

Meeting Minutes for December 8th, 2015

The meeting was called to order at 6:10 pm

A quorum was established with 4 members present. Dave Davis was unable to attend.

The Minutes of the November 10, 2015 meeting were accepted with small changes.

Treasurer's Report

The financial statements of Balance Sheet and Profit and Loss Statement given to all members were reviewed. There are 5 A/R accounts of concern.

- a. 2 belong to deceased members which we are pursuing in small claims court prior to putting on a lien
- b. 1 plans to pay almost all this month,
- c. 2 are on payment plans

The A/R balance was explained to reflect a Journal Entry (noting possible debt write off for 2014) recommended by our CPA firm in preparation for filing our taxes.

It was challenged that this Journal Entry appears to decrease the actual A/R.

The Treasurer stated she will find a way to make the actual amount visible on next month's A/R report.

A court date has been established as the first step of putting liens on 2 properties.

The clerk and a legal advisor at Truckee Superior Court recommended we seek legal council on how to serve deceased members for the court date.

Last month's A/R balance was correct as stated.

Our CPA stated fees would be higher this year because Journal Entries recommended last year were not completed and the additional research to correct this will increase this year's cost.

Roads, Water and Sewer Report was given by Chuck Grooms. It was challenged because of inaccuracies and the report was not accepted.

Employee Reports Jerry Stinson read reports by Mike Smith our Water Operation Tech and from Town Maintenance Employee Dennis Jamason (which all members received in their member packets).

Old Business

A vote to purchase and reissue membership certificates and reestablish ownership documentation was passed.

New Business

A vote to have a law firm specializing in Mutual Water Co. laws review our Articles of Incorporation and Bylaws to make recommendations needed to comply with laws was passed 3-0 with one abstention.

No committee has been established to review the recommendations.

A vote to allocate money to seek legal advise on correctly serving deceased members for the purpose of proceeding with liens was passed.

A member questioned if the member's debt is attached to the membership and can be transferred to the new property owner.

The question of the town's responsibility to pay for the repair of a water line on a parcel property leading to another parcel wanting water access was put before our lawyer.

The lawyer stated the parcel in question is outside the town's boundaries according to our Articles of Incorporation and was verified by Nevada County Assessor's office. He also felt the pipe line controversy is a civil matter between neighbors.

Chuck Grooms stated that his property is grandfathered in to receive water rights.

The lawyer stated 2 things. 1) Under no circumstances can a membership be transferred to another parcel
2) Under no circumstances can water be delivered outside the town's established boundaries of 1947 map as stated in the Restated Article of Incorporation of 1995.

As a membership can not be transferred to another property, a vote was taken and passed 3-0 to reconnect the Membership of Lot 14 which was improperly transferred to Lot 5. (this action was deemed procedurally improper as this vote was not on the agenda; going against the Open Meeting Act and so is deemed invalid. The legal status of the 2 lots' memberships is still unclear)

Members Forum

A member stated they will not discuss their membership until there is a change of Board members.

A member complained that the February date for completion of the website is unreasonable.

A member expressed his disappointment of having the members forum at the end of the meeting as it limits who hears his opinions because many people leave during the members forum.

A member stated that since the Board had received a legal opinion on the water line issues, the members should respect that. He stated the issue of the severed water line was an issue between him and his neighbor and that it was wrong to have the town pay to settle it.

One member thought the lawyers may not have gotten both sides of the story. He felt the reestablishment of the website should have been voted on before the membership. He was also concerned that the website was taking too long to complete. He questioned the items listed in the Administration Misc category.

One member stated his attempts at one time to transfer a membership from one parcel to another were denied by the previous Board.

Meeting was adjourned at approximately 7:45 pm