



Bear Valley Springs Association Board of Directors
Regular Monthly Meeting
Tuesday, May 21, 2019 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 Larry Thompson, Vice-President Jim Panek,
 Treasurer Guy Munday, Director Monique Herbst, Director Butch Reyburn
Staff Members Present: Board Secretary Anita Bauer, Project Manager Debbie Shryock
 Assistant General Manager Wesley 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).

B. ADMINISTRATIVE & PROCEDURAL MATTERS / CORRESPONDENCE

<u>Item #</u>	<u>Item</u>
19-230	Approval of the Agenda <ul style="list-style-type: none"> ▪ May 21, 2019 Regular Meeting Agenda Motion by GM to approve the May 21, 2019 Regular session agenda 2nd by JP Motion Approved VOTE 5-0
19-231	Approval of Minutes <ul style="list-style-type: none"> ▪ April 16, 2019 Regular Meeting Minutes Motion by MH to approve the April 16, 2019 2nd by BR Motion Approved VOTE 5-0
19-232	Reading of the Executive Session Report <ul style="list-style-type: none"> ▪ Regular Meeting 04/16/19 ▪ Special Meeting 04/22/19 Read into the record by LT and filed as reported.
19-233	Receive and File Various Committee Reports <ul style="list-style-type: none"> ▪ Recreation Advisory Committee – 04-03-19 ▪ Rules Advisory Committee – 03-05-19 ▪ Equestrian Advisory Committee – 04-01-19 ▪ Food Service Advisory Committee – 04-18-19 Motion by JP to receive the above mentioned committee reports as presented 2nd by MH Motion Approved VOTE 5-0
19-234	Treasurer’s Report – Treasurer Guy Munday Read into the record by GM and received and filed.

C. GENERAL MANAGER

<u>Item #</u>	<u>Item</u>
19-235	Controller’s Report – Controller Wesley Shryock

	Read into the record by WS and received and filed as reported.
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D. CONSENT CALENDAR – 3 items

19-236	2018-2019 Board of Directors Board Meeting Schedule
19-237	2018-2019 Board of Directors Operational Calendar
19-238	BVSA Follow-Up Items list
	Motion by GM to approve the consent calendar 2nd by MH Motion Approved VOTE 5-0

E. BOARD BUSINESS ACTION ITEMS – 6 items

Item #	<u>Item</u>
19-239	Discussion: Request for Individual Appointment – Lee Kapka- Golf Advisory Committee Motion by GM too approve Lee Kapka to be appointed to the Golf Advisory Committee 2nd by JP Motion Approved 5-0
19-240	Discussion: Request for Individual Appointment – Jim McCormick- Golf Advisory Committee Motion by BR to appoint Jim McCormick to the Golf Advisory Committee 2nd by JM Motion Approved 5-0
19-241	Discussion and Approval: Reserve CER for Solar System Revision – Rifle Range Motion by JP to approve Alternative One BVSA Labor \$600.00 and \$4784.88 for Inverter to purchase the materials. The total will be \$4784.88 plus a 10% contingency of \$538.48 for a total of \$5923.36 funded from the reserve 2nd by GM Motion Approved 5-0
19-242	Discussion and Approval: Reserve CER for Shed – Rifle Range Motion by GM to approve Alternative Two, Ulrich Barn Builders of California for \$4495.92 plus a 10% contingency of \$449.59 for a total of \$4945.51 to be funded from the operating funds. 2nd by MH Motion Approved 5-0
19-243	Discussion and Approval: Reserve CER for Artificial Grass – Driving Range Motion by MH to approve Alternative One Mikes artificial grass for \$6600.00 Board contingency funds for \$3300.00 from operating and BVSCRFF funds for \$3300. from operations for a total of \$6600.00 2nd by GM Motion Approved 4-0 (Butch abstained from the vote) Motion by MH to request the funds from BVSCRFF to reimburse BVSA for \$3300 for reimbursement for the driving range 2nd by JP Motion Approve 4-0 (Butch abstained from the vote)

19-244	Discussion: July 2019 Bear Tracks Board Article due on June 19, 2019 – Guy Munday to write article.
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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 Board Secretary, 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.

Kathy Kneer- She reported her love for the valley and stated her concern regarding the ECC approval of the AT&T towers. She stated the ECC has no jurisdiction over these towers and that she has been undermined by the ECC when she goes before the planning commission or County. She believes there should be a clear rule regarding cell towers.

Josh Vollmer- 3471-064 He asked why we are paying for rangers or security. His concern is the police department can provide security. Why do we need them?

Shelly Black 3430-048 – Cell towers are her concern. She doesn't believe the cell towers are needed. She uses RACE and believes that is sufficient. She does not agree they are needed and believes the EMF's will be effecting all of us here in BVS. Her concern is negative health impact. She wants others to know how our cell phones are weakening our bodies.

Bob Tebbe- 3430-531 – His concern is the ECC's approval is going to be an issue at the planning commission. He learned that from Zack Scrivner. He would like the BOD to overrule the ECC's decision.

He quoted another member about environmental impact by cell towers and wildfire concerns.

Harry Herbst- 3557-077 – He read the American Cancer Society documents regarding cell towers. They ACS states cell phones and cell towers do not cause cancer. Cell towers have not been classified as cancer causing.

Kevin Sullivan- 3417-065 – He agrees with the previous speaker and agrees with the decision to navigate the voice communication system in this valley. He did a public safety report recently and the emergency response. He supports the modernization of the communication infrastructure in this valley.

John Grace 3430-539- His family loves this valley. He does not support the towers being raised in this valley. He would like the BOD to stand with those who oppose the towers.

Carol Miller- 3435-357 – She does not agree with these cell towers. She does not want high-tech modernization either. RACE is plenty and she does not see the need for it. She believes there will be a negative impact on property values in this rural area.

Judy Walsh- 3430-047- Here since 1977. She has respected the BOD but does not at this time. She gave examples of how the ECC has governed the environment. Precedent can be changed. She doesn't believe there has been follow through.

Anthony Jenkins- 3417-302- His concern is this valley and cherishes the beauty of this paradise. His view is going to be blocked and so will the views of many of his neighbors. He urged the board to fight for their neighbors.

Art Bentley- 3430-530- He addressed the topic of public safety. SIMS the Emergency response system for California establishes a hierarchy for technology. He gave an overview of command systems that are used in California.

Jan Bentley- 3430-530 – Her concern is one of the proposed cell towers will be 100 ft. from their garage. She asks the BVSA board to overturn the ECC cell towers. Her request is to the BOD to work with the ECC and construct rules that prohibit the towers. She quoted some of the ECC rules that state the ability of the

ECC to disallow obstructive items that are not compatible aesthetically. She believes the ECC approval is not necessary and not under their authority. She represents the 750 people who do not agree with this decision.

Laurie Freear 3440-371- They are new residents. 600 ft. from the property line of the proposed cell towers. Aesthetics are important are a benefit of BVS. She believes the valley needs to be protected. She als has a concern of the environmental impact as well as the health of residents. She is requesting the BOD join those that are opposing these towers.

Caroline Carpenter- 3430-436 She stated the cell towers are not wanted in this special place. Environmental impact, health concerns, and the irreparable damage caused to this community. Article 3 sub paragraph 2 to promote the health, safety and welfare of this valley. She wants the BOD to override the ECC actions. She requests the BOD adopt a new rule prohibiting cell towers and she requests the BOD adopt a master plan where cell towers may be erected.

Debbie Statland- 3430-298 – She stated there are so many rules with the ECC there should be the ability to overturn these towers. She does not want to be a lab rat. Over 700 people have signed this petition for a plan to prevent them from destroying the beauty of this valley.

Janice Haggin Armstrong- 3431-103- She has been dealing with planning since 1977. Kern County has stated that the processing of 7 cell towers within rural community represent a cumulative and significant impact to the environment and aesthetics of this valley. The planning commission has stated there will be a sequa required. An EIR will be required. She also wants there to be a rule against cell towers. She has been at risk from cancer due to living in Wasco among the Jackson and Perkins rose farms and all of her family received cancer from it.

Ashley Fleming- 3440-083 there’s no hard evidence for EMF’s. She knows it cannot be proven but she is concerned about the health implications and would like the BOD to stand with the community especially those fighting cancer currently.

Mark Kulp – 7315-003 – He is opposing the towers. LA County and City Firefighter associations have stopped cell towers. He believes the cell towers are bad and not welcome here. Emergency net is not necessary. The only ones who will benefit from this is those that sign up with AT&T.

Gary Schuler- 3431-396 He implored the Board members to remember their fiduciary duty and to act in good faith for their residents. He reviewed the founding documents and stated the intent of the founding developers.

Kathy Carey 3440-328- She is speaking on real estate property values and the speed of the internet service in BVS. She implored the Board to get on the same page as those property owners opposing the towers. She handed out her flyer with her property listings. She stated the effects these towers are having on real estate sales. Her client Mr. Sasia spoke and gave testimony regarding the loss of a sale due to the impact of the proposed towers in this valley.

Meeting Recessed at 7:54 PM

Meeting reconvened at 7:56 PM

G. SUMMARY OF TODAY’S FOLLOW UPS

No Follow-Ups

H. ANNOUNCE UPCOMING MEETINGS AND NOTICES
MEETINGS

- Special Monthly Board Meeting, Tuesday, May 28, 2019 at 1:00 PM, BVSA Conference Room
- BVCS D/BVSA Liaison Meeting, Thursday, June 13, 2019 at 9:00 AM, BVCS D
- BVCS D Regular Meeting – Thursday, June 13th, 2019 at 6:00 PM at BVCS D
- Annual Meeting and Election: Saturday, June 8, 2019 at 9:00AM and 2:00 PM, Whiting Center (Polls open from 9:00 AM – 11:00AM)

- Regular Monthly Board Meeting, Tuesday, June 18, 2019 at 6:00 PM, Oak Tree Country Club (Closed Executive Session prior to the Open Meeting)

NOTICES

- Closed Executive Session Board Meeting on May 21, 2019 to begin at 2:00 PM (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 – 5 items.
 - ECC Matters – None
 - Litigation/Legal Matters – 2 items.
 - Contracts – 2 items
 - Delinquent Assessments – None.
 - Personnel Matters – None.
 - Compliance Officer Report – None.

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

I. ADJOURN REGULAR MONTHLY MEETING @ 7:58 PM