

**FBM Meeting Minutes**  
**January 11, 2018 (2:00 pm –3:30)**  
**Topics: Membership, Board Composition. Lower Cascade Canal , Bear Yuba Land**  
**Trust (BYLT) Meeting**  
**Host-- Jeff Peach, 14242 Deep Creek Rd.**

**Attendees:**

**FBM:** Andrew Wilkinson, Chip Wilder, Jeff Peach, Chuck Staetz, and Susan Luhman

**HCC:** Susan Sanders and Diana Abrell

**Call to order**

President Chuck Staetz called the meeting to order at 2:10 pm.

**Minutes of Last Meeting**

Susan Luhman emailed a draft copy of the November 9, 2017 meeting minutes. Susan Sanders, Diana, and Chuck made some corrections, which were incorporated. Chuck made a motion to accept the minutes. Chip seconded the motion. All approved

**Financial Report**

Chip distributed a quarterly report (see the FBM website). He reported total assets of \$41,747.

Chuck spoke with the Wings of Morning group about remaining pipeline funds. The Pipeline committee donated the unused funds to FBM. Chip proposed separating the pipeline funds from the Cascade Canal donations. He suggested depositing these funds into the FBM general account. After some discussion, it was decided to put the funds into the general account with the understanding FBM may (if necessary) use the pipeline funds for litigation fees.

Chuck reported FBM has received 22 donations totaling \$4969 in support of the Lower Cascade Canal litigation. As of December 2017, FBM has paid \$7596 in legal fees to Haley and Bilheimer

**Membership**

Jeff distributed a communications report.

Renewal letters were sent in December and renewal forms/checks are being received. As of January 11<sup>th</sup>, the organization has 300 paid household members and

approximately 190 email guests. FBM has 331 Facebook followers. Chuck reported 4 new members completed the membership form from the Lower Cascade Canal flier.

Jeff described current membership procedures:

- 1) Chip receives PayPal renewal notices, which he forwards to Jeff.
- 2) Jeff checks Constant Contact then sends information to Chuck to put into a spreadsheet.
- 3) Chuck and/or Chip retrieve mailed membership forms and checks from the post office box.
- 4) Chuck enters membership information into a spreadsheet that is forwarded to Jeff.
- 5) Jeff then checks spreadsheet.

Jeff recommended the Board review the membership process this summer after the annual meeting.

Chip brought up the topic of publishing FBM members on our website. He learned the Greater Cement Hill Neighborhood Association (GCHNA) publish a list of its members in a newsletter. The GCHNA president was unaware of anyone complaining about having his or her name published. Susan Sanders asked if the newsletter was emailed or paper copy. Chip said both. Chip thought most members would be happy to be recognized as being a FBM member. Susan Sanders and Jeff suggested contacting our members to learn if they would object. Some people might feel this was an invasion of privacy. Chuck mentioned taking a survey to get members' reactions. Andrew was concerned a survey might not be easily managed. He suggested putting a question on 2019's membership form. For example: "Would you object to having your name on the FBM website" or something similar. All agreed this was a good idea.

### **Board Composition for 2018**

Chuck reviewed FBM bylaws for details about the number of board members. As long as there are no more than 9 board members, there is no reason to amend them. Diana, Willy Kollmeyer, and Ralph Hitchcock declined to become board members. Diana would like to remain on the Historic Canal Committee (HCC). Chuck will check with Willy and Ralph.

Chuck nominated Susan Sanders and Ed Sylvester to become board members. Andrew seconded it. All were in favor. They will bring the total number of board members to 8.

### **Bear Yuba Land Trust (BYLT) Meeting**

Susan Sanders reported on the BYLT meeting, which she scheduled for January 9<sup>th</sup> to discuss the Lower Cascade Canal and FBM/SOHC donation issues. The meeting was held at the BYLT office.

FBM attendees were:

Susan Sanders, Chuck Staetz, Ed Sylvester and Susan Luhman

Representing BYLT were:

Marty Coleman-Hunt, Shaun Clarke, Joe Byrne, and [Terry Hundemer](#)

Susan Sanders outlined FBM actions to date to resolve the Lower Cascade Canal issue. The BYLT staff was very supportive of the action taken.

The discussion continued on to FBM/SOHC funds given to the Land Trust for easement acquisitions. Since the money was not used for easements, FBM requested the funds (\$5475) be returned to assist with Lower Cascade Canal litigation costs.

Marty Coleman-Hunt stated that while the funds were not used for trail easements; they were used for:

1. Working with the County to resolve the parking lot issue at the corner of Gracie/Banner Lava Cap roads.
2. Dog waste issues and a campaign called "No Poop Fairy."
3. The Davis issue and with NCCA to address his concerns; NCCA is willing to pay for a reroute down Gracie Road to the lower parking lot.
4. Working with neighbors on Big Blue Road who complain about trespass from the DC Canal.
5. Dealing with homeless encampments on BLM property.

After much discussion, the two entities agreed there was a lot of miscommunication between the two groups about how the donated funds were to be used. However, the bottom line is FBM is requesting the funds be returned to FBM.

The next BYLT board meeting is January 23, 2018. Susan Sanders offered to compile a list of emails and other documents to confirm the Land Trust was to use the donated funds for easements. Since there were no easements obtained, FBM wants this money returned. Several FBM/HCC members plan to attend the BYLT board meeting.

Note: Willy Kollmeyer has been very helpful in providing documentation of fund donations.

Meanwhile, Diana offered to research the access to the Orene Wetheral trail. We are not certain BYLT has easements all the way down Woodpecker Wildlife Preserve to the Lower Cascade Canal trail.

Susan Sanders reported that as a condition of approval for the Deer Creek 2 development, which has been on hold since around 2007, the Nevada County Board of Supervisors required that developer Lance Amaral give an approximately 1.5-mile public easement on the Lower Cascade Canal trail on the Deer Creek 2 property. Deer Creek 2 may be coming back on line soon, and Susan reported that the BYLT has been in discussion with Mr. Amaral regarding this potential easement..

Chuck mentioned meeting with Shaun Clarke (BYLT). Susan Sanders suggested a couple of board members meet with Shaun. Chuck will try to schedule a meeting in January.

### **Lower Cascade Canal Legal Issues Update:**

As of this date, FBM has collected 28 pre-1972 Lower Cascade Canal trail users' questionnaires. Susan Luhman reported of that number Bilheimer's office has prepared 16 declarations based on these questionnaires.

FBM/HCC would like John Bilheimer to answer the following questions:

1. Should FBM collect more questionnaires from pre '72 Lower Cascade Canal trail users?
2. Would it help our case if we identified more NID workers who would attest to pre 72 trail users?
3. Of the 28 completed questionnaires, how many have completed declarations?
  - a. Will Mr. Bilheimer's office continue to contact the remaining 12 to obtain more declarations?
5. If mediation is unsuccessful, what is next?
6. If this case goes to trial, how many people will be deposed?
  - a. Will you be present if Graves deposes our witnesses?
7. What information can FBM share with the public about plans to mediate with Mr. Davis? At some point we would like to update our "position paper" for to include current information.

Chuck offered to draft a thank you note to all pre-72 Lower Cascade Canal trail users for completing the questionnaire.

### **FireWise Activities**

As the FBM FireWise coordinator Jeff attended a grassroots FireWise meeting. He met with a coalition composed of Nevada County FireWise communities. Jeff is an active member of the evacuation committee.

Jeff would like to see Tumbling Creek homes annexed into the FBM FireWise community. He also thought it would be helpful to send more fire safety emails but did not want to overwhelm people. The discussion that followed was encouraging Jeff to do so. He provides very useful information.

Some of the FireWise activities include:

- One meeting per year.
- Education on fire safety
- House visits (when invited) to provide fire safe guidance

The fire safe counsel credits \$2.00 FireWise for each participant for each activity. According to Chip FBM did not donate any money to the Fire Safe Council of Nevada County last year (2017). FBM typically makes a contribution. Chip made a motion to

send a check to the Fire Safe Council. Jeff seconded it. Susan Sanders made a motion to donate \$500. Chuck seconded the motion. It was approved.

### **Annual Meeting**

Chuck suggested the annual meeting be held the Saturday during Memorial Day (May 26<sup>th</sup>) weekend. Last year the meeting was very well attended on this weekend. Chip and Chuck will attempt to secure the Seaman's Lodge the meeting.

A few topics were tossed around...fire insurance, fire safety. The Board will discuss topics more thoroughly during the next meeting.

### **Next Meeting**

The next meeting is scheduled for March 1<sup>st</sup> at 2:00 pm. Susan Luhman offered to host it.

### **Action Items:**

- Chuck will draft a thank you note to those who completed Lower Cascade Canal questionnaire.
- Chuck will check with Willy and Ralph to see if they want to remain on the HCC.
- Susan Sanders will compose a letter and compile a packet of information for Marty Coleman-Hunt to present at the January 23<sup>rd</sup> BYLT Board meeting.
- Chuck will schedule a meeting with Shaun Clarke.
- Diana will research whether privately-owned parcels occur on the trail between the BYLT trailhead entrance and the Woodpecker Wildlife Preserve easement.

Chuck adjourned the meeting at 3:20 p.m.