

Oella Homeowner's Association (OHOA)  
Board of Directors Meeting  
Westchester Community Center  
January 12, 2009

Vice President Altemus called the meeting to order at 7:03. Board members present were Scott Hall, Toni Mullin, Amanda Lauer and Marcia Ames. Resident James Pettit was also present.

Minutes from the annual meeting held on December 8 were submitted previously via email and the draft minutes were posted on the OHOA website. No changes were necessary and the minutes were approved.

**Election of Officers:**

A motion was made following discussion, seconded and unanimously resolved: That the board appoints Steve Appler as President, Anne Altemus as Vice President, Scott Hall as Treasurer and Toni Mullin as Secretary.

**Treasurers Report:**

Treasurer Hall reported that the transition to American Community Management (ACM) is almost complete. New bank accounts have been established with BB&T. Coupon books have been mailed to residents and the HOA mailbox in Ellicott City has been closed. Several delinquent notices have already been sent to residents. Treasurer Hall will continue to work closely with ACM.

**ACM Transition:**

The board received the first monthly report from ACM. The report is sent electronically and includes the monthly accounting reports as well as a summary of all activity for the previous month by ACM on behalf of the HOA. This month's report included notices sent to two homeowners (772 Oella and 745 Oella) regarding maintenance issues. ACM also sent a proposal for a parking reserve study.

**ARC**

Scott Hall reported on the outstanding issue regarding landscaping at 1010 Oella Avenue (the Pettit residence). The ARC needs to send a decision letter regarding the bamboo that was planted as a screen. Director Hall has agreed to remain on the ARC for the near future.

**Landscaping**

Director Lauer reported that ACM is being asked to find additional bids for HOA landscaping, snow removal and weed control. A motion was made and passed

unanimously to have the current landscape contractor, Neighborhood Lawn Care, handle trimming along the river. The motion was only for the Lillies Lane area. The other areas that need trimming will be put out for bid by ACM.

### **Parking Committee**

Director Lauer reported that the parking committee would begin working on sending out parking tags/stickers to Long Brick Row and Short Brick Row. Other areas will follow. She also reported on an increase of non-HOA residents parking in the Long Brick Row parking area so that they can access the Mill Race Trail. Director Altemus reported that no progress has been made to have the owner of 781 Oella Avenue (Charles Wagandt) relocate the parking spot for that residence. The Board will have ACM notify Mr. Wagandt of the issue and attempt to resolve the problem.

### **New Business**

Directors Lauer, Altemus and Ames have started organizing all the HOA documentation so that it can be turned over to ACM. Treasurer Hall will contact Larry Rodbard to obtain any financial documents that he may still have.

President Appler continues to work on assembling the ARC Task Force so that guidelines and procedures can be developed. The Task Force must be in place by Feb. 8, 2009.

Work was completed on the Lillies Lane drainage problem. Special thanks to Delegate Jim Malone for his assistance.

President Appler will handle the recording of the Mill Race Trail easement. The meeting was adjourned at 8:15.

### **Additional Resolutions:**

On December 22, 2008 the Board voted by email to adopt the 2009 Budget as presented by Treasurer Hall at the annual meeting.

### **Special Meeting on December 8, 2008**

President Appler called the special meeting to order at 6:35. The purpose of the meeting was to vote on the Architectural Control Transfer Agreement previously approved by attorney Susan Rappaport. Board members present were: Steve Appler, Anne Altemus, Marcia Ames, Amanda Lauer, Scott Hall and Toni Mullin.

A motion was made to have the Board sign the agreement transferring architectural control from Charles Wagandt, developer, to the HOA. A second was made and the motion passed unanimously.

Another motion was made to approve the November meeting minutes. A second motion

was made and it passed unanimously.

The meeting was adjourned at 6:50.

Respectfully submitted,

Toni Mullin	Steve Appler,
Secretary	President

Oella Homeowner's Association (OHOA)  
Board of Directors Meeting  
Westchester Community Center  
February 9, 2009

President Appler called the meeting to order at 7:05. Board members present were Scott Hall, Toni Mullin, Amanda Lauer and Marcia Ames. Ruthann Shae from American Community Management was also present.

Minutes from the January meeting held on January 12 were submitted previously via email and the draft minutes were posted on the OHOA website. No changes were necessary and the minutes were approved.

**Treasurers Report:**

Since Treasurer Hall did not have a chance to review the financials before the meeting, he will meet with Ruthann Shae sometime this week to discuss. The HOA has a significant number of delinquencies and will be working to develop a collection policy.

**ARC**

Scott Hall reported on the outstanding issue regarding landscaping at 1010 Oella Avenue (the Pettit residence). He has prepared a decision letter regarding the bamboo that was planted. A new request was submitted by 759 Oella Avenue and is being evaluated. Maintenance items at 745 Oella Avenue have not been addressed. A letter was sent to 921 Logtown Road regarding a fence issue.

**Landscaping**

Director Lauer reported that trimming along the river by Lillies Lane has been completed. More river view trimming will be done in the future, depending on the availability of funds. A vote on approval of funds for river view trimming along Spring Street and Long Brick Row was postponed. Ms. Shae will be meeting with a new landscape contractor to obtain a 2009 bid. She will ask the contractors to evaluate the Short Brick Row runoff situation when they tour the grounds. Director Lauer applied for a grant to help pay for plants & trees.

There were several complaints after the last ice storm and the HOA will need to develop guidelines for ice and snow removal. Ruthann Shae will communicate with the current vendor on this issue.

**Parking Committee**

The committee is working on a letter regarding the parking space at 781 Oella Ave. and has finalized the parking regulation/parking tag notice to go out to all homeowners. They will forward the documents to Ruthann Shae once it is complete.

## **Old Business**

Recordation of Millrace Trail easement – President Appler reported the survey is complete and is ready to go to the attorney.

Mill Liaison – On hold; lack of response from mill

No Trespassing/HOA Owners Signs – Director Lauer reported that the signs have been completed and will be installed soon along the trail.

Ellicott City Post Office Box – The post office requires a letter from President Appler to close. He will follow up.

HOA Archive Documents – The archives have been cleaned up and are being stored at the Westchester Center.

Parking Reserve Study – Ms. Shae is waiting on 1 other bid.

## **New Business**

Debit/Credit Card – Ms. Shae will be providing to the HOA. She will send to Director Lauer.

Tree at Stone Row – Ms. Shae will consult with an arborist on removal of the tree.  
CCR Revision Process – On Hold until 2010.

Mill Race Trail Maintenance - Ms. Shae will contact Neighborhood Lawn Care about replenishing the wood chips near the bridge.

The meeting was adjourned at 8:20.

Respectfully submitted,

Toni Mullin    Steve Appler  
Secretary     President

Oella Homeowner's Association (OHOA)  
Board of Directors Meeting  
Westchester Community Center  
March 9, 2009

President Appler called the meeting to order at 7:04. Board members present were Scott Hall, Toni Mullin, Amanda Lauer and Marcia Ames.

Minutes from the February meeting held on February 9 were submitted previously via email and the draft minutes were posted on the OHOA website. No changes were necessary and the minutes were approved.

**Treasurers Report:**

Treasurer Hall reported that delinquencies have been reduced to roughly \$4800. There are 23 delinquencies out of 161 homes. Thirteen of those are > 60 days. The Board will contact ACM to confirm how the legal costs will be handled. In the future, the Board may include delinquent addresses in the meeting minutes. Due to delinquencies and several new expenses this year, Treasurer Hall requested that Director Lauer prioritize the landscaping expenses for the upcoming season.

Treasurer Hall also reported that the 2008 tax returns will be completed by UHY as part of their agreement.

**ARC**

1010 Oella Avenue - Scott Hall reported that the decision letter regarding landscaping has been prepared and is ready to mail.

920 Logtown Road - ACM (Ruthann Shae) met with the owners and is preparing a report for the Board.

New Request- A resident of Pleasant Hill has asked to build a bench on HOA common area. Director Hall will notify the resident to seek ARC approval.

**ARC Guidelines Committee**

The committee is tasked with writing architectural guidelines for the community. So far they have met twice and will continue until mid-August. Committee members are Steve Appler, Toni Mullin, Joan McClurg, Charles Wagandt, Bruce Elliott, and Steve Wilhide.

**Landscaping**

The Board voted to approve trimming along the river at Spring Street and Long Brick Row. The Board also voted to continue services with Scientific Plant Service for the upcoming season. ACM has obtained two quotes for landscaping services for the

upcoming season.

### **Parking Committee**

Parking tags for Long Brick Row, Short Brick Row and Spring Street will be mailed to homeowners that are current on their dues. The Board also discussed short term parking solutions to the parking problem at 781 Oella Avenue.

### **Old Business**

Recordation of Millrace Trail easement – This is on hold due to budget constraints.  
Mill Liaison – On hold.

No Trespassing/HOA Owners Signs – Director Lauer reported that 3 of the 4 signs have been installed.

Parking Reserve Study – The Board received 3 bids for the parking reserve study. A decision was made to go with Becht Engineering (Woodstock, MD).

Grading behind Short Brick Row – ACM obtained a quote to fix the water runoff problem behind Short Brick Row. The Board decided to table the decision until the fall. The solution and price seemed reasonable.

Tree at Stone Row – President Appler will mark the tree so that ACM can have an arborist evaluate and possibly remove.

### **New Business**

Credit Card – ACM is providing the HOA with a credit card for purchases not to exceed \$1000.

Signs – ACM will be contacting the realtor about signs at the entrance to Timber Point and Phoenix Builders about their sign at 947 Oella Avenue.

Mutt Mitts – The Board decided to continue to purchase mutt mitts for the community. Henry Berger has volunteered to investigate containers that would hold used grocery store bags.

The meeting was adjourned at 8:50.

Respectfully submitted,

Toni Mullin     Steve Appler  
Secretary     President

Oella Homeowner's Association (OHOA)  
Board of Directors Meeting  
Westchester Community Center  
April 13, 2009

President Appler called the meeting to order at 7:15. Board members present were Scott Hall, Toni Mullin, Amanda Lauer, and Anne Altemus. Ruthann Shae from American Community Management was also present.

Minutes from the March meeting held on March 9 were submitted previously via email and the draft minutes were posted on the OHOA website. No changes were necessary and the minutes were approved.

**Treasurers Report:**

Treasurer Hall reported that delinquencies greater than 30 days have been reduced to \$3254 and there are 14 homeowners in arrears. Treasurer Hall reported that a \$500 deposit was made to Becht Engineering for the reserve study. He requested that ACM create a new line item for this expense as well as the ARC guidelines expense. In the current budget both items are shown under "legal". He also noted there is still a discrepancy with the mutt mill bill. Ms. Shae will investigate.

**ARC**

1010 Oella Avenue - Scott Hall reported that a decision letter was mailed and the work has been completed.

920 Logtown Road - ACM sent a letter on behalf of the Oella ARC and notified the homeowners that they have until June 30 to correct the fencing issue.

The ARC now has a third member, Olivier Gandou, as well as Scott Hall, Marcia Ames and Charles Wagandt.

**ARC Guidelines Committee**

President Appler reported that the draft of the architectural guidelines is progressing. The committee continues to meet every other week so that they can meet their mid-August deadline.

**Landscaping**

Director Lauer reported that this year's landscaping contract was awarded to Ivy Hill. They will begin mowing this week, weather permitting. Director Lauer is waiting to hear about two landscaping grants that she applied for. In addition to the tree at Stone Row that needs to be removed, Ms. Shae will be getting quotes for the willow trees at Spring Street that need removal. There was also a discussion regarding removal of the forsythia bush at Spring Street and a bush at the steps leading up to Pleasant Hill.

A garden club clean up is scheduled for Saturday, May 16 at 11:00am.

## **Parking Committee**

Parking tags for Long Brick Row, Short Brick Row and Spring Street were mailed to homeowners that are current on their dues. Several were returned due to incorrect addresses (rental property). Ms. Shae will put notices on vehicles that do not have parking tags during the May inspection. Cars without proper hanging tags could be towed at the owner's expense.

## **Old Business**

Recordation of Millrace Trail easement – This is on hold due to budget constraints.  
Mill Liaison – On hold.

## **ACM Report**

Ms. Shae supplied Becht Engineering with copies of the HOA plats so they can begin the reserve study. During the month of April she will be working on getting quotes for tree removal and getting official (court) copies of the HOA documents.

## **New Business**

New Webmaster - The HOA voted to hire a new webmaster. The Board authorized 5 hours at \$25 per hour for the initial setup and 2 hours per month at \$25 per hour.

Treasurer Hall brought up the idea of having an HOA picnic. He will work on the details and report back at the next meeting.

The meeting was adjourned at 8:30.

Respectfully submitted

Toni Mullin     Steve Appler  
Secretary     President

Oella Homeowner's Association (OHOA)  
Board of Directors Meeting  
Westchester Community Center  
June 9, 2009

President Appler called the meeting to order at 7:05. Board members present were Scott Hall, Toni Mullin, Amanda Lauer, Marcia Ames, Anne Altemus and Raina Rath. Community member Henry Berger was also present.

Minutes from the April meeting held on April 13 were submitted previously via email and the draft minutes were posted on the OHOA website. No changes were necessary and the minutes were approved.

**Treasurers Report:**

Treasurer Hall reported that the preliminary reserve study results understated our parking reserves. The HOA has \$62k in parking reserves, not \$44. In addition, he feels that we can add an additional \$5k from our current operating fund to that figure. The HOA cash position looks good. Delinquencies, which are primarily represented by only 3 homeowners, are 5%. They are \$1424 > 90 days and \$1875 > 60 days.

Although HOA expenses are down, the potential for additional tree expenses does exist. Mutt mitt expenses are still being shown under the incorrect category, despite asking ACM numerous times to fix this error.

Personal property taxes and income taxes were not filed for 2007 and 2008. The HOA continues to work with UHY and ACM to resolve this issue.

**ARC**

The ARC has 7 current requests and will be meeting soon. Director Ames has been in the process of copying past ARC documentation, but the process is slow and tedious.

The board voted to appoint Director Ames as the chairperson for the ARC. The board also voted to appoint Raina Rath and Steve Appler to the ARC. Scott Hall's term will be expiring the end of June. President Appler requested that the board receive a courtesy copy of all future ARC applications.

**Guidelines Committee**

President Appler reported that the draft version of the ARC guidelines is complete and the consultant has provided his comments. The committee hopes to meet weekly until the August deadline for completion of the guidelines.

**Landscaping**

Director Lauer is applying for another tree grant (up to \$1500). If awarded she will try to get volunteers to plant, but asked that the HOA match up to \$500 in the event she is unable to find

volunteers. A motion was made, seconded and passed. In addition, she is working on a second grant (up to \$3500) with the help of Ilse Munroe. This grant will focus on invasive weeds, drainage problems, and erosion control.

It was brought to the attention of the board, that there could be a second potential drainage problem behind Short Brick Row due to new hardscape installed by homeowners. The board will ask ACM to investigate.

Clean up work at the Oella sign was done by director Lauer.

The HOA's new landscaper, Ivy Hill, is not living up to the terms of the contract. With the exception of mowing and trimming, other work is not being done. ACM is in the process of trying to resolve. Meanwhile, the board authorized Director Mullin to contact Pride Landscaping about a bid for the HOA common areas.

### **Parking**

Parking tags have all been mailed. Violations such as no guest tags and too many cars per household continue.

Director Lauer will contact ACM about having the numbered spaces repainted. She will also ask them to contact the realtor about where to park when showing 739 Oella Avenue.

### **Old Business**

Mill Liason - No progress.

Tree at Stone Row - Stabler Tree Service will remove soon.

Garbage Cans - The board will ask ACM to send a letter to the owner of 763 & 765 Oella Avenue about the number of trash cans and the trash cans without lids. The board resolved to fine the owner \$10/day for the violation, subject to a hearing. The owner will be advised that a hearing will be held at the next board meeting.

Reserve Study - President Appler contacted ACM so that a meeting can be arranged with the company that completed the reserve study. There are several items listed in the study that do not belong to the HOA and additional items that were not included.

ACM - President Appler met with ACM regarding some of the issues that the board is having. ACM asked that the board have one point of contact for all communication. Director Lauer will keep a master list of requests sent to ACM and she will be the point of contact.

Yard Debris - A letter was sent to the residents of Logtown Road.

### **Comments from the Community:**

Debris is starting to accumulate again at Herring Hill on HOA common areas. The board will contact ACM so that a letter can be sent.

The board authorized Henry Berger to trim/mow an area at Pleasant Hill that is becoming overgrown.  
The meeting was adjourned at 9:00.

Respectfully submitted,

Toni Mullin	Steve Appler
Secretary	President

OELLA HOMEOWNERS ASSOCIATION (OHOA)  
Board of Directors Meeting  
Westchester Community Center  
July 20, 2009

Director Altemus called the meeting to order at 7:17 p.m.. Board members present were Scott Hall, Amanda Lauer, Anne Altemus and Raina Rath. Community members present were Nancy Pascale, Hnery Berger, Dennis Restauro, Winnie Carpenter and Ilse Munro. Ruthann Shae, Community Manager from American Community Management was also present.

Minutes from the combined May/June board meeting held June 9, 2009 were submitted previously via email and the minutes were approved.

**ACM/Managers Report:**

Ruthann Shae reported Annual Property Inspections were completed and violation notices sent to homeowners as warranted by inspection results. Compliance timelines for notices were addressed. A resident expressed concern that citations were not consistent and that some properties failed to receive notices despite having existing violations. The resident was also concerned that the timelines for curing violations were inflexible and resulted in homeowners being hit with large financial burdens to cure violations some of which have existed for years before ACM was retained. It should be noted that the violation notices included a mechanism for requesting an extension to complete the work. Discussion was made with regard to ACM's attempts to clean up past years of neglect and create uniformity and consistency in covenant enforcement. Ms. Shae requested that HOA members report violations to Board and the Board will pass them on to ACM. Ms. Shae reported that HOA dues are most current with only a handful of delinquencies compared to delinquencies of as much as \$16K – \$20K under prior boards emphasizing the long term benefit of professional management and consistency.

Ruthann Shae and Director Hall reported completion of the capital reserve study addressing life spans of parking, fixed assets, etc. and addressed the necessity of study to ensure HOA has adequate funds in reserve rather than have an emergency/special assessment set at time of need. Capital Reserve Study indicates that HOA needs \$173K and HOA currently has approx. \$65K. Director Hall and Ms. Shae will meet to begin developing a budget plan for 2010. ACM is soliciting bids for paving right now particularly for areas like Pleasant Hill Rd.

Request was made to put Reserve Study online and discussion was made as to authority to post m with proprietary information. Board will make further inquiry and advise on posting study online. ACM will provide the management report summaries for the website in narrative form redacting any individual member personal information so that report will give details on general state of dues delinquencies, ARC requests, and action items.

Ms. Shae also stated all HOA tax returns were filed and taxes were paid for past years so that account/entity is current and in good standing with State Department of Assessments and Taxation.

Ms. Shae reported on letters sent to landlords to obtain owner information on rentals in OHOA for emergency notification purposes and official HOA business.

#### **TREASURERS REPORT:**

Director/Treasurer Hall reiterated that all property and state taxes are paid current for HOA. A summary report is to be posted on HOA website provided by Director Hall. Ivy Hill landscaping was not paid in May/June 2009 for work that has not been completed. Neighborhood Lawn Care has been brought back as landscaping service provider. ACM will reduce Ivy Hill payment by any amounts required to be paid to NLC for items not completed by Ivy Hill for which NLC has now been retained.

#### **ARC:**

Director Rath reported that subsequent to the June 2009 ARC meeting five pending ARC requests have been approved; one request was denied and one request is awaiting further details and information in order to make a decision. ACM continues to pass on ARC request for action in accordance with rules.

#### **GUIDELINES COMMITTEE:**

Director Hall reported that the board needs an additional \$2,500.00 to complete the guidelines in proper form and substance. Pursuant to the ARC transfer agreement, the guidelines must be completed by not later than August 31, 2009 or transfer agreement is voidable and control reverts back to Charles Wagandt. Richard Wagner is the retained consultant and is an historic preservationist affiliated with Goucher College. The previous expenditure authorized by the board was \$3,000.00.. Mr. Wagandt agreed to pay 1/3 of the total cost of guidelines and has paid \$720.00 to date. Board has paid \$900.00 of the allotted \$3,000.00.

Question was raised as to what percentage of homes are historic in relation to all homes subject to HOA Declaration, Board to look into percentage but regardless Director Altemus stated that guidelines necessary to insure consistency and application among HOA members.

Director Hall reported options to fund additional guidelines expense. Community Fundraising events, private tax deductible donations by HOA members to Historic Society to pass through to HOA, request to Historic Society to allocate proceeds from 2008 Maryland House and Garden Pilgrimage (MHGP) to guidelines development and/or board action to allocate additional funds from legal fees budget.

Motion was made to authorize additional \$2,500.00 for guidelines subject to the board

seeking funds from MHGP. Motion made by Director Hall, seconded by Director Altemus and approved by board.

Director Rath to inquire of MHGP and Historic Society to determine if funds are available for guidelines project.

Ruthann Shae reported that the budget for legal fees was \$7K of which \$4K spent to date thru 6/30/09. Director Hall Scott stated that only \$900.00 paid to date of the \$3k allocated for guidelines.

### **LANDSCAPING:**

Director Lauer reported that notice to terminate was sent to Ivy Hill. NLC has been reinstated as routine landscaping service provider. Ivy Hill has not been paid for items unfulfilled.

NLC estimates \$650.00 to address immediate weed control and mulching at LBR, one tree area behind SBR, area at Oella Sign at Oella & Maryjo Way and the trees at Timber Point. Expenditure Approved. An additional \$350.00 is needed for Timber Point mile-aminute removal/control.

A community member brought up 715 Pleasant Hill Rd area issue with island – needs weeding/mulching. Board will get NLC to quote.

A community member requested that Forsythia bush at Stone Row be addressed in the Fall.

A resident stated that some homeowners on Pleasant Hill had private plantings removed/weed-whacked along Oella Ave. Directors Lauer and Altemus stated that the County must have done the clearing not the HOA.

A resident requested that Director Lauer post a notice for shared crane /tree removal on HOA blog for homeowners to share expenses for tree maintenance on private land. Director Lauer will post said notice.

### **PARKING:**

A resident reported on Pleasant Hill parking incidents. In one instance a vehicle was cited by ACM for expired tags and an adhesive parking violation placed on the car with 48 hour towing notice. The resident stated that despite verbal confirmation from ACM that her vehicle would not be towed, the tow truck did attempt to remove the vehicle from HOA parking area. The resident supplied proof that her tags were not expired and requested communication between ACM and Board be increased to prevent further towing/parking violation mistakes. Other Pleasant Hill residents confirmed the towing incident and reported tow truck patrolling area which raised fear of unwarranted towing. Director Altemus and Ms. Shae confirmed HOA area towing policy, part of the blue book

and approved by the Board. Director Hall reiterates need for consistent parking violation enforcement throughout all of HOA property not selective enforcement based on individual areas residents concerns and that goal of parking policy is not punitive but rather to ensure all residents have parking and no one household takes an unfair share of the already limited spaces. There are areas in HOA which have significant parking issues and limited parking.

Director Altemus stated that Pleasant Hill residents voted 14-2 to have not tic marks and not numbered spaces in that area.

Ms. Shae stated that hang tags and stickers were mailed to residents whose dues were current; however there was a typographical error in a letter sent to Pleasant Hill residents letter which confused residents. Ms. Shae will send a revised letter and follow up to make certain all entitled residents received hangtags and stickers. Member Henry Berger reported some renters did not receive parking tags.

A resident reported that guest parking spots concern homeowners as they require separate passes and replacement cost for guest passes is \$125.00. Director Lauer responded that the replacement costs were set to deter the purchase of a monopoly of guest passes by any one owner.

Ms. Shae stated that the tow company is not to patrol private HOA areas for violations. They are only to tow on contractual basis when ACM reports a violation. Any tow on private property not specifically requested by ACM would be unauthorized. Ms. Shae is to follow up with Greenwood towing to confirm policy.

Ms Shae will also have ACM send an email to the Board when a parking violation and attendant tow request is issued.

Director Hall to survey Pleasant Hill to see how to handle guest spots. Director Hall to draft and send letters.

***OLD BUSINESS:***

**WEBSITE REDESIGN**

Director Lauer reported that James Ravenscroft is making website upgrades at a very reasonable cost.

**MILL LIASON:**

No Action.

**TREE AT STONE ROW:**

Director Lauer states tree work has been completed.

**GARBAGE CANS -763 & 765 Oealla Ave**

Ms. Shae reported notices sent to homeowners re: violations. Ms. Shae will verify

whether cease and desist orders have been sent to owners as required follow up to initial notices.

### **HOA PICNIC**

Director Hall reported he will issue a proposal for HOA picnic.

### **YARD DEBRIS AT LOGTOWN RD**

Director Lauer reports issue is resolved.

### ***NEW BUSINESS***

#### **NEW BOARD MEMBERS:**

Directors Lauer and Altemus reported that Director Mullins has resigned. Board will have a total of four vacancies when current terms of President Appler, Director Hall, and Director Ames expire in December 2009. Directors Lauer and Altemus propose call for nominations and proxies to be issued in September 2009. Community members in attendance were encouraged to run.

### **BLUE BOOK STATUS**

Director Hall and Ms. Shae report online version may not be the most current official version. Blue Book reprint needs budget and waiting on ARC guidelines completion prior to reprint. Ms. Shae reports all amendments have been recorded in land records and will be made available online

#### **NEW ISSUES/Community members:**

Community member reports concern for repair of Spring Street retaining wall and drainage issue. Board has determined not HOA property but ACM will assist impacted owners by providing contractor names and Board may try to facilitate communication and cooperation among impacted owners.

Director Lauer reported continuing drainage/water runoff issue from Mary Jo Way impacting SBR and duplex homes. Ms. Shae will obtain ballpark estimate for evaluation by civil engineer.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Steve Appler    Raina Rath  
President        Director at large

OELLA HOMEOWNERS ASSOCIATION (OHOA)  
Board of Directors Meeting  
Westchester Community Center  
August 17, 2009

Pres. Appler called the meeting to order at 7:15 pm. Other board members present were Scott Hall, Amanda Lauer, Marcia Ames, Anne Altemus and Raina Rath. Community member Henry Berger was present.

Minutes from the combined July board meeting were submitted previously via email and the minutes were approved. Minutes will be posted to the HOA website.

Treasurer's report: Dir. Hall reported that collection of dues is very high. Less than \$2000 remains in arrears, and most of that amount is from just a few homeowners with seriously delinquent accounts. American Community Management (ACM) will continue efforts to recover the unpaid dues, plus interest and fees. Director Hall reviewed the association's budget and expenditures to date. Discussion about the need to substantially increase the reserve fund and possible mechanisms for doing so were discussed. Dir. Hall will continue to confer with community manager Ruthann Shae of ACM regarding how to best increase the reserve fund and to plan the 2010 budget. Plans to post a "cliffs notes" version of the reserve study to the website were discussed.

ARC update: Dir. Ames reported on several applications have been settled and noted several more that would be reviewed at an upcoming meeting. Dir. Ames also reported on the status of two non-compliance issues in the community, one at Race Rd. and one at Logtown Rd. The ARC and ACM are reviewing the situations. Dir. Ames noted that some owners are making last minute requests, and that it is difficult to process paperwork and review applications in a time period shorter than the normal 30 days.

Guidelines Committee: Pres. Appler reported that the committee continues to make progress in cooperation with consultant Richard Wagner.

Landscaping: Dir. Lauer reported that the Timber Point hillside mile-a-minute weed was mowed. Several board members reviewed a request from a Timber Point resident regarding weed control in the parking lot island. It was unanimously decided that the HOA would forgo chemical herbicide application due to several Oella residents' concerns over exposure to chemicals. It was further decided that the grass should be aerated and overseeded to help crowd out weeds and remedy bare spots. The area has not been overseeded and aerated for years if ever. Dir. Lauer reported that there are several dead bushes in the Spring Street common area. Dir. Lauer also reported that she will investigate the possibility of using goats to manage mile-a-minute weeds. She was authorized to contact Eco-Goats to discuss the possibility and receive an estimated cost.

Parking Committee: Dir. Hall presented a draft letter to be sent to Pleasant Hill residents regarding guest parking areas. Dir. Hall will send the letter with several modifications. Dir. Altemus reported that the parking space number for 781 had been removed by ACM

at the board's direction, but the tenant re-wrote the number with marker. Ruthann Shae notified the owner that the number must be removed within 48 hours, but it was still present. Ruthann was unable to paint over the number because a car is always parked in the space, very close to the curb. The board decided to instruct Ruthann to contact the owner again and have him accompany her to paint over the number.

Old business:

--Recordation of the mill trail easement>>Pres. Appler will reinitiate, with guidance from Dir. Rath

--Short Brick Row runoff>>must review proposal from civil engineer for consulting/design services and decide on the expense

--trash cans without lids>>violation notices to be issued to property owners

--Spring Street retaining wall>> drafting letter to homeowners notifying them that the wall is not on HOA property and is, therefore, the responsibility of the owners, not the HOA

New business:

--discussed need for preventive maintenance for paving; need to seal cracks instead of total re-paving due to expense and logistics of temporarily relocating cars from HOA lots

--Annual meeting moved to Nov 16; will draft call for nominations/notice of annual meeting for ACM to distribute

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Steve Appler    Amanda Lauer

President        Director at large

OELLA HOMEOWNERS ASSOCIATION (OHOA)  
Board of Directors Meeting  
Westchester Community Center  
September 21, 2009

Director Appler called the meeting to order at 7:10 p.m.. Board members present were Steve Appler, Scott Hall, Amanda Lauer, Anne Altemus, Raina Rath and Marcia Ames. No community members were present.

Minutes from the August 17, 2009 board meeting were submitted previously via email and the minutes were approved and will be posted to the HOA website.

**TREASURERS REPORT:**

Director/Treasurer Hall reported that the 2007 and 2008 HOA tax returns, both state and federal, have been completed and filed. Personal property tax returns for 2007 and 2008 were also completed and filed with the State. Tax returns for years 2004 through 2006 are being worked on and will be filed. The accounting expenses to date for the tax returns is \$1,950.00 for accounting fees plus an additional \$147.00 in costs. The board voted and approved the accounting expenses as set out above.

The delinquent HOA accounts reflect \$3,100.00 in uncollected dues/fees. Only four homeowners are more than one quarter in arrears. Director Hall reported that ACM has instructed the HOA attorney to send legal notices to delinquent homeowners.

There are outstanding bills to Curtis for landscaping maintenance and Dir. Hall will instruct ACM to pay those invoices.

Dir. Hall reported the projected tree maintenance budget has been exceeded by \$700 this year to date and there is an expected expenditure of \$1,550.00 to be incurred this year for tree removal at 820 Charles James Circle. Dir. Hall advised that the tree maintenance budget needs to be increased next year to approx. \$6,000.00. The Board will take this recommendation under advisement.

Dir Hall also reported the snow removal budget is currently \$3,300.00 over the allocated annual budget of \$5,000.00 . His review of records shows the annual expenses for snow removal to be approximately \$7,500.00 annually. ACM will solicit bids so that the board may revisit the budget for snow removal.

ACM's management contract is up for renewal. Board unanimously voted to renew the contract for another year.

Last, Dir. Hall reported that the Board has \$84,244.00 in combined accounts which were moved to earn 2.5% interest on balances.

## **ARC**

Dir. Ames reported several approved ARC requests including those at 530 Oella Avenue, 801 Charles James Circle, and 755 Oella Avenue.

Outstanding ARC issues include non-compliance properties at Oella Avenue and Charles James Circle.

## **GUIDELINES COMMITTEE**

Dir. Appler reported no change pending status of the guidelines. They continue to be compiled by the committee and outside consultant, Richard Wagner.

## **LANDSCAPING**

Director Lauer reported that ACM is obtaining bids to overseed and aerate Timber Point. Board voted and approved to retain Stabler Tree Service to remove the dead tree at 820 Charles James Circle. Dir. Lauer continued her efforts to consult with State resources to develop and institute appropriate forest management practices and will seek quotes for forest management consultants. She updated Board on eco-goats which will be revisited in the spring when appropriate.

## **PARKING**

Dir. Altemus sought Board approval to approve \$100.00 fee to Greenwood Towing to paint parking space numbers at Long Brick Row. Board voted and approved said expense.

## **BOARD ACTION ITEMS**

Rental Units and owner record updates- no action needed.

ACM will be instructed to solicit more bids to compare to Axiom Engineering's Bid for drainage issue behind short brick row/downhill from Mary Jo Way.

Board will post generic ACM management report on HOA website.

HOA violation hearings to be held on October 12, 2009 Board meeting. ACM sending hearing notices. Dir. Lauer will post revised meeting date on HOA site and blog

## **NEW BUSINESS**

Board voted to approve retention of attorney and expenditure of fees not to exceed \$3,000.00 to address fencing issue at Logtown Road

Board voted to approve retention of attorney and expenditure of fees not to exceed

\$3,000.00 to address solar energy laws and enforcement in historic districts.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Steve Appler   Raina Rath  
President        Director at large

**Oella HOA Board of Directors Meeting  
October 12, 2009**

The meeting was called to order at 7:05pm. The meeting followed a flexible format due to several hearings scheduled for the evening. In attendance were board members Steve Appler, Scott Hall, Anne Altemus, Marcia Ames, Raina Rath, and Amanda Lauer. Alan Mangan from American Community Management was in attendance in place of Ruthann Shae. Community members present were: Rickie Yokel, James Pettit, Charles Wagandt, Chris Innes, and Richard and Barbara Gambrell.

The first order of business was an appeal by James Pettit of 1010 Oella Avenue of an ARC decision regarding solar panels. The decision was as follows:

Dear Mr. Pettit,

The ARC and counsel have reviewed your argument and find that due to the legal technicality that you addressed to us by email, we may or may not have the legal right to prevent the installation of your solar panels per your application at this time. In discussions by our attorney and others with the Maryland Historic Trust it has become obvious that the clear intent of the legislation that created the law that you cited was to place restrictions on all homes within an Historic District. It is possible that if the Oella HOA takes this matter to court we will win. There is other language that is basically a loophole that gets around the loophole. However, we would prefer not to go to the expense of legal action unless it becomes necessary. We hope that we can compromise on the location of the installation and it becomes a win/win.

What we are very clearly allowed to control is the placement of the solar collectors. We will permit them to be placed either on the rear roof (no higher than the highest portion of the nearby roof) or in the rear yard (screened as necessary). Please resubmit your application showing your preferred revised installation(s) per this comment.

Respectfully,  
Oella ARC

Mr. Pettit began the request to reverse the decision by citing parts of the relevant Maryland law that prohibit any unreasonable request that significantly increases the cost of decreases the efficiency of the solar panels. [\*Note: the law makes exceptions for historic districts, in which this property lies.]

According to Mr. Pettit and the company Standard Solar, the panels will have maximum efficiency on the East/South facing roof, which is visible from Oella Avenue. Discussion ensued regarding interpretation of the law, the scope of the project, appearance, and efficiency.

Discussion points are summarized as follows:

- The ARC and HOA have consulted with an attorney, the Maryland Historical Society, and an expert in historic preservation of neighborhoods. Interpretation of the law will vary with a particular judge, lawyer, or consultant. The HOA attorney is of the opinion that the law's intent is to allow restrictions for all homes in a historic district, regardless of construction date. Consultant and expert on historic architectural guidelines Richard Wagner believes solar panels

should not be allowed on any homes in a historic district. The ARC and HOA applaud efforts to improve energy efficiency, but impact on the integrity of the historic streetscape must also be weighed.

- Efficiency will be decreased by 45% by locating the panels on the west-facing side of the roof, and it may add additional expense
- The possibility of installing brackets on the west-facing side of the roof to make the panels point toward the east/south was discussed; possibly visible to Lillies Lane residents
- Scope of the project: Mr. Pettit offered an estimate that 25-30% of the roof would be covered. It was determined that the majority of the roof on the east/south side would be covered based on rendering supplied by Mr. Pettit. A sample panel was passed around for viewing. The installation would consist of 39 62.2"x31.8" panels, totaling a 7kWatt system, will sit approx 2" above roof.
- Concern over precedent-setting in a historic district was discussed. What to do if a new house built in between historic homes requests solar panels visible from the street? What if a new house is built on an old foundation?
- Residents commented on concern over magnitude of project, reflections from the panels, change in view from the street, concern over setting precedents even for new houses (street view), impact on preservation of historic character of the village/streetscape, home value. This roof is very visible from the street. Less concern if panels are not visible from street.
- Discussion of less visually-obtrusive solar shingles; more expensive
- Mr. Pettit suggested planting Leland Cyrus to obstruct view, would have to keep trees topped to limit height
- Mr. Pettit reiterated that he has grants money that expires if installation is not complete in early November. Applied about a year ago, has already requested extension.
- Materials for improved energy efficiency are available that are more historically appropriate (such as solar shingles, wooden double-pane windows)

All in attendance were thanked for their input and the appeal hearing was ended at 7:55pm. Board discussion of the issues listed above ensued. It was also noted that a board member's own research into solar panels determined that a 3-4 kWatt system is typical for a home, and a 7 kWatt system is typically used for much larger buildings. The major concerns were precedent-setting, preserving the historic streetscape, lack of specific information on costs, possibility of sellback to BGE. It was felt that the ARC did an excellent job of researching the issue. The HOA consultant, Maryland Historical Society official, and the HOA attorney all agree that the association is within its legal rights to limit placement on any house within a historic district. A motion was made and seconded to uphold the ARC's decision to limit placement to the west-facing roof or property that is not visible from the street.

The second order of business was a hearing for a unit on Oella Ave. regarding failure to remedy maintenance violations after multiple notices. The owner of the property did not attend the meeting. A motion was made and seconded to fine the owner \$15/day for up to 30 days unless

the violations are remedied. At the end of 30 days, the account will be turned over for collections with the possibility of a lien.

The third order of business was the August and September minutes. An error in the August minutes regarding the Timber Point lawn was fixed per a resident's request. September minutes were distributed and will be reviewed outside of the meeting in the interest of time. The fourth order of business was the Treasurer's report. Collections are up thanks to the efforts of ACM. Only a few owners are in arrears. Expenses in some categories are under budget, but they are over budget in others. We expect to make significant expenditures on Fall landscaping (mulch, removal of dead trees and bushes, aerating and overseeding) in the next month. A draft of the 2010 budget was reviewed and modified after much discussion of the community's present and long-term needs. Mr. Mangan reported that our accounts will be switched to SmartStreet, a user-friendly bank that deals only with associations and does not charge the fees that BB&T has been charging. This change should save the HOA several hundred dollars a year. Strategies for funding the reserve, which is far below the recommended amount, were discussed. A revised budget and reserve fund strategy will be presented at the annual meeting. The final order of business was a brief update from the ARC chair.

Other issues were tabled and the meeting was adjourned at 9:45pm.

Respectfully submitted,  
Amanda Lauer

OELLA HOMEOWNERS ASSOCIATION (OHOA)  
Board of Directors Meeting  
Westchester Community Center  
December 14, 2009

Director Anne Altemus called the meeting to order at 7:15 p.m.. Board members present were Scott Hall, Anne Altemus, Dean Gray, Raina Rath, and Marcia Ames.

Community members present were Richard Gambrills, David Lychenheim, Dan Hood, Donald Drehoff and Kelly Drehoff. James Larrimore was present as attorney for HOA members Donald and Kelly Drehoff.

Homeowners Appeal of ARC decision regarding fence by Donald and Kelly Drehoff of 921 Logtown Road was heard by Board in open forum. Homeowners with assistance of counsel presented their case and answered board questions.

**TREASURERS REPORT:**

Director/Treasurer Hall reported a decline in cash reserves as end of year bills/invoices were paid and dues intake was minimal as it was not a billing cycle. The total past month cash intake was \$2,556.00. There presently is \$44,361.00 in the HOA reserve account and \$30,360.00 in the operating account. Paid items included \$1,371.00 for the 2010 HOA insurance premium and \$2,311.00 in legal fees.

The delinquent HOA accounts reflect \$5,500.00 in uncollected dues/fees. The collectible dues represent members who are behind by one payment or less per household.

Director Hall noted that the board is soliciting three bids for the 2010 audit prior to selecting auditor. Director Hall needs the HOA tax id number if there is a 501(c ) tax id.

**ARC**

Director Ames reported only one outstanding ARC request in connection with a deck extension at Mary Jo Way. The ARC has a tentative meeting on 12/16/09 if any applications are received by ACM which require action.

**GUIDELINES COMMITTEE**

Director Altemus reported that the comprehensive guidelines are still in development. Richard Wagner, the outside architect consultant has been ill and is now back to working on the draft.

**LANDSCAPING**

Director Altemus reported that Stone Hill Design has been retained by the HOA to prepare a master long term landscaping plan.

## **PARKING**

Director Lauer will be instructed to forward a mailing list to ACM so that updated parking stickers may be mailed to members for 2010.

## **BOARD ACTION ITEMS**

Communications- ACM will prepare and mail an annual letter to members with the dues invoices to be sent out in January 2010.

E-Vote and new blog website were tabled on motion of Director Altemus. Members in attendance requested that draft annual budgets be mailed out to members prior to annual meetings.

Director Altemus reported no other action items from ACM reports except the ongoing survey issue at Charles James Circle to determine encroachments onto HOA areas by members unapproved improvements.

Mill Race Trail easement recordation had no update as Director Appler was absent.

Maintenance of asphalt on Pleasant Hill is an issue which needs attention.

Election of Officers has been postponed until all board members present.

## **NEW BUSINESS**

Members brought to Board's attention that ACM has not been using certified mail or proof of mailing ARC decisions to members. This is imperative for enforcement of the ARC procedures which require written notice of decision within 30 days of application.

ACM will be instructed to use certified mail going forward.

Members requested reserve study be posted online. Question was posed as to how the 10% 2010 dues increase was determined and how the increase correlated with the projected parking and paving expenses.

Board will seek legal advice on snow removal as a shared expense of all members in light of request by members to segregate out expenses and attribute them to members receiving direct benefit of snow removal. Members have voiced concerns about shared expenses which result in no direct personal benefit, i.e. snow removal on common areas and parking lots which are funded by all members when only some members have to pay for additional private snow removal. Members have also voiced concern about the implications and problems with "a la carte" HOA services.

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Steve Appler   Raina Rath  
President      Director at large

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