

Oella Homeowner's Association (OHOA)
Regular Meeting of the Board of Directors
The Oella Church Building

June 4, 2007

President Richard Gambrill called the meeting to order at 7:06 PM, pursuant to notice duly given. Board members present were Larry Rodbard, Chris Innes, Amanda Lauer, Marcia Ames and Anne Altemus. President Gambrill mentioned that Director Toni Mullen will not be attending the meeting tonight. Other members present were David Lychenheim, Vickie Crawford, Mitch Crawford, Linda Burton and Dan Burton.

The May minutes were submitted previously via email to all board members prior to the meeting. Upon motion duly made by President Gambrill and seconded by Treasurer Rodbard, it was unanimously resolved to accept the May minutes. Director Amanda Lauer will post the approved May minutes to the OHOA website.

Treasurer's Report

Treasurer Larry Rodbard distributed the following documents to all members present at the meeting; Balance Sheet and Statement of Earnings, As of May 31, 2007. Treasurer Rodbard presented the Treasurer's report and noted that the OHOA bank account is stable and the finances continue to be in good standing. Below are the highlights of the Treasurer's report:

- Treasurer Rodbard noted that nothing had transpired in June with the exception of the finance charges for those members who didn't pay their dues by May 31st, which amounted to a little more than \$20.
- Treasurer Rodbard provided a status on the collection of the association dues; a dozen or more members or delinquent in not paying their April 1st invoice, 3-4 members or in arrears of a year or more and 30-40 members have prepaid their dues for the entire year.
- Treasurer Rodbard stated that The Accounts Receivable on the Balance Sheet shows a \$-205.94 which is not going to give a true figure because it is the net effect of all of the prepayments as well as the delinquencies.
- Treasurer Rodbard mentioned that the Bank of America's Parking Reserve account is up-to-date as of June 30th with the 1st and 2nd quarter portions posted to that account.

Treasurer Rodbard asked for board approval to send out a letter of threat to those 3-4 association members who are in arrears for more than a year. This letter will be mailed with the June 1st statements that will go out in a few days. Several questions were raised by various board members pertaining to the arrears amount (\$1800 is the total amount), opportunity to contact the Treasurer (yes, consistently and to contact him concerning payment options), rental properties (no rental properties involved, all homeowners) and any homeowners with special circumstances (yes, there is one homeowner). Treasurer Rodbard stated that the letter would state that these homeowners must pay the arrear dues by June 30th or the matter will be turned over to an attorney for collection with the cost

for legal action and collection born by the homeowner. Treasurer Rodbard made a motion to the board authorizing him to send out a letter to those 3-4 homeowners who are in arrears more than a year to pursue legal action to collect past dues plus the cost of attorney fees and collection fees which will go out with the June 1st statement and must either be paid by June 30th or contact the treasurer to arrange payment options. Treasurer Rodbard stated that the initial cost to pursue legal action will be born by the OHOA. President Gambrill stated that the attorney and legal fees alone will amount to 30% of the monies owed. The motion was seconded by Director Innes and unanimously approved by the board.

President Gambrill entertained two questions from the floor which were raised by Mr. David Lychenheim. The first question was addressed to Treasurer Rodbard and concerned how the snowplow overage variance is paid and the second question was addressed to the entire board that concerned collection procedures. Treasurer Rodbard responded to Mr. Lychenheim's first question stating that the monies are paid from the parking lot reserve fund and further explained that all the money is not budgeted upfront. Discussion ensued among the board members stating that the collection policy in the blue book does not provide any "courtesy" letter procedures for collecting past due monies, instead a property lien will be assessed if dues have not been paid. Every homeowner receives an invoice which is a written record of dues owed and paid. It was highly recommended by Mr. Lychenheim to have specific procedures in-place for the notification and a schedule for the collection of outstanding past dues so that each member clearly understands the actions which may be taken by the board for collection of past dues.

Hearing – 704 & 706 Mary Jo Way Residents

President Gambrill turned the meeting over to Director Chris Innes to conduct the hearing for the residents of 704 and 706 Mary Jo Way. Mr. Innes addressed the residents by stating that at the last board meeting, 2 resolutions were passed; the first one being that the owners will be notified that they have the opportunity for a hearing in front of the board of directors at the June 4th meeting before a fine may be levied for the violation. Following a unanimous vote, it was RESOLVED that the owners of Mary Jo Way shall each be fined \$100 for installing a railing behind their properties against the approval of the Architectural Review Committee (ARC) and that the board directs the Treasurer of the OHOA to take such steps as are necessary to collect these fines. It was further RESOLVED that the OHOA Board reaffirms the decision made by the ARC and asks the homeowners to comply with the ARC's decision.

Director Innes turned the floor over to Mary Jo Way resident, Mr. Dan Burton, to address the board. The following are highlights of Mr. Burton's discussion:

- The railing was installed to meet Baltimore County safety regulations. The residents were duly notified by Baltimore County that they had 30 days to put up a railing to meet safety compliance regulations or a fine of \$100 per day would be assessed.
- The contractor hired by the Mary Jo Way residents had recommended the black railings and the Mary Jo Way residents had surveyed other residents of Mary Jo

Way and other residents below their residence to obtain their feedback on the contractor's railing recommendation. All residents surveyed agreed with the contractor's recommendation.

- Several architectural drawings depicting the black railing was presented to the ARC and the ARC came back with a decision that the railing should be white because of historical continuity but was open to further discussion. The ARC told the residents that a historical architect was coming in and would provide consultation on the Mary Jo Way resident's railing proposal. The Mary Jo Way residents never received any feedback from the ARC as a result of that consultation.
- The Mary Jo Way residents had surveyed the Oella community and determined that various other railing types (pressure-treated wood, green wood, etc.) had been constructed throughout the neighborhood.
- The Mary Jo Way residents received no final written notification or registered mail from the ARC stating that the railings installed on Mary Jo Way must be white.

As a result of Mr. Burton's presentation to the board, the following highlights are from the board's discussion:

- A discussion ensued as to the timeline of events that had transpired with regards to the railing issue. It was determined from the various discussions between the board members and residents that more than 30 days had elapsed between the original presentation to the ARC without any official written notification to the Mary Jo Way residents that they would have to comply with the ARC's decision on painting the railings white. President Gambrill stated that it was the responsibility of the developer or developer's agent to respond within 30 days.
- After much discussion as to where the 30 day response is documented, Director Lauer found the following passage in the blue book, Section 4.4, Process, pgs 23-24, item (c). "Unless the Developer, by written notice to the applicant, disapproves any Plans submitted to it or approves them only upon the satisfaction of any specified condition, as aforesaid, within thirty (30) days after such Plans are submitted to the Developer, the Developer shall conclusively be deemed for all purposes of this Declaration to have approved such Plans unconditionally for each Lot for which they were so submitted."
- Director Anne Altemus noted that she appreciated the discussion from the Mary Jo Way residents because she had a better understanding of the facts of the case. Director Altemus noted that the ARC failed to provide a written response to the Mary Jo Way residents within 30 days and also they didn't get the support necessary to comply with the rules. Director Altemus recommended that the board's focus moving forward should be on developing and building a strong ARC so that people know ahead of time what rules they have broken.
- Another recommendation made to the board was to have a process in place to provide the homeowners with approved architectural standards (for example, exterior paint colors) to aid in the application and approval process for future renovations. President Gambrill stated that this is the intention of the board's direction moving forward.

- The board members voted on a motion made and duly seconded in favor of the ARC and to impose the \$100 fine. 5 board members voted against the motion and 2 members were in favor of the motion. It was RESOLVED not to fine the Mary Jo Way residents and that the decision made by the ARC concerning the installation of the black railings was not affirmed because the ARC failed to provide written notification to the Mary Jo Way residents of their decision within 30 days.
- Further discussion ensued concerning the need for the board to support decisions made by the ARC. It was unanimously RESOLVED that the OHOA Board tonight and moving forward supports the ARC process provided that the process is followed according to the bylaws.

Mill Liaison Discussion

President Gambrill reported that he still has not been able to get in touch with Mr. Richard Hillman of Southern Management. Issues that need addressing are the Mill Race Trail, parking issues, parking enforcement and the installation of a cell phone tower/receiver. Other issues mentioned were the need to increase the number of Mutt Mitts stations since Southern Management will be allowing the residents to have small pets, exterior mill lighting plans, hopefully non-intrusive, and trash receptacle locations. President Gambrill mentioned that he would like to get another tour of the mill to see what progress has been made to-date.

With the departure of Steve Appler from the board and as a member of the Mill Liaison committee, and after much discussion, it was decided that the following board members; Richard Gambrill, Marcia Ames, Anne Altemus and Larry Rodbard would comprise the core Mill Liaison committee.

Communications

Director Lauer reported that she has received all the documents from Treasury Rodbard. The website is almost completed. Outstanding documents are bios from Director Altemus and Secretary Kathy Tompkins and the May financial documents. Director Lauer mentioned that she would like to post Treasurer Rodbard's scanned blue book which would be very beneficial and an available reference for all Oella residents to access. Treasurer Rodbard responded that there is only 1 page missing from the scanned blue book which pertains to the legal description of the property. President Gambrill mentioned that he wants to ensure from one of the Real Estate agents concerning the legality before proceeding to post to the OHOA website. Further discussion ensued from the board members regarding recording numbers and the reference to the original documents, replacement blue book charges (\$25 replacement fee) to the resident.

Landscaping

Director Toni Mullen was not present at the meeting to provide an update. Director Rodbard reported that the mulching was completed on Pleasant Hill. Discussion ensued concerning the quality of the landscaping work that the current contractor is providing to the Oella community. Director Lauer mentioned that Director Mullen has put in extra effort on her vacation time to ensure that the landscaping contractor is maintaining the

common areas properly. President Gambrill mentioned that Director Mullen took the initiative to solicit bids from 3 other landscaping contractors. Another discussion ensued as to whether it is the right time to consider looking at one of the submitted proposals. Director Lauer responded that switching to another contractor may be more time consuming because Oella is a community with many parcels and the landscaping is done differently for each one. It was agreed upon that the decision to consider another landscaping contractor be re-considered when Director Mullen returns. Director Rodbard mentioned that the landscaping bills are not paid unless Director Mullen is satisfied with the work completed by the contractor.

New Business

Trash Receptacle – President Gambrill reported that there is no news to report since he hasn't heard from Southern Management.

Oella Avenue Repairs – It was reported that the new date for the repairs to begin was June 1st and that the pavement has been sprayed with letter markings. Treasurer Rodbard stated that he would follow-up with the progress on the repairs and report back to the board.

S-Curve Parking – Discussion ensued that this still presents a problem and is a dangerous situation. Also, it was mentioned that the sign has been posted again by the Trolley Stop prohibiting tractor trailers on the s-curve. This issue arises each time there is a new sub-contractor involved with the Mill development project. Mr. Charles Wagandt has allowed Southern Management the use of the lot adjacent to Granite Hill for the loading and unloading of trailers.

Director Marcia Ames mentioned to the board that the road is caving in next to the Mill Power House. She noticed that cones had been placed in the area where the road has caved in.

Vandalism – Police Management – It was reported that the man reported to police burning tires is now carrying a sword and that a Lillies Ln resident reported a naked man sitting on a rock by the river. Police are aware of the man carrying the sword and reported that he is harmless.

CCR, ARC Transition Update

This discussion was deferred later in the meeting so that Mr. Charles Wagandt would be present to provide the board with an update. Mr. Wagandt was not able to make the meeting so Director Innes provided an updated status.

Director Innes reported that the outstanding item concerns the transition document which was sent out to Ms. Susan Rappaport and he has not heard back from her. Director Innes stated that he would follow-up with her concerning the status of her review of the document. Also, he will follow-up with Mr. Wagandt to ensure that his attorney has received the document and find out when it will be reviewed. Director Innes next referred to action clause #3 that was passed at the closed board meeting on April 23 and

documented in the May 14 meetings which have been published on the OHOA website. He read the clause to the board “through a process that includes a committee appointed by the Board, the Developer, legal counsel, and a professional preservationist, develop written policies and procedures for the Oella Architectural Review Committee’s; membership, structure, and voting rights; review, approval, and appeal process and policies for the enforcement of architectural controls.” Director Innes stated that our next item of action is to form the committee. He recommended Ms. Lisa Jensen to serve on the committee as the historical preservationist, Ms. Rappaport to provide legal consultation, and recommended other former committee members; Doug and Pam. Discussion ensued concerning the preservationist’s role on the committee and other possible candidates that may also be qualified to serve on the committee as the historical preservationist. Director Innes stated that the role of the preservation is to serve only in the role as a consultant once the guidelines have been developed by Director Innes. It is not the board’s intention to have the preservationist take the lead role on this initiative.

The meeting was adjourned at 9:10 PM.

Respectfully submitted,

Kathy Tompkins, Secretary

Richard Gambrill, President