

BPHOA minutes September 21st 2009

Simi Valley Town Center

Meeting called to order.....7:06 p.m.

In attendance: Stephanie Bennett, Daran Paone, Marcy Myers,

GM Management also present.

President appointed Marcy to take minutes for the meeting, for Secretary Lee Murray who was absent due to College Class conflict.

President's Report:

The special meeting on August 21, 2009 was held at Simi Town center for the vote to 'recall' the entire 2009 BPHOA Board. No 'Recall' occurred per the standards stated on the official ballot, nor by any standards stated in CC&Rs. Ballot results were announced at the meeting and mailed out to all homeowners soon after the meeting.

The following actions were approved by majority vote of BPHOA Board, after the July 09 board meeting and by email consent:

- 1) New CC&R violations notice. Form was updated to refer to GM Property Management and email correspondence.
- 2) Moskiwitz reported that previous Bookkeeping firm did not pay 2008 estimated taxes, and to confirm Moskowitz findings, the Board approved a review to be performed by Ted Martens of BPHOA 2008 financial reports.
- 3) The preparation and communication of Settlement offer letter to Miller's in regards to 'Drain' case.
- 4) The tractor work to clear the Bridle Path between First Street, Carefree, and Tranquil.
- 5) Increase the frequency of arena maintenance to once a week adding Pacific Shores (twice a month) and Dressage maintenance and repair.

Bookkeeping Report: Greg Moses of GM Property Management Reporting

- 1) Previous billing cycle, they received about 150 trouble calls in regards to Account balance corrections. GM has resolved almost all of these issues, for only 2 trouble calls have been received.

Legal Report: Stephanie Bennett/ Daran Paone

- 1) Summary of legal expenses prepared by Treasurer. Breakdown of the "Recall" expenses was read by Treasurer. This breakdown reflects expenses received up to the Financial report cutoff. These numbers will increase. The total summary of 'recall' expenses is approximately \$18,000. Apodaca vs. BPHOA – Apodaca attorney C. Pandolfi contacted BPHOA attorney after the special meeting. No settlement has been reached, and is continuing.
- 2) Settlement offers to Miller and Foran were made. Foran refused the offer. No response had been received by Miller's by time of meeting.
- 3) A letter that stated that, if outstanding assessments now due for '20' licensing agreements were not paid, that Board will pursue revoking the license agreements. The letters were sent to Pandolfi (1), Swirles (1), La Monte (17), Morris (1). Only one response has been received.

Secretary Report: Presented by Marcy Myers

Motion made to bypass the verbal reading of the minutes, and approve June and July minutes as read. motion passed.

Board agreed to have Newsletter articles and input to Newsletter Chairman/author by 23rd of each month.

Treasurers Report:

A summary of the expenses paid out for July and August was read.

It was also brought up that ABM did not pay estimated taxes last year, Both CPA's are not certain why this did not occur.'

A question was asked by a homeowner if we have a checks and balances and also if we do a yearly review.

The Treasurers Report was not approved.

It was also brought up if homeowners would be in favor of a quarterly or yearly billing system . Many were in favor but felt the individual should decide .

To date we are looking at \$18,147 in expenses due to the recall.

We need to earmark money for the drain issue.

The rest of the budget is suffering due to our pending legal matter -

It was suggested that a special assessment be put into place. Anything over 5% needs to be approved by the homeowners. If the 5% is approved today (this is a onetime fee of approximately \$22)

Homeowner asked what does a settlement for the Apodaca case mean.

Bill Apodaca stated that he is not asking for payment.

Also a question was asked if the current board approves a special assessment can a future board rescind that – the answer was no.

Stephanie passed the gavel to Marcy, And a motion to approve the special assessment was made and approved 2-0

Gavel is passed back to Stephanie

Landscaping Report:

The contract with Stay Green in up on 10/2009 – Many comments were made by homeowners that the area looks great!

It was suggested however, that we have StayGreen's new contract include a 30 day escape clause.

Mountain Park Report:

Nothing to report

Architectural Committee Report:

Michael Kress reported very few responses were made to the fencing survey that was sent out – sited that perhaps because of the recall and all of the letters the homeowners were getting that this fell through the cracks. – It was suggested to wait a few months and try again.’ Michael also stated that there are some new architectural rules that will need to be approved – the board will meet with Michael prior to our next open meeting.

Events Committee:

The new Events Committee newsletter was presented and also discussion regarding the proposed Bridle Path signage = the bids are approximately \$10,500 for 2 large boulders bearing our name or for a similar price 4 smaller signs with our name. Board agreed to look over all of the paperwork and hopefully have a decision soon.

Arena Report:

Dressage Arena Fencing is in and a lot of compliments from people have been well received. The sprinklers at the arena however do need to be adjusted.

New Business:

Stephanie passes the Gavel to Darin

Motion made to have Dick Strayer to start the review of our governing documents.

Open Floor:

Meeting adjourned