

# MOUNTAIN VALLEY ASSOCIATION

11408 Halter Drive  
Tehachapi, CA 93561  
(661) 750-9044

MVA 2019 Spring Newsletter

Dear Members:

Spring has sprung and the Canyon has been so pretty with lots of wildflowers and thousands of Painted Ladies migrating through this year. The face of Sugarloaf is covered with poppies. Summer and all that it brings is just around the corner.



Though fire is a danger all year round, the worst time of the year for fires is coming fast. Please clear your properties of fire hazards. By now you should have received a courtesy notice from Kern County. The deadline for clearance is June 1, 2019 and the **minimum** fine for failure to comply is \$500.00

We recently lost two long time members – Jim Mahon, a familiar figure everyday at the mailboxes and John Grodewald. Both Jim and John had served on the Association board in prior years. They are missed, may they rest in peace.

If you have access to the internet; we urge you to visit the Association's website – [www.mymva.org](http://www.mymva.org). All agendas, minutes, new policies/procedures, rules/regulations are posted there for your review. There are also audio files of board meetings so you can listen to the actual meetings.

The pre-paid phone has been problematic – weather affects reception, minutes run out, calls get dropped. We are currently investigating other phone services that may work better. One issue will be that the current phone number is not transportable so we will likely have a new phone number soon. Our apologies to anyone who has had difficulty contacting us via phone. You can also reach the Association via email: [president@mymva.org](mailto:president@mymva.org), [secretary@mymva.org](mailto:secretary@mymva.org), [tresurer@mymva.org](mailto:tresurer@mymva.org).

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Though the election is still about four and a half months away we are asking for volunteers to consider running for the Board of Directors as three seats need to be filled. The Board voted to again hire The Management Trust to handle the election and serve as Inspector of Election as they have done a terrific job for us the past couple of years. Unfortunately, they advised us that they will not be able to provide us with service this year, so we now face the task of running the election ourselves. With all the legal requirements, we do not have adequate volunteers to perform all the required tasks and will be discussing the hiring of part-time staff at our next meeting. In addition to electing directors, the board will also be presenting revised bylaws for member approval. The revisions to the bylaws will remove proxy voting, which is seldom used anymore, change director's terms to 4 years from the current 2 years which will allow us to hold elections every- other year cutting the amount of work and cost associated with elections in half. In addition, the revisions will remove the current limit of 2 consecutive terms for the office of director. The current term limits make it difficult to fill open director seats and they prevent you from electing the most qualified and experienced person to the job. We urge all members to vote in the upcoming election as these are very important decisions and reaching a quorum is a must!

Another ballot item this year will be a very unpopular item: voting for a special assessment. As can be clearly seen by the condition of Sand Canyon Road, our current assessments are not adequate to allow for proper maintenance, especially of our paved roads. When this occurs, the Board is legally required to add a special assessment in an amount adequate to provide for this maintenance and to allow the members to vote on this assessment. In addition, the Board will inform the members of what maintenance will need to be deferred if the assessment is not approved. While we understand the financial hardships a special assessment will cause, to properly maintain your roads we urge our members to approve the assessment. We also understand that the chances of approval are very slim, we are prepared to continue and maintain your roads to the best of our ability with the funds available.

To obtain the greatest benefit from available funds, the Board is discussing the hiring of a part-time road maintenance manager to enable the Association to maintain your roads on a more regular schedule. To enable a maintenance manager to perform road maintenance, the Board approved a \$15,000.00 budget for the acquisition of a tractor for road maintenance.

The issue of the roads being open to the public – which they are per the parcel map – has again arisen. If the Association were to block or prohibit the use of Association roads to people who do not reside in Mountain Valley Estates, we would almost certainly be sued and instead of maintaining your roads, the Board would be spending all of their time and your assessments, defending the Association. The Board has made the decision to investigate the dedication of all Association roads to Kern County as

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Public Access to put an end to this dispute and prevent any possible future litigation regarding the use of the roads. If our investigation shows this to be a viable option, it will then be put to the members for approval. Member approval is required as the roads are Association property.

We continue to receive complaints regarding board actions taken in prior years and the desire of some that legal action be taken to negate those actions. It is this Board's position that even if successful, which is doubtful, it would not change anything with respect to current Association activities and would cost a significant amount of Association funds, necessitating even greater assessment increases and special assessments. In an effort to settle this issue, the current Board has taken action approving all past board actions of all previous boards and has steadfastly declared that we have no intention of wasting scarce Association resources trying to change the past and to instead focus on doing our best for the future. We hope all our members can appreciate this position and support us in moving forward.

Though we have not yet initiated action, the Board voted and approved the foreclosure of eleven seriously delinquent properties. Liens were also approved and will be recorded against other delinquent properties per our governing documents, the cost of which will be passed on to the owners. Like everything else, lien costs have gone up, in no small part due to the \$125.00 State tax on real estate transactions. Liens are not something we like to enforce as they are time consuming to file, but the Association simply cannot perform its responsibility to properly maintain your roads without the payment of assessments from each-and-every member. We will continue to work with any member who is having trouble paying by offering payment plans – but you must contact us and let us know so that we may work out a plan that works for you and the Association.

A reminder – 2020 assessments have been increased to \$144.00 per lot. Statements will go out August 1, 2019, are due November 1, 2019 and delinquent if not postmarked by November 15, 2019. Again, if you are going to have difficulty paying your assessment, please contact the Association and we will do our best to help.

On a brighter note, kudos to member Yvette Boren who cleaned up the trash and debris illegally dumped on the road on which she lives. Thanks Yvette!!!

The Sand Canyon community is a part of and has been paying taxes to Tehachapi Valley Recreation and Parks District since its inception in 1968 (Sand Canyon does not even have a park bench). Recently, the Parks District indicated that grant money was available for the construction of new parks and that they would like to apply for a grant (the money is there – no new taxes) to put construct a park with a community center here in the Canyon. There were two meetings held in Sand Canyon with three more

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scheduled to be held. Support for this project appeared to be about 50/50 but the opposition to a park was very loud and vocal and denigrated to personal attacks on Parks District staff and Parks District staff responded in-kind. As a result of these meetings, the Parks District has suspended any additional work on building a park in Sand Canyon. This grant could have funded a very nice, new park that would have benefited the Sand Canyon area, paid for by taxes we already pay but receive very little in return as it now goes to building parks in other communities.

If you plan to sell your property, please be sure to advise your agent that there is a homeowners' association. It's a required disclosure and important to keep from having late fees assessed for missed payments. In addition, if a lien is in place, it can delay closing of escrow. The Association also has signage rules in place now that any agent will need to be made aware of (it's also on the website).

Because costs for everything have gone up and so many accounts remain unpaid, it has been difficult to maintain the roads. The worst of the potholes and cracks in the paved roads have been or are being filled in with cold patch, but that's only a temporary fix - many thanks to our road crew volunteers, Karl Schlitz and Leonard Ricci for filling the potholes!

It was nice to see the bulletin board in use by a member who posted a weed removal service. Feel free to use this community space!

Thank you for your support and for taking the time to read this **very** long newsletter. It has been a very eventful three months and we had a **lot** of information to convey!

**We wish everyone a great summer!**

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