

DAVIS MOUNTAINS PROPERTY OWNERS ASSOCIATION, INC.  
BOARD OF DIRECTORS MONTHLY MEETING MINUTES  
MAY 12, 2012

At 2:05 PM in attendance were Joe Rowe, Phyllis Arp, Sandra Holzheuser, Ken Gossett, Rick Draheim, Steve Barr, Marti Fellers, Chuck Smith, Jeff Smith. Tamara Mayo arrived at 2:30PM. The eligibility of the board was verified, and the Agenda posting confirmed. Joe Rowe led the Pledge. Joe Rowe made, and Jeff Smith seconded, a motion to approve the April 14 minutes as amended, which passed unanimously.

Treasurer's Report.

Jeff Smith moved to approve the report and payment of the bills. Marti Fellers seconded. Unanimous approval.

Road Committee Report.

Worked main road, Apache Mountain Trail, Cedar Trail, Six Shooter Gulch, and much more. Marti Fellers complimented Mike Gray for his help during the fire. President Steve Barr asked if approval of the Report was necessary.

Fire Department Report. Delivered by Chief Darell Fellers.

"We did have a fire," the Livermore Ranch Complex Fire. On April 28 the DMR was evacuated. Fire advanced down Limpia canyon for six days, to within a mile of the DMR. 24,000 acres burned. May 19th Saturday 9-12, fuel mitigation was scheduled. The Chief gave special thanks to the property owners up Limpia Canyon.

Sandra Holzheuser requested that metal and evacuation signs be put on the June Agenda.

Jeff Smith said that merely saying "thank you" to the VFD was inadequate, and we are very fortunate to have Darell Fellers as fire Chief.

Recess 3:00 Resumed 3:17PM

Approval of Proposed 2012-2013 Annual Budget.

Joe Rowe moved to approve budget as written. Chuck Smith seconded. Ayes carry, with Sandra Holzheuser opposed.

Annual Meeting preparations.

Nominating Committee Report.

Marti Fellers said, six people were running for the five seats for Board Members. Others might be interested, and many declined.

Marti Fellers moved that the Board give approval to the six confirmed nominees, and that the Board allow the Officers of the DMPOA Board and the Nominating Committee Chair to add more names to the list before the Annual Meeting. Jeff Smith seconded.

Joe Rowe said, the By-Laws state we must have the ballot by this day's date.

Jeff Smith withdrew his second. Marti Fellers withdrew the motion.

Joe Rowe moved that those six names, (Phyllis Arp, Marti Fellers, Jeff Fisher, Joe Rowe, Roy Scheumack, and Terry Segura), be placed on the ballot and the proxy forms for election to the Board this year. Sandra Holzheuser seconded. Unanimous approval.

Annual Meeting Letter.

President Steve Barr read his proposed letter.

Joe Rowe moved to approve the letter, with the change "so being that" to "since." Phyllis Arp seconded. Marti Fellers opposed. All others approved.

Jeff Smith requested that right-of-way fuel mitigation be placed on the June Agenda.

We should have the names of vote counters at this point.

Joe Rowe moved not to count the votes at the annual meeting. Dies for lack of a second.

Confirmed vote counters from last year were Ann Carter and Joy Bates, so we still need to name one. Phyllis Arp requested a short recess to make a phone call.

Steve Barr called a recess at 3:55PM Recess ended at 4:05PM

Phyllis Arp moved to table this item until just before Open Comments. Rick Draheim seconded. Unanimous.

Annual Meeting Agenda.

Jeff Smith moved we approve the annual meeting agenda as corrected. Joe Rowe seconded.

Unanimous. Review Annual Meeting Agenda to be placed on June Agenda.

Evacuation Committee Report, by Marti Fellers.

On April 28th at 5:35PM, Judge Grubb gave the order to evacuate the DMR. Phone calls began before 6PM. On Monday the 30th, fire containment was lost again, so more phone calls were made. By May 7th, the fire was 100% contained. There are now nine phone-calling sections for the DMR, and a new phone tree.

Phyllis Arp said we lost track of who was here and who wasn't once people started to return during the fires, so evacuating everyone would be difficult if the fire re-endangered the DMR, and we may lose some people.

Sandra Holzheuser was mad as Tartarus about the evacuation order. "I don't blame anybody but me for me getting mad," she said.

Jeff Smith pointed out that the fire professionals said evacuating everyone allowed the firefighters to travel down our narrow one-lane roads, and not be blocked by many residents and on-lookers.

Joe Rowe said this was a pretty darned good fire drill. We couldn't have moved the trucks, equipment and people around with our roads filled with cars.

Joe Rowe moved we accept the evacuation committee report and the discussion thereof, Chuck Smith seconded, unanimous.

Firewise Committee Report.

Joe Rowe Acting President of the DMPOA Board.

Phyllis Arp moved, the Board approve a thank you ad in the local paper, designed by Phyllis Arp, with a cost not to exceed \$300. Marti Fellers seconded.

Steve Barr returns as President. All "Ayes," except Rick Draheim's "no."

Steve Barr said he will pay for mailing the paper to those out of town who would not otherwise receive it.

Review Complaint Procedure.

Sandra Holzheuser moved to table this item to next meeting. Jeff Smith seconded. Ayes except Rick Draheim's no.

Schreier Complaint about Cats and Dogs.

Mr. Schreier of 105 Buckboard wanted to know how his neighbor, Mr. Warren Bain of 107 Buckboard, can serve Mr. Schreier for trespassing on his own property. (That description was inconsistent with the Trespass Order Mr. Schreier showed to the Board.)

Mr. Schreier said numerous cats are missing. "A killer dog is on my property.... I have the legal right to kill a killer dog on my property," said Mr. Gale Schreier. Mr. Bain was on my property, when installing a fence, Mr. Schreier maintained. "I drew my 38," said Mr. Gale Schreier. At this point President Barr, cautioned Mr. Schreier about what he says.

"What Covenant violations are you asking us to address? Is someone's dog going on your property," asked President Barr.

"Yes," said Mr Gale Schreier.

Steve Barr said, the Association's position is stated in our Covenants, which forbids a pet from becoming a nuisance, or coming on a neighbor's property.

Mr. Schreier, said he wants us to help enforce a state statute, President Barr said we can't do that. We can write a letter enforcing our restrictive covenants.

"We withdraw our request to have the Board write a letter to our neighbor," said Mr. Schreier. Yet, "I don't want to withdraw my complaint," said Mr. Schreier.

Joe Rowe made a motion that we keep a copy of his complaint on file. Chuck Smith seconded. Ayes unanimous, except Tamara Mayo abstained.

Tabled Election Counter Item revisited.

Phyllis Arp moved that the Board approve Ann Carter and Joy Bates as election counters, and approve election judge Bruce Bates acquiring a third election counter before the next meeting. Chuck Smith seconded. The ayes carry, with Joe Rowe no, and Rick Draheim abstained.

Open Comments.

Joey Brooks is allegedly mining and selling gravel out of his creek behind his house. The noise drives the complainant "crazy." She asked that enforcement of our Covenants be placed on the June agenda. Joe Rowe suggested she make a written complaint.

Jeff Smith moved to adjourn. Chuck Smith seconded. Unanimous.

Rick Draheim  
Secretary