

Oella HOA Board of Directors Meeting
Monday July 19, 2010, 7:00 pm, Westchester Center

Attendees:

Board members: Raina Rath, Amanda Lauer, Shari Youngblood, Dan Hood, Marcia Ames, Anne Altemus

Called to order at 7:07 p.m. by President Rath and the meeting commenced. It was agreed that Director Lauer would look over the as-yet-unapproved May minutes one final time before posting. June meeting minutes were approved as amended (to include Vice President Altemus' revised parking section, i.e. the violation sticker program behind Short Brick Row has been suspended for the time being).

Treasurer's Report

- Treasurer Hall was absent from the meeting.
- President Rath has the alternative management structure informational packet from Alan Mangan of ACM.
- Director Lauer presented some highlights of the current budget. Grounds/maintenance is \$2,320 UNDER budget; snow removal is \$7,940 OVER budget; legal is \$3,475 OVER budget; legal/dues collections is \$964 UNDER budget.
- Director Lauer reminded the Board that the Treasurer's job is a very big one, and suggested a need for a co-Treasurer. In short, someone is needed to oversee day-to-day expenses while someone else manages the "big picture". Doing both is very hard for one person to manage alone. She mentioned that, at the very least, another person is needed who has the right to sign invoices, etc.
- President Rath noted that she can sign forms and can always get them from Alan Mangan; she is, however, uncomfortable about signing the audit.
- Director Lauer added that taxes and the audit are currently on track for the year.
- President Rath suggested that she can get the tax returns from Mr. Mangan and send it around by e-mail so that the Board can collectively review it.
- Director Ames suggested Director Hood as a potential candidate for co-Treasurer. Director Hood indicated that he would need some time to think about it and proposed that the topic be revisited at the August meeting. He added that he would be interested in the long-range aspect of the budget.
- President Rath noted that for the time being, if the tax forms get forwarded to her she will sign them and get them to ACM.

ARC Update

- Director Ames reported that the ARC had no activity this month. The committee met on the first Wednesday of the month but made no decisions.
- Vice President Altemus asked about the status of the screens behind Long Brick Row?
- Director Ames responded that the LBR screens were the subject of the most recent meeting. Three members of the committee attended: Charles Wagandt, Steve Appler, and Marcia Ames. Mr. Wagandt is totally against having screens at all; Ms. Ames thinks they should be allowed to remain if they already exist; Mr. Appler noted that most windows nowadays come with screens and left it at that.
- Director Ames noted that, supposedly, the Guidelines Committee will decide if screens behind Long Brick Row may be used.
- Vice President Altemus stated that the screens were installed without the homeowners' having put in a request. She added that, in the past, if something were to be installed without permission, a letter could be sent requesting an application.
- President Rath asked if only external screens were being discussed, to which Director Ames replied, "yes". Director Ames added that she would send a violation notice if the Board would like her to do so.
- Vice President Ames noted that it is more of a policy issues; since the Guidelines won't be in place anytime soon, the situation needs to go through membership approval.
- Director Ames noted that Mr. Wagandt's rental property, the duplex, appears as though it also has external screens.
- Vice President Altemus stated that, in this instance, give the fact that there was a process for the installation of windows, the homeowners should also have gotten approval for the installation of the screens.
- Director Ames stated that she will therefore draft a letter and request that ACM send a violation notice.
- Vice President Altemus stated that she thinks a violation notice is important for the sake of consistency; she noted that the door of the house in question is also Kelly green.
- President Rath noted that she does now have an extension for December 31st, 2010 for the transfer agreement and added that Mr. Wagandt's giving up control was contingent upon the creation of a set of architectural Guidelines.

HOA Landscaping and Common Areas

- Director Lauer stated that the HOA is currently saving money where landscaping is concerned because of the recent drought. The grass strip between 781 and 783 is not

being mowed because it is not HOA property. She is covering up the grass with mulch and flower beds.

- Director Lauer added that she thinks the HOA is paying to have the bushes trimmed near 720 Mary Jo Way, but doesn't think the area is actually HOA property. In addition, she thinks a strip is being mowed along Mary Jo Way where people park, and she doesn't think this is HOA property, either. She noted that it's hard to justify spending the money if the property does not belong to the HOA.
- Director Hood pointed out that if the property is county-owned, the homeowners need to contact the county for maintenance issues.
- Director Lauer asked if it should be noted on the website that the HOA is ceasing to maintain the non-HOA properties. Director Hood said he would note it, but that the website is currently experiencing difficulties and is not accepting updates.
- Director Lauer stated that approximately seven cases of Mutt Mitts are being used per year, most of which go to Timber Point. She added that if the HOA gets desperate for funds, the purchase of Mutt Mitts can be suspended.
- Vice President Altemus stated that she can't imagine suspending the program.
- No motion was made to suspend the program.

Guidelines Committee Update

- Vice President Altemus asked Secretary Youngblood when the Guidelines would be ready for review. Secretary Youngblood replied that the Guidelines Committee would be meeting within the next two weeks to go over all remaining details, after which Secretary Youngblood would finalize the draft copy and it would be sent to Richard Wagner for review. It would then come to the Board for review, at which point it would be made available for a 14-day review period by the community.
- Vice President Altemus asked how the committee planned to let the community know that the Guidelines are available for review.
- Director Lauer suggested slipping an insert into the August mailing, which includes a "call for candidates" as well as the date of the annual meeting.
- Director Ames noted that a hard copy must be made available for those who do not have Internet access. Secretary Youngblood replied that the committee planned to supply a hard copy, and that currently the idea was to make it available at the Oella Company.
- Director Lauer suggested that perhaps it should instead be kept on hand at ACM, which is a neutral location.
- Director Ames stated that she would like to revisit the ARC for a moment. She requested clarification – when ACM sends out items on the behalf of the ARC, is the HOA being charged \$35/hour? (No; this is covered under ACM's management fee).

- Vice President Altemus stated that ARC correspondence should be official and kept for the record.
- Director Ames stated that, in the past, an architectural request required the application itself and two copies. Lately, however, she has been getting only a scan of the request. She would like a hard copy. If the homeowner does not include the requested three copies, she would like to tell him/her that the application is incomplete and return it.

Old Business

- Vice President Altemus met with Attorney Susan Rapaport and asked about the status of the encroachment issue; has it been dropped?
- President Rath stated that no, the topic has not been dropped, but that regardless of the outcome – a license or an easement – 2/3 of the members must approve. The topic will be revisited at the annual meeting.
- Director Lauer asked if the homeowners have been notified. President Rath stated that she will make sure that they have.

Board Action Items

- 730 Pleasant Hill was discussed. A large pile of debris belonging to the homeowner has remained on HOA property in spite of repeated attempts to get the owner to remove it. Alan Mangen instructed the Board that it needs to be decided if a fine hearing will be necessary. The HOA has the right to enter and remove the debris and bill the homeowner for its removal.
- Director Ames asked if the HOA can afford to do this. It was determined that because it is actually on HOA property, the owner can be billed and it will not cost the HOA anything. Director Ames expressed concern about collecting the money and asked what happens if the homeowner refuses to pay. It was determined that a lien can be placed against the property for failure to pay.
- President Rath stated that another notices needs to be sent with a specific date the debris will be removed.
- It was pointed out that the debris pile is very large and is comprised of building materials, scraps, items leaning against the outhouses, etc.
- MOTION: Vice President Altemus moved to proceed to have debris in common area adjacent to 730 Pleasant Hill removed at owner's expense. Motion was unanimously PASSED.
- Director Lauer pointed out that the HOA will be sticking with November for its annual meeting. November 15, 2010 will be the 3rd Monday of the month, and thus would be the most likely date.

- President Rath asked about the proposal for the reduced management fees. Director Hood pointed out that Treasurer Hall had planned to get itemized quotes; it was not known if he had yet had time to do that.
- President Rath asked about the drainage issue at Lillies Lane. Director Lauer stated that the drains are pumping out onto driveway and ice pools form near mailboxes, driveways, etc. Vice President Altemus noted that at the Short Brick Row end, there is a far bigger (all HOA-owned) sheet of ice that forms, and asked why that is any different from the Lillies Lane ice patches as far as liability is concerned.
- President Rath stated that if water is coming from uphill, the drains coming from those homes were placed by the builders. Director Lauer pointed out that the ice is forming on HOA property. Vice President Rath stated that it forms because of a situation created by the builders and is a hazard of Oella topography.
- Director Lauer stated that the Board needs to give Kurtis very specific instructions concerning complaints made directly to him by homeowners. He needs to be instructed to refer all questions to Alan Mangen at ACM.
- President Rath asked for clarification concerning the drainage issue: Are they drains or downspouts? If they are PVC pipes that dump onto the blacktop, arms can be added to train the water to go in other directions.
- Director Lauer stated that the Board will monitor the area and have it salted.

Old Business (cont.)

- Director Lauer brought up the parking issue at 947 Oella Avenue. The owner owns the parking space, but hasn't paid fees, dues, etc. This was discussed at a previous meeting, but the decision somehow never made it to Mr. Mangen.
- MOTION: Director Lauer made a motion to accept the attorney's proposal and will notify Alan Mangen of this decision. Motion unanimously PASSED.
- Collection policy. Director Lauer arrived with a copy of a sample collection policy and would like to customize it to the Oella HOA. She asked if the HOA is allowed to make all past dues, etc., due all at once if a homeowner consistently fails to pay. President Rath stated that, yes, there is an acceleration clause. Director Lauer suggested that the Board make a list of all things it wishes to include and that the list then be given to Susan Rapaport. There is already a late fee and interest policy in place; also leins. She asked if the Board also wishes to limit forms of payment. President Rath stated that, yes, forms of payment should be limited in the case of a bounced check, etc. Director Lauer stated that the suspension of voting rights for 60 days should be added (this is currently spelled out in the CC&Rs).

- Vice President Altemus noted that if a house in arrears is sold, the new owner starts out fresh as far as dues are concerned, and is not responsible for the past dues of the previous owner.
- Director Lauer stated that she will send out a list of components for the Board to review. President Rath stated that she will draft it, and will then send it around by e-mail to the other Board members.
- Director Lauer stated that with a new policy, a notice (10 days, for example) should be sent out before it's put into effect (i.e. trash cans, 2-car policy, etc.)
- Director Hood asked if a quote had been obtained for a second opinion on the assessment language.
- President Rath suggested Heather Swan in Columbia. Attorney Susan Rapaport's letter and Director Hood's correspondence with Attorney Rapaport will be shared with Ms. Swan.
- Vice President Altemus stated that the parking fee is assessed to people who park in HOA common areas (or drive through them).
- Director Lauer asked if Attorney Rapaport's opinion is that reserve money cannot be used to pay for snow removal. Director Hood stated that she wasn't asked that specific question.
- Director Lauer stated that the HOA is spending a lot of money to clarify the CC&Rs because they are not clear, and that perhaps it would make more sense to redo the entire thing over a few years, and that doing so would eventually pay off. However, 80% member approval is required before doing that.
- Vice President Altemus stated that Attorney Rapaport will make sure both amendments to the Blue Book are properly filed.
- President Rath noted that declarations are recorded. Copies of deeds, mortgages, etc. can be pulled up if necessary.

Meeting adjourned at 8:35 p.m.