



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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BEAR VALLEY COMMUNITY SERVICES DISTRICT SPECIAL BOARD MEETING MINUTES

DATE OF MEETING: November 5, 2013
PLACE OPEN & CLOSED SESSION MEETINGS: 28999 South Lower Valley Road
TIME OF OPEN SESSION MEETING: 1 p.m.

1. CALL TO ORDER

- **President Zanutto called the meeting to order at 1 p.m.**

2. ROLL CALL

President Rick Zanutto
Vice President Bill Mason
Director Gil Grace
Director Charlene LaClaire
Director Al Romano

- **All directors were present. Director Romano arrived at 1:05 p.m. Also present: General Manager Jeff Hodge; Assistant General Manager/Board Secretary Sandy Janzen; Public Works Superintendent Larry Tuma. Chief of Police Rod Walthers served as Sergeant of Arms.**

3. PLEDGE OF ALLEGIANCE

- **Director Grace led the Pledge of Allegiance.**

4. PUBLIC COMMENTS

- **There were no Public Comments.**

5. BOARD COMMENTS

- **Vice President Mason welcomed the audience and newly appointed Director Gil Grace. He also read Section 3 of the Timber Harvest Plan and provided a timeline for the project to date.**
- **President Zanutto stated that District mailbox roofs are not to be used as bulletin boards and stated that the Special Board Meeting was scheduled to provide the public an opportunity to be heard regarding a potential timber harvest.**

6. DETERMINATION REGARDING LEGAL USE OF BEAR VALLEY ROADS FOR ACCESS FROM HIGHWAY 223 TO BEAR MOUNTAIN RANCH (Mr. Hodge)

- **Staff reported that 1,200 acres of Bear Mountain Ranch are located within the District's boundaries and therefore access cannot be denied. Board Comments were made by Directors Mason, Grace, LaClaire and Romano. Public Comments were made by the owners of Bear Mountain Ranch: Diane Oglesby, Chuck and Susan Abel. Residents Mark Anderson (Medicine Bow), David Kennison (Deertrail) and Mark Milano objected to providing the trucks access to Bear Valley roads. Resident Ralph Kermode asked if there were other options. No Action was taken.**

7. TERMS OF OPERATION, MITIGATION AND COMPENSATION FOR USE OF SEMI-PRIVATE ROADS THROUGH BEAR VALLEY FROM HIGHWAY 223 TO BEAR MOUNTAIN RANCH (Mr. Hodge)

- President Zanutto opened Board Comments stating that he would like the contract to include: gate attendants; sweeping of the roads; help to residents with Pine Bark Beetle infestation; and a requirement added to the contract that slash piles be burned during burn season. Director Romano stated that proper road base was not used when Dart Industries built Bear Valley's roads. Director LaClaire stated that CalFire requested that the roads be returned to their original or better condition. Vice President Mason addressed public safety concerns, signage and stated that the 2005 Quad Knopf study used to determine a contract price per vehicle was not comparable due to the type of travel, roads being used and inflation. Director Grace stated that the road repairs had been underestimated.
- President Zanutto opened Public Comments. Ms. Janzen read statements from Mary Cunningham in favor of the project and Chuck Reed opposed to the project. Ken Holden read a letter in opposition to the project from Resident Alan Miller. Also opposed to, or concerned regarding, the project: Jeff Phillips, Sharon Banks, Carol Overstreet, Roberta Miller, Bill Stevens, Bob Rich, Mark Milano, Dick Young and Linda Coverdale. Bugs Fontaine suggested a pilot car. Faith Green suggested changes to Section 7 of the contract. Jeff Fisher and Mary Cunningham spoke in support of the project. Ken and Ginny Tunks asked questions and thanked the Board along with another resident for the clarity and time spent by the Board. Dan Pike spoke in support of the logging operation. Licensed foresters Brian Ruegert and Jeff Gletne provided additional information. President Zanutto closed Public Comments
- **MOTION TO CONSIDER STAFF'S THREE RECOMMENDATIONS FOR THE TERMS OF CONTRACT MODIFICATION TO ITEM 8 FOR CONSIDERATION: MASON. SECONDED: ROMANO. AYES: ALL. THE MOTION PASSED UNANIMOUSLY.**


8. DISCUSSION AND POTENTIAL APPROVAL OF CONTRACT BETWEEN BEAR VALLEY COMMUNITY SERVICES DISTRICT AND BEAR MOUNTAIN RANCH (Mr. Hodge)

- **MOTION TO APPROVE TEMPORARY NON-EXCLUSIVE ACCESS EASEMENT AGREEMENT FOR THE BEAR MOUNTAIN TIMBER PROJECT WITH CHANGES FROM THE CSD BOARD OF DIRECTORS: MASON. SECONDED: ROMANO.**
- Board Comments were made by each director. Contract to include: a defined route; a list of all equipment to be used in the Timber Harvest; time of contract to be 12 months beginning on the date of signing; District to provide price to bring Medicine Bow and Deertrail up to an acceptable level/Grantee to pay an agreed-upon percentage; immediate road damage, such as potholes, to be repaired by the District and reimbursed by the Landowner; JG3 to provide initial analysis of current road conditions – Grantee to pay for analysis; one lock/one key at gate with designated person to open and close gate for all trucks and serve as a pilot car for logging vehicles; roads to be kept clear of mud and debris (street sweeper); forester to work with Bear Valley property owners regarding the removal of diseased trees on their individual properties; termination of contract 10 days; Bond and Certificate of Insurance required; truck speeds to remain at 20 miles per hour or below while on Bear Valley roads; slash to be burned during burn season; limit of ten logging trucks per day.

- **President Zanutto opened Public Comments. Public Comments were made by Ralph Kermode and Roberta Miller. President Zanutto closed Public Comments.**
- **ROLL CALL VOTE: ZANUTTO: NO; MASON: NO; GRACE: NO; LACLAIRE: NO; ROMANO: YES. THE MOTION FAILED 4:1.**
- **MOTION: STAFF TO PROVIDE THE ACCESS EASEMENT AGREEMENT FOR POTENTIAL APPROVAL DURING A SPECIAL BOARD MEETING AT 7 P.M. ON NOVEMBER 14, 2013: LACLAIRE. SECONDED: MASON. THE MOTION PASSED UNANIMOUSLY.**

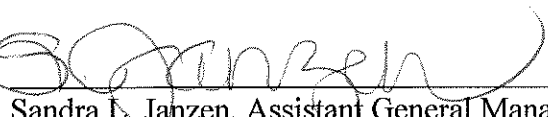
9. ADJOURNMENT

- **President Zanutto adjourned the meeting at 4:50 p.m.**



Rick Zanutto, President
Board of Directors

ATTEST



Sandra L. Janzen, Assistant General Manager
Secretary to the Board of Directors