

Oella HOA Board of Directors Meeting
Monday January 18, 2010, 7pm, Westchester Center

Attendees:

Board members Dean Gray, Anne Altemus, Raina Rath, Scott Hall, Amanda Lauer
Community manager Alan Mangen
Residents Shari Youngblood, Dan Hood, Richard Pearl, Ricky Yockel, Bonnie Dugan

Called to order at 7:08pm. Vice Pres. Anne Altemus read the agenda out loud to all attendees.

Election of board officers (by unanimous vote):

President—Raina Rath
Vice President—Anne Altemus
Treasurer—Scott Hall
Secretary—Amanda Lauer

At this point, the meeting was turned over to Pres. Rath. December meeting minutes were approved.

Treasurer's report:

- Treas. Hall is communicating with HOA attorney Susan Rappaport about how funds are allocated via capital vs. operating expenses in accordance with HOA law and our CC&Rs. Questions about how to allocate parking assessments, reserve fund, etc. Awaiting response.
- HOA funds are currently in operating and reserve pools. May need to break into more.
- Sec. Lauer noted that our CC&Rs limit how we can levy assessments. We cannot levy a la carte fees. We can levy the main membership dues, which everyone pays; a limited assessment for the use of limited common areas (parking lots); and special assessments, which are restricted to mainly capital improvements.
- Treas. Hall also reported that dues collections are very high. Most of the outstanding unpaid dues are from just one or two owners who have not paid for a long time. American Community Management (ACM) continues to take steps necessary to recover the funds from the owners.
- Tres. Hall noted that snow plowing costs have been high due to several winter storms that produced hazardous conditions. Treas. Hall and Sec. Lauer will review the landscaping budget to see where funds may be reallocated if necessary. Discussion about snow removal costs ensued. It was noted that the HOA-owned parking lots and the sidewalk adjacent to HOA-owned common area at Spring Street must be cleared due to safety and liability issues.
- A resident asked how it was originally decided which houses would fall within the HOA. Most of the homes were purchased by the developer. Others had to opt

in. Pres. Rath will check the land records about why the previous owner of a Glen Ave. property did not have to pay dues.

- Treas. Hall reviewed the December financials. Mr. Mangen noted that the final year end statements will not be available until the audit is completed.
- Mr. Mangen received two proposals for a year end audit and tax prep. Treas. Hall will check references and make a recommendation to the board.
- Mr. Hall noted that many of the overages were due to improperly filed taxes from previous years and other "catch-up" expenses. Additionally, the last half of 2008 insurance was billed in 2009. The HOA went over budget on misc. expenses, mainly due to the ARC transfer and other legal matters. It was noted that several homeowners first engaged attorneys in ARC decision disputes. The HOA was then forced to engage its attorney to handle the matter in a manner that ensured the HOA was properly protected and acting within the current HOA laws.

Architectural Review Committee (ARC) & Guidelines Committee:

- A deck extension at Mary Jo Way was approved. The ARC is seeking volunteers to serve 3 month terms in 2010. Members with outstanding ARC issues will be deferred until the matters are resolved.
- Guidelines are in the final stages of development. The consultant assisting went through a lengthy, serious illness, which delayed the work. A draft will be presented to the board and then to the community at a later date.

Landscaping:

- The landscaping master plan is in the final stages of development. Sec. Lauer and Shari Depasquale of Stone Hill Design associates have met several times to discuss the plan. A landscaping survey was distributed to the community. The results will be posted online. Preliminary plans were reviewed by Dirs. Lauer and Gray and several members of the Landscaping Committee. These plans were presented to the board meeting attendees. The final designs will be posted online and presented at the 2010 Annual Meeting of Members. The Landscaping Committee will explore options for funding improvement projects. If anyone wishes to volunteer for the landscaping committee, they may contact Alan Mangen of ACM.

Parking:

- Spring Street residents are having trouble with Mill guests and attendees to Main Street events parking in their assigned spaces. The issue is being addressed with violation notices and towing as necessary.
- Estimates for number re-painting will be obtained in the Spring. Pleasant Hill residents voted to remove the numbers.

ACM management report board action items:

- Taxes: Treas. Hall has been trying to contact the IRS for confirmation that the unresolved tax issues have been taken care of. He has been placed on hold for 30-40 minutes each time, but has not gotten through to someone who can help.

- Recording secretary: it was suggested that the board try out an independent person (non board member) to record minutes at the meetings so that all board members may participate in discussions and the minutes will be professional, unbiased, and, accurate. Discussion over the possible expense ensued, and it was agreed that the board would try out the service for one month before making a decision.

New Business:

- Lillies Lane residents are experiencing a recurring ice problem on the HOA-owned portion of the driveway. Visits to the site by Mr. Mangen and several board members determined that the majority of the water is coming from a drain linked to a downspout from at least one of the houses. The drain empties onto the blacktop rather than joining the existing stormwater management. The HOA's snow removal contractor has been salting the area frequently. Mr. Mangen will revisit the site and attempt to determine the best course of action for a permanent solution.
- Dir. Steve Appler resigned from the board due to increasing professional commitments. Ms. Shari Youngblood has expressed an earlier interest in serving on the board. A motion to appoint Ms. Youngblood to the position was unanimously approved. The board also decided to seek volunteers to fill two more positions. The CC&Rs allow for up to 9 board members. Mr. Hood expressed an interest. An announcement will be posted on the HOA website as well.
- No volunteers for the nominating committee have come forward. The request will again be announced on the website.
- Several HOA members attended the January board meeting after receiving an anonymous hand-delivered letter regarding a petition and a request to attend the January 18 regular board meeting. Not all residents have received this letter, including board members. It was apparently selectively distributed. THIS IS NOT AN OFFICIAL HOA DOCUMENT AND DOES NOT CONSTITUTE AN OFFICIAL VOTE IN ACCORDANCE WITH OUR GOVERNING DOCUMENTS. The anonymous authors of the document failed to attend the meeting and present any signed petition forms or proxies to the board. Nor was a place or person to which the proxies were to be sent designated in the letter. Apologies to the residents who were misled into thinking the regular board meeting was a special meeting, but the board thanks them for staying for the whole meeting and offering their comments and input. An announcement to this effect will be posted on the HOA website.
- Residents asked questions about plowing criteria (2 inches in parking lots or icy conditions); whether the church parking lot was common area (no, but there is an easement to drive through); status of Treuth property development (no immediate plans to anyone's knowledge); vehicle parked illegally in road at Granite Hill s-curve (need to contact police; outside of HOA) is unsafe
- One resident commented that the board was doing what he considers the best job in years, but would like to see more service and less overhead. Treas. Hall pointed out that many of the 2009 expenses were due to catch-up

costs associated with completing some long overdue tasks (architectural control transfer, taxes, reserve study, guidelines)

- At 9:00pm, the board went into closed session to discuss possible pending legal matters related to encroachments onto HOA-owned common property. The session ended at 9:16pm and regular session was opened.
- The meeting was adjourned at 9:16pm.