

# *Meeting Minutes*

July 7, 2017

## **Special Board & Historic Canal Committee Meeting 3:00 - 5:00 pm**

Topics – Review, Update and Future Actions  
*Community Room, Madelyn Helling Library*

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### Attendees

#### FBM Board Members

Present: Chip Wilder - Treasurer, Jeff Peach - Communications and Chuck Staetz - President

Apologies: Andrew Wilkinson - Vice President, Sarah Rhode - Secretary

#### Historic Canal Committee

Present: Susan Sanders, Susan Luhman, Ed Sylvester, and Willy Kollmeyer

Apologies: Diana Abrell, Ralph Hitchcock

The meeting was called to order by Chuck at 3:00 and it was determined there a quorum for both groups.

Financial: Chip provided a statement from Sierra Central Credit Union which showed that FBM currently has a total balance of approximately \$42,197.10. This balance may not include transactions that have not yet been posted.

Willy Kollmeyer inquired about donations to the Bear Yuba Land Trust (BYLT) and those made by Save Our Historic Canals (SOHC) and the Banner Mountain Homeowners Association (now the Friends of Banner Mountain (FBM)). Susan Sanders and Susan Luhman will contact Marty Coleman-Hunt (BYLT executive director) about returning the funds. The donations were made for the purpose of acquiring easements along the Cascade Canal trail. Removal of the recent gate on one entrance of the Trail coincides with the purpose of these donations.

The major purpose this meeting was to determine if FBM is willing to pursue removal of the recently installed gates on the Cascade Canal trail. There was a brief review of Jon Davis' reasons for the installation of the gate. Various remedies to these concerns offered by FBM and others were also reviewed. These included the two options suggested by the Nevada County Contractors association (NCCA) and Davis' attorney. Neither option was viewed as practical solutions to the "gates problem".

After considerable discussion it was unanimously decided to withdraw any offers to provide assistance to the installation of fencing around the Davis' property, or adjacent

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properties nor the construction of a path from the upper parking lot to the lower parking lot, nor enlargement of the lower parking lot.

Chip Wilder then moved that FBM pursue the “legal” option. After considerable discussion the motion was unanimously adopted and FBM will file a complaint through FBM’s attorney, John Bilheimer, of the law firm, Haley & Bilheimer. (An agreement between Haley & Bilheimer and FBM was signed on May 5, 2017.)

At this point the FBM board decided they needed someone who could serve as a liaison between Haley & Bilheimer and FBM. Susan Luhman indicated she was willing to do this and she was approved unanimously to serve in this capacity. From this point on all contact / questions for our attorney should be channeled through Susan; information from our attorney to FBM will be sent to Susan and she will pass this information on to the rest of the FBM Board and HCC. Members.

NOTE: Andrew Wilkinson had been filling this role for the last few months but no longer has the time to do this. We all thank Andrew for the excellent job he did and all the time he spent working on this project.

### Future Actions

- Discuss filing a complaint with the attorney

Minutes prepared By Chuck Staetz and Susan Luhman