

## **Olney Oaks Homeowners Association Annual Meeting Minutes – January 14, 2009**

The meeting was called to order at 7:15 by President Dennis Bourque.

There were 34 members attending the meeting and 168 individual proxy responses.

### **President's Annual Report: Dennis Bourque**

- Many of the calls to the president of the board are regarding tension between neighbors. Because it is difficult for many individuals to approach their neighbors about their differences, they appeal to the HOA board for solutions. The board is in the process of formalizing a list of steps to take when dealing with issues not covered by the covenants and rules of the HOA.
- The board consists of volunteers who make every effort to ensure that our neighborhood is well maintained. In addition to managing nature through grass cutting, leaf collection, and tree removal, the board monitors the condition of the footbridge, pavilion, tot lots, entrance structures, asphalt paths and ensures repairs are made when needed.
- Trees are removed at the expense of the HOA when a tree growing on a common area falls in a wooded area but poses a safety hazard or falls onto someone's yard. However, if a tree from a common area or a family's yard falls on the house or other structures, the cost to remove the tree and repair damages is the responsibility of the family. The family's homeowners insurance usually will cover the cost.
- On July 19, 2008, the board of directors conducted their annual community walkthrough, noting the condition of the pavilion, paths and other structures. Repair recommendations were made for which the homeowners association is responsible. These included: caulking pavilion post bases, adding fresh chips to the tot lot, removing trees from Headwaters Lane Creek, and sealing and restriping/renumbering the Carrisa townhouse parking lot. Other recommendations, such as repairing the plastic vertical pipes in the Carrisa Lane sand filter and rebuilding the riprap inlet area of the Queen Elizabeth entrance, are the county's responsibility.

### **Treasurer's Report: Jay Feinberg**

- The fiscal year for the association is defined as July 1 to June 30, and annual maintenance assessments are collected at the beginning of the fiscal year. The assessment amount is determined by the board of directors at a meeting prior to the start of the fiscal year per the Bylaws and Covenants.
- Total income for the prior fiscal year that ended on 6/30/08 was \$55,285. Expenses were consistent with the budget for the year, and \$12,020 was allocated to the capital replacement fund. Using this money and money accumulated in the capital replacement fund from prior years, \$22,000 was spent on repaving the asphalt path from Morningwood to Route 108 and \$4,537 was spent on grading and drainage work along the paths near the footbridge.
- The current budget's total income is projected to be \$56,517, higher than the previous year due to a dues increase. Income is mainly from the homeowners' assessments, \$130 for each of the 403 single family home and \$175 for each of the 21 townhouses, but income is also derived from resale package fees of \$25 each, and interest. The largest expense is the lawn service, \$19,000. Leaf collection is the second highest expense at \$9,000. The cost of trimming and removing trees in the common areas is the next highest cost at \$5,000.
- The current 5-year lawns service contract ends at the end of 2009, so the board will need to obtain bids and negotiate a new contract. This might result in a dues increase in 2010.
- Because the time frame in which dues were allowed to be paid in the past was viewed by many as excessive and inconsistent with the HOA bylaws, the board on November 5<sup>th</sup> approved rules to streamline the process. Now members will be notified in writing on or about June 1 that the assessments are due by July 1, and a late fee of \$15 will apply to any payment postmarked after July 1. A second letter will be sent on or about July 2 to any member whose payment has not been received. It will include the late fee and state the payment is due immediately. A third and final notice will be sent on or about August 1 to any member who has not yet paid, and this letter will state that failure to pay the assessment and late fee will result in legal action up to and including placement of a lien against the homeowner's property. Collections will be turned over to the association's attorney if payment is not received by August 31.
- Jay responded to questions from the community:
  - A member objected to the 2008 leaf collection cost. Jay replied that the leaf collection service was implemented by the board based on requests from community members and was approved at last year's annual meeting with a vote of 162 for the service and 58 opposed. Eventually John Flynn, former association president, suggested a vote, and the response to continue the leaf collection was again overwhelming in favor of the service with 31 votes in favor and 3 opposed.
  - The above member also stated that the funds currently used for leaf collection would be better used for increasing the capital replacement fund and general reserve. Jay replied that the leaf collection was funded from the \$5 per household dues increase and reductions in expenses in other categories, particularly tree service expenses that have been lower than historical levels in recent years. The HOA Bylaws require a

minimum reserve of \$25,000. The HOA currently has \$33,522 in a general reserve CD and \$6,905 in a money market fund for a total of \$40,427. The HOA also has a capital replacement plan in place that was developed several years ago by former HOA president John Flynn and other subject matter experts. Under the plan, about \$10,000 to \$13,000 per year are allocated to the capital replacement fund. Money in the replacement fund has been used for path repaving and repairs. Once the path work is completed, funds will accumulate for longer term needs, such as replacing tot lot equipment and major footbridge reconstruction.

#### **Webmaster's Report: Marc Meltzer**

- Marc stated that the website has links to community news, meetings, recreation, etc. and if a member would like to receive messages from the board, the member can provide the board with contact information and be assured that the board will not share their e-mail address and not overwhelm them with messages.

#### **2008 Board of Directors Activities**

- Patched and sealed paths from Morningwood Drive to PEPCO power lines
- Repairs to bridge and entrance sign
- Improved drainage by paths near power lines and along Headwaters Drive
- Olney Oaks SFHOA Web Site – Web contents and e-mails to community
- Removed dead and dying trees behind Shallow Brook house
- Leaf collection – The process was improved but more improvements will be made in 2009.
- Common area inspection and maintenance
- Handled complaints about home/yard maintenance
- Lawn and select tree maintenance, snow removal

#### **GOCA – Theresa Kyne Robinson**

- The guest speaker at last night's GOCA meeting was Ike Leggett, Montgomery County Executive. His main priorities are safety, education, and meeting the needs of the less fortunate.
- Also at the meeting were the community police officers who stated that they rarely hear from the community and would welcome calls about any incident that appears illegal or unsafe. They recommended that neighbors notice strangers that may be suspicious. People should make sure their cars and homes are kept locked and valuable in cars are not left in sight. Most thefts have been from unlocked cars and homes.
- Because the movie theater closed and the shopping center managers are having difficulty finding someone to replace the family that managed it from the start, they are exploring other ideas for the space.
- Theresa responded to questions from the community:
  - A member asked about the safety in Olney and Theresa replied that it is very safe according to the police officers. Olney has had some issues, including some tragedies, but they are fortunately uncommon. The member revealed she had been a target of hate crime against military families.
  - A member expressed an interest in more crosswalks across Morningwood, and Jay stated that is a county issue but the board would work with the county on this suggestion.

#### **2009 Board of Director Objectives and Issues**

- New annual assessment collections procedures
- Community maintenance (tot lots, footbridge, pavilion, grassy areas)
- Possible removal of one Queen Elizabeth Drive stone entrance wall that is starting to collapse
- Asphalt path and drainage repairs near pavilion
- County might perform major renovation of the Darnell water retention facility.

President Dennis Bourque invited others to join the board, but no one expressed an interest.

#### **2009 Board Members approved by a vote of the members at the meeting along with proxy votes**

Don Beeson, Dennis Bourque, Dick Harris, Jay Feinberg, Julia Fryer, Nicole Lechner, Marc Meltzer, Theresa Kyne Robinson, Carolyn Knight and Roger Grant (A townhouse representative is still needed.)

**Meeting adjourned at 8:55**