

BRIDLE PATH HOMEOWNERS ASSOCIATION  
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING  
-APPROVED-

Simi Valley, California

October 17, 2011

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CALLED TO ORDER: 7:00 p.m. (Simi Town Center)

ATTENDANCE: Present: President Bill Apodaca, Vice-President Linda Pierce, Treasurer Dave Miller, Secretary Nancy Fisher, Assistant Secretary Dan McCarty

35 Homeowners present.

AGENDA ITEMS: Rules of Conduct, January Election; timelines & scheduled dates, Board member reports, Committee reports, Treasurer's report, Approval of Minutes, New & Old Business, discussion from the floor.

AGENDA REVIEW: Bill called the meeting to order, welcoming everyone, reminding all present that the meeting would be conducted per Roberts Rules of Conduct, and if anyone wishes to speak they need to fill out a card located at the sign-in table, with no comments heard until this time.

PRESIDENTS REPORT

- Annual Meeting - January election
  - The January meeting day falls on Martin Luther King Day; should an election meeting be held on a holiday or postponed to the next day.

MOTION: A motion was made by Bill, seconded by Nancy, to schedule the January meeting on January 16, 2012, Martin Luther King Day.

5-Ayes 0-Noes 0 - Abstentions Motion Carried.

- Mailing of Candidate Nomination Form
  - Must be mailed 60 days prior to election and counting of ballots; no later than November 18, 2011.
  - To save costs and to give members adequate time to decide if they want to run for office, the nomination form will be mailed out with the November newsletter.
- Deadline for returning nomination forms – December 1, 2011, 5:00 PM
  - Must be at least 45 days prior to election and counting of ballots; no later than December 4, 2011, allowing adequate time to print and mail ballots.
  - Deadline set for December 1, 2011 at 5:00 PM.
- Inspector of Elections – 3 bids
  - Inspector of Elections (no proxies) - \$3,016
  - Mr. Parliamentarian - \$3,336.50
  - Ballot Box - \$2,2292

Discussion: It would cost each homeowner approximately an additional \$1.40 to use Mr. Parliamentarian, as opposed to using Ballot Box. Inspector of Elections does not accept proxies, automatically eliminating them from consideration as proxies will remain effective in this election. Concerns were raised regarding past issues with Ballot Box.

**MOTION**: A motion was made by Bill, seconded by Dave, to retain Ballot Box for counting of ballots at the January 17, 2012 meeting.

3-Ayes 2-Noes (Dan & Nancy) 0 - Abstentions Motion Carried.

- Sealed ballots to be mailed no later than December 15, 2011.
  - Ballots must be mailed out at least 30 days prior to elections (before December 17, 2011).
- Mail notice and purpose of Annual Meeting (send with ballot mailing).
  - Must be sent 10 days prior to the meeting, sending with ballot packet.
- Election day, January 16, 2012.
- Counting of ballots; done at the Annual Meeting.
- Election Results announced at the Annual Meeting.
  - Publicized within 15 days of elections, included in February 2012 newsletter (if the newsletter is mailed out by February 1, 2012).

End of Discussion on Time Table for Elections

- Azure Hills Repair
  - Letter received from City of Simi Valley requesting repair to fencing, landscape, and concrete swale, providing timeline for repairs.
  - Three broken fence rails have been replaced,
  - Tree roots are breaking up concrete swale; trees to be removed, sections of swale cracked from tree roots will be repaired, the entire swale will not be replaced.
  - Bid from StayGreen to remove trees - \$2,787
  - Bids out to contractors for repair of concrete swale.

**MOTION**: A motion was made by Bill, seconded by Nancy to remove trees causing damage to concrete swale.

5-Ayes 0-Noes 0 - Abstentions Motion Carried

- Genial Gate
  - Reinstallation and reactivation of gate needs to be done.
  - Calls received by Board members, from concerned homeowners regarding partying on the mountain area above the Genial Gate are being directed to the Police Department.
  - Only one bid received on Genial gate reinstallation/reactivation.
    - Would require card key, magnetic gate lock, knox box, Edison Deposit (\$15), City Permit (75), City Planning Division(58).
    - Perimeter Security - \$8,139
    - Total for project - \$8,287
  - Gate Keeper declined opportunity to bid.

**MOTION**: A motion was made by Bill, seconded by Dan, to reinstall and reactivate gate at Genial Court entrance.

Discussion: An email from a homeowner was read concerning installation of gate, citing kids climbing over the gate, using other cut throughs, where there are no locked gates. More than one bid was requested.

2-Ayes 3-Noes (Bill-Dave-Linda) 0 - Abstentions Motion Failed

MOTION: A motion was made by Bill, seconded by Nancy, for Board approval to reinstall and reactivate the Genial Court gate pending approval of bids.

4-Ayes 1-Noes (Linda) 0 - Abstentions Motion Carried.

Discussion: Homeowner expressed desire for gate to be reinstalled as initially designed. Another homeowner requested gates be installed at other open entrances. One homeowner was opposed to reinstalling and reactivating the gate, citing need for constant repairs in the future.

- Carefree Lane – Letter received from City of Simi Valley
  - City is requesting plants causing obstruction to vision be removed; completion date cited for October 26, 2011.
  - Landscape committee chair, Jim Pantaleo, commented that these plants were put there by the developer per City's approval, when development was built.
  - Bill will meet and discuss history with the City before removing plants.

#### VICE PRESIDENT'S REPORT

- Two new homeowners were welcomed into our community this past month.
- Events Committee
  - Gymkhana Play Day – A complete success; hoping to plan another
  - Holiday Lights and Holiday Parade – New themes to be announced
  - Fall Fun Day – October 29<sup>th</sup> – Book Exchange, craft sales, pet activities; watch for postings on our event signs.

#### SECRETARY'S REPORT

- Minutes of the September 19, 2011 monthly Board meeting

MOTION: A motion was made by Nancy, seconded by Dave, that the minutes from the September 19, 2011 Board meeting be approved with one change as noted.

5-Ayes 0-Noes 0-Abstentions Motion carried

- Arenas
  - Requests For Proposal have gone out for Bid to recondition the Sunnydale Arena

Discussion: Homeowner's expressed views on repair of the Sunnydale Arena; some in favor and some opposed. Nancy confirmed that the repairs to the Sunnydale arena were to create sound footing. This is an equestrian facility and an arena which is 20 – 25 years of age, that has never had any refurbishing to the base, is absolutely due for repairs; maintaining our assets and providing safe conditions for horse and rider is absolutely necessary. A portion of our monthly dues is allocated to repairs such as this per our Reserve Study.

In response to homeowners expressing concerns regarding funding, raising homeowner dues to fund this project, Nancy explained that a portion of our dues goes toward reserve

funds which are to be used for refurbishing neighborhood assets, part of which includes the arenas. In 2008-09 residents were polled with a survey about their priorities for the spending of HOA funds. Of the 192 respondents, 86 placed arena repairs as #1; more than any other category (second was landscape with 29%). A summary sheet in the 2005 reserve study, at a time when we were 100% funded, recommended arena repairs and nothing was done then, and nothing has been done since. Our arenas, Sunnydale being in the worst condition of all arenas, needs repairs as allocated in the reserve studies. Dan explained that the Reserve Study provides a timeline for maintaining the assets as described in the study; the board being given the authority to spend these funds when necessary. Dan encouraged homeowners to read their HOA governing documents and the Board's right to maintain investments. One homeowner expressed his support in improving the arena as long as it was for safety of horse and rider, and not for cosmetic purposes.

- Emergency Response Information List
  - Names are trickling in. Notice will continue in upcoming newsletters.

#### TREASURER'S REPORT

Operating Revenue for September - \$20,743, Common Area expenses - \$11,153, \$331 under budget. Year-to-Date Common Area under budget \$966, General and Administrative expenses for September - \$14,450, \$6042 over budget because July/Aug water bill of \$4,603 and legal fees of \$2,758 paid to settle collection costs. Year-to-Date General and Administrative - \$7,367 under budget. Year-to-Date operating profits are \$8,380.

- Reserve Study – Results are past due and to be here by Friday.
- Card Keys – Still trickling in; deletion of non responders in progress
- Budget for 2012 – On hold until the Reserve Study comes in

#### ASSISTANT SECRETARY'S REPORT

- Trees requiring trimming in the Mountain Park; trimming to be done soon.
- Grading of Mountain Park trails
  - Done annually in the spring.
- Dog Alley Repairs – Two sites requiring repairs/renovation
  - Pipe and timber repair to natural water course is being undermined
  - Storm drain outlet submerged below natural stream bed, pipe filled with sediment, forcing water to escape through manhole

**MOTION:** Dan made a motion to accept Pacific Coast Civil, Inc.'s bid of \$7,200 to prepare the engineering design to repair the trail and repair/replace deteriorated drain at Gate 3, and will assist in meeting with Fish and Game requirements.

**Discussion:** Questions were raised regarding costs. Dan's reminded homeowners that this work needs to be done in order to protect the Association's assets; when the river over takes our Dog Alley trail, we will *never* get it back. If we fail to correct the issue of the V-drain at Gate 3, postponing it until further damage is done, the cost for repairs will only be greater.

4-Ayes    1-Noes (Linda)    0-Abstentions    Motion carried

ARCHITECTURAL COMMITTEE REPORT

Penny Wilson, committee chair, had only one issue, requesting to meet and discuss in Executive Session.

- Solar Panels - Homeowner Associations cannot disallow them.

CC&R COMMITTEE

Mary Gabel, committee chair, reported no new cases.

- Bill announced that Mary would be stepping down as CC& R committee chair. He contacted Kathy Emmons regarding the management company taking over as CC&R inspector. Additional cost to the association to have Emmons Company assume this role would be \$750 monthly (approximately \$1.25 per household). This idea was only put up for consideration, not a vote.

\*\*\*Due to extensive conversation from the floor during the meeting, the meeting ran over the time allotted in the BPHOA rental agreement with Simi Town Center. The Board was forced to vacate the meeting location.

BY-LAWS COMMITTEE

OLD BUSINESS:

OPEN FLOOR

NEW BUSINESS

ADJOURNMENT

MOTION: A motion was made by Dan, seconded by Dave, to continue this Board meeting to Sunday, October 23, 2011, at 7:00 PM, at 888-B Easy Street.

4-Ayes 1-Noes (Nancy) 0-Abstentions Motion carried

Meeting adjourned at 9:15 PM to continue on Sunday, October 23, 2011, at 7:00 P.M.

BRIDLE PATH HOMEOWNERS ASSOCIATION  
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING-**CONTINUATION**  
-DRAFT-

Simi Valley, California

October 23, 2011

CALLED TO ORDER: 7:01 p.m. (888-B Easy Street)

ATTENDANCE: Present: President Bill Apodaca, Vice-President Linda Pierce, Treasurer Dave Miller, Secretary Nancy Fisher, Assistant Secretary Dan McCarty

14 Homeowners present.

AGENDA ITEMS: Rules of Conduct, complete unfinished business from the October 17, 2011 meeting as listed on the October 23, 2011 agenda, starting with item #9.

AGENDA REVIEW: Bill called the meeting to order, welcoming everyone, reminding all present that the meeting would be conducted per Roberts Rules of Conduct, and if anyone wishes to speak they need to fill out a card located at the sign-in table. No comments will be heard until Open Floor so business listed on the agenda can be completed at this meeting, in a timely manner.

CC&R COMMITTEE

Discussion: Bill announced that due to resignation of CC& R chair, Mary Gabel, Linda Pierce would step in for the duration of the term as CC&R liaison. Emmons would take phone calls and send letters. Appeals/ court issues will be handled by the Board. The bid with Emmons will not go forward.

MOTION: A motion was made by Bill, seconded by Dave, to appoint Linda as CC&R liaison for the duration of the 2011-2012 year.

5 - Ayes      0 - Noes      0 - Abstentions      Motion Carried

MOTION: Linda made a motion, seconded by Dave to appoint Roy Pierce to serve as CC&R committee chair.

Discussion:

Dan did not think it appropriate that Roy Pierce, Linda's husband, be the CC&R chair. When Dan asked to be the chair of the By-Laws committee he was told that was not up for consideration as Dan's wife, Chris McCarty, was on the By-Laws Committee. That said, Dan did not think it appropriate that Roy Pierce, Linda's husband, be the CC&R chair with Linda serving as CC&R liaison. Dan also stated that so much authority under

one roof eliminates levels of checks and balances, suggesting someone from the committee that served under Mary Gabel be appointed as the committee chair.

Nancy was not in favor of Roy's assignment to chair of the CC&R committee, given that his wife, Linda Pierce is the committee liaison, Roy is chair of the Finance Committee, Linda is Vice-President of the Board; assigning another "committee chair" to this "couple", putting 4 seats on the HOA Board/Committees, is concerning, it is too much authority under one roof, within one household, calling it collaboration. When Nancy asked Linda if she invited anyone other than Roy to accept the position of CC&R chair for the duration of this term, Linda responded that Roy was already on the committee, had been keeping Mary's charts and records up to date, he volunteered to be Chair and that no, she had not asked anyone else to be CR&R Chair because she felt no one else was qualified to serve as CC&R chair.

Dave saw no problem with so much authority designated to one household and did not see a concern to the association.

Linda stated that all five committee members were okay with Roy being the Chair.

Due to heated discussion between Board members, Bill called for a brief break/cooling down period.

A vote of the above stated motion was taken as follows:

3 - Ayes    2 - Noes (Dan & Nancy)    0 - Abstentions    Motion Carried

#### BY-LAWS REVISION REPORT

- Dan reported on the By-Law revision process to date
  - Dan met and took recommendations from three of the four board members individually, Linda declining to meet and discuss By-Law revisions with Dan.
  - Bill & Dan presented the revised document to the BPHOA attorney for review. To date, Dan has not received the reviewed document back from the attorney.
  - Intent is to have one, possibly two, Special Meetings to discuss the proposed By-Laws revisions before putting the document up for a vote on the same ballot with the election of the 2011-2012 Board members.
- Bill suggested two meetings: November 14<sup>th</sup> and December 5<sup>th</sup>, at Simi Town Center at 7:00 PM.
  - The meeting dates, time, and location for the special meetings to discuss By-Law revisions will be in the upcoming newsletter.
  - As soon as the document is received back from the BPHOA attorney, it will be mailed out to the homeowners to review prior to the special meetings.

## OLD BUSINESS

- Volunteer Work Day – Dan
  - Dan reported on the Volunteer Work Day, thanking Jean Watts for her hard work between Mellow Lane and Azure Hills.
- Surveys - Linda
  - Earlier in the meeting surveying of the membership regarding priorities within the community was mentioned. Linda would like to put this same survey in the upcoming newsletter again.

MOTION: Linda made a motion, seconded by Dave, to put a survey in the upcoming newsletter re-asking the membership their priorities.

Discussion:

There is already a tear off in the newsletter, so Nancy asked if it could be postponed until January 2012.

Dan does not like the verbiage, intent not to upgrade but to maintain; we need to address backload of work pending; when surveying is done only a few respond so it might not reflect the reality of the entire community's preferences.

Bill indicated that the language is misleading. Money spent is based on Reserve Study spending guidelines. The survey used for the neighborhood entry signs was three to four years old, likewise, using a previous survey of the community's priority preferences is no different in process, to which Nancy agreed.

Dave did not agree with Bill's philosophy. A survey does not bind the Board to comply with the survey.

A vote on the above stated motion went as follows:

2 - Ayes    3 – Noes (Bill-Dan-Nancy)    0 – Abstentions    Motion Failed

- Genial Gate – Bill
  - Not able to provide a second bid at this time
  - Key pad instead of card key reader - \$3,800
  - Dave is going to check on another company for a bid
- Previous Expenditures.
  - Nancy asked Roy Pierce, Finance chair, what funds were used to pay for the medians
  - \$13,000 spent, should be a capital expenditure ; new purchase, not replacement
  - Roy indicated that all the expenses for the new signs for the medians, came out of the reserve funds. He said that there was some discussion last year as to whether the signs should be charged to operating budget as a capital expenditure or to the reserve fund budget as part of the median refurbishment. The Board decided to charge them to the reserve fund budget. Roy indicated there should be no problem, if the Board wanted to change their mind and reclassify the expenditure and the related budget to a capital expenditure.

- Board members commented that signs (Boulders installed at both First Street medians) were not a “refurbishment” of medians, but a capital expenditure, therefore not a reserve fund expenditure.
- How the expenditure of medians was booked needs to be reviewed and posting accuracy verified. Incorrect posting will need to be adjusted with a Year-To-Date journal entry to reflect accurately on the books.
- Readdress Mountain Park / Dog Alley Repair Bid
  - Survey amount is missing from bid presented at last meeting
  - With survey amount included, cost changes from \$7,200 to \$12,060.
  - RSRPD says that if BPHOA wants maintenance done, we need to maintain it.
  - Dan will look for an additional bid.

MOTION: Motion was made by Dan, seconded by Dave, to rescind previous motion to pay Pacific Coast Civil \$7,200 to proceed with Dog Alley project.

5 - Ayes      0 – Noes      0 – Abstentions      Motion Carried

Discussion: Fish & Game requirement is end of year. Not cost effective to wait due to penalties.

NEW BUSINESS

Linda handed out sample stationary with new letterhead. Layout was discussed with preferences leaning toward return address information shown at the bottom of the stationary.

OPEN FLOOR

- Homeowner encouraged the Board to make current projects that need attention within the community priority right now, and not worry about member priority surveys; we need to make decisions as we deem necessary.
- Homeowner stated that BPHOA bonds do not lose value as long as they are not cashed out prior to maturity.

ADJOURNMENT

A motion was made by Nancy, seconded by Dan, to adjourn the meeting.

5 - Ayes      0 – Noes      0 – Abstentions      Motion Carried

Meeting was adjourned at 8:48 PM to November 21, 2011 at Simi Valley Town Center.

Executive session will follow this meeting to discuss issues with CC&Rs, past due fines, Mountain Park issues, and upcoming contract renewals.

/s/ \_\_\_\_\_  
 Nancy Fisher  
 Secretary