

**BEAR BRAND RANCH COMMUNITY ASSOCIATION**

**MEETING OF THE BOARD OF DIRECTORS**

**TUESDAY, OCTOBER 18, 2011**

**\* \* \* MINUTES \* \* \***

**NOTICE**

Upon due notice given and received, the members of the Board of Directors for the Bear Brand Ranch Community Association held a Board Meeting on Tuesday, October 18, 2011 at 6:00 p.m. at the office of Progressive Community Management, Mission Viejo, California immediately following the Annual Meeting of the Membership.

**CALL TO ORDER**

Ed Zalta, President, called the meeting to order at 6:05 p.m. after the announcement from Accurate Voting Services that quorum was not achieved for the Annual Meeting of the Membership.

**ATTENDANCE**

Present: Ed Zalta, President  
Chad Covington, Vice President  
Fred Burbank, Secretary  
Wayne Mertes, Treasurer  
Tom Newell, Director

Others: Glenda L. Reid, CCAM, Progressive Community Management  
Eva Plajzer, Moulton Niguel Water District  
Thirteen (13) Homeowners

**ADOPT AGENDA**

The Board of Directors reviewed the agenda as presented. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the meeting agenda as presented by Management with no urgent matters requiring discussion. Approved: Unanimous.

## **BOARD POSITIONS**

Due to the adjournment of the Annual Meeting/Election of Directors and reconvened meeting being required, the remaining Board of Directors discussed the temporary appointing of Ed Zalta, Tom Newell, and Chad Covington to remain on the Board to fill the required Board of Directors until the Reconvened Annual Meeting was held. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association appointed Tom Newell, Ed Zalta, and Chad Covington, to temporarily fill the Board of Directors positions until the Reconvened Annual Meeting/Election of Directors could take place. Approved: Unanimous.

## **WATER DISTRICT**

Ms. Plajzer, Moulton Niguel Water District, attended the meeting to discuss a proposed reservoir site communication pole which may be installed within Bear Brand. Ms. Plajzer provided a site map with three (3) proposed locations. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the placement of a reservoir site communication pole for Moulton Niguel Water District on the property owned by Bear Brand Ranch Community Association based on the location not being visible to owners within Bear Brand. Approved: Unanimous.

## **HOMEOWNER FORUM**

Topics discussed during Homeowner Forum included the guard services and the potential unmanned guard hours, speeding, license recognition access system and security concerns.

## **CONSENT CALENDAR**

The Board of Directors reviewed the Consent Calendar as presented. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the Consent Calendar as presented and attached hereto as Exhibit A. Approved: Unanimous.

**GUARD  
SERVICES**

The Board of Directors discussed the cost savings of possibility decreasing the guard hours at both gates. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association tabled any decision for unmanned guard hours until a new letter could be sent to the membership for comment period. Approved: Unanimous.

**SECURITY  
SYSTEM  
GUARDHOUSE**

This matter was tabled until further research into the unmanned guard hours could be done.

**UPPER  
PEDESTRIAN  
GATE**

The Board of Directors discussed the upper pedestrian gates and need for access control. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association appointed Carel Nolet, Jr., owner of 10 Old Ranch Road, as Committee Chair to assist in researching into security options for the pedestrian gates. Approved: Unanimous.

**POST  
ORDERS**

The Board of Directors reviewed and discussed the revised post orders for access control. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the revised Access Control Post Orders and authorized Management to send the new post orders to Boyd & Associates to update and provide to the guards. Approved: Unanimous.

**LANDSCAPE  
MAINTENANCE**

The Board of Directors reviewed the landscape inspection reports. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the landscape inspection reports as prepared by Management to file. Approved: Unanimous.

The Board of Directors reviewed proposals as provided by Bemus Landscape and recommended by the Bear Brand Landscape Committee. Upon motion duly made:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the proposal for planting of bare areas on the common area slope across from 10 Morning Dove for a total operating landscape expense of \$1,579.75. Approved: Unanimous.

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the proposal as provided by Bemus Landscape for the slope renovation on Wildflower for total landscape reserve amount of \$13,793.70. Approved: Unanimous.

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the proposal as provided by Bemus Landscape for the scalp and dethatch of common area turf areas and overseed for a total operating landscape expense of \$5,510.00. Approved: Unanimous.

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the proposal as provided by Bemus Landscape for the removal of the eucalyptus tree on corner of Old Ranch and Wildflower for a total operating landscape expense of \$365.00. Approved: Unanimous.

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the proposal as provided by Bemus Landscape for enhancements/new plant material on the corner of Pt. Catalina and Old Ranch Road for a total operating landscape expense of \$4,109.00. Approved: Unanimous.

## **EUCALYPTUS EVALUATION**

The Board of Directors discussed the number of common area eucalyptus trees in the common areas. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association authorized Management to contact the arborist with Bemus Landscape to request a full inspection and evaluation of all common area eucalyptus trees to evaluate locations and any potential removals. Approved: Unanimous.

## **ARCHITECTURAL**

### **NEIGHBOR CONCERNS**

Mr. and Mrs. McFarlin, owners of 15 Old Ranch Road, attended the meeting to express their concerns of a recently approved architectural application for a rear yard structure/gym for 16 Old Ranch Road. Mr. and Mrs. McFarlin chose not to request an Internal Dispute Resolution (IDR) and requested that the matter be discussed during Open Session. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association accepted the comments as presented by Mr. and Mrs. McFarlin, owners of 15 Old Ranch Road regarding the architectural approval for 16 Old Ranch Road for a rear structure/gym and advised that the Board of Directors would stand by the decision of the Architectural Review Committee based on the approval within the Architectural Guidelines for the Association. Approved: Unanimous.

### **TRAFFIC STUDY**

The Board of Directors reviewed the traffic study as provided by Rick Engineering. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved to enhance the current speed bumps and to install speed bumps in other locations as determined by the traffic study as prepared by Rick Engineering. To delegate authority to Treasurer Mertes to finalize the contract to include placement of the speed bumps. Approved: Unanimous.

## **LIGHT FIXTURE**

The Board of Directors reviewed the proposal as provided by Lighting Technology for the installation of a second light in the center median along Old Ranch Road. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the proposal as provided by Lighting Technology for addition of a second landscape light fixture in the center median along Old Ranch Road for a total contingency reserve cost of \$1,884.28; and add the new component within the lighting reserves for future reserve component in the new reserve study. Approved: Unanimous.

## **COLLECTION**

There were no new collection matters requiring Board action at this time.

## **INVESTMENTS**

The Board of Directors reviewed the current financial report and excess funds in the Wells Fargo Reserve Account. Upon motion duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved the investment of \$250,000.00 into two Certificates of Deposit with Wells Fargo Advisors, each for a 6 month term with the highest yield of interest. Approved: Unanimous.

## **ADOURN TO EXECUTIVE SESSION**

The Board of Directors adjourned the regular meeting to go into a brief Executive Session Meeting for discussion of collection matters, compliance and vandalism caused by teens.

## **RECONVENE**

The Board of Directors reconvened into the Regular Business Meeting. Upon duly made and seconded:

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved to assess the compliance penalty assessment to those scheduled hearings. Approved: Unanimous.

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved to send a letter to the parents of the teens regarding the alleged vandalism of shooting common area surveillance cameras to request reimbursement for the insurance deductible of \$1,000.00 when replacing said cameras. Approved: Unanimous.

**Resolved:** The Board of Directors for Bear Brand Ranch Community Association approved to accept the legal resolution as provided by Harle, Janics & Kannen with the dispute between the Association and CSI Paving. Approved: Unanimous.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 8:20 p.m. The next regular board meeting is scheduled for January 12, 2012 at the offices of Progressive Community Management.

**ATTEST**

Signature \_\_\_\_\_  
Date \_\_\_\_\_

## BEAR BRAND RANCH COMMUNITY ASSOCIATION

### CONSENT CALENDAR

OCTOBER 18, 2011

- A. **Minutes - Resolved:** To approve the Regular Session minutes from the June 7, 2011 Board of Directors meeting as written.
- B. **Financials - Resolved:** To approve the financial statements for the periods ending May 31, 2011, June 30, 2011, July 31, 2011, August 31, 2011 and September 30, 2011 as presented.
- C. **Account BB9611 Collection Action: Resolved:** To approve to send to collection Account BB9611 for delinquent assessments in accordance with the Bear Brand Ranch Community Association Delinquency Policy.
- D. **Account BB2705: Resolved:** To approve/ratify the Action Consent without a Meeting for collection resolution for Account BB2705 with collection of a negotiated amount of \$25,290.95 for delinquent assessments and legal costs for payment in full.
- E. **Ratify/Approve Erosion Control: Resolved:** To approve/ratify the Action Consent without a Meeting for the erosion control on the common area slope next to 9 Wildflower for a total landscape extra operating expense of \$6,982.50. Said work to plan for the upcoming 2012 winter rains.
- F. **Ratify/Approve/Gate Controllers: Resolved:** To approve/ratify the Action Consent without a Meeting for the replacement of both gate controllers at the Camino del Avion Gate and Old Ranch Gate for a total gate reserve expense of \$5,710.00.
- G. **Ratify/Approve Wrought Iron Replacement: Resolved:** To approve/ratify the Action Consent without a Meeting for the wrought iron replacement and painting of upper gate (Old Ranch) section for a total painting reserve cost of \$2,900.00.
- H. **Ratify/Approve Concrete Sidewalk Repairs: Resolved:** To approve/ratify the Action Consent without a Meeting for the concrete repairs needed on the community sidewalks in several locations for a total contingency reserve expense of \$41,516.00.

- I. **Ratify/Approve Landscape Maintenance Hiking Trail: Resolved:** To ratify/approve the additional landscape maintenance of the common area hiking trail as determined by legal counsel at a total cost of \$2,160.00 (\$180.00 per month) and to be added to the monthly maintenance performed by Bemus Landscape.
  
- J. **Ratify/Approve Final Annual Audit: Resolved:** To ratify/approve the final audit and tax returns as completed by Robert A. Owens, CPA and mailed to the membership as required by California Civil Code.