

March 2010

Bridle Path HOA News

From your 2010 BPHOA Board

The election is over and your BPHOA board is seated. We want to thank all of you that participated and voted; 438 homeowners voted, 69% of our entire community. The results are:

Dave Miller	408 votes
Linda Pierce	335 votes
Bill Apodaca	306 votes
Stephanie Bennett	261 votes
Digby Sharpe	245 votes
Daran Paone	197 votes
Cathy Albertson	161 votes
Marcy Myers	122 votes
Lee Murray	112 votes
Mary Stanley	38 votes

Your 2010 Board will be; Bill Apodaca, President; Linda Pierce, Vice President & Secretary; Dave Miller, Treasurer; Stephanie Bennett, Director at Large, Digby Sharpe, Director at Large. We want to thank you for your support. Presently, this board is in a transitional phase and assigning liaisons to the various committees. We are looking for volunteers for all committees; Architectural, CC & R's, Arenas, Mountain Park and Events. Following are the directors responsible for the various committees:

Bill Apodaca: Landscaping, Bridlepath maintenance

Linda Pierce: Arenas, Communications (email, newsletter, web site, events)

Dave Miller: Architectural, CC & R

Digby Sharpe: Mountain Park

Regarding the January 18th Cancelled Election legal action, the plaintiff's (Esther Mead, Bill Apodaca, Dave Miller, Linda Pierce and Jim Panteleo) filed for dismissal of the case on March 10, 2010, which was prior to the BPHOA Election held on March 15th. The case was dismissed by Judge Barbara Lane on March 10th. The case is now closed.

The website is not yet available, nor is the BPHOA email. If you have any concerns, please contact GM Management at (805) 526-0303 or the BPHOA cell phone (805) 624-2906.

Bill Apodaca, President: This will be the first time I will serve our community as an elected member. I want to give back and be involved in our community. Our intentions are to move our community forward making improvements that we can all enjoy and also increase our equestrian property values but be financially responsible at the same time. I look forward to serving my community and value your support.

Linda Pierce, VP/Secretary: We are so pleased you have given us your vote of confidence and we will do all we can to restore harmony, tranquility and openness to this great community. At the moment, we are trying to sort out everything and organize committees for a smooth transition. As new owners move in, we want to restore the welcoming process with a "Welcome Packet" and personal "welcome" in the newsletter. The BP cell phone is up and running again, (805-624-2906), so please call us with your thoughts and concerns.

Dave Miller, Treasurer: I think it is wonderful we had such a large turnout for the election and I appreciate everyone's support. I am currently reviewing all of the financial records and will have a current financial report ready for the April Meeting.

Stephanie Bennett, Director at Large: I served as your HOA President during 2009 which will assist the new Board during transition. There are still important open matters which need to be addressed by the new Board, such as installation/repair of the drain pipe . We also need to revise the BPHOA Governing documents to resolve the recall legal action. My knowledge of these matters should enable the Board to move forward on these tasks.

Digby Sharpe, Director at Large: I would like to thank all the people who supported me. I'm looking forward to serving all of you and want to make our community a better place to live. I have been asked to be in charge of the Mountain Park and would like to thank the Paone's and everyone else who helped for all the work they have done in the park. I'm going to need help and advice, if any of you are willing to help please let me know by email.

A WORD ON THE ELECTION

Some homeowners expressed concern over a number of ballots that were not received by the Ballot Box for the election. Many of the homeowners, who claimed they mailed a ballot which was not received, did have an opportunity to vote at the election. The poles were kept open until 9:05 to accommodate them. It is unfortunate if some ballots were lost in the U.S.Mail. Please keep in mind that the prior Board prepared and distributed the ballots, had legal counsel write the proxies and hired the independent Inspector of Elections. The Ballot Box has a great reputation, handles numerous HOA elections and this is their only business. A response from the Ballot Box, Inspector of Elections is attached.

Just a note on the proxies that were used in the last election. The proxies used in the March 15th election were written and approved by the previous board's attorney and they remain in the possession of the independent Inspector of Elections, who was also hired by the previous board. That Inspector of Elections states, "The proxy is only good for that meeting, because the homeowner instructed the proxy holder how to vote for that meeting. The proxies we received were directed, and we removed the voting instruction pages. They remain in our possession, and are unable to be used again at a future meeting. The statement that the proxy holders now have the homeowners vote for the next 11 months is incorrect".

From: Lisa Davis-Schwartz
Sent: Tuesday, March 16, 2010 8:50 PM
To: Greg Moses
Subject: Bridle Path Documents.

I bring the following items to your attention, as you may hear from members expressing concern.

We have never had so many people at a meeting claim they mailed ballots that we did not receive. An excessively large number of owners (I would estimate 40-50) stated that they mailed their ballot, many of them immediately upon receiving it, yet we did not receive it. At least half a dozen homeowners had both return envelopes the one with our address on it, and the original one from the previous election with the other inspectors address at the meeting and they were confused which one to use, so that might explain a few of them if they were mailed to the old inspector.

One homeowner said she collected a large number of ballots from neighbors, and then allegedly mailed them in a large envelope, which we never received. She did not send it UPS or Fed-Ex, or even certified, just regular mail so she has no proof either that we received them, nor proof that she even mailed them. Several other homeowners said the ballots were 'collected' and they were told they would be mailed to us, and then when they came to the meeting, we had not received them. But, many said they just mailed them regularly and we still never received. Since we receive bundles of ballots for dozens of communities at a time, I had my staff go through all of the communities currently in process just to make sure none of the Bridle Path ballots were mis-filed, and there were none. Most of the ballots we mailed originally, so they were returned in our business reply envelopes, so the Bridle Path envelopes are a different size and stick out from our regular batching.

The other item is that the deadline date for mailed ballots was noted on the voting instructions as being Saturday, 3/13 at 5:00 pm. One homeowner was particularly concerned that there were ballots that had come in on Saturday, that were not at the meeting on Monday. We explained that we did not distribute the notice/ballots and were not consulted on the deadline date, but that we do not have 'Saturday' mail, since our office is not open on weekends. However, in Monday's mail (which we receive in the late afternoon), there was only one ballot for Bridle Path. It was from a homeowner who had signed a proxy and whose vote was cast by the proxyholder at the meeting. So, there was no one whose vote was 'not counted' because of the no Saturday mail pick-up.

Lastly, just to confirm, we retain all of the records from the meeting, ballots, outer envelopes and proxies, for 1 year, in the event of a challenge. Anyone who would like to submit a request to inspect the ballots from the meeting, may send the written request (email is fine) to my office.

It was a pleasure working with you, and we hope to provide service to your other communities as may be needed. Please let me know if you have any questions or need anything else.

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Lisa Davis-Schwartz, CMCA, AMS, CCAM, CM
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