



Bear Creek Homeowner's Association
Meeting Minutes
10/27/17

Attendance:

Mario Gonzalez
Audra Barbour
Rick Payne
George and Maricela Medina
Chris and Jo Marie Powell
Michelle Medina

1) Introduction

The meeting began at 10:45am. Mario Gonzalez opened the meeting by thanking everyone for coming and thanking the new appointed board members for making the commitment to take over the role of the first Bear Creek HOA Board. The appointed Board member are as follows:

- Chris Powell
- George Medina
- Rick Payne
- Gordon Hoffman – Alternate

Mario mentioned to the Board that they could choose to keep the number of board members at 3 they could make Mr. Hoffman a member and add one more to make 5.

Mario handed out the information notebooks to each member and told the board that we will officially turn over everything to the HOA on January 1, 2018. He suggested hiring a bookkeeper to keep consistency for the future and to keep the board members from themselves out.

Mario then discussed that the Board would need to decide amongst themselves who would be President, Vice President and Sec/Treasurer. He briefly discussed the duties of each office and told the board that they did not need to decide at the meeting but could talk and let us know.

Mario told the board to make sure they keep communication lines open with the lot/homeowners. He suggested sending regular emails to keep them aware of the happenings in community and that his office will send out 2018 invoices in December.

Mario also said he would give the HOA \$500 to create a new website so the HOA could collect payments online. Audra said she could help with a new email and how to set up website.

2) By – Laws

A copy of the Community By-laws were included in the information notebook. Mario pointed out that these by-laws were recorded in 2008 and ask each member to read through the by-laws and let him know if they had any questions.

3) Restrictions

A copy of the Community Restrictions were included in the information notebook. Mario said that he has the right to change the restrictions before we officially turn over the everything to HOA. He wanted the new appointed members' opinions or suggestions. Topics of discussion regarding the restrictions were as follows:

- **Fence Guidelines** – it was suggested to include fencing guidelines to the restrictions. A standard wood split rail fence 4ft in height was agreed upon.
- **ATVs** – members would like to add that ATV's need to may not travel through private property and must obey posted speed limits.
- **Minimum Square Footage of Cabins** – Mario would like to change the minimum heated square footage of a cabin from 1,250 to 1000. Chris was a little concerned about how a smaller cabin would affect the value of the community. Mario would like to make this change to make the cabins a little more cost effective to help sell the lots. Mario's goal is to get the cost of a cabin to \$200,000 including the lot.
- **Service Road behind lots 20-21** – There was much discussion regarding this service road. The Road is a right of way easement and has been closed off to thru traffic. This road is currently used for the farmer, construction and landscaping crews. Mario closed this road off due to safety reasons. Mario also mentioned that the cul de sac was done purposely so as to not use that road. Chris said that the county says this is a private road and that it can be used however the community chooses. Mario agreed and said that once the HOA has been turned over they can choose how to deal with the road.
- **Campers and RV** – Some discussion took place about the restrictions of campers and RVs. Audra found the clause in the restrictions and read aloud the community rules for campers and RVs. – Campers are not allowed on a

permanent basis. During temporary storage, they must be parked so as to not be visible from the front property line.

- **Signage** – Some discussion took place as to what signs were permitted throughout the community. Construction signs and For Sale signs are the only signs permitted per the restrictions. The board discussed how to handle the non-compliance of this restriction and decided to follow the outline of fines and liens set forth in the restrictions.
 - **Architectural Review Committee**– The board agreed that any aesthetic changes must be submitted and approved to an Architectural Review Committee that the board will appoint. It was also discussed that the restrictions were a little vague but that they did not want to put too many restrictions on the community. They concluded that the architectural committee would be able to keep the community consistent without a lot of restrictions.
 - **Bear Creek Club Membership** - Mario stated that the pool and clubhouse are privately owned and are not part of the common areas. It is mandatory for every lot owner to in Bear Creek and Bear Creek Motorcoach Resort to pay club dues of \$300/yr. Board members expressed some concern that currently those fees could be raised to any amount and lot owners would be required to pay that. Mario said that he did have the right to sell the lodge and would like to speak with his financial advisors and attorney to see how he could put restrictions on how Bear Creek Club fees could be increased in the future. It was suggested that possibly fees could not be raised more than a certain percentage per year. That percentage would need to be determined at a later date as well.
 - **Developer HOA Dues** – The developer is responsible for payment of HOA dues of one (1) lot regardless of how many he still owns. The HOA will get \$500 upon the sale of any lot from the buyer.
 - **Developer Rights** - As long as the developer owns at least one (1) lot in the community, he has the right to change things or reject changes with 2/3 thirds of the membership vote.
- 4) Shared Wells** – Mario went over the community plats that showed the shared wells that are located on the common area of the community. He discussed which lots these wells serve as well as future lots that they can be used for.
- 5) Deeded Common Areas** – Mario went over the common areas that were deeded over to the HOA in February, 2017. It was noted that Audra needs to call our attorney and add the 2nd pond as well as some right of ways to the pond.
- 6) Bear Creek Motorcoach Resort** – George asked if the BCMR owners paid any fees for using the community roads to come back and forth to the pool. Mario said that the dues he pays for lot 93 cover the wear and tear of roads from the BCMR lot owners.

- 7) **Combined Lots** – There was much discussion over the combined lots in Bear Creek. Mario went over the 4 owners that have combined lots. The members are concerned that owners will combine to reduce the HOA fees they are responsible for and then when it comes time to sell they will split them back up again. Audra will look back through the files to see exactly what kind of agreement was signed when the lots were combined. Moving forward, Chris suggested that the four lots should be grandfathered in and any new requests must be recorded with the county and the owners would need to sign off that they can never be split up. Mario asked to consult his attorney to see the best way to handle combinations of lots in the future.
- 8) **Vendor List** – Mario went through the list of current vendors supplied in the information notebook.
- **WIFI** – HOA does not want to maintain the WIFI – Mario agreed to pay for the WIFI until the turnover and that the antenna is part of the chapel.
 - **Shortys Lawn Service** – HOA will need to negotiate with Shorty, Mario warned about keeping a lawn maintenance company that was good and knew what they were doing and not switching companies just because one company may be a little cheaper. He suggested if you have someone that does a good job, keep them.
 - **Hay** – HOA will need to handle the hay moving forward.
 - **Maintenance Work** – Chris has been doing the maintenance work in the community. HOA needs to decide how to handle this moving forward and if this will be a conflict of interest. There was discussion about Mario's tractor and coming up with a fair fee for using the tractors. Mario needs to come up with a lease price and a purchase price for both tractors for the board.
- 9) **Budget** – Mario went over the 2016 actual expenses as well as the 2017 Budget. It was noted that all of the invoices have not been received yet and there will still be some expenses to be paid for 2017 included the work we had done on the roads from Townsend.
- 10) **Closing Remarks** – In closing, Mario wanted to make sure the new board understood that we want this transition to be as smooth as possible. He will pay to make sure that all common areas are turned over in good condition and that we will be here to help and guide them through the process.

Audra Barbour
10/30/17