**OHA Board Meeting Minutes**

**January 21, 2020  6:45 pm at Lisa’s house**

**Call to Order**

Meeting called to order at 19:00 at Lisa McLaughlin’s home. Full board present.

**Attendees**

Lisa McLaughlin, Bob Reid, Diane Livoti, Michael Bowen, Alix Quay (remotely), Wakean McLean, Sally Weare.

1. Approve Agenda
   1. A new item 7(d) added to address discussion of remote meetings (BR). Items 5(a)(ii) and discussion of proposed rule change for transfer of Proprietary to Associate status both tabled for a future meeting. (LM, SW, unanimous)
2. Consent/Standing Items
3. Minutes of last meeting (Michael)

Minutes approved as earlier amended by LM (LM, SW, unanimous)

1. Review Planning Grid (Lisa) – nothing listed for January
2. Pasture Rotation

i)      Split herd remains in separate pastures for remainder of Jan: Fed in the Lower, Unfed in the Plateau.

ii)     Next move is to the Pond Pasture Feb 1 or 2: in-hand from the Lower (Eddie already sent out the invitation), through the gate from the Plateau. Some members have objected to placing their horses in the Pond Pasture due to fear of EPM, and they have requested an alternative pasture. While acknowledging there have been two documented cases of EPM in pasture horses, the Board wishes to emphasize that a definitive source of infection cannot be established, and these instances of infection occurred over 10 years ago. Because ecological systems vary over time, and the entire OHA lease is possum habitat, it is the Board’s opinion that the Pond Pasture poses no greater risk of EPM than any other part of the lease.

1. Membership Issues
2. New member interviews

Caitilin Evans of Berkeley, seeking Kajima’s return to OHA, has interviewed for and been granted probationary proprietary status. Theresa Priestly of Orinda has two horses and was also interviewed and granted probationary proprietary status at OHA. Mentor assignment for Theresa is TBD; Caitlin is experienced and no mentor is required. The 6 month review of both Caitlin and Theresa will be in July 2020, with full membership determined in January 2021. With three additional slots filled, the number of spaces taken (including those currently unfilled) is 36. The maximum allowable herd size is 38, based on a maximum allowable 38 AUMs/year.

Members are reminded that dues begin upon acceptance of membership, are currently $1.97/day and that the Membership Committee possesses fully delegated authority for member selection by the board.

Following discussion of the application process and list status, the board requested an in-person presentation to the board by the Membership Coordinator. The board is interested in learning more about list status, process, and any possible recommendations for improving and expediting the review process.

1. Kate Razo 12-month probationary period concludes Jan 2020 – vote on proprietary membership

Following glowing reviews, Kate Razo was granted full proprietary membership status. Welcome, Kate! LM, SW, unanimous)

1. Megan Holmes 6-month review of probationary proprietary membership

Following glowing reviews, Megan Holmes was referred on to her final six months of probationary status. Thank you, Megan, for an excellent mid-term report to the board! (LM, SW, unanimous)

d)    Sonny’s slot now vacant, 12 months to refill (Jan 2021)

e)    Kim Zvik’s membership status

Following careful consideration and extensive consultation with counsel, the Board decided to reinstate Kim Zvik’s proprietary membership contingent upon Kim Zvik dropping her lawsuit with prejudice. Further discussion was tabled until executive session.

1. EBMUD Report (30 mins) (Wakean)

a)    Lower Pasture trough repair (last of the 2018-19 Capital Projects) all completed!

i)      Report 2018-19 Work Hours total to EBMUD - Done

b)    AGP meeting date Jan 22, 2020

Erica Braun joined the meeting to discuss preparations and priorities for the Annual Grazing Plan (AGP) meeting with EBMUD scheduled for January 22, 2020 at 11:00.

Erica outlined an alternative grazing strategy that enables OHA to accommodate both Spring dieters and those members concerned about the Pond Pasture and possible exposure to EPM via the water there. The plan was reviewed, discussed and approved pending EBMUD’s review and concurrence. (Proposed plan included at the end of these minutes.) Those seeking alternatives are fully responsible for ensuring that alternate pastures are safe and ready for horses prior to moving.

The board explored the difficulties of accommodating individual preferences in a cooperative setting, following up by discussing two items: 1) the need to ensure that members are fully aware of our lease terms and priorities, particularly the emphasis on range management and fire suppression, and; 2) that the board evaluate horses for overall fitness for pasture life at OHA at the same time they evaluate members and membership status.

Finally, Erica highlighted three priorities to be shared with members.

\* All horses are required to graze the Lower Pear Orchard for the first two weeks in late May – a written vet excuse and board authorization is required for any exception;

\*Fire risk reduction is an absolute must during fire season;

\* All horses and their owners are expected to adhere to lease terms, which state: “Livestock will typically be managed as a single herd with stock densities approaching one animal per grazeable acre.” It is therefore expected that horses will graze with the main herd in the regular rotation at least 9 months out of the year if they wish to remain at the pasture. In other words, placing horses into corrals, alternative pastures for spring dieting or other reasons or preferences might place a horse out of the regular rotation for as many as six months during the growing season when they are most needed, and place them back into rotation during the dormant season when reducing grazing pressure is called for.

A BIG THANKS TO ERICA BRAUN, WAKEAN MACLEAN, SALLY WEARE, AND HEATHER PINEDA FOR STEPPING IN TO ASSIST WITH THE AGP UPDATE PROCESS WHILE THE BOARD WAS HIGHLY DISTRACTED.

c)    Proposed 2019-20 Capital Improvements

The board reviewed and approved, with comments, below, the proposed 2019-2020 capital improvements.

1. Temporary Storage structures: Forest Meadow

The highest priority per the annual membership meeting, this is top of the list for 2019-2020 Capital Improvements. Permission for a FM structure will be sought first and, if successful, repeated in the 2020-2021 Plan for the Upper Sullivan.

1. boundary fence repair

This is not considered a capital improvement and is removed. OHA is responsible for maintenance of all boundary fencing.

1. New gate across from Beer Can into Upper Sullivan

Board remains unclear about the location of this gate, but supports inclusion in the Cap. Improvements proposal.

1. Include Pond Barn repairs in Cap Improv. List. New flooring? Patch/paint any rot.

Not included in the 2019-2020 Proposal.

1. Treasurer’s Report (15 mins) (Diane)

DL reviewed the proposed budget for the board (attached). The board suggested revisions to various categories, and noted that the line item for legal expenses will be revised significantly upward to cover legal expenses associated with Zvik v. OHA, as well as for updates to bylaws and rules. EB advised basing the budget on 32 horses (i.e., proprietary membership dues for 32 horses). The Board concurred. The board adopted the budget as is, pending future adjustments (LM/BR, unanimous).

The CI list for approved AGP items is $2,784 in improvements. A 30% discount on the lease is provided for Tier 3 Grazing Status with a grazing credit of 20% for a total of a 50% discounted lease so long as OHA adheres to the terms of its lease and retains its Tier 3 grazing status. DL updated the group that the lease bill still had not arrived.

a)    Propose/Adopt budget for current year (2019-2020)

i)      legal expense to revise Rules – special assessment?

Item tabled for more comprehensive discussion of fee structure.

ii)     Assoc membership fee change?

Deferred -- See, above.

b)    Report on year-to-date actual expenses

 See 5, above.

6)    Rule Changes

a)    Review comments on proposed “no refund” policy rule change, vote on adoption

Board adopted the no-refund policy rule for members departing OHA prior to end of billable term. (DL/ BR, unanimous)

b)    New proposed Rule revision, subject to 30-day review:

i)      Trailers may be parked at OHA overnight for one night only and must be removed the next day. Prior permission from the Board is required for consecutive days/nights of trailer parking.

 Item tabled for future discussion.

7)    Old Business (All) (10 mins)

a)    Pond pasture trough barrier

The board reviewed the lengthy history of watering troughs, including adjustments prior and proposed to the Pond Pasture Trough Barrier. A motion was made and seconded to remove the wooden structure and leave the trough as is (WM/MB). The vote was five to two in opposition. A second motion was made authorizing Robin and Linnea to install a trimmed hog fence on a submerged platform (intended to prevent pawing horses from breaking the water trough) (LM/SW). With two abstentions (DL/BR) two opposed (MB/WM) and three in support, the motion carried. Robin and Linnea are authorized to alter the pond pasture trough barrier as described.

b)    Repair of leaky roofs on both Pav hay closets – Mig to execute?

LM will follow up to determine schedule and progress

c) Migrate web site to new hosting service

Linnea has volunteered and the Board accepts her as the new OHA webmaster. With assistance from Eddie and Allison she will find and establish a new and more cost-effective hosting account and migrate the web site.

d)Remote Meetings

The board is examining various platforms and protocol for urgent meetings when in-person meetings are not feasible. This is being done in conjunction with a review of the Rules to ensure consistency.

 8)    New Business (All) (10 mins)

Prior member Sarah Shumer requested honorary associate member status at OHA. The board expressed its gratitude for her many years of positive service, cooperation and congeniality and approved that request (LM/MB, unanimous).

The board voted to go into executive session at approximately 21:00.(LM/DL, unanimous).

9)    Executive Session

As predicted, executive session extended into the wee hours of the morning.

The board met in Executive Session to discuss the current legal proceedings surrounding the 11.14.19 termination of Kim Zvik. Kim’s membership was terminated 11/14/19 with the direction from the board to remove her horses from the OHA pasture by 12.15.19. Kim Zvik through her attorney Victoria Smith sought and was granted by the Contra Costa County Superior Court a temporary restraining order December 10, 2019 enabling her horses to remain at OHA until January 23, 2020, the date of a scheduled injunction hearing. The OHA Board secured an attorney, opened an insurance claim and prepared for litigation. Upon advice of counsel received January 5, 2020, the board sought a settlement agreement which will be discussed with the membership when ratified.

Following careful consideration and review of the situation, including extensive consultation with counsel, Kim Zvik’s proprietary membership was reinstated, contingent upon Kim Zvik dropping her lawsuit with prejudice.

The board voted to come out of executive session and the meeting was adjourned at 12:45 AM.

Next Board meeting date: February \_\_, 2020

**ALTERNATIVE PASTURE ROTATION**

FEB 2-22 Alternative to pond: Lower Pear Orchard for up to 8 horses – 20 needed to graze Pond

MAR 29 – APR 5 temporary section in lower Pond for ~4 dieters

APR 12-18 Old Dairy for 4 dieters

MAY 3-9 temporary section in lower Pond for ~4 dieters

JUN 7-13 Alternative to Upper Pear: upper Sullivan – 15 needed to graze UPO

JUN 14-20 Alternative to Upper Pear: Plateau – 15 needed to graze UPO

JUN 28 – JUL 18 Alternative to pond: Lower grazed first for 3 days by horses from Plateau, then reduce # to up to 8 – 20 needed to graze Pond; UPO horses will go directly to Pond so they don’t have to do all the work…

**Annual Grazing Plan Meeting Highlights: EBMUD-OHA January 22, 2020**

* **AUM rate** increased slightly this year -- up 40 cents to $22.80/unit
* **Wildcat bar gate** -- The old super-heavy I-beam gate will be removed, and new pipe gate has been built. Sitting in the fabricator's shop waiting for a work order authorization/date to install.
* **Water leak** in Red Barn area -- will need to be assessed in a dryer season. Likely will require hand-digging rather than heavy equipment to assess and fix the problem. In the meantime, keep the drainage channel beside the pavement open and flowing to abate mosquitoes.
* **Pond:** on their schedule to dredge half the pond this summer -- doing only half will mitigate wildlife impact. We requested they begin with the southern/drainage end. Big equipment in the Pond Pasture may create a problem if the herd is in residence: we'll need to be nimble. This work also provides an opportunity to dump more gravel to complete Pond Barn flooring while big trucks are in the pasture.
* OHA is responsible for **boundary fencing**, including the break above the Seaview gate. Erica asked for assistance with newly-exposed fencing from the Insp Point Gate to the FM Gate, as it is difficult to access. Kerry said she would ask...unlikely to happen. She will drop off another spool of barb wire for us to use (THANKS!)

Response to AGP-- still at Tier 3:

* Many compliments to OHA for invasive abatement and protecting/supporting diversity and natives. Also, we need to emphasize to the membership that our lease requires as many horse mouths as we can muster to eat where they are assigned.
* Tentative approval to install e-fencing for a section of the lower pond pasture for dieting grazers with muzzles (to trample teasel and eat non-native grasses). Lisa will work this into the dieting plan for late March/April/early May.
* OK for "non-pond" horses to occupy the Lower Pear in February -- minimum 8 horses. Cheryl, Caitlin et al have been informed.
* Discussed need to repair boundary fencing between Dairy and Johnson property if EBMUD wants us to graze the Dairy this spring. (another location for dieters...)

Cap Projects

* mowing -- EBMUD will discount lease for this effort. Kerry knows what it takes and supports/advocates for us.
* New USP Gate -- Kerry anticipates approval. She'll arrange to have the area surveyed soon for protected species we need to leave undisturbed. OK'd removal of down tree/opening section of fence across for BC Saddling area for the gate --she'll drop off braced fence posts for our use. We need to organize a work party in Feb to clear brush for a new trail. WORK NEEDS TO BE DONE in Feb, as the herd moves into the USP March 2. Note: Caitlin/Patrick have volunteered to set the posts, hang the gate.
* FM Pasture storage structure -- Kerry will propose it but low probability of funding, though they will probably say OK to erect if OHA pays for it. Lisa asked if OK to salvage corrugate metal panels from collapsed Dairy hay barn for use at OHA -- Kerry believes this will get approved.