



**Bear Valley Springs Association Board of Directors**  
**Regular Monthly Meeting**  
 Tuesday, June 15, 2021 at 6:00 PM  
 Oak Tree Country Club  
**MINUTES**

**Open to All  
Members**

**A. ANNOUNCEMENTS –**

- 1. Call to Order – Pledge of Allegiance @ 6:00 PM**
- 2. Roll Call -**

**Board Members Present:** President Butch Reyburn, Vice-President Todd Lander, Treasurer Adam Tiefenthaler, Director Peggy Bergman- Smith, Director Dain Hurst

**Staff Members Present:** General Manager Wesley Shryock, Staff Accountant Gina Silva, Project Manager Debbie Shryock

- 3. Declaration of Intent to Tape the Meeting**

*This meeting will be digitally recorded to assist in capturing the minutes. Members attending the meeting are prohibited from using any sort of recording device during the meeting. This includes audio recorders, video recorders or any type of camera (including cell phone cameras).*

- 4. Board Comments & Announcements**

**B. ADMINISTRATIVE & PROCEDURAL MATTERS / CORRESPONDENCE**

<u>Item #</u>	<u>Item</u>
<b>21-167</b>	<b>Approval of the Agenda</b> <ul style="list-style-type: none"> <li>▪ June 15, 2021 Regular Meeting Agenda</li> </ul> Motion by TL to approve the 6/15/21 regular meeting agenda 2 <sup>nd</sup> by BR Motion Approved VOTE 5-0
<b>21-168</b>	<b>Approval of Minutes</b> <ul style="list-style-type: none"> <li>▪ May 18, 2021 Regular Meeting Minutes</li> </ul> Motion by TL to approve the 5/18/21 regular meeting minutes 2 <sup>nd</sup> by AT Motion Approved VOTE 5-0
<b>21-169</b>	<b>Reading of the Executive Session Reports</b> <ul style="list-style-type: none"> <li>▪ Regular Meeting 05/18/21</li> <li>▪ Special Meeting 05/24/21</li> </ul>
<b>21-170</b>	<b>Appointment of Board Officers and Staff Advisors</b> <ul style="list-style-type: none"> <li>▪ President – Butch Reyburn</li> <li>▪ Vice President- Todd Lander</li> <li>▪ Treasurer- Adam Tiefenthaler</li> <li>▪ Secretary- Anita Bauer</li> <li>▪ Compliance Officer- Peggy Bergman-Smith</li> <li>▪ Parliamentarian – Wesley Shryock</li> </ul> Motion by BR to nominate Butch Reyburn as President, Todd Lander as Vice-President, Adam Tiefenthaler as Treasurer for the 2021-22 Board of Directors (BOD). 2 <sup>nd</sup> by TL Motion Approved VOTE 5-0

	<p>Motion by BR to nominate Peggy Bergman-Smith as the Compliance Officer for the 2021-22 BOD.                  2<sup>nd</sup> by TL                  Motion Approved VOTE 5-0</p> <p>Motion by BR to nominate Wesley Shryock as the Compliance Officer for the 2021-22 BOD                  2<sup>nd</sup> by DH                  Motion Approved VOTE 5-0</p> <p>Motion by BR to nominate Anita Bauer as the Secretary for the 2021-22 BOD                  2<sup>nd</sup> by PBS                  Motion Approved VOTE 5-0</p>
<p><b>21-171</b></p>	<p><b>Approval for three Board Members (President, Vice President, and Treasurer), Gina Silva and Wesley Shryock as authorized check signers for the following bank accounts:</b></p> <ul style="list-style-type: none"> <li>▪ Community Association Bank (also known as Mutual of Omaha Bank) Operating Account xxxxx0004</li> <li>▪ Community Association Bank (also known as Mutual of Omaha Bank) Deferred Operating Account xxxxx2690</li> <li>▪ Bank of the Sierra Account xxxxx0170</li> </ul> <p><b>Motion by TL</b> to approve Butch Reyburn, President, Todd Lander, Vice-President and Adam Tiefenthaler, Treasurer and Gina Silva, Staff Accountant and Wesley Shryock, General Manager as check signers for the 2021-22 fiscal year for the above- mentioned bank accounts ending 004, 2690, and 0170.                  2<sup>nd</sup> by AT  <b>Motion Approved VOTE 5-0</b></p>
<p><b>21-172</b></p>	<p><b>Approval for all five Board Directors as check signers for the following bank account:</b></p> <ul style="list-style-type: none"> <li>▪ Community Association Bank Reserve (also known as Mutual of Omaha Bank) Account xxxxx 2589</li> </ul> <p><b>Motion by BR</b> to approve the 2021-22 Board Directors, Butch Reyburn, Todd Lander, Adam Tiefenthaler and Dain Hurst as check signers on the Community Association Bank account ending 2589.                  2<sup>nd</sup> by DH  <b>Motion Approved VOTE 5-0</b></p> <p>A question was asked from the audience how many board members have to sign. Answer is 2 board members.</p>
<p><b>21-173</b></p>	<p><b>Approval for Workman’s Comp Renewal – Contract June 30, 2021- June 30, 2022</b>  <b>Motion by TL</b> to approve the 2021-22 Workman’s Comp Renewal contract 6/30/2021-6/30/2022                  2<sup>nd</sup> by PBS  <b>Motion Approved VOTE 5-0</b></p> <p>Kathy Kneer asked if the rate was reduced this year. Wesley answered yes, we</p>

	received a significant reduction on this year’s contract.
<b>21-174</b>	<p><b>Receive and File Various Committee Reports</b></p> <ul style="list-style-type: none"> <li>▪ Lake Quality Advisory Committee 05-12-21</li> <li>▪ Equestrian Advisory Committee 05-3-21</li> <li>▪ Recreation Advisory Committee – 05-05-21</li> <li>▪ Food Service Advisory Committee- 05-20-21</li> <li>▪ Finance Advisory Committee – 04-21-21</li> </ul> <p><b>Motion by PBS</b> to approve the above-mentioned committee reports and receive and file as reported.  <b>2<sup>nd</sup> by TL</b>  <b>Motion Approved VOTE 5-0</b></p>
<b>21-175</b>	<p><b>Naming of Board Members as Liaisons to Advisory and Executive Committees</b></p> <ul style="list-style-type: none"> <li>▪ Equestrian Advisory Committee- Peggy Bergman Smith</li> <li>▪ Lake Quality Advisory Committee- Butch Reyburn</li> <li>▪ Finance Advisory Committee- Adam Tiefenthaler</li> <li>▪ Food Service Advisory Committee- Dain Hurst</li> <li>▪ Golf Advisory Committee- Todd Lander</li> <li>▪ Recreation Advisory Committee- Adam Tiefenthaler</li> <li>▪ Whistleblower Hotline- Peggy Bergman- Smith</li> <li>▪ CSD Liaison Committee- Butch Reyburn and Todd Lander</li> <li>▪ IDR/ADR – Butch Reyburn and/or Todd Lander</li> <li>▪ Environmental Control Committee- Peggy Bergman Smith/Dain Hurst</li> </ul> <p><b>Received and filed as appointed and reported</b></p>
<b>21-176</b>	<p><b>Treasurer’s Report</b>  Gina Silva read the Treasurers Report into the record.  The Treasurer’s Report was received and filed as reported.</p> <p>Kathy Kneer stated the numbers do not match the handout. Gina stated the transfer to the slide show, the numbers didn’t change. YTD number and assessments collected were not showing accurate on the handout.  Sandy Williams asked whether there is a better way to read the slide on the show.  Wes stated they will work on the slide presentation.</p>

**C. GENERAL MANAGER**

<u>Item #</u>	<u>Item</u>
<b>21-177</b>	<p><b>Controller’s Report</b> –Wesley Shryock  Wesley reported the F&amp;B department are meeting pre-covid numbers.  The result is a reverse subsidy. Admin. fees have increased due to the real estate turnover in the valley. Gross profit resulted in better than budget.  Kathy Kneer asked if the numbers are different on the handout. They were not. Water numbers will be affected by the dry weather year we are having.  AT asked a question regarding the breakdown of the F&amp;B numbers.</p>
<b>21-178</b>	<p><b>Amenity Highlights and Challenges</b> – General Manager Wesley Shryock  Wesley reported the amenity highlights for the month of May. WS thanked the new BOD members for their volunteerism and willingness. The Gun Range will be limited</p>

	when the weather is hot. The new asphalt project which includes a new drive-thru lane at the Oak Tree Country Club. The pump house has been built with the help of maintenance and the CSD collaborating with us. The fish inventory at the Lake was reported to be very good right now. The reduction in cat-fish and an increase in bass has been noticeable. Butch reported on the Phoslock application and the results thereof.
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**D. CONSENT CALENDAR – 5 items**

<b>21-179</b>	2020-2021 BVSA Board Meeting Schedule
<b>21-180</b>	2021 BVSA Board Operational Calendar
<b>21-181</b>	BVSA Follow-Up Items list
<b>21-182</b>	Discussion and Approval to Adopt Proposed BVSA Rule Change, Article 17, section 1702, subsection (B) -Enforcement Procedures <b>Motion by PBS</b> to approve to adopt proposed BVSA rule change to Article 17. <b>2<sup>nd</sup> by TL</b> <b>Motion Approved VOTE 5-0</b>
<b>21-183</b>	Discussion and Approval to Adopt Proposed ECC Rule Change, Section 601- BVSA Board Enforcement <b>Motion by PBS</b> to approve to adopt proposed ECC rule change to Section 601. <b>2<sup>nd</sup> by BR</b> <b>Motion Approved VOTE 5-0</b>
	<b>Motion by TL to approve items 21-179, 21-180, and 21-181 of the consent calendar.</b> <b>2<sup>nd</sup> by BR</b> <b>Motion Approved VOTE 5-0</b>

**E. BOARD BUSINESS ACTION ITEMS – 8 items**

<b>Item #</b>	<b><u>Item</u></b>
<b>21-184</b>	Discussion and Approval: Authorization for G&G, LLP to send the Notice of Assessment Liens and to execute and record said assessment liens on the following properties. 344-221-06-00-6, 323-072-02-00-5, 324-112-16-00-4, 323-051-07-00-7, 319-062-05-00-0, 344-222-01-00-8, 329-320-04-00-1, 344-371-17-00-2, 344-221-01-00-1, 344-331-02-00-6, 323-130-06-00-0, 313-111-10-00-9, 323-202-12-00-1, 344-372-05-00-4, 344-133-02-00, 324-041-05-00-5, 344-172-22-00-5, 329-110-08-00-2, 344-221-12-00-3, 314-100-34-00-6, 323-193-04-00-3, 344-232-02-00-4, 323-123-01-00-3, 336-140-01-00-2, 314-253-04-00-4, 314-051-05-00-5, 323-480-11-00-6, 329-100-03-00-4, 323-122-43-00-8, 314-183-02-00-8, 323-161-12-00-3  <b>Motion by PBS</b> to approve the authorization for G&G,LLP to send a Notice of Assessment Liens and to execute and record said assessment liens on the following properties recognized as 344-221-06-00-6, 323-072-02-00-5, 324-112-16-00-4, 323-051-07-00-7, 319-062-05-00-0, 344-222-01-00-8, 329-320-04-00-1, 344-371-17-00-2, 344-221-01-00-1, 344-331-02-00-6, 323-130-06-00-0, 313-111-10-00-9, 323-202-12-00-1, 344-372-05-00-4, 344-133-02-00, 324-041-05-00-5, 344-172-22-00-5, 329-110-08-00-2, 344-221-12-00-3, 314-100-34-00-6, 323-193-04-00-3, 344-232-02-00-4, 323-123-01-00-3, 336-140-01-00-2, 314-253-04-00-4, 314-051-05-00-5, 323-480-11-00-6, 329-100-03-00-4, 323-122-43-00-8, 314-183-02-00-8, 323-161-12-00-3  <b>2<sup>nd</sup> by TL</b>

	<p><b>Motion Approved VOTE 5-0</b>                  Todd stated there are regularly questions about whether ECC is violating and fining. There are actions being taken regularly to bring properties into compliance. Kathy Kneer asked whether these are ECC fines. These particular fines are assessment liens.</p>
21-185	<p>Discussion and Approval: Individual Request to be Appointed to EAC- Laurie Forrest  <b>Motion by TL</b> to accept the appointment to EAC of Laurie Forrest  <b>2<sup>nd</sup> by BR</b>  <b>Motion Approved VOTE 5-0</b></p>
21-186	<p>Discussion and Approval: MCDB (Modification of Change to Database) Changes                  Motion by BR to accept the change to the Database.  <b>2<sup>nd</sup> by TL</b>                  Motion Approved VOTE 5-0</p>
21-187	<p>Discussion and Approval: Reserve CER (Capital Expenditure Request) for Tailwaggers Dog Club – Equipment for Park  <b>Motion by TL</b> to approve the expenditure \$5,918.97 for Tailwaggers equipment to be paid for out of the operational fund  <b>2<sup>nd</sup> by BT</b>  <b>Motion Approved VOTE 5-0</b></p> <p><b>Motion by TL</b> to approve the reimbursement to BVSA for \$5918.97 of the expenditure by the BVSCRFF to go back into the operations account.  <b>2<sup>nd</sup> by BR</b>  <b>Motion Approved VOTE 5-0</b></p> <p>Kathy Kneer 3455-075 asked why the second notice was not noted on the agenda.</p>
21-188	<p>Discussion and Approval: Reserve CER (Capital Expenditure Request) for Mulligan Room, Refrigerated Salad Prep Table  <b>Motion by TL to approve Alternative One, Chefs Toys for \$6,975.00 to be funded from the reserve fund.</b>  <b>2<sup>nd</sup> by</b>  <b>Motion Approved VOTE 5-0</b>                  Kathy Kneer asked what the criteria is for spending prior to approval. WS answered there is a cap for the General Manager to approve prior to Board approval.</p>
21-189	<p>Discussion and Approval: Reserve CER (Capital Expenditure Request) for Mulligan Room, Two Door Refrigerator  <b>Motion by AT to approve Alternative One, Chef Toys for \$3751.99 to be funded from the reserve funds.</b>  <b>2<sup>nd</sup> by DH</b>  <b>Motion Approved VOTE 5-0</b></p>
21-190	<p>Discussion and Approval: Reserve CER (Capital Expenditure Request) for Golf Maintenance – Cart Path Replacement  <b>Motion by BR</b> to approve Alternative One BVSA Maintenance for a total of \$10,000.00 to be funded from the reserve funds.  <b>2<sup>nd</sup> by PBS</b>  <b>Motion Approved VOTE 5-0</b>                  AT asked how the payroll and reserve funds are utilized to accomplish these tasks. Fred Hicks stated this is exceptionally cheap to replace concrete.</p>

<b>21-191</b>	<p>Discussion and Approval: Reserve CER (Capital Expenditure Request) for Parks, Lakes – Tents, Canopy, Small</p> <p><b>Motion by AT</b> to approve Alternative One, Promotional Design Group for \$6,697.23 plus a 10% contingency of \$669.72 for a total of \$7,366.95 to be funded from the reserve funds.</p> <p><b>2<sup>nd</sup> by DH</b></p> <p>Fred Hicks asked if this is just for the tent material or for the frame also. Fred asked if there was an option to claim through our insurance company. Joe Horswell asked if the wind took out the flag pole also?</p> <p><b>Motion Approved VOTE 5-0</b></p>
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**F. MEMBER COMMENTS**

In order to give you an opportunity to address the Board, and in compliance with Civil Code Section 4925 and 5000(b), we've set aside a period of time for members to provide their comments to the Board. We ask that you document your issue(s) by completing the BVSA Public Comments Form to assist us in documenting your issue. If you have not already filled out a Public Comments Form, please do so now and hand it to the Administrative Assistant, Anita Bauer. The forms are located at the entrance where you came in. When you are recognized, please come up to the lectern and use the microphone. Begin by stating your name and tract/lot number for the record and please limit your comments to five (5) minutes. If someone else has already stated the issue, but you have something else to add to it, please raise your hand to be recognized. Due to time constraints, the Chair may limit participation to once per member. Thank you for your cooperation and adherence to this Open Forum Policy.

**Steve Roberts- 3559-102-** he stated he is happy to see Todd here on the BOD and very glad to see Adam re-elected and Dain appointed. He stated he resigned from the CSD due to medical problems happening with their daughter. He also stated there are a lot of ugly things on social media, don't read it. He also wanted to state we should sit down and resolve any issues we may have. They are leaving the valley after 23 years but wanted to state how appreciative he is that the BOD will volunteer. He would like to run for the BVSA BOD in the future when they return to BVS.

Secondly, back in February his friend Charisse is having a problem with a neighbor. The removal of horse manure is so important.

**Kathy Kneer- 3455-075** reported on the group of people, the Wildlife Protection Coalition, concerned about the wildlife, specifically the Elk, and the dangers they face. I wanted to keep you inform and invite the community.

**G. SUMMARY OF TODAY'S FOLLOW UPS**

Wes and Gina to work on the slide presentation to make the numbers more readable.

**H. ANNOUNCE UPCOMING MEETINGS**

- Regular Monthly Board Meeting, Tuesday, July 20, 2021 at 6:00 PM, Oak Tree Country Club (Closed executive session to begin at 1:00 PM)
- Special Monthly Board Meeting: Monday, July 26, 2021 at 1:00 PM, BVSA Conference Room (Closed executive session to begin immediately following the Open Meeting)

**I. NOTICES**

Closed Executive Session Board Meeting on June 15, 2021 began at 9:00 AM (prior to the open session where the Board of Directors will conduct Association business that falls within any one of the following categories:

- Member Discipline – 2 items
- Litigation/Legal Matters – 2 items

Contracts – 5 items

Delinquent Assessments – 3 items

Personnel Matters – 5 items

Compliance Officer Report – None

Executive Session Board Meetings are confidential and therefore CLOSED to the membership.

**J. ADJOURN REGULAR MONTHLY MEETING @ 7:29 PM**

**Board Approval: July 20, 2021**

*Anita Bauer* \_\_\_\_\_ *Date: July 21, 2021*

**Anita Bauer – Secretary, BVSA Board of Directors**