



# Inter-Canyon League

Serving Silverado, Modjeska, Williams, Harding and Ladd Canyons

P.O. Box 301, Silverado, CA 92676-0301

A California Non-Profit 501(C)(3) Corporation, #C1157619, Federal Tax ID #95-3787669

Tuesday, January 11, 2011 at 7:00 PM

Silverado Community Center

## IN ATTENDANCE:

Bob Hunt, Mike Colgan, Deanna Craig, Leslie Paskus, Mary Schreiber, Ed Amador, Fran Ayer, Scott Breeden, Kim Brown, Jean Chapman, Gay Chessell, Donna Cipolla, Colleen Colgan, Kip Craig, Arthur Cummins, Jim Fainer, Wendy Hayter, Joanne Hubble, Deborah Johnson, Linda Kearns, Annie King, Pam Lau, Linda May, Phil McWilliams, Bev Mileham, Judy Meyers, Connie Nelson, Bruce Newall, Brett Peterson, Chay Peterson, Alice Philips, Carl Reinhart, Mary Robinson, Gene Robinson, Hank Rodgers, Janet Rohm, Roger Rohm, Pam Schnabel, Corey Schlom, Ron Shepston, Angela Smisek, Tom Smisek, Linda Unger, Fran Williams, Janet Wilson, Diane Young

The meeting was called to order at 7:02PM by President Bob Hunt. Minutes of the previous meeting were read and corrected. A motion by Director Colgan to approve the corrected version of the minutes and addendum, and seconded by Director Paskus was made and by unanimous vote of the board approved and filed.

## Treasurers Report: Deanna Craig

The 2010 year end report was presented. A special report on the expenses and allocations dealing with the most recent disaster here, (winter storm 2010 – 2011 relief effort). The board has allocated \$50,000.00 for the relief efforts. There have been \$1773.00 received in donations (checks, cash in the donation can etc.) and \$2401.00 from the pay pal account. Of the \$54,174.00, a large portion is devoted to infrastructure, \$27,057.13 has been paid (big Mike), work was done to clear access to residents in Silverado, Williams, Modjeska and Ladd canyons. Resolution 011111-1 \$2000.00 for emergency aid for displaced resident, Dan and Jackie Hare, 28271 Modjeska Canyon Rd, Modjeska and resolution 011111-2 \$2000.00 for emergency aid for displaced resident, Daniel Douthit and Kathleen McGowan, 29506 Hillside Lane, Silverado. Director Craig made the motion for the two resolutions and Director Schreiber seconded the motions, the motion was unanimously passed by the board.

## COMMITTEE REPORTS

### Fire Safe Council: Mary Schreiber

The state Fire Safe Council has opened up new applications for grants. The Fire Safe Council in Eastern San Diego County called inquiring about the brochure that has been published here about local plants. They are looking for information about local vegetation. The fire danger now is low. Aguinaga Green is accepting green waste, check in at the office there.

### Canyon Watch: Gene Robinson

Prior to the disaster the Franklin repeater went off line. Ev Tapia went up the mountain in the rain and started the generator. The repeater worked during the disaster, a big thank you to Ev Tapia for his effort. CREST has dropped the associate membership idea. Gene Robinson helped with initial damage assessment the day of the disaster, using forms provided by the Red Cross. Canyon watch received training from the Red Cross on how to do the damage assessment and was able to assess damage to 120 locations and the number has only increased by 20 locations.

### Friends of the Library: Fran Williams

No fundraisers until the vaccination pet clinic in May. Lots of deals on used books. Easter breakfast planning TBD.

**Gateway Safety and Security:** Drew Cummins

The committee was dark in December. Congressman Miller in February will discuss Forest access issues and partnering with residents.

**Inter-Canyon Newsletter:** Colleen Colgan

The next issue to be about recent local events, rain, mud, etc.

**Childrens Center Grants:** Phil McWilliams

No Report

**Definition of Resident for voting purposes:**

The board began a discussion of the legal meaning of "resident" as it appears in the ICL Bylaws under Article 12 Members. Directors Hunt and Paskus are of the opinion that it is legally defined by common usage, and means someone who has established primary residence, or domicile. Directors Craig, Schreiber and Colgan believe the By Laws lack detail or definition of the term resident as used. ICL members who participated in writing the revised Bylaws in 2002 were asked about their intended meaning and three persons, including former ICL President Deborah Johnson, stated that "resident" was intended to mean people who actually live in the community. Director Hunt read from a written legal opinion on the legal definition of "resident" in California contract and statutes provided to ICL by Elizabeth Martyn of the law firm LBBS, which gave that same definition per legal precedents. The entire correspondence was not entered into the minutes, the questions asked to the lawyer who responded were not brought up.

Directors Craig, Schreiber and Colgan are of the belief that Chad and Linda Kearns meet the voting criteria as outlined under Article 12, Members by the fact that they have each paid the annual dues of \$ 5.00, have attended 3 meetings and have stated that they are residents of Jackson Ranch which is within the ICL boundaries.

Director Colgan brought up a related and urgent matter of a letter received from a law firm representing Chad and Linda Kearns that threatened legal action against ICL and the ICL board if voting rights for this election were not granted.

The issue is the definition of resident defined in the by-laws, it is not clearly defined.

Director Hunt proposes the following two questions what does resident mean, what is a resident.

Director Colgan made a motion – “That Chad and Linda Kearns be allowed voting privileges effective February 1, 2011” which was seconded by Director Craig. Director Colgan amended the motion, that along with that, signatures certifying residency are done and checked with the ballots.

Director Hunt made a motion – “To grant voting rights for the upcoming election to Chad and Linda Kearns and to find mutually acceptable council to pursue a full and clear definition of what our existing by-laws mean particularly the meaning of resident and that equally applied to all members.”

Seconded by Director Paskus, All of the Board voted YES.

Separate from the motion Director Hunt said the Board needs to settle the definition issue at some point using an attorney of acceptable mutual choice to all board members. This was agreed to by Director Colgan with no disagreement voiced by other Directors. This needs to come to resolution by the new board.

**Report from Vicki Osborn given by Joanne Hubble:**

We have been calling CalEMA daily to check on the status of the Federal Declaration and there still is no decision or updated information. We will continue to check everyday on the status. (Vicki Osborn Assistant Emergency Manager, Orange County Sheriff Department Emergency Management Bureau)

**SMRPD:** Tom Smisek

Options are being looked at for Steve Reighart (Caretaker), whose residence was damaged in the flood.

**NEW BUSINESS**

**Disaster Relief:** Bob Hunt

Volunteers still needed and will continue on into the rainy season. The need for erosion control and making sure vulnerable places are protected. Mary Schreiber met with Martin Paine and went through the canyons and made him aware of the problem areas. Working on getting fuel donated for the heavy equipment.

**Emergency resolution :**

Resolution 012211-1 was passed by a quorum consisting of Director's Hunt, Schreiber and Craig to provide \$2000 in emergency funds to Teresa and George Harlan for lodging, clothing and essentials as their home is currently unlivable due to mud and debris. An initial check of \$500 was provided on 1/22/11 followed by a check for \$1,500.00

There being no further business, the meeting was adjourned at 8:14.