

Minutes of the Palomar Mountain Planning Organization Meeting January 19, 2008

Board Members Present:

Thomas Burton, Robert Carlyle, Donna Dose, Elizabeth Getzoff (alternate), Jim Hamerly, Rob Hawk, Bob O'Neill, Bonnie Phelps, Michael Pique, Alan Serry,

Board Members Absent: Bruce Graves, Susan Humason, Jerry Johnson, Scott Kardel, Earl Walls.

The PMPO Board Meeting was convened about 10 AM January 19, 2008, at the Palomar Mountain Volunteer Fire Department. The minutes of the August 18 and November 3, 2007, Board meetings were distributed with corrections and approval deferred to the March meeting. Treasurer Alan Serry presented the 2007 year report as balance forward was \$39,483.12, donation income was \$3,030.00, breakfast revenue was \$345.50, interest income was \$695.75, total income \$4,071.25. 2007 expenses were newsletter \$695.63, breakfast \$407.55, general \$520.00, total expenses \$1,623.18. December 31, 2007 balance was \$41,931.19. At the last board meeting, August 18, 2007, the balance carried forward was \$41,920.32, donation income was \$150.00; interest income was \$360.87, total income \$510.87. Expenses were \$500.00 for PMVFD tables. The ending balance as of January 19, 2008, was \$41,931.23. The treasurer's report was approved.

Old Business

Community Center of Palomar Mountain:

Tom Burton said that to use the \$50,000 grant they must find an unpaid licensed contractor to supervise volunteers doing the construction. Earl Walls' plans include a deck, two handicapped restrooms, and a redone kitchen.

Fire Safe Council:

Robert Carlyle says the council is working on clearing roads and applying for grant funds. They need help in the form of commitment letters for matching funds. Also, he needs receipts from people who paid to have clearance work done.

Traffic Safety:

Alan Serry said "traffic calming" plans include rumble strips on the center line.

Easement Project (Legal Access to Land Parcels):

Tom Burton, Bonnie Phelps, and Rob Hawk are working toward the goal of allowing residents to rebuild after a fire, and in the meantime to renovate and re-finance. Many home sites do not have a legal deeded easement for access, and correcting all of these individually could cost a fortune.

Bob O'Neill said the terminology is "perfecting an easement" and is either by court judgement or by recording a series of grant deeds. Tom Burton said they are working on a draft of exact language. Rob Hawk said no truly new easements will be created because the intent of the subdivision maps is totally clear, but the PMPO hopes to save \$10,000 to \$20,000 in attorney fees. Libby Getzoff asked what if, along a side road, a distal property has a recorded easement in its favor, burdening proximal properties, but some proximal ones do not. Bob O'Neill said that, as a judge, prescriptive easements are very precise on requirements. But landlocked properties imply an easement in most cases. Libby asked what are the gray areas, who gains nothing from the planned actions, who loses something - most people are in a mixed jumble being at neither end of a road. Tom Burton said nobody loses: reality is present on the ground and extremely likely prescriptive, but everyone should ask his own lawyer or civil engineer about his situation.

Audience question: will it increase width of roads? Rob Hawk: not necessarily. Tom Burton: but County wants wider easements, most now are 15 foot on either side of center line.

Doug Lande said he agrees that the intent to grant easements both benefiting and burdening properties along the roads, but he is not convinced the current PMPO effort is beneficial to the community. Specifically, he fears forcing a 30-foot wide road easement across his property, and he wants road easements granted only 'as-built, as-is, where-is'. Jim Hamerly asked if an owner could grant an easement only to the existing road. Bob O'Neill said the owner cannot, in any way, cancel an old easement, and that no matter what the PMPO does now, any pre-existing

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easements are, and will be, enforceable. They can bulldoze your garage if they win the lawsuit claiming the original easement.

Doug Lande also asked the PMPO to do more community meetings about the plans, he does not trust the PMPO board meetings. He says that even though he attended the original "Roundhouse" meeting, his concerns there were not addressed. Moreover, he received threats against his property from two different PMPO Board members, one before the meeting and one at it. Doug believes as many problems will be created by these easements as will be solved.

Libby Getzoff asked for a template for how the easements would be worded. Bob O'Neill said we can't resolve each case here in advance in public; our goal is to identify possibilities so small groups of property owners can work up their own agreements.

Audience question: are all these lots 200 feet off because of the Section 14 corners moving because of the dual survey? Michael Pique said his understanding is that only the properties adjoining the federal lands are affected, there is no domino effect.

Linda Thorne says issues include width of road, actual centerline of road, and will the impact be more traffic from increased development? Rob Hawk said road widths and location will not change, there could be more usage as new owners drive on the road.

Tom Burton said the team is working on specific areas, currently eastern Birch Hill. They intend to have a public meeting discussing what area to work on next.

Private Land Cleanup:

Jim Hamerly is concerned about absentee owners leaving their property in a hazardous state of fire vulnerability. He says to report to Kerri Uglyk (Forest Service) any properties that we think violate the standard of clearing hazards from within 100 feet of dwelling or outbuilding of value. Kerri said she will then inspect and get an enforcement officer up if necessary. The county might have some matching funds to help cooperating owners. She reports to Ralph Steinhoff of the DPLU and Ken Miller, the county fire marshall.

Ground Water Monitoring:

Rob Hawk is heading the committee and collecting data on static well levels. Prompted by the Yale/LJIR well-pumping project, we need baseline data on historical levels so we will be able to tell if the community is being drained. Gathering this data is either expensive or time-consuming. Rob presented data received from four Yoga Center wells 1994-2007. Linda Thorne said the Palomar Mountain Mutual Water Company was willing to help monitor wells, either by sounding or data-log collecting. Tom Burton suggesting hiring someone, costs shared by PMPO, PMMWC, and the Baileys Mutual water system. Linda suggests making a list of which wells we can measure, then plan which to monitor on what schedule, with decision between electronic (about \$600 per well) and manual sounding.

Fuels Management:

Steve Wilson of the US Forest Service said he's one of three Battalion Chiefs on the Cleveland National Forest. For fuels management, he works with the Fire Safe Councils. He has money available for brush chipping and for contract work for people unable to do clearances by themselves.

There will be continuing prescribed burning on Palomar Mountain, since the mountain hasn't been burned enough yet. The next planned burns will be along the East Grade road, then the Palomar Divide, then the Aguanga Ridge, then High Point, then Butterfield, then around the Observatory, finishing up by burning out the understory in Fry Creek.

Libby Getzoff asked why intentionally burn along the East Grade with such great risk to Crestline and Birch Hill, and what is the overall goal of burning so much? He said they only do burns when it's safe, and the goal is to burn the areas off and then prevent plant regrowth by masticating.

Doug Lande asked what precautions landowners should take. Steve Wilson said to reduce "ladder fuels", which allow low grass fires to climb up trees and become crown fires. Also, clear dead limbs from the ground, chip them into compact piles, not stacked sticks.

The meeting was adjourned at 11:57 AM.

Michael Pique