

GERLE CREEK SUMMER HOME TRACT ASSOCIATION  
MEETING MINUTES  
JUNE 22, 2002

The meeting commenced at 12:27 with the Forest Service presentation. Dave Boyer talked about a project with SMUD regarding a 6-unit shower at Sunset Campground and replacing toilets at Fashoda. He also mentioned that they will be enlarging the parking area at Gerle Creek and the picnic area. They will be building small bridges over Gerle Creek to join the Angel Creek side of Gerle with the campground side of Gerle.

Dave next talked about the cabin inspections that should have been received in the mail. He indicated that the most important thing to get done is to get the checklist completed. He will be available to meet with the individual cabin owners for the next three Saturdays to talk to owners about their inspections. He will start at about 9 a.m. and stay as long as needed. Dave also talked about propane tanks. He asked El Dorado County regarding specifications on propane tanks. He spoke with a gentleman by the name of Bob Green concerning the specifications on propane tanks to be sure they are properly supported and installed.

Dave discussed that within the 30 feet clearance, indicated in the permit, should actually be a one year layer of pine needles. He stated that only within 3 feet of the buildings should you go down to actual soil for clearing.

A list was circulated to the cabin owners to indicate the date and time the cabin owners would be available to meet with Dave Boyer for the next three Saturdays.

Darcy Walker, USFS Fire Crew, spoke on fire clearance for the area. She enforced the state law, which requires a minimum of 30 feet. Due to the special permit issues, it has been agreed that an annual layer of needles would be acceptable to maintain; however, no dead or dying grasses up to three feet of the structure. There are still discussions being held regarding this subject matter. Darcy also mentioned that in the past, she has not had any problems within Gerle Creek boundaries and she doesn't expect any at this time. She also mentioned that there should be ten feet of clearance from tree branches and stove pipes, and around propane tanks. There is a conflict between the California state law and the US Forest Service laws regarding fire safety. A question was asked regarding fire safety issues -- who would be at fault if cabin owners follow the USFS decisions and a fire comes through and destroys cabins?

Darcy mentioned that she met with the special use permit person on Pacific and discussed the conflicts with the special use permit and California state fire laws; that person was unaware of the conflict. Darcy also indicated that there could be a problem regarding an annual needle layer. It was made clear that nothing could be done at the district level as far as what the cabin owners could or could not do, in fact she indicated that a regional or national directive to make any changes was needed, but they all agreed that liability was an issue.

It was also mentioned that the subject of "mulch and revegetation" was placed on hold along with parking and driveway issues until the District Ranger reviews further.

Mary Clark VerHoff gave a presentation regarding the appraisals and requirements of special use permits. In order to get the new permits, we have to be consistent with our "plan" and consistent with local, state and federal law. The big problem here is those three laws are in conflict of each other and the forest service is getting sued for not complying with one law while complying with another. It makes it difficult to get a decision out of the forest service.

Due to the appeals that came up the last time we renewed our permits, it is now important that we prove that we're consistent with the "forest plan". If you read the forest plan, however, it really doesn't mention what cabin tracts are supposed to be classified as. Cabin tracts are mentioned here and there, but nothing in any real detail.

Mary mentioned that she is Gerle Creek's tract representative for the Northern Sierra Summerhome Tract Association. She is also on the board of directors for National Forest Homeowners. She is the government liaison and has been in Washington lobbying for the appraisals for new permits. She was on a committee that was responsible for helping get through a bill for Cabin User Fee Fairness Act (CUFFA). The purpose of this bill was to make sure they do the appraisals right to get appraisals we could live with and still maintain our cabins. This bill says appraisals can be done the way they're being done now, but we have an opportunity to get a "peer review" for possible adjustments. Implementation of CUFFA is a problem. There are supposed to be guidelines and regulations with a public comment period, but that law was passed in October 2000 and we still don't have them.

One of the decisions they're still trying to make is whether to appraise the lot itself or to appraise the site. One of the differences in deciding to appraise the lot or site is, the site could be 100 feet from a lake and the appraiser wants to appraise it as "lake front". But that 100 feet is accessible to the public, not exclusively the cabin owner. Should it be used in an appraisal as part of the site, or should it be considered a lot that happens to have a view of the lake? It makes a big difference in deciding what can be used as comparables for the appraisal.

Two private land sales at Ice House and one at White Hall were used as comparables for Gerle Creek. The appraiser threw out the \$43,000 price at Ice House because the new owner said he'd pay anything to get the property. The other piece was \$15,000. The one at White Hall was \$8,500. You then have to look at the adjustments that were made, because Gerle is really way off the beaten track compared to White Hall. Market factor issues regarding a lot way out in the middle of nowhere need to be taken into consideration. In the market, it makes it worth less. You also don't have water, power or septic that they can charge you for. You need to determine whether or not you put the roads in yourself, because that could also make a difference. It is supposed to be raw land. There were no market supported adjustments, which is what is expected to be seen in an appraisal.

Part of the problem we may be facing if the forest service doesn't get the reviews done and make a determination whether or not the cabins are consistent with the forest plan, they can then issue annual permits. One of the problems with annual permits is that the forest service doesn't have to give us 10 years notice of non renewal, which we currently have. It's important that we don't accept an annual permit. It was also stressed that in dealing with the forest service, if you can't get satisfaction in dealing with the forest service representative who comes to the tract, go above their heads following the chain of command. It is important, however, that you do this nicely.

It was mentioned that some of the issues that may come up with Wrights Lake and Dark Lake is there is public use involved in and around those areas. At Gerle, we don't have that problem.

The meeting was called to order and it was determined that a quorum existed. The 2001 meeting minutes were approved as submitted. The motion was made/seconded/carried (Holmes/Keifer) to accept the minutes as presented.

It was mentioned that there are several organizations out there that support cabin owners in their fight to keep their cabins. American Land Rights Association (ALRA), National Forest Homeowners (NFH), are just two examples. The ALRA, headed by Chuck Cushman, is one organization that is really fighting hard to keep the cabins as part of the forest plan. They, like most all of the organizations, are in need of funds to keep up the fight. Some of these letters were mailed to you from the tract president, but if possible, they could use all the members they can get. If you'd be interested in joining this organization, information was available to be picked up at Lot 25.

The proposed budget for 2002/2003 was presented. Part of the new budget was to check into purchasing new tanks for the water system to replace the two 5000 gallon wooden tanks at the top of the hill with one 10,000 tank or two 5,000. It was moved/seconded/carried that a 10,000 gallon tank be purchased if possible (Keifer/Bitterman). It was also mentioned that we would be in need of a new ram pump for the older water system which is still maintained for fire protection purposes. It was moved/seconded/carried (Bitterman/Montine) that we wait on the ram pump. It was

moved/seconded/carried (McDowall/Brattland) to accept the budget report as presented and the recommended assessment of \$190 for 2002/2003.

Discussion was held regarding the condition of the old water system tanks that were constructed of wood. Board members checked into the possibility of applying liners to these tanks, but the upkeep and durability of them was very short, so it was decided that it would probably be better to purchase a new tank. The 7,500 tank would be maintained to use mostly for fire. Before a new tank can be purchased and installed, it will need to be approved by the forest service. With regard to the ram pump, it was mentioned that the existing pump is working and there are parts to work on it, but it will eventually need to be replaced. It was decided that the ram would be put on hold until an inventory could be made relevant to all of the existing parts that could insure that the ram continues to operate. An advantage of having the old system continue is the simple fact that the water that flows out of the old 7,500 tank also feeds our well as the water leeches back into the ground and through the fissures in the rocks.

It was mentioned that the proposal of the existing ram system is not to change it. It is going to be used and continue to be maintained, because we don't want to lose the water rights for that system. If the old system is removed, there will also be a lot of work involved in removing all of the pipes, cement, etc. of the old system.

Work parties were discussed and the top priority is the water system. The two smaller wooden tanks need to be torn down, remove the downed trees and restore the area back to the way it was before the tanks were installed. It is hoped that this can be accomplished this year. Due to the rough area under the existing wooden tanks, it is not feasible to put the new tanks there because they are made of plastic and that particular area is too rough. Another work party would be to dispose of the trees that have fallen across the pipes of the old water system and across the access road to the old system. Those trees need to be removed to retain our access to the old water system.

It was brought up that in the past year there have been several accidents within the tract that have broken fire hydrants or water lines. It's important that other people learn at least enough about the system to fix a break in the system throughout the tract should a board member not be present to make the repairs. It was also mentioned that in an emergency, you need to go to the pump house, push the red button on the front right wall of the pump house, and it will turn off the water pump. It will shut the system down to enable you to make repairs. It was suggested that we obtain copies of the map that shows all the laterals and the entire water system so it would be easier to locate the laterals for possible repairs. It was suggested that we take the time the following morning to show anyone interested the basic water system set up. Everyone can meet at Lot 25 aqt 10:00 a.m. tomorrow to review the water system. All cabin owners are responsible for the water system, not just the board members. It is important that you make sure the water to your cabin is turned off when you close your cabin each fall. You turn it back on again when you come back the following spring.

There were no nominations for the board so it was mentioned that Larry Gondola, Brad Dillon and Jerry Virtue were willing to continue on the board. It was moved/seconded/carried (Holmes/Montine) that those three remain on the board.

There were no nominations for president, so it was moved/seconded/carried (Bitterman/Brinsky) that Bill Dillon remain president.

It was moved/seconded/carried (Bitterman/Feitsch) to adjourn the meeting at 3:40 p.m.

Respectfully submitted,

WAYNE LILE  
Secretary