bridgers will review existing financial material and with Rhonda Vanderhoff and Roland Jacobs, craft a budget for approval at the next meeting. The Project Management Committee (name specified in the Bylaws) and led by Dion Smith, with input from Doug Bridgers, Doug Daubert, Roland Jacobs, and Jim Wilkins, will provide Bill with anticipated costs for the next several years. Cost of a gate and its maintenance should be included if possible.

Carrie Kahn volunteered to draft a Road Maintenance Agreement with proposed conditions. This agreement will be reviewed by the board, amended, and then reviewed by an attorney. Carrie has spoken to Carol Neelley, a local real estate attorney, who sounds capable and experienced in these matters. Her fee is \$275/hour and if we do the legwork in advance I don't think it will take her too long.

At issue is not only the agreement per se, but whether we can legally continue to demand fees under some sort of Grandfather provision in light of the existing Bylaws.

The terms of the road maintenance agreement were discussed and the following elements were proposed:

1. Creation a tiered fee system based upon distance North from Rt 64
2. Owners should be charged a fee based on lots, whether built or undeveloped
3. Rental unit owners (VRBO, Air BnB) should pay a surcharge
4. The gate should be separate from the RMA
5. The gate should be included within the RMA with a surcharge to those North of the gate.
6. Refundable deposit should be made to RMA from contractors

It was suggested that the work of the Committees be done prior to the next meeting and reports made to the Board that can be voted on.

It was suggested that an updated membership list be drafted with emails and phone numbers, in addition to PO Box numbers or out of state mailing addresses so that communication with all members could be more easily achieved.

All committee discussions/documents should be shared with Roland so that he can keep track of progress and decide when to schedule the next Board Meeting.

Respectfully Submitted,

Carrie Kahn, Secretary  
August 26, 2020