

Bear Brand Ranch

Current Issues in Progress ~ Updated July 7, 2008

Legal Issues

Legal Costs

- Announcement of reduction in legal costs from over \$300,000/year to now well below \$20,000. No pending legal issues before the membership
- Approved filing of motion to recover court costs in Pasternack v BBCCA

Maintenance Issues

Street Replacement

- Extended voting period for ballot on street replacements for 30 days We again failed to get enough ballot returns to constitute a quorum as required in the outdated bylaws of the association, so ballots were not opened. Date of meeting to open ballots is now scheduled for Thursday, August 7, 2008 at 9:00 a.m. at the Progressive Offices
- Authorized expenditure for Progressive to re-mail ballots to those who have not submitted a ballot and to call these 71 members and encourage them to vote
- Denied request to slurry coat Searidge. Board proposal is to replace streets, not to continue costly patching prior to replacement
- Approved textured cement at entrances and recommendation re: speed bumps should approval for street replacement be approved
- Deleted approval of ballard poles and approved “dots” at both entrances to delineate lanes

Updated Business Matters

- Approved April 22 and May 6 meeting minutes
- Approved financials for April/May
- Approved appointment of Mike Berumen to replace Scott Kavanaugh as Director
- Waived legal fee regarding 12 Morning Dove overcharge by attorney Tinnelly
- Approved Accurate Voting Services as monitor for annual election
- Approved Annual Audit proposal
- Approved collection actions against two homeowners as provided for under California Code
- Directed Progressive to immediately contact gate security vendor to correct malfunctions in gate arm activation and pedestrian gate button
- Acknowledged letter from attorney regarding common area. Letters from attorney, when viewed as threatening or commenting on issues before the Board, are to be responded to by the Association attorney. Since this letter did not address an issue under consideration by the Board, no response was needed.
- Annual meeting agenda to be developed and distributed prior to the October annual meeting
- Management performance review forms (to be completed prior to the annual meeting) distributed to Board members and Management

- Executive Session – The Board met in Executive Session and discussed the successfully concluded two legal issues. No action taken in Executive Session.
- At the Homeowners Forum, the Board heard from two members regarding concerns about the vacant lot at Lime Orchard and Morning Dove and inoperability of the gate at Camino del Avion

PLEASE NOTE: By failing to approve the revised Bylaws and CC&Rs, the membership retained the archaic high percentage of ballots required for action to be voted up or down, or even to be counted. Yet, the membership has repeatedly failed to reach the high percentage (a quorum percentage that is extremely difficult if not impossible to attain). This catch 22 of insisting on the right to vote yet repeatedly failing to exercise that right, increases the Association costs of voting and prevents required actions. As it stands now, our alternative is to once again re-send ballots to the majority of members who failed to vote so we can at least count the votes. In the interim, we are paralyzed from taking any action since to continue short-lived annual repairs at a cost exceeding \$200,000 is not budgeted (no expenditure in excess of 5% of the prior year's budget is allowed without approval of the membership) and the cost of doing nothing is to watch the values of our homes decline.