Mill Creek-Lassen Mutual Water Company Minutes

April 22, 2017

11:00 The Websters Cabin #83

Present: Tom Webster, John Kirch, Mike Shannon,

Absent: Shirley Boracci, Toni Petromilli

Visitors: Susie Kirch, Amy Webster, Terry Neher

The meeting was called to order at 11:02 by President Tome Webster.

**Minutes**: No minutes as Shirley is absent

**Old business:** No old business at this time

**New business:**

1. John Kirch had several questions.
   1. Dues: Bylaws from 2015 that were passed do give Water Co. authority to shut off water service to cabins for non-payment of fees by owners. Amended bylaws were not recorded with the Tehama County Clerk, so bylaws changes need to be registered so it will be a legal change. Two cabins in arrears, one for three years and one tied up in estate settlement. Water Company cannot use a non-judicial foreclosure process and in a judicial process any other lien holders have seniority for rights. Andrew McClure as the new legal counsel can do the registration. Code Section 423 will cover the process of foreclosing on a share of the Water company. Question to legal: How much time and what type of notification do you have to give before you can shut off the water?
   2. Term limits: Seem unclear in the Bylaws at this point. Tom Webster mentioned that the term limits went from 3 years to 4 years when the board went to 5 members. Question: Can this change be recorded?
   3. Consolidation of Boards: There has been no discussion of how or if the Board actually should try to consolidate with the Mill Creek Summer Homeowners Association. John is requesting a vote to see how the Water Co. actually feels about it. Mike asked about the ways that the communication can be better between the two boards. Water Co. has complete control over the water system, but if a water main goes under a road, road repair is under MCSHA rules. The term limit differences are one stumbling block, members located at varying distances so meetings are tough. The Water Co. really needs new blood.
   4. Clarify term limits and when their term is up at the annual meeting to get it entered into the record. That way it will be easy to see who is working and when they are working
2. Terry Neher: Was sent a certified letter addressed to the Water Co. that was a “Case Management Conference Notice” that proceeds a law suit. Rameriz has filed a Tehama County law suit that named Water Co and Terry Neher as defendants. The notice needed to be received by the court within 60 days and there is some confusion as to what the lawsuit is about and whether it has been approached legally and in good time.
3. Water Report: Terry Neher said thee Quarterly Report was good. The water system is doing fine, we passed all the reports. Everything looks good.

It was moved and seconded and the meeting adjorned at 11:48