

**Minutes of the 2/17/17 Regular Meeting of the Board of Directors
of the Mountain Valley Association**

Held at Old Towne Pizza, 20430 Brian Way, Tehachapi, CA 93561

Quorum met, meeting called to order 11:06 a.m. by President Vierra

1. Board members present: Jason Vierra, President; Joan Tyer, Sec/Treas; Audrey Johnston; Director.
Absent: Liz Kachmar, Vice President

2. Minutes: Motion by Vierra to adopt minutes of the 11/27/16 meeting as written. Tyer 2nd. Ayes: 3 - Nays: 0. Motion carried.

3. Discussion/Action Items

Old business:

3.a: Rescission forms for improperly filed liens against 22 lots prepared, notarized and sent for filing. Due process will be followed to re-file liens for the past due assessments.

3.b: Amount of \$15,000.00 bid for grading of the dirt roads by Cody Weldon termed 12/31/16. Should the new bid have an increase Tyer motioned to accept a bid up to \$20,000.00 as an additional \$5,000.00 had been earmarked for water if needed. Vierra 2nd. Ayes: 3 Nays: 0. Motion carried.

3.c: Hearing for suspension of voting rights for members who are in arrears with yearly assessments scheduled for Executive Session following the Regular Meeting of the the Board on Friday, 3/17/17 at 11:00 a.m. Location to be determined, Vierra to inquire about use of the community room at Tehachapi Police Department.

3.d: Vierra inquired into the cost of hiring The Management Trust to send out yearly assessments. It was determined not to be feasible. They will be hired only to manage the election of 2017 per motion carried at 11/27/16 regular meeting (3.e)

3.e: CCRs 5. Assessments and Maintenance Fund - a. Basic Assessment "On the 1st day of November each year...the owners of each of the parcels...shall pay to the Board to be held and disbursed as a fund to meet the authorized expenditures as provided herein...". Under the law CCRs must be adhered to as written. Vierra motioned to return to original due date of November 1st to be in compliance with the CCRs. Johnston 2nd, Ayes: 3 Nays: 0. Motion carried. The statements will go out in early October each year and the late fee will be assessed if payments are not postmarked by December 31st each year.

3.f: Motion by Vierra to adopt resolution to submit application to Eastern Kern Air Pollution Control District for \$48,867.12 grant (matching funds no longer required) to pave Stable Street 1800 linear feet up from Sunview. Johnston 2nd. Ayes: 3 Nays: 0. Motion carried. Included with application is the construction bid by Bowman Asphalt, Inc in the above amount and Resolution 2017-1. Bid by Bowman is for paving of 1800 Linear feet x 18' = 36,000 square feet with 3" of compacted asphalt.

New Business:

3.g Vandalized street sign at Fernhill and Horseshoe reported to KCSO. Replacement ordered. Discussion regarding action/removal to be taken for personal signs attached to the Association's street sign pole without permission tabled until advised by counsel.

3.h Damage to Lot 103 (upper driveway and retaining wall) due to failure of MVA to adequately maintain Stable Street drainage easements. Culvert pipe beneath Stable has been broken for several years. Run-off from two directions after heavy rains flow directly onto driveway of Lot 104. Possibility of grading a trench on the north side of Stable to divert water from that direction down Stable. Discussion regarding further action tabled.

3.i: An offer by a Sand Canyon resident to cut down dead trees in exchange for the wood has been made.

Tyer suggested the Board accept the offer as fire season will soon arrive. Vierra voiced concerns regarding liability and the possible need for a contract. Tyer argued that given where MVA is located that a release of liability signed by the gentleman would suffice and legal costs for a contract be avoided. Further discussion tabled until the next meeting when a release form will be presented for review.

3.j The hiring of a collection service was discussed due to the difficulty of collecting past due assessments by the Association. There has been no consistency in part because it is difficult to be responsible for dunning neighbors. Vierra motioned that ALS Collection services be employed. No upfront costs are incurred, they are paid from monies successfully collected. Tyer 2nd. Ayes: 3 Nays: 0. Motion carried.

3.k Complaint received regarding culvert and drainage on Morgan between Sunview and Appaloosa. Vierra conducted an inspection, determined that the culvert was not blocked on either side. It was noted that there were a lot of tire tracks in the area of the stream/culvert indicating person or persons driving off the road. Other culverts in Tract 3312 will also be inspected. Written request from member to have a culvert placed at the bottom of Paint Way along Sand Canyon road. No action can be taken until a Road Committee is again in place per the bylaws.

4. Reports: Treasurer reported approximately \$30K in checking and several assessments to be deposited; \$10K in reserve. No official road report as there is no Road Committee in place.

5. Community news/announcements: None

6. Future Agenda items: Outdated CCRs and Bylaws; 2017 Election, liability form review, contract with Welden Construction.

7. Next regular meeting: Friday, March 17, 2017

8. Adjournment: Meeting adjourned 11:55 to Executive Session. Executive session canceled.

Approved as written: Y N

Joan Tyer


Sec/Treas MVA