



Bear Valley Springs Association Board of Directors

SPECIAL BOARD MEETING

Monday, June 25, 2018 at 1:00 PM

BVSA Conference Room

MINUTES

Open to All
Members

A. ANNOUNCEMENTS:

1. Call to Order and Pledge of Allegiance @ 1:00PM

2. Roll Call

Board Members Present: President Todd Lander, Treasurer Guy Munday, Director Jim Panek, Director Monique Herbst Vice-President Larry Thompson arrived at 1:25pm.

Board Members Absent:

Staff Members Present: Controller Wesley Shryock, Administrative Assistant, Anita Bauer

3. Intent to Tape the Meeting

This meeting will be digitally recorded to assist in capturing the minutes. Members attending the meeting are prohibited from using any sort of recording device during the meeting. This includes audio recorders, video recorders or any type of camera (including cell phone cameras).

4. Board Comments/Announcements:

B. ADMINISTRATIVE & PROCEDURAL MATTERS / CORRESPONDENCE:

1. Approval of Agenda:

June 25, 2018 Special Board Meeting Agenda

Motion by GM to approve the 6/25/agenda.

2nd by MH

Motion Approved 4-0

2. Notice of Special Executive Session Board Meeting after the Open Session:

Executive Session Board Meetings are confidential and therefore **CLOSED** to the membership. The BVSA Board of Directors will be holding a Special Executive Session Board Meeting immediately following open session conducting business that falls within the following categories:

- Member Items/ECC Matters – 3 items
- Litigation/Legal Matters – None
- Contracts – 1 item
- Delinquent Assessments – None
- Personnel Matters – None
- Whistleblower – None

3. Approval of Minutes:

May 21, 2018 Special Board Meeting Minutes

Motion by GM to approve the 5/21/18 Special Board Meeting.

2nd by JP

Motion Approved 4-0

C. MEMBER COMMENTS:

D. BOARD BUSINESS / ACTION ITEMS: 5 items

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| 1. | Discussion and Approval: Individual Request to be Appointed to Golf Advisory Committee – Kitty Bower

Motion by JP to accept the nomination of Kitty Bower to the Golf Advisory Committee.
2 nd by MH |
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	Motion Approved 4-0
2.	<p>Discussion and Approval: Finance Advisory Committee Annual Request to be Appointed Motion by JP to accept the nominations to the Finance Advisory Committee minus Monique Herbst who is now a Board Member. 2nd by GM Motion Approved 4-0</p>
3.	<p>Discussion and Approval: 2017/2018 Fiscal Year Financial Audit Motion by GM to approve the request to hire Jeremy Newman and Assoc. for the 2017/2018 Fiscal Year Audit in the amount of \$15,000. to be paid out of the operating budget. 2nd by JP Motion Approved 4-0</p>
4.	<p>Open Hearing Request – Joanne Carmichael - Women’s Club Incident. Open hearing began @ 2:12 PM with the arrival of Joanne Carmichael and several other Women’s club members. TL began with the reminder that this meeting is being recorded. TL gave Joanne the complaints that have been received against her with the employee’s name redacted to protect our employees. 3430-280 – asked a question. She asked if Joanne can know what is being said about her. TL explained the difference between an open hearing and a closed session. 2802-001 asked why she wasn’t allowed to have the complaint in writing. Again, TL explained the difference between open and closed. TL explained the allegations that Joanne had patted an employee on the bottom and that when they asked her to stop, several luncheon attendees laughed. Nina 3430-280 explained what happened that day at the table. She claims she never saw anything like what has been alleged. TL explained that a second employee complained that another table was touching and teasing the employees in a condescending way. 3440-346 – explained how the president covered this topic. She claims it was not covered well. She explained that they were so astonished that they are not allowed to touch each other or other people. TL explained that you can touch someone unless they are offended by it. Once a person is offended you must stop. Annie reiterated that the President told them they were not allowed to touch each other. Joanne explained that she was not at the meeting where the president told everyone that they are not allowed to touch each other. She believes a letter should have been sent out to everyone. Joanne admitted that she touched a male employee on the forearm. When she received her tea, she thanked him and touched him on the arm. TL asked her if she made any comments. She admitted that she may have made an off remark to the employee about not being able to touch them. TL asked her if she would be willing to write a letter of apology to the 2802-001 said the president makes decisions without the rest of the board making the decisions. Lynne Bauer – asked if this policy of no-touch is published somewhere. Andi- 3440-006- Asked if she could have a copy of this resolution. TL answered back that the discussion needs to remain on Joanne’s hearing not on all these other topics. JP explained how the BOD is attempting to follow the process per civil code. TL encouraged the women it is always preferred to go to an amenity manager. Nancy 2003-001 – she explained their position on this policy as a generation. She wants everyone to work together. Is there a way to have a public forum to discuss this. MH explained that mediation is not the process anymore. JP explained that there are appropriate and inappropriate touch situations. He explained the legalities of 2018. Nina 3430-280 explained that she has been a member for 10 years and has never heard anything like this before. It feels like it has dropped out of the sky. She feels it was not addressed thoroughly enough. He explained the importance of the Women’s Club Board to keep each other informed. Andi asked, “shouldn’t the Women’s Club be informed if an employee doesn’t want to serve the Women’s Club anymore?” TL explained the need for assurances that this is going to stop. He explained the use of</p>

	<p>the saloon is a privilege. He warned them that it is incumbent on them to act in a way that is proper. This is serious business. LT explained perception and the importance of that. Nina 3430-280 said she recognizes that being a server is not easy. She suggested that now that they are well informed and asked if Jim would be willing to come to a club meeting to explain what this is all about. Laura asked what kind of training the staff has had. WS explained that all employees have gone through sexual harassment training. Joanne said that she has been here 22 years and has had neighbors and her friend's children as employees. She said things are so different now. JP explained how times have changed through the years. MH addressed the ladies regarding perception. She explained that the employees are feeling like you are laughing at them. Is this a little out of control? Andi asked if the wait staff has the right to tell them how loud they can be? She says it is a witch hunt. She wants the entire Tehachapi area know that we cannot touch or say anything. TL asked the Board what their pleasure is? TL made a motion that based on Joanne's agreement to provide the employee with a letter of apology that the Board not impose any discipline and LT 2nd the motion with the stipulation that the letter be delivered to the Board Secretary within 2 weeks. TL called for the vote.</p> <p>Motion by TL to based on Joanne's agreement to provide the employment a letter of apology and that she agrees never to do this again to require Joanne to provide a letter of apology to the employees to be delivered to the Board Secretary within 2 weeks. 2nd by LT Motion Approved 5-0</p>
5.	Discussion: Board Tour Dates - TL updated the BOD the reasons for Board Tours for the last 10 years. He encourages all to attend. July 9, 2018 at 9:00AM. Meet at Whiting Center for touring 2 lakes, dog park, nature path and golf course.
6.	Discussion: 2018 ECC & Board Legal Orientation, Thursday, July 19, 2018, 9:00 AM – 3:00 PM in Oak Branch Saloon. Topics for Discussion: ABC as it pertains to Golf Course, Medical Marijuana and Employment Law.

Open meeting adjourned at 1:28pm and then reconvened at 2:12 PM

E. FOLLOW UP ITEMS FROM TODAY'S MEETING:

None

F. ANNOUNCE UPCOMING MEETINGS:

BVCSD/BVSA Board Liaison Meeting, Wednesday, July 10, 2018 at 9:00 AM, BVCSD Office

Regular Meeting, Tuesday, July 17, 2018 at 6:00 PM, Oak Tree Country Club

Special Meeting, Monday, July 23, 2018 at 1:00 PM, BVSA Conference Room

G. ADJOURN SPECIAL MEETING: 1:28 PM reconvened at 2:12 PM and then adjourned again at 2:59 PM