



MINUTES

Bear Creek Forest Property Owner's Association Annual Meeting

May 21, 2011

Accident Volunteer Fire Department

Property Owners in Attendance: Will & Wrenn Williams, Sandy Patton, Curt & Michelle Zurcher, Pat Sullivan & Virginia Fike, David Foster, Marcus & Lisa Wilson, Wayne & Nancy Love

The meeting was called to order by President Pat Sullivan at 10:08 AM.

Financial:

A lengthy discussion was held regarding lack of funds for needed road repair projects, especially in BCF II. BCF I had funding to get some much-needed road repairs done and everyone agreed the roads look good after grading and the addition of new crusher run gravel. BCF II has no additional funds available for road work and is holding their funding for winter snow plowing.

A motion was made and approved to ask BCF landowners to double the existing annual dues from \$250.00 to \$500.00, payable in two installments in March and September. Ballots will be sent out with the minutes to all landowners for a vote. It was agreed that unless dues are increased, snow plowing may use all existing funds and leave nothing for road maintenance, potentially reducing property values and the ability to market properties to prospective buyers.

A suggestion was made to contact Texas Eastern (Gas Company) and ask if they can help maintain the roads that they use to access their gas wells.

A discussion was held regarding having our treasuries in local banks and requiring two signatures on checks disbursed. Pat will discuss this with the Treasurers.

New Business:

A discussion was held regarding the collection of back dues for properties changing hands or foreclosures. Pat said that lawyer Gary Sabo advised him that the purchasing party is responsible for the collection of these funds. Of particular note is the Helms

property in BCF II (Lot 9) that has not paid dues in many years. The purchaser of this property could be liable for back dues.

Pat also noted that we should have our bylaws reviewed by an attorney. The recent issue with the sale of the Stein property (BCF II Lot 1) has brought several issues to light, including insurance on common areas and collection of transfer fees when a property changes hands.

Website – Michelle Zurcher has built a website for our Association free of charge. The site can be viewed at www.bearcreekforest.net. Landowners are encouraged to provide content to Michelle. Her address is zurcher@verizon.net

Transfer Fees - A discussion was held regarding the collection of transfer fees. The Association can levy a fee to purchasers of BCF properties at settlement. This "Transfer Fee" can go into the treasury and can be included as a line item on the settlement sheet. It was agreed that for future property sales, a \$500.00 Transfer Fee will be assessed to the purchaser. We will have to notify the selling real estate agent when a property is listed for sale.

Stein Property - It was reported that after considerable legal maneuvering and efforts from the selling realtor and BCF Officers, the Stein property has been cleared for sale. Problems arose when it was discovered (after the County approved the lot and septic system and issued a building permit) that the home was built in the Conservation Easement of Bear Creek and the purchaser was unable to obtain Title Insurance, making the sale impossible. After getting approval from 90% of BCF property owners, the Easement was amended and the sale was approved.

Members-at-Large - A discussion was held regarding additional Officers who serve as "Members at Large" to advise the Board on issues in the community. It was agreed that these members should be full-time residents of BCF, who observe conditions and issues in the community daily. After further discussion, Marcus Wilson and Michelle Zurcher were selected as Members at Large for BCF II, and David Foster and Virginia Fike will serve for BCF I. These positions will be elected along with the slate of officers each year.

Common Areas - A discussion was held regarding repairs to the common areas. It was noted that the Common Area for BCF II is basically inaccessible because it was on a steep cliff, and most people accesses the creek at the BCF I common area. It was decided to contact the Treasurers to see if funds could be made available to repair the wooden steps that lead to the creek.

Brush Clearing on Roadsides:

Pat reported that landowners need to clear the overhanging trees and brush 15' feet back from the roadsides of their properties. This was a big problem last winter when

snow caused trees and brush to lean into the road, making plowing difficult and impossible in some areas. He noted that all BCF roads have a Right-of-Way that may be cleared by the Association if landowners don't, but there aren't enough funds to pay for this, making it the responsibility of each property owner. Clearing trees and brush also helps in "daylighting" our roads so sunshine can melt snow and ice, making them safer.

Internet Access – It was noted that Comcast has the rights for fiber optic cable along Bear Creek Road, but has not installed it at this time and is unlikely to bring it into BCF once they do. It was recommended that landowners contact Verizon and request that DSL service be made available to BCF.

With no further business, the meeting was adjourned at 11:45AM

Respectfully Submitted,
Will Williams, Secretary
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