

Oella HOA Board of Directors Meeting  
Monday, October 18, 2010, 7:00 pm, Westchester Community Center

**Attendees:**

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

Residents: Bruce Elliott, Henry Berger, Shirley McMonigle

Called to order at 7:15 p.m. by Vice President Altemus and the meeting commenced. September minutes were approved as amended.

**Treasurer's Report**

- Treasurer Hall passed out copies of the updated 2009 actual and 2010 and 2011 proposed budgets. The budget was updated to include the September actual expenses. The document will be uploaded to as a PDF to Google docs and will be available for review on the HOA's website.

**President Rath joined the meeting at 7:25 p.m.**

- Treasurer Hall pointed out that the HOA's revenue exceeded projections and that expenses were only a little above the expenses from last year. He added that there is nevertheless still a budget deficit but that it is not as large a deficit as he had anticipated.
- Directed Lauer stated that 745 Oella Avenue is now for sale. If the HOA's lien is not dismissed, there may be the possibility of collecting some funds.
- Treasurer Hall stated that as far as the late payment of dues is concerned, the majority of past-due homeowners are only one or two months behind.

**ARC Update**

- Director Ames stated that the most recent ARC meeting was on October 11, 2010. Three items were discussed: (1) a lattice at 945 Oella Avenue, which was approved, (2) tree removal at 762 Oella Avenue, which was approved on the condition that another appropriate tree be planted in its place, and (3) a request for the replacement of sashes, doors and a transom at 737 Oella Avenue.
- Director Ames added that there is currently one outstanding request, which came in after the meeting on 10/11/10: Resident Shirley McMonigle would like to install a gas line to convert her wood-burning stove to gas. The request has been submitted and will be reviewed by the ARC.

**HOA Landscaping and Common Areas**

- Director Lauer stated that, due to donations and her bulb sale, she was able to plant a tree in memory of JR, a recently-deceased long-time community member. She added that with the money that was left over, she put in some perennials. She also stated that she believes she will be receiving some more donated bulbs.
- Director Lauer stated that she would like to ask Kurtis to weed and mulch the small bed at Pleasant Hill where they removed the arborvitae, and that there are four bags of mulch behind the spring house/pump house that he could use to cover the area.
- Director Lauer stated that Spring Street lost some shrubs this year with the heavy snows and then the drought. She would like to wait until Spring to either replace them or move some of them around.
- Director Lauer stated that the new snow removal contract came in. Overall, the new prices are comparable to those from last year, but some things saw an increase in price while others saw a decrease.
- Director Lauer stated that there are some areas she may ask Kurtis not to plow such as the parking pad across from Lillies Lane; she added that everyone at Lillies Lane has a garage.
- Treasurer Hall asked if Lillies Lane residents would need it if they can't get their cars up the hill and into their garages (during icing, for example).
- Vice President Altemus stated that the parking pad across from Lillies Lane is technically not a parking lot and that when Kurtis plows it he pushes the gravel down the slope; at some point it will need to be re-graveled.
- Director Lauer stated that the HOA can keep the plowing request as is, but extra plowing does add to the HOA's expenses.
- Director Lauer stated that there are spaces on Mary Jo Way that are being plowed that shouldn't be.
- Resident Bruce Elliott stated that Kurtis has done it in the past - at the Mary Jo Way residents' request (and they pay him) - but that the county should be doing it as it is a county-owned area.
- Director Lauer asked that the plowing of the county-owned spaces on Mary Jo Way be removed from the snow removal contract. She also requested that Kurtis be asked not to plow the riverside parking pad across from Lillies Lane unless asked to do so.
- Resident Elliott stated that if the county has not plowed it, Kurtis sometimes has to plow the bottom just to get up to Pleasant Hill.
- Director Lauer stated that the HOA could ask for bids from other snow removal companies but Kurtis is here and accessible. Breaking in another person might prove to be more costly and troublesome than it's worth.

## **Guidelines Committee Update**

- Secretary Youngblood stated that the deadline for submission of community commentary is October 25<sup>th</sup> at 5 p.m. and that many good comments had been received to date. Upon reaching the deadline, the Guidelines Committee will meet again to discuss the comments and a final version of the document will be prepared. She added that it is the committee's hope to have the final version of the document ready in time for the annual meeting, but it will depend upon the volume of comments received and the availability of the committee members for discussion and the making of the revisions.
- Vice President Altemus stated that perhaps presenting the history of the document's inception and creation at the annual meeting will pave the way for a smooth adoption in December.
- Resident Elliott asked if the document will be put up for a vote. Vice President Altemus stated that it will not be put up for a vote, but ensuring that the community understands the reason behind and purpose for the document will increase the likelihood of voluntary compliance.
- President Rath stated that she is in favor of having the document adopted before the Board's December meeting because of the December 31<sup>st</sup> deadline for the transfer agreement.
- Vice President Altemus pointed out that the Board could convene itself briefly before the annual meeting for the purpose of approving the budget, adopting the Guidelines, etc.
- Director Lauer stated that the budget has to be presented at the annual meeting and that the Board is technically in session at the annual meeting.
- President Rath stated that the Guidelines were created to serve as guidelines to carry out the Blue Book, which was poorly drafted.

### **Board Action Items**

- **Management report and budget:** Treasurer Hall stated that he must send a formal notice to Alan Mangen at ACM about going to reduced management services. A 30-day notice is required. He added that he will draft a letter and will return to this topic when the Board discusses "new business."
- **Fine hearing for 912 Logtown Road (Drehoff property):** President Rath noted that she would like the hearing to occur at the Westchester Community Center and not at Charles Wagandt's office. Director Ames requests an evening hearing. Director Ames asked if she needs a signed statement saying that she can act on behalf of the Board. Vice President Altemus asked if Mr. Drehoff plans on bringing an attorney to the hearing. President Rath replied that he won't be and that having an attorney present defeats the purpose of mediation. Director Ames stated that she is familiar with the documents but was not part of the decision-

making process. Vice President Altemus asked about the HOA's responsibility in funding the mediation. President Rath answered that the HOA is not under any obligation to pay for the mediation, but she would be in favor of having the HOA offer to pay the cost of the facility rental.

- **Written collection policy:** President Rath stated that she now has one completely drafted.
- **730 Pleasant Hill:** While clearing away the offending items, the contractor had a brief discussion with the owner of 730 Pleasant Hill, who re-entered his home and called the police and reported a "burglary in progress." The contractor was able to complete the job (after being questioned by the police) and the owner of 730 Pleasant Hill will be billed for the additional removal time.
- **Proposal for reduced management fees:** Treasurer Hall would like to draft a letter to Alan Mangan of ACM requesting a reduction in management services. **MOTION:** Vice President Altemus moved to have Treasurer Hall draft the letter and send it to Mr. Mangan. Director Lauer seconded the motion. The request was unanimously **APPROVED**.
- **Ballot:** Vice President Altemus stated that she finds the three choices (concerning proxy and ballot) on the form are confusing. Resident Elliott asked if there was an absentee ballot in the past. Director Lauer stated that Mr. Mangan of ACM indicated that it must be available for those who cannot attend the meeting.
- **Lillies Lane Water Run-Off Issue:** President Rath noted that nothing has been heard from Resident Gambrell at present.
- **Insurance proposal from Gallagher:** President Rath stated that she has not yet seen the proposal from Gallagher. Director Lauer noted that she will ask Mr. Mangan about it and report back.
- **770 Oella Avenue:** The Board has been advised by its attorney that the tenant disturbances are not under the HOA's control and must be handled by the police.
- **Inaccurate fee:** Director Lauer pointed out that the \$6.36 fee, which has remained on one resident's account for 2 years, is inaccurate and should be removed. **MOTION:** Director Lauer made a motion to remove the fee from the account. Treasurer Hall seconded the motion. The request was unanimously **APPROVED**.
- **Budget:** Director Lauer stated that Mr. Mangan had a question in relation to the proposed budget. Specifically, he wants to know if the HOA got an attorney's opinion on whether the HOA can use parking fees for operating expenses. Treasurer Hall pointed out that the parking fees would only partially be allotted to operating expenses; the remainder would go to the reserve fund. President Rath stated that she will ask the question of Attorney Heather Swan.

## Old Business

- President Rath noted that she now knows the availability of all persons involved in the Drehoff mediation and will work towards confirming some possible dates.
- Director Hood stated that Director Ames should be given authority to act on behalf of the Board. The Board unanimously agreed. No motion was made.

## New Business

- Vice President Altemus stated that Mr. Mangen will need to establish a procedure for ensuring that only one vote per address is cast at the election during the annual meeting.
- Vice President Altemus stated that she would like Mr. Mangen to request Attorney Susan Rapaport's attendance at the annual meeting. She added that she met privately with Attorney Rapaport concerning parking issues (along with Director Ames), but feels that the Timber Point easement and the implementation of the Guidelines are important issues. **MOTION:** Treasurer Hall made a motion to request Attorney Rapaport's attendance at the annual meeting. President Rath seconded the motion. The request was unanimously **APPROVED**.
- Director Lauer discussed the annual meeting agenda.
- Treasurer Hall noted that the membership will be asked to approve the minutes from the 2009 annual meeting at the 2010 annual meeting.
- Director Ames noted that she has initiated a new method for addressing ARC requests.
- Director Lauer stated that, concerning the vote (to take place at the annual meeting) on the Charles James Circle encroachment, it might be helpful to have a slide presentation of the survey. Vice President Altemus noted that Attorney Rapaport can be asked to be prepared to make comments concerning the encroachment.
- Director Hood asked about MD Bill 842, which was mentioned in the management report and will presumably affect HOAs. A copy of the bill itself was not included in the management report, however; therefore, Director Lauer will request the information from Mr. Mangen of ACM.
- Resident Bruce Elliott was presented to the Board as a potential candidate to fill the spot vacated by Director Dean Gray. After discussion of Mr. Elliott's biography (below) and reasons for wanting to join the Board, his appointment was voted upon. **MOTION:** Director Ames made a motion to appoint Bruce Elliott to the spot vacated by Dean Gray. Director Hood expressed concern over the appointment of someone so close to the time of the annual meeting. After further discussion, Director Ames again made a motion to appoint Mr. Elliott to the Board. Vice President Altemus

seconded the motion. Bruce Elliott was appointed to the Board by a 6-1 vote. Dr. Elliott's biography can be found on the HOA's website.

**Meeting adjourned at 8:40 p.m.**