

MINUTES  
GERLE CREEK SUMMER HOME TRACT ASSN., INC.

ANNUAL MEETING  
June 28, 1970

The Annual Meeting of the Gerle Creek Summer Home Tract Assn., Inc. convened in the front yard and living room of the Holmes Cabin, Lot 31. President Paul "Ed" Fietsch presided.

Roll call was taken and more than a quorum was in attendance.

The Secretary passed out copies of the Minutes of last year's meeting for all to read, and the President requested that any corrections or additions be brought up after the meeting for inclusion in the minutes.

The President opened the meeting by thanking all of the women who prepared the potluck luncheon and thanking the Holmes for the use of their cabin.

The Treasurer's Report was given by George Manhart and accepted as read.

The President thanked Mr. Mahoney and his crew for doing a good job of taking care of the water line.

Mr. Rogers made a report on the fire carts. He said regular fire hose adapters would be needed for each cart, and he recommended that the carts be stored in a building for use throughout the tract. At present, only one cart has hose and is operable. He also suggested at least three (3) emergency gongs to be placed in the tract for use to call for help.

President Fietsch reported that he has procured materials for the gate--it has been pre-fabricated. Holes will be dug at the location approved by the Forest Service. During the week it will be closed. Everyone will have keys. Two locks: Forest Service lock and ours.

In answer to a question that has come up, the road is ours and ours to maintain and take care of.

Mr. Grimm reported the shed on the pump house is now closed up. Mr. Irish put a top on the box and it is closed. Door needs to be built and put on the pump house and the shed locked so the fittings can be moved off of Irish's lot and to the pump house or tank house. A steel box will hold all the fittings.

NEW BUSINESS:

1. Someone to be responsible to see that a door is built on the pump house, hinged and locked. Joe Barbato volunteered.
2. Tanks - Door has to be re-hung and lock put on that. Joe Barbato volunteered. He was also asked to check the screening on the top of the tank.
3. John Holmes said pumps should be shut down during the week and the mortar replaced where erosion has occurred.
4. Dumps are being considered closed permanently as we know them. No one knows what provisions will be made for us. Washington doesn't want open burning because of ecology. Small communities cannot operate to burn their refuse.
5. June Holmes presented bills for the luncheon.

6. Mr. Wanner made every lot a sign and post, also "Private Road" and "Speed Limit 10 Miles" signs.

7. Changes in the Constitution: President Fietsch said we cannot make people join the Association, but we can assess them for the work. It is the recommendation by the Executive Committee that we do away with the dues and everyone be assessed. Mr. Rogers mentioned it could go from \$1 to \$100 a year. President Fietsch said the amount to be spent has to be approved by members according to the constitution. Mr. Irish said people should not have to pay to be a member of this association. There should be no more association dues and only assessments each year. Mr. Jim Chapin said each permittee is not automatically a member of the association, but anything that the Board or the Officers vote in as assessments must be paid by each permittee.

Mr. Bratland asked how many out of 42 are not members? Approximately 7, reported the President. President Fietsch said a big problem has been that at different times these 7 have been approached. Letters were sent that we didn't have anything to offer them except the right and privilege to vote, but if they did not want to belong they didn't have to pay the dues, they would still be subject to the assessment. No response was ever received from these letters.

At this point, the President introduced the Ranger, Mr. Jim Chapin who said he was happy to see such a good turn out. Best he had ever seen. He said there has been a cutback in government spending and it is hitting them. No campground construction this year. Wench Creek is open and Yellow Jacket will open for the 4th of July. Charles Road should finish logging this year. It is the only logging on government land in this area. A new section of the road built last year has been graded and oiled. Gate will be opened. Interesting view into Hell Hole Reservoir--2 miles straight on down. No funding received to finish the road this year. It will be at least three years before it is open all the way to Hell Hole. Once the road is completed to Hell Hole, you will be able to cross the dam and go on to the other side to Interstate 80. Approximately 40-50 miles.

A new position is being established, "Wilderness Ranger". He will be in Desolation Area to pick up trash and checking for fires, etc. Desolation Wilderness Act passed and signed by President Nixon in October and boundaries have been changed. Boundaries have been expanded from 40,000 to 65,000 acres. There will be a four-man trained crew and the Wilderness Ranger.

New office cost \$75,000 - can't be used. District was going to build the place and the Job Corps was going to do everything else. This summer, they hope to have water system, etc. Next spring, the station will be manned 7 days a week with a clerk and it will be headquarters for summer crews that are working this area.

Summer Home Tract - All permittees have paid their shares into water system. All cabins are pretty well along, building-wise, except Lot 46 who promises to get a good start this summer.

Gate has been approved for installation. Two locks: Forest Service lock and Summer Home Tract lock. Sign should be at or near the gate describing why it is there and why it is closed.

Redwood stain can be used on the lot signs. Cream or white paint can be used to fill in the letters.

Water System - Tanks inspected and chlorinator hooked up and all looks O.K. Mr. Irish took samples to Western Lab. Samples should be taken 2 or 3 times a summer and a copy of the lab report sent to the Forest Service.

Dumps - Executive order signed by President Nixon says all Federal Agencies, in order to improve the environment, must eliminate all open pit dumps by 1972. We have 4 open pit and 1 sewage dump. This gives us 1-1/2 years to come up with a solution. This summer, the dump situation will remain the same. We will be working on a plan this winter on what to do. Next summer we may be closing the dumps. We may limp by another summer. We will not be early this winter as we were closing last summer. It may be that we will have to contract with large commercial garbage hauler Best and most practical plan -- in areas where dumps now exist, large bins with covers on them. Leave them there and cover replaced each time. Some/come up each week and bring another bin. It is going to cost a lot more money. There may be some assessment to the tract. We will keep in touch with President Fietsch. (Executive Order means all solid wastes -- anything other than burnable non-garbage materials. ) Mr. Chapin said they have a contractor who picks up trash in campgrounds and along the road. Contractor claims there is a lot of non-recreational trash. No one in the tract is to use the garbage cans.

Motor bikes are real problems in the campgrounds to the roads. Trying to protect the people in the campgrounds and the travellers. Will be talking to anyone who is not a licensed driver, and there are State and Federal laws that can be used. Under 21 and is not licensed, parent or registered owner can be sited. (State Law) This is not a public road under the state law. Federal law includes summer home tracts. Ride bikes to ingress and egress in the campgrounds. California Highway Patrol says they will be up more often. We are afraid people will get killed. Received twenty-five (25) letters in the last month about bikes ripping around at night. Unless back in the trails, should be licensed driver. If driver driving in the proper manner, there should not be any problem. More problems in the first month than the last two or three years put together. Fights, disturbing and breaking into ticket boxes, and vandalism. Will be enforcing federal and state laws strictly. Federal cases go to Commissioner and it is misdemeanor up to \$500. Shooting - Federal regulation says there should not be any shooting around any area of habitation, lake, or stream, or in the vicinity of any camping area. State law says you can't shoot a firearm within 150 yards of road or improvement of any kind. Dump is the best place to go to shoot. There is a radio at Schleins, or go to Ice House to report anything.

President Fietsch thanked Mr. Chapin for his attendance and comments.

#### Continuation of Assessment Discussion -

Motion was made by Mr. Grimm regarding the organization of the tract. The Association shall include every lot in the tract and the owners of each lot shall have a vote in the business of the Association and it shall be the Association's responsibility to arrive at assessments that will take care of the services and necessary construction and other costs of maintaining the tract.

Pro-Rata - Section II of the Constitution - The Association dues are eliminated and only pro-rated assessments shall be made for the above services.

Motion made that this motion will replace Article 5, Sections I and II of the Constitution and By Laws. John Holmes seconded the motion.

Question by Mr. Hart - Would non-participating members be notified? This tells them they will be assessed. They have been notified that they would be assessed. President Fietsch said the Association can levy up to \$500 without vote.

The vote was taken. There were 25 Yes's - Lots 6, 7, 10, 12, 14, 18, 21, 22, 24, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 39, 40, 41, 44, 45, 46. There were no "Nays".

Mr. Irish asked what happens if people refuse to pay assessments? Answer: The Forest Service will go after them and require them to pay up.

Question: The Association was sued because of the refunding. Was any precedence set? The Judge ruled the July 31, 1964 letter had precedence over the Constitution. Refund the money in the treasury as of a certain date. Subsequent to the refund, we could not continue accruing interest on these lots. It was not the intent of the Association to collect this kind of interest. It was decided that a reasonable fee would be \$850 that anyone had paid into the water system at that time. As remaining lots came into the system they would pay \$850.

President Fietsch said he will make up a letter for all original water members to sign stating there will be no more refunds. There must be 100% agreement.

Small jobs will have to be continued to be handled as we have done in the past.

Amendment to Article XI - "Members may vote at each meeting in person or by proxy, "authorized in writing", but each member shall be entitled to only one vote." Mr. Irish moved that we adopt this Amendment. Voice vote, "Yes".

Report from Mr. Black, Chairman of the Nominating Committee - The names of John Ickes, Harold Dubie, and Miles Messenger were submitted. The President asked for any additional nominations for the Board. Mr. Camber recommended Mr. Wanner. Mr. Wanner said he would rather he be considered as a possible candidate for next year.

There are seven members to the Board. On alternate years, four go out and three go on. The Board elects the officers after the nominations. Messrs. Ickes, Dubie, and Messenger were elected. Messrs. Camber, Fietsch, Manhart, and Grimm remained.

The budget for the coming 1970 year was discussed and the following items listed:

	<u>Est. Cost</u>
1. Insurance for water system and tract liability .....	\$ 130
2. Pipe, fittings, repair material for water system piping.....	100
3. Pumphouse floor repair, door, and revised piping fittings.....	25
4. Misc. tract services and supplies .....	25
5. Materials to anchor steel pipe from slipping downhill near Lot 28	10
6. Fire cart hose reels, covers and hose nozzles.....	50
7. Main gate installation materials, cement, weld materials, padlocks and keys.....	35
8. Roadwork gravel @ \$4/ton.....	50
9. Culvert pipe and trenching.....	50
10. Individual Name & Lot Number Signs.....	<u>125</u>
TOTAL	\$ 600

Prorated Assessment \$600/42 = \$14 each permittee

Mr. Holmes said he would like to see the assessment go out as it is even though we have money in our treasury.


Mr. Irish made the motion that next year's budget be accepted. Mr. Messenger seconded it. All were in favor - no negatives.

Motion made by Mr. Dillon that a checking account be set up with an amount of \$400 for immediate use, and the balance put in a savings account. Mr. Holmes seconded. All were in favor.

President Fietsch thanked all members for their cooperation to the Members of the Board. It has been a pleasant year, and thanks to everyone for their help.

The fourth weekend of June is our annual meeting. Next year the meeting will be on a Saturday rather than a Sunday and a potluck luncheon. All were in favor of Saturday and a luncheon.

It was moved and seconded that the meeting be adjourned.

  
Miles S. Messenger  
Secretary

TO PERMITTEES OF GERLE CREEK SUMMER HOME TRACT

At the regular annual meeting of the Gerle Creek Summer Home Tract Association held on June 28, 1970, in conjunction with a very enjoyable pot-luck luncheon at the cabin of John and June Holmes, the following important decisions relating to all permittees of the tract were made:

1. The constitution of the G.C.S.H.T.A. was amended to delete the membership initiation fee and annual dues requirement. (This change, in effect, allows all permittees of the tract to become voting members at no additional expense.)
2. The constitution was also amended to require proxies for voting purposes to be authorized in writing.
3. An assessment budget for tract maintenance and services was approved by the unanimous vote of the 25 lots represented at the meeting. The projected budget amounted to \$600 for 1970. The prorated share for each of the 42 permittees is \$14. This amount is now due and payable by all tract permittees to the G.C.S.H.T.A. for projected 1970 tract services.

A copy of the approved 1970 projected budget expenses for assessment purposes is included with this letter. The prorated amount for each lot permittee is \$14. Please note that included in the \$14 is approximately \$3 for the Forest Service approved name-number signs made up for each lot and already paid for by G.C.S.H.T.A.

All lot permittees should be advised that pursuant to the letter of May 29, 1968 from the U. S. Forest Service to all permittees relating to the right of the Gerle Creek Summer Home Tract Association to assess all lot permittees for necessary tract expenses, and a recent affirmation by the local Forest Service Office, a requirement for annual lease renewal for each permittee will be that he has paid the yearly approved assessment as shown above.

Two new members were elected to the G.C.S.H.T.A. Board of Directors: Mr. Harold Dubie and Mr. John Ickes. In addition, Mr. Miles Messenger, who was filling out a previously unexpired term was elected to a new 2 year Board membership. At the Board's later election of officers, it was decided to retain the present officers for this coming year. These officers are:

President	Paul "Ed" Fietsch —
Vice President	Steve Camber ✓
Secretary	Miles Messenger
Treasurer	George Manhart —
Board Member	Wm. Grimm —
Board Member	Harold Dubie
Board Member	John Ickes

Respectfully submitted, Miles Messenger, Secretary.