

BOD Regular Meeting - 2008-Jan 24

Previous Action Items

- ☒ Joe - Draft additional content of cover letter that will accompany 2008 Budget mailed to Unit Owners
- ☒ Cindy - Contact ABC Towing for whatever letter they say they have on record.
- ☒ Cindy - Find out who can sign checks
- ☒ Cindy - Addresses for each delinquency
- ☒ Cindy - Check on Policy Resolution on Fines, Procedures Relating to Due Process and Fining

Motions

1. Passed: Donate benches to Edgewater Athletic Association. By Danny Moreland, seconded by Joe Kolb.

Important Dates - None.

Agenda for Next Meeting

- Request Michael Neall to attend next meeting to discuss Collection Policy

New Action Items

- ☐ Bev-Post new safety/security information and RO Fine for Violations policy to website.
- ☐ Bev-Add website forum for Dog Waste Disposal policies.
- ☐ Comanco-Provide complete log of all approved change request forms previously submitted.
- ☐ Comanco-Provide copy of bi-weekly tour report from Comanco.
- ☐ Comanco-Amend contract so that termination clause comports with By-Laws. RO will modify agreement and forward signed agreement to COMANCO
- ☐ Peggy-Provide snow pushing agreement to the BOD.
- ☐ Peggy-Obtained 2 collection policies. Jim Faust recommended an acceleration clause be added to whichever policy BOD adopts. Peggy will handle this.
- ☐ Safety/Parking Committee - will look into getting a left-turn signal from Mayo Road into the community.
- ☐ Safety/Parking Committee - will look into the situation of the red SUV parking on the sidewalk.

Call to Order/Attending

Date, Time, Location:	1/24/2008, 7:04 pm, Anne Arundel County Police Station, Edgewater, MD
Attending:	BOD: Joe Kolb, Peggy Summers, Danny Moreland, Bev Wright Caruso. Jyl Dupont was unable to attend. COMANCO: Jim Faust. COMMITTEE CHAIRS: Peggy Donald (Newsletter), Hillary Frank (A&L). OWNERS/RENTERS: James Allen, Debbie Barbour, Shelley Kemeza, Chuck Grusholt, Dan Harshbarger, Aimee Spagnolo

Minutes of Previous Meeting: Accepted as read.

Officer Reports

President	Joe Kolb explained how he would like to conduct meetings in an orderly fashion by allowing the Board to complete its official business and then to take comments from the members during the member forum.
Treasurer	<p>Overview: Peggy Summers read the Treasurer's report and noted that the 2008 budget was prepared by COMANCO and approved by outgoing BOD. Budget included the increased assessments which will be held as un-designated equity to offset anticipated budget shortfalls.</p> <p>New Policy: Any miscellaneous check signed by Comanco has to be approved by a BOD member. Comanco will still write checks for payments.</p> <p>Details: FY 2007 Budget Actual and Variance sheet presented. Building repairs were to individual units for siding, roofs, etc. Grounds and Maintenance, Improvements and Repairs, and Insurance likely will go over budget. \$32,331 in undesignated equity will off set these budget shortfalls. Therefore we need to seek more volunteers for things like landscaping. With regard to income, Peggy reported there is over \$8000 in outstanding dues, \$5000 of which is delinquent by more that 90 days. Discussions were held regarding list of outstanding dues, including one unit under foreclosure proceedings, and another unit that has 3 liens against it. Recommend discussing payment plan with second owner. Comanco issues reminder letters to owners after 90 days late, however RO has never established a collection policy with COMANCO. Currently the BOD refers delinquent accounts to an attorney for collection. A motion was made to vote on a collection policy at the next meeting. Sample Collection Policies from Michael S. Neall and Gregory Alexandrides, LLC, were distributed (see Old Business).</p>

Committee Reports

Communications	Bev Caruso reported that the website has been established and first newsletter distributed.
Safety/Parking	Danny Moreland reported that a 4-person committee consisting of Danny Moreland, BOD Liaison/Chairman,

	and members Chuck Grusholt, Jr, Tim Isaac, and Mike Cocimano, had been established and had one meeting. The committee provided a list of suggestions for improving parking and, at the committee's request, the suggestions are made a part of these minutes. Suggestions include: (1) Give non-garage townhomes 2 assigned spaces close to their doors where applicable. There are 64 spaces and 32 units that pay the same condo fee as everyone else. Paint the other number; (2) Guests need to park in owner's driveway, assigned spot, or visitor spot, and owners are responsible for their guests parking correctly; (3) Register all cars in the community and give out clear plastic, removable stickers similar to those used by Jiffy Lube; (4) Police the parking either with Anne Arundel County or community Neighborhood Watch; (5) If paying for tow company, cancel and get the police involved for less money. If not we need a call policy, not a fax policy; (6) Enforce "no parking" rules for commercial trucks with company logo's and impose hefty fines immediately. Make the owner register the vehicle with the BOD and the Safety/Parking committee; (7) Enforce cars parked in the same spot for 2 weeks, including out-of-place vehicles or those obviously not in unit owner's spots; (8) Call the police immediately when violators park illegally. This is a security and safety issue; (9) Try to correct parking at the corner of Braxton Way, Millhaven Drive, and Tilden Way. Procedures for reporting illegally parked autos: Call 410-222-8050 ext. 0 report a car parked in a fire lane or in a "no parking" zone, and give the vehicle tag # and color or make, if possible. Give your name and number and where you are calling from. You may request to speak with the officer or not, your choice. The police will come either way. Bev will post new information on the website.
By-Laws (Rules & Regs)	No report at this time.
Architectural & LS	Hillary Frank reported that the A & L Committee gathered in front of the Community and did a general walk around the entire property. The purpose of the meeting was to determine what needed to be addressed and to initiate a priority list. The entry sign and the white fencing need repair and power washing. Committee recommends to the BOD that this be considered. Several units are in dire need of repair and some pose a potential liability issue, example #10 Millhaven Ct. Fish pond exposed to the general population, peeling paint, and rotting wood. A Spring Annual Inspection will bring out additional situations but some need to be addressed prior. Playground area has some deficiencies that also present liability issues. Equipment is missing bolts and other fasteners. Gazebo has been vandalized and some of the wood posts are missing. Sierra contract has been reviewed and seems to be OK but we understand that there may be some changes coming and the A & L committee would like to review it prior to it being voted on by the BOD. One request for change to the front Limited Common Area was submitted and it was found to be OK and was approved and returned to the requesting unit owner. Inspection following the work found it to have been done per submission. Joe will get approved change request form to Comanco. Committee (Joe) requested log of approved work from Comanco.
Finance	See Treasurer's Report.
Comanco	Past month activities of operation; received report and nothing requires immediate attention. Get bi-weekly tour report.

Old Business

Comanco Contract-Review and Approve	Comanco agreed to change termination clause to comport with Page 12, Section 2 of the By-Laws. Peggy moved to approve contract as amended, Joe seconded, and motion passed and approved.
Sierra Contract Review changes <ul style="list-style-type: none"> i. Landscaping ii. Snow Pushing 	Sierra would not reduce the total cost of their annual contract, which is paid in 10 monthly installments, because they have not increased their fee to River Oaks in three years. However, changes were recommended to the additional services portion of their contract which will reduce cost from \$5000 to \$4000. Unfortunately, these "optional" services are generally things that have to be done anyway. Sierra offers, at no cost, whenever they are out on property (every 10 days), they will empty dog waste disposal bins which will save some money. Joe noted that this will create a huge buildup and overflowing bins. We have 8 stations. Joe found a company that supplies bags and empties receptacles for \$7/receptacle/week, which is less than we pay now since we supply bags and pay for removing waste. Need to see snow pushing contract.
Remittance Past Due Collection Procedure <ul style="list-style-type: none"> i. Discuss possible new 	Collection Attorney Elmore did not send us what her fees would be. Two others - Neall and Alexandrides provided fee proposals. Peggy recommends Neall based on responsiveness. Joe suggests inviting Neall to next month's meeting. Collection Policy: We currently have no defined

Attorney program ii. Existing non-pay situations	collection policy. We are allowed to accelerate collection of individual fees. Most condos accelerate after only one month delinquent if not paid within the next 10 days. Peggy will get a collection policy from Neall that includes an acceleration clause.
Fines for non compliance of Rules and Regs.	Discussion regarding Types of Violations, Notification Procedure, Hearing review for Offender with BOD, and Levy and Collection of fines. Post policy on website. Need to review existing rules and regulations, define and clarify. Jim Faust recommended RO avoid issuance of variances and suggested we modify Rules and Regulations as an alternate.
Benches at Braxton Park	Motion by Danny Moreland to donate benches to Edgewater Athletic Association, seconded by Joe Kolb. Passed.

New Business

Dog Waste Disposal Policy	Add forum to website for Dog Waste Disposal
Insurance	Peggy Donald: Can insurance be suspended for homeowners in arrears on dues? NO. Joe Kolb: Requests clarification of coverage. Poor installation is only covered for one year.
Safety	Shelley Kemeza: Why can't we have a turning arrow into our community from Mayo Road? There is a lot of traffic now on Mayo Road and it is becoming more difficult to turn safely. Item for Parking/Safety Committee.
Parking	Amy Spagnolo: Red SUV on Millhaven Dr blocks sidewalk. Item for Parking/Safety Committee.
Charcoal grill near benches	Dan Harshbarger: Will grill also be removed when benches go? Yes, but not right away.

Adjournment: Meeting was adjourned at 9:10 pm after motion by Shelley Kemeza was seconded by Peggy McDonald.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING

FEBRUARY 28, 2008

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:07 pm at the Anne Arundel County Police Station, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Jyl Dupont, Peggy Summers, Danny Moreland, Bev Caruso.
- **COMANCO:** Ruth Angel.
- **Committee Chairs:** Peggy Donald (Newsletter), Hillary Frank (A&L), Shelly Kemeza (By-Laws), Chuck Grusholt (Safety-Security-Parking).
- **Owners/Renters:** Alicia Smollon, Michael Cocimano, Melissa Allen, Ryan Sackett, Bill Moseley, Pauline Blume.

APPROVAL OF MINUTES: The minutes were read from the January meeting and approved.

PRESIDENT'S REPORT: See New Business items.

TREASURER'S REPORT:

- Prepared statement:** The Board of Directors continues to improve the business of the community by working with COMANCO, State Farm, our contractors and our attorney, to actively seek ways to reduce costs and improve collections. We were able to reduce our landscaping costs while not cutting back on required services. Final cost saving has yet to be submitted by Sierra. Our insurance policy renewal came in under budget and will not increase to \$60,000 per year as was earlier proposed by State Farm. The Board also seeks community input on ways to reduce our dog waste collection costs from the current \$5,000 per year to an amount more in line with the services provided to the community as a whole. I am hopeful that by the end of the 1st quarter this issue will be resolved as costs continue to add up. The Board is also working hard to improve our collections. In the January newsletter, we encouraged all unit owners to pay their assessments by direct deposit. Our goal is for 100% enrollment. Additionally, the Board will vote at this meeting to adopt a collection policy that will start legal filings for homeowners whose assessments are delinquent by more than 60 days. Currently COMANCO refers accounts to collection after 90+ days delinquent. The board will also discuss employing a new legal firm to handle our delinquent accounts. The firms proposed do not bill fees to the association; rather they collect all fees from the unit owners. At this time there is over \$8,500 in outstanding assessments. Four unit owners, whose accounts have been referred to our attorney for collection, owe over \$3,300. Two of these accounts have liens recorded and the other two have been issued lien statements. I will continue to follow up on all liens and delinquent accounts and work with COMANCO and the new collection firm to assure timely payments. (See Page 6 for Expense Report.)
- Collections:** COMANCO does not need BOD approval to refer delinquent accounts to collection once the account is 90 days past due. COMANCO referred three such delinquent accounts to Ellmore rather than notifying the Board so that we could try a new attorney. Three other accounts are in "Pending Attorney" status. Peggy Summers **received approval** from the Board to refer to these for collections to another attorney. Joe Kolb asked about \$50 fee to COMANCO for every transfer of an account to an attorney. Peggy Summers advised that the fee is in the addendum to COMANCO's contract. Ellmore adds this fee to the unit owner's balance.
- Audit:** Needed to renew our State Farm Policy. Audit may cost \$3000-\$5000, which is over budget.
- Lamp Posts:** In response to a question from Joe Kolb, Peggy Summers indicated that some units may not have paid for the replacement light fixtures that were installed last year. Joe Kolb asked COMANCO to research the matter and get back to the Treasurer with any information they may have, including lists of who ordered and who paid.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING

FEBRUARY 28, 2008

COMMITTEE REPORTS

- **Communications:**

- a. NEWSLETTER published on target date of Sunday before monthly Board Meeting. Since newsletter went out, 10 new e-mail addresses received in response to call for contact information. Printed and distributed for free to every residence. Remainder will be delivered by COMANCO to owners of rentals. Need volunteers for future distribution. Content is being held two pages to minimize paper usage. Would like on-line delivery but we only have 63 email addresses and cannot be sure that members will go to the website. Three-pronged distribution strategy for distribution: paper, web, e-mail.
- b. WEBSITE "visit" counter now appears on Home page and has registered more than 200 hits since 2/2/08. Three pages short of reaching page limit and have reached the forms submission limit. As a result, members are submitting updated contact info, favorite vendors and classified ads directly to the Secretary by email. No one is able to complete the membership roster survey. New content posted on most pages, including condo docs (\$55 for full versions). Will be seeking volunteer to index old newsletters. Forums for parking and dog waste disposal getting lots of messages and hits.

- **Safety (Security/Parking):**

- a. The committee met and would like these 3 issues resolved:
 1. Give non garage town homes 2 assigned spaces close to there doors where applicable. There are 64 spaces and 32 units. Paint the other number. Justifications include:
 - a. Unit owners with garages use these spots, making it difficult for unit owners without garages to find parking. Messes up the whole community by causing a chain reaction.
 - b. Desire to establish a standard within the community that will enhance property values, provide visual harmony, sanitary conditions, and promote the general welfare of the owners, member of the owners' families and guests.
 - c. The By-Laws suggest assigning two spots to these units.
 - d. Increases the value of these units.
 - e. 32 unit owners signed a petition to have these spots assigned to them because the By-Laws suggest it.
 - f. The community was designed by the builder this way.
 2. Tow company, we need a call system, not fax. Justifications include:
 - a. We need to be able to call the tow company to have illegally parked cars towed immediately from assigned spots or blocking driveway, or front doors.
 - b. This shows the community that we can help them if there is an illegally parked car in front of their unit.
 - c. The tow company is free.
 - d. The police cannot ticket an assigned private spot, but they can and have ticketed cars parked in fire lanes.
 3. Enforce "no parking rule" for commercial trucks with company logos, including hefty fines immediately. Make them register that vehicle with the Board and committee.
 - a. Commercial vehicles take up space.
 - b. They are usually leaking something.
 - c. They are unattractive to the community.
 - d. The By-Laws prohibit commercial vehicles.
 - e. Decreases the value of the units.
- b. Towing company wants the contract renewed.

- **By-Laws (Rules & Regs):**

- a. On January 31, 2008, the committee talked about what it needs to accomplish. They will be reviewing the

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING

FEBRUARY 28, 2008

By-Laws section by section, making sure that River Oaks is abiding by what is currently in place and work on adjusting or amending accordingly.

- b. On February 26, 2008, the committee reviewed the first 5 ½ By-Laws. **Items flagged for review:**
- **Article V, Section 3: Letter (k)** – To have unauthorized vehicles removed from Common Elements in accordance with rules adopted by the Council of Unit Owners and posted on the parking lot or in such other conspicuous location. ***This has not happened and we need to petition AAC to put their signs in place.*
 - **Article V, Section 3: Letter (L)** – To the extent by Article XVII (17) of these By-Laws, to allocate parking spaces within the Condominium to Unit Owners and guests. Only the Declarant or the Board of Directors may assign parking space from time to time. ***Need to review and interpret exactly what the By-Laws state in preparation for committee recommendation(s), so we can respond as to what we can and cannot implement.*
- c. **Next committee meeting** date to be determined. Agenda Items may include, but are not limited to: Fence/Deck, Parking, and Antennas (i.e. Satellite Dishes and the laws/rules for location).

• **Architectural & Landscaping:** Met on February 4, 2008.

- a. Matt from Sierra will walk the grounds with Joe Kolb and anyone else available on Wednesday, February 6th. They will address the most important issues first. Committee wants to know how often Sierra does edging in the front of town homes. Pauline Blume suggested that ground cover instead of annuals be planted on the side of the Huntington Learning Center. The short stone wall there needs some of the pavers reset, from vandalism. Joe Kolb suggested adhesive on the bricks.
- b. Danny Moreland offered his pressure washer to clean the brick wall at the community entrance. There is a water meter there for hook up. We then must pay for what water we used. Joe Kolb and Hillary Frank have hoses that could be used.
- c. Rather than ask the fence company to replace the white fence tops, Chuck Grusholt advised that they can be purchased at Home Depot. We need about 10 of them.
- d. Chuck Grusholt suggested that we look at the areas where there are green utility boxes. Trees planted in these areas could pose a problem as they root into the underground cables and wires. There is one next to his house that is already rooting up toward the sidewalk. He would like the tree removed for safety reasons. We will try to find a cost effective way to do so. He offered to do it if all else fails. Ornamental grasses can hide the utility boxes and they look aesthetically pleasing.
- e. One of the dog waste stations is hardly being used in the area all the way down Braxton, so a suggestion was made to move it to the opposite end of the common area park at Braxton. In the corner of Tilden Way across from Chuck Grusholt's house, it was recommended to remove a dog waste station that has been used for everything from trash to soiled diapers from a house nearby.
- f. Suggestions were made to amend the By-Laws regarding deck and fence stains. Offer 3 choices of stain color with several brands that will be acceptable. Suggestion made to amend the By-Laws about front yard plantings. Make it known that residents must get approval before they start tearing out front yards and hardscaping.
- g. At the playground, bolts are needed to repair some of the equipment. This should be addressed ASAP

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
FEBRUARY 28, 2008

COMANCO

- Board received past month Unit Activity report via mail. Ruth Angel reported that an \$819.00 bill to Sierra needs to be paid. Discussion ensued about whether or not the work had been authorized. Peggy Summers advised that the work was approved during her discussions with Matt regarding the contract. The Board **approved the payment of this bill**. Ruth also presented an invoice from Fidelity Insurance for BOD coverage and advised that the formula for figuring BOD liability limits is "Monthly assessments x 3 + reserves." No bi-weekly tour report for the past month.

UNFINISHED/OLD BUSINESS

1. **Remittance Past Due Collection Procedure:** Peggy Summers made a motion to adopt the collection policy from Michael Neall. Joe Kolb asked about adding clauses to the policy demanding a full year's payment if a unit owner goes to collection. Peggy Summers opined that trying to collect a whole year from someone who was only a few months late was harsh and might create greater hardship. Discussion resulted in not adding any additional language to the Neall collection policy. Danny Moreland seconded the motion, all voted in favor, and the **motion was approved**. We have now adopted Neall's policy for COMANCO to enforce. A signed copy of the Collections Policy is attached to these minutes.
2. **Legal Services:** Jyl Dupont made a motion to dismiss Ms. Ellmore as our attorney and hire Mr. Neall as our attorney. Joe Kolb seconded. All voted in favor and the **motion was approved**. We can either keep the three delinquent accounts currently with Ms. Ellmore and hire Mr. Neall for future accounts or give all the accounts to Mr. Neall. A signed copy of the client contract is attached to these minutes.
3. **Sierra Contract:** Contract will remain the same. Sierra is trying to fix the trees on the property that are planted too high.
4. **Insurance:** State Farm policy includes "improvements and betterments". Bev Caruso will do a summary of emails with Gary Carpenter to clarify for homeowners what "improvements and betterments" means under the River Oaks Master Policy. Peggy Summers handed out a copy of proposed MD House Bill 646 which will increase the deductible amount for which unit owners would be responsible relative to insurance claims.

NEW BUSINESS

1. **Website:** Bev Caruso made a motion to upgrade the website to Starter Premium service for \$50/year, to acquire extra file storage space, additional bandwidth, unlimited forms submissions, password protection, and upgraded tech support. Jyl Dupont seconded, all voted in favor, and the **motion was approved**.
2. **Lamp Post Tops:** Jyl Dupont made a motion that the Board affirm that the small black light was previously approved as a replacement fixture. Joe Kolb cannot find anything in minutes that any new light fixtures were approved. Jyl Dupont and Danny Moreland advised that an informal agreement had been reached to install a new, small light fixture (best value for the money) that was purchased in bulk. Peggy Summers seconded, all voted in favor, and the **motion was approved**.
3. **Antenna Positioning:** Joe Kolb advised that the Rules and Regulations on antennas are in violation of Federal law. A&L Committee will come up with a plan in coordination with By-Laws Committee.
4. **Parking Policy:** Danny Moreland made a motion to assign all 32 unassigned parking spaces on Tilden Way to the non-garage units which currently each have one assigned parking space. Peggy Summers seconded. Danny Moreland presented comments favoring the motion. Joe Kolb presented comments opposing the motion. Bev Caruso presented comments opposing the motion. Peggy Summers presented comments

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING

FEBRUARY 28, 2008

favoring the motion. Chuck Grusholt presented to the Board a petition signed by 24 of 32 non-garage unit owners in favor of assigning the open spaces. However, a copy of the petition was not made available for the record. Unit owners offered comments. A vote was taken on the motion to assign all 32 unassigned parking spots on Tilden Way to non-garage units. Danny Moreland and Peggy Summers voted in favor of the motion. Joe Kolb and Bev Caruso voted against the motion. Jyl Dupont abstained. Therefore, the **motion was not approved.**

OPEN FORUM

- One unit owner asked about the need to submit an Architectural Change Application for small landscape plants. The owner was advised that the By-Laws permit the planting of annuals and perennials without an application.

NEXT MEETING

March 27, 2008, at 7:00 p.m., at the Anne Arundel County Police Station, Edgewater, MD.

ADJOURNMENT

Joe Kolb adjourned the meeting at 9:35 p.m.

Minutes submitted by: Beverly Wright Caruso

Previous Action Items

- ☒ Bev-Post new safety/security information and RO Fine for Violations policy to website
- ☒ Bev-Add website forum for Dog Waste Disposal policies
- ☐ COMANCO-Provide complete log of all approved change request forms
- ☐ COMANCO-Provide copy of bi-weekly tour report from Comanco
- ☒ COMANCO-Amend contract so that termination clause comports with By-Laws
- ☒ Peggy Summers-Provide BOD with two existing Sierra contracts for snow pushing and for additional services
- ☒ Peggy Summers-Obtain new collection policy proposal from Neall which reflects accelerated payment demand after one month delinquency. NOT NEEDED
- ☐ Safety/Parking Committee - will look into getting a left-turn signal from Mayo Road into the community
- ☐ Safety/Parking Committee - will look into the situation of the red SUV parking on the sidewalk

Motions/Other Actions Approved:

1. Refer "Pending Attorney" accounts for collections to Mr. Neall
2. Pay Sierra bill of \$819.00
3. Adopt the Neall collection policy as written
4. Dismiss Ms. Ellmore as our attorney
5. Upgrade the website to Starter Premium service
6. Affirm that the small black light was previously approved as a replacement fixture

Motions/Other Actions Not Approved:

1. Assign all 32 unassigned parking spaces on Tilden Way to the non-garage units which currently each have one assigned parking space.

New/Future Action Items

- ☐ Financial Audit
- ☐ Bev Caruso will do a summary of emails with Gary Carpenter.
- ☐ Affirm the intent of the BOD to approve the use of other black lamp post fixtures currently in use.
- ☐ Bev Caruso will publish on the website the new Collection Policy adopted by the BOD.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
FEBRUARY 28, 2008

☐ COMANCO will send a letter to Unit Owners advising them of the new Collections Policy.

Important Dates - None.

Agenda for Next Meeting

- Request Michael Neall to discuss Collection Policy

Treasurer's Report 2.28.08

	YTD Actual	2008 Budget
Income		
Assessments	\$32,485.37	\$ 91,520.00
Expenses		
Grounds - Maintenance	\$ 1,131.00	\$ 30,000.00
Snow Pushing		\$ 5,000.00
Improvements & Repairs		\$ 10,000.00
Attorney's Fees		\$ 1,000.00
Admin. Expenses	\$ 546.54	\$ 2,500.00
Management Fees	\$ 4,514.40	\$ 27,086.00
Street Lighting	\$ 1,740.53	\$ 12,000.00
Insurance F&L	\$ 7,021.66	\$ 47,600.00
Insurance Fidelity		\$ 424.00
Audit and Tax Filing		\$ 850.00
Insurance Deductible		\$ 2,500.00
	\$14,954.13	\$138,960.00
Contribution to Reserves	\$ -	\$ 20,228.33
Undesignated Equity	\$17,531.24	\$ 32,331.67
Balance in Checking at 1.31.08	\$20,312.45	
Reserve Fund Account at 1.31.08	\$10,214.57	
Prepaid Owners Accts-01. 31.08	\$ 7,867.07	

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
MARCH 27, 2008 MINUTES**

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:05 PM at the Anne Arundel County Police Station, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Jyl Dupont, Peggy Summers, Bev Caruso.
- **COMANCO:** Jim Faust
- **Committee Chairs:** Hillary Frank (A&L), Shelly Kemeza (Safety/By-Laws)
- **Guest Speaker:** Michael Neall.
- **Owners/Renters:** Alicia Smollon, Kenneth Via, Barbara Mistik, Ammie Dover, Bill Moseley, Alyssia McCain, Noel Turner (Tom Jones), Rose Meale, Jeremy Little.

APPROVAL OF MINUTES: Reading of the February minutes was waived and the minutes approved as presented.

PRESIDENT'S REPORT:

1. Spring inspection walk-through of property for unit owner maintenance issues to be conducted 4/19-20/2008.
2. Open position on the Board needs to be filled due to the resignation of Danny Moreland.

TREASURER'S REPORT:

Report accepted as presented. See end of the minutes for balances. The newly adopted collection policy should improve our delinquency balance, which is quite high at \$9,300. This month's invoice from Elmore and Associates for legal work on liens and bankruptcies were added to the unit owner's accounts and this increased the total deficit. We have three owners with property liens. The total amount owed on these accounts is \$5,456. One of the owners has filed for bankruptcy protection and the other two simply refuse to pay off their debts. A new legal firm, Michael Neall and Associates, is handling our delinquent accounts and we hope they will be able to collect on these old liens. Last month three new delinquent accounts were referred to Elmore and Associates for collection. All three unit owners paid their outstanding balance prior to recordation of liens and are in good standing again. The board also continues to monitor expenses. The legal expenses noted above are over budget but those fees will be reimbursed to the association when the owners pay off their debts. There is still no resolution to the dog waste collection costs. In 2006 these costs were paid out of budgeted funds in the Improvement and Repair fund. In 2007 these costs were paid out of Landscape and Improvement and Ground Maintenance Funds. The same strategy is being implemented this year unless a voluntary collection system is established. Also, as noted last month, our insurance agent is requiring a financial audit which will cost about \$4,000. The insurance renewal premium is under budget so the negative impact will be minimal.

GUEST SPEAKER: Michael Neall, Attorney

Michael Neall discussed his legal practice and how he can help River Oaks. He recovered over \$5M in delinquent assessments last year for clients. No upfront **costs** for collecting dues from unit owners; only in rare situations will we ever see a bill - bankruptcy or sale prior to lien establishment might well cause us to pay his fees. He recovers costs from delinquent owners. Delinquency reports will be provided every month. No fees for telephone inquiry by association's management agent or from owners whose accounts he has. He also provides services related to covenants enforcement and assistance drafting documents such as policy resolutions. His services are engaged after the management company has not been able to get compliance. His fee to the association can be as low as \$75 **for advice on** what we cannot do, as well as what we can do, in certain situations. He discussed the benefits of membership in the Community Association Institute, of which COMANCO is a member.

Question posed to Mr. Neall:

1. Barbara Mistik (274 Braxton): How are owners notified of delinquencies and if an owner is delinquent, why are phone calls not made to inquire if there is a problem?

Response: The management company sends out delinquency notices. Neall explained the pitfalls of phone calls and a lack of a paper trail leads to misunderstandings. It is the owner's responsibility to contact the management company if there are questions about individual assessments.

2. Ammie Dover: When can the association evict an owner?

Response: The association cannot evict someone. The association can only put liens on the house, one for each year, or take the owner to court. We can go to foreclosure but that is not normally recommended due to costs and length of process.

3. Peggy Summers: What about going after delinquent dues when Chapter 13 bankruptcy is filed by owner?

Response: From date the bankruptcy is filed, all action to collect debt has to stop. Debtor must submit plan for repayment of debt over 3-5 yr period. Wages garnished by trustee, who distributes the funds. New assessments are considered "post-petition debt" and the owner is supposed to pay directly to association, based on the plan approved by the Court. Before we take further legal action, the association must ask the court's permission. Usually there are "Consent" agreements. The debt to the association always falls behind debts related to first mortgage, tax liens, and utility bills.

BOARD APPOINTMENT: Shelly Kemeza was unanimously appointed to the Board.

COMMITTEE REPORTS

- **Communications**

- a. NEWSLETTER published on target date of Sunday before monthly Board Meeting. Photocopied and distributed at no charge to every residence. Remainder will continue to be delivered by COMANCO to owners of rentals. Committee thanks Jim Allen, as well as Joe Kolb, Nancy Miller, and Peggy Donald for distributing this month's newsletter. Always need volunteers for future distribution, and the reward is a social gathering hosted by Peggy Donald the week following distribution. We have 10 new addresses as a direct result of members seeing the request in the newsletter, bumping up the total to 76 email addresses. Have not had the opportunity to solicit members for someone to index the old newsletters, which contain valuable historical content.
- b. WEBSITE was upgraded after Board approval for Premium Service, allowing unlimited forms submission, additional file storage space and user bandwidth, and password protection for future use. All previous forms for contact updates, favorite vendors, classified ads, and membership roster survey are available again. We were also able to post the Millhaven Court Parking Survey, which resulted in several email addresses received via form submission. New content added to Board Announcements, Calendar of Meetings & Events, Financial Reports, and a new page for Member Announcements, such as fund raisers. Each time content is added, an email is sent to the community. Neighborhood Talk "hot topics" included all under Architectural/Landscape and Grounds - Entry Circle, General Landscaping, Parklands/Open Areas, Trash, and Dog Waste Removal. Other topics receiving posts were Monthly BOD meetings, Safety, Parking, and the Yard Sale. Board members are responding to posts within 24 hours.
- c. BOARD MEETING SIGN - Nancy Miller donated a professionally lettered, two-sided sign that was to be posted a few days before each Board meeting as a reminder. The sign was posted on Sunday at the entrance to Millhaven Court, and by Tuesday morning, the sign was missing. A search of the general area did not locate the sign, so an email was sent to the community and a notice was posted on the Classifieds/Lost & Found page, asking anyone with information to contact the Board. One owner responded that she would ask her teenage children about the sign, and others told the Board that they would keep an eye out for it. Bev Caruso will check out county sign remover program to see if the sign was removed.

- **Safety (Security/Parking)**

- a. Alicia Smollon reported that the extra police presence has started. Residents are requested to continue contacting Officer Ploor @410-222-1960 if they observe suspicious or questionable activity.
- b. Jyl Dupont made a motion and Peggy Summers seconded that the Tot Lot be closed one hour after sunset. All voted in favor and the **motion was approved**.
- c. Pauline Blume asked that owners be notified in the newsletter that, if street lights are not working, owners should call BGE and give the number of the pole. Board agreed to put a notice in the newsletter.
- d. Shelly Kemeza reported that a parking survey was conducted of Millhaven Court **non-garage unit** residents to gauge their thoughts and ideas about the current parking situation and whether or not to mark spaces. Out of

29 non-garage units who were given the survey, 14 responses had been received thus far. The committee believes that this number is not sufficient to make any parking decisions at this time. In the next several weeks, the committee plans to send a note to those homeowners who did not respond, as well as to survey garage unit owners on Millhaven Court at the request of the President, and give residents another opportunity to give their thoughts. The committee will give a full report at the next BOD meeting.

- **By-Laws (Rules & Regs)**

- a. No meeting this past month. Next committee meeting will be Monday, March 31st.
- b. Bill Moseley asked about a digitized version of the By-Laws because the posted version is not searchable. Bev Caruso explained that there is an Excel summary on the website which can be searched for references to sections of the By-Laws. Tom Jones, friend of Noel Turner, will attempt to scan the documents with different software to make them searchable.

- **Architectural & Landscaping**

Met on March 3, 2008 and will be proposing at a later date to amend the Rules and Regulations regarding decks, to allow a composite material in addition to only pressure treated wood; that stains must be clear or earth tones; that decks must be no more than 12 feet from the back of the house, not 12 feet from the bump-out; and to allow privacy barriers on decks, subject to approval, that are the same pressure treated wood as deck and stained the same color as the deck. The new proposal had not yet been reviewed by the By-Laws committee to verify compliance to our documents, so it will hopefully be presented next meeting.

COMANCO

- Board received the past month Unit Activity report via delivery by Cindy Kuhn. Most of the activity has been related to the Collection Policy, with calls related to people wanting to pay their past due amounts. Two letters sent concerning children riding bikes on common elements. Joe Kolb referenced the biweekly tour he took with Cindy, noting several maintenance items, commercial vehicles on property. One vehicle without current registration is gone. Shelly Kemeza will contact Bowen and other companies about towing contracts.

UNFINISHED/OLD BUSINESS

1. Sierra Contract - Discussed revised proposal from Sierra that would include one less mowing, remove the liming of common elements, and cut the number of flowers in half, resulting in a \$1000 difference. Joe recommends sticking with previous contract. **No further action on revised proposal.**

NEW BUSINESS

1. Damage to 2116 Marlboro Rd: Joe Kolb discussed payment to Mr. Proud of \$100 to repair his fence. Board **approved** a payment of \$100.
2. **Yard Sale:** Approved May 3rd as the date of Yard Sale. Joe Kolb will arrange with the county for the free Community Clean Up Dumpster program. Rules for dumpster to be published in newsletter. Bev Caruso will call for scheduled date for a charitable organization to pick up other items.
3. **Spring Maintenance Inspection Walk-thru:** Scheduled for 4/19-20/2008. Joe Kolb explained the entire process. Ken Via and others volunteered to accompany the Board for technical expertise. Bill Moseley suggested going over the results before letters go out to owners in order to separate clear violations vs. judgment calls.
4. **Lamp Post Tops:** No further action to approve existing black lamp posts or any standard lamp post top.
5. **Antenna Positioning:** The A&L committee recommends positioning antennas on the rear slope of roof and that wires be concealed. Owners need direction on correct placement of antennas. COMANCO will contact Mike Neall about a template for an antenna rule. Once that is received, the Board will decide on a rule and then agree on a meeting date to discuss the new rule.

OPEN FORUM

- Pauline Blume reported on the Annapolis Flower fundraiser and will keep us apprised.
- Noel Turner mentioned the Leukemia and Lymphoma fundraiser at Killarney.
- Ammie Dover asked that the Tilden Way parking situation be revisited and she will participate on the Safety Committee to get a more formal survey than the previous petition that was circulated.

NEXT MEETING: April 24, 2008, at 7:00 p.m., at the Anne Arundel County Police Station, Edgewater, MD.

ADJOURNMENT: Joe Kolb adjourned the meeting at 9 PM.

MINUTES SUBMITTED BY: Beverly Wright Caruso

Previous Action Items

- ☐ Comanco-Provide complete log of all approved change request forms.
- ☒ Comanco-Provide copy of bi-weekly tour report from Comanco.
- ☐ Safety/Parking Committee - will look into getting a left-turn signal from Mayo Road into the community.
- ☐ Safety/Parking Committee - will look into the situation of the red SUV parking on the sidewalk.
- ☐ Audit
- ☐ Bev Caruso will do a summary of emails with Gary Carpenter.

Motions/Other Actions Approved:

1. Association will pay Mr. Proud \$100 for the repair to his fence damaged by a tree from River Oaks during a storm.
2. Shelly Kemeza was appointed to the Board.
3. Tot Lot will close at one hour after sunset.

Motions/Other Actions Not Approved:

1. Sierra contract will not be revised.
2. No further action to decide on specific lamp post top styles.

New Action Items

- ☐ Bev Caruso will include items in newsletter on Tot Lot closure at night and calling BGE when lights are out.
- ☐ Shelly Kemeza will contact Bowen and other companies about towing.
- ☐ Joe Kolb will arrange with the county for a dumpster to be made available in the community the week after the Yard Sale.
- ☐ Bev Caruso will check with the County's Sign Remover Program to see if our Board Meeting sign might have been removed as part of that program.
- ☐ Noel Turner (Tom Jones) will scan the association documents to a searchable .pdf format.

Important Dates

- April 19-20, 2008 - Spring Inspection Walk-through
- May 3, 2008 - Yard Sale

Treasurer's Report 3.27.08

	YTD Actual	2008 Budget
Income		
Assessments	\$ 47,682.52	\$ 191,520.00
Expenses		
Grounds - Maintenance	\$ 3,810.46	\$ 30,000.00
Snow Pushing		\$ 5,000.00
Improvements & Repairs	\$ 1,515.00	\$ 10,000.00
Attorney's Fees	\$ 1,872.40	\$ 1,000.00
Administrative Expenses	\$ 820.48	\$ 2,500.00
Management Fees	\$ 6,771.60	\$ 27,086.00
Street Lighting	\$ 2,610.15	\$ 12,000.00
Insurance F&L	\$ 10,532.49	\$ 47,600.00
Insurance Fidelity	\$ 324.00	\$ 424.00

Audit and Tax Filing	\$ 225.00	\$ 850.00
Insurance Deductible		\$ 2,500.00
	\$ 28,481.58	\$ 138,960.00
Contribution to Reserves		\$ 20,228.33
Undesignated Equity	\$ 19,200.94	\$ 32,331.67
Balance in Checking at 2.28.08	\$ 26,816.52	
Reserve Fund Account at 2.28.08	\$ 10,214.57	
Prepaid Owners Accounts at 2.28.08	\$ 8,694.37	

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
APRIL 24, 2008 MINUTES

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:10 PM at the Anne Arundel County Police Station, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Jyl Dupont, Peggy Summers, Bev Caruso, Shelly Kemeza
- **COMANCO:** Cindy Kuhn
- **Committee Chairs:** Hillary Frank (A&L), Peggy Donald (Newsletter), Alicia Smollon (Rules & Regs)
- **Guest Speakers:** Jeff Ruby and Rich Ziehl from Hooked Up Towing
- **Owners/Renters:** Pauline Blume, Jeff Springer, James Allen

APPROVAL OF MINUTES: Reading of the March minutes was waived and the minutes approved as presented.

PRESIDENT'S REPORT

1. Thanks to those who participated in the Spring inspection walk-through of property and reviewed the results.
2. The Architectural & Landscape committee recommendations have been reviewed by the By-Laws Committee.
3. Would like to have the new rules sent with the letter accompanying the inspection results. Discussion ensued as to what approvals are required vs. desirable as far as adopting new rules.

TREASURER'S REPORT

1. Report accepted as presented. See end of the minutes for balances.
 - Delinquent accounts are showing improvement. Statements are sent out monthly and residents are catching up on past due assessments. The collection policy is effective May 1, 2008 and late fees will be assessed on accounts delinquent by more than 15 days. **It is recommended that Newsletter post the Board's request for all residents to sign up for direct deposit of monthly assessments.**
 - Still have three owners who have unsatisfied property liens. The total amount owed by these residents is over \$5,000. Two other residents have assessments 90 days in arrears. If these owners do not remit payment by May 1, 2008 they will be turned over to Mr. Neall for collection.
 - Two accounts were sent to Mr. Neall last month. One collection was successful and the other account (that has 3 liens against the property) will have to be settled in District Court. The resident did not respond to Mr. Neall's demand letter.
 - Still have one account with our original attorney, Elmore and Associates. We are keeping that account with them until the bankruptcy petition plan is settled with the court.
 - Will continue to follow up on all liens and delinquent accounts and work with COMANCO and the new collection firm to assure timely payments.
 - There have been no unusual or non-budgeted expenses for this fiscal year.
 - COMANCO is making monthly transfers of reserve funds to the savings account.
2. Requested a copy of invoice for dog waste removal.
3. State Farm insurance premium dropped considerably for 2008.
4. Priced out three types of audits and estimated \$2500-\$6000. We can afford it due to lower State Farm policy premium.
5. Wants to be notified whenever Sierra says that they were on the premises so the work can be verified.
6. Letter from Elmore about a ruling that condo insurance policy is not responsible for damage done to unit by unit owner. Puts State Farm policy into question.

COMMITTEE REPORTS

- **Communications:**
 - a. NEWSLETTER published on target date of Sunday before monthly Board Meeting. Photocopied and distributed at no charge to every residence. Remainder will be delivered by COMANCO to owners of rentals newsletter. Beginning with the June newsletter, newsletters will not be mailed to offsite owners to save costs. An

announcement was placed in the April newsletter. Committee thanks residents for volunteering to distribute this month's newsletter. Always need volunteers for future distribution, and the reward is a social gathering hosted by Peggy Donald the week following distribution. We continue to get new addresses as a direct result of members seeing the request in the newsletter. Newsletter items per March meeting: Park closed at one hour after sunset and if street lights not working, call BGE and give the number at the top of the pole.

- b. WEBSITE modified to put current events on Home Page. All old BOD minutes were scanned into searchable text via online Adobe trial program and posted to the website. To scan and post all old newsletters for which we don't have the original electronic version will require buying a one-year subscription.

- **Safety (Security/Parking)**

- a. A letter was sent to the Maryland State Highway Administration requesting a designated "left turn" arrow be installed for cars traveling north on Mayo road.
- b. Incident where child on a bicycle ran into a car coming around the corner on Tilden Way. **This incident will be highlighted in the newsletter as an item for "bike safety."**

- **By-Laws (Rules & Regs)**

Reviewed the Architectural and Landscape Committee's revised and new rules and regulations and determined that none violated or conflicted with the By-Laws.

- **Architectural & Landscape**

- a. On April 2, 2008, a walk-around was conducted to check for dead trees and fallen debris. The committee learned of an individual who removed about 41 trees from the Enclave property for \$1600, including the dumpster. The committee is waiting for more information to see if River Oaks might consider hiring this person.
- b. A letter was sent to a residence on Millhaven Drive about a trailer parked in their driveway.
- c. The committee went through all inspection notices from last year and matched them up with this year's reports to see if the unit owners complied with the inspection report findings. Discussed forming teams for the annual inspection so everyone involved would have one agenda to focus on for each town home.
- d. The committee informally presented a storm door request from an owner, including photocopy of the door, in order to discuss what constitutes "full view." Discussion ensued with no final resolution. The committee will advise the owner to submit an official Architectural Change Application to COMANCO and the request will be forwarded to the committee for action, per usual procedures.
- e. Amber White is a trim color in addition to Wheat. **Bev Caruso will add this information to the website.**

COMANCO REPORT

1. This past month's Unit Activity Report was emailed to the Board for the first time.
2. Cindy Kuhn did a drive through to see about fences being constructed. 64 Millhaven Court has been asked to submit an Architectural Change Application for already-built fence.

UNFINISHED/OLD BUSINESS

1. **Signs** for Tot Lot and Braxton Park: **Cindy Kuhn will contact Signs By Tomorrow** once we give her the wording and get four signs to identify the Tot Lot and Braxton Park hours.
2. **Yard Sale:** Kraig and Patricia McNally posted flyers River Oaks Condos mailboxes and arranged for an ad in the Pennysaver. Bev Caruso was in contact with Sue Danielson, the Enclave at River Oaks Social Committee, and learned that the Enclave is also having a Yard Sale on May 3rd, but slightly different hours. The McNally's included the Enclave hours in the Pennysaver ad and on the flyers, and forwarded the flyer to Sue for posting within the Enclave. Bev and Sue agreed that the communities could split advertising and sign costs, but the Pennysaver ad was only \$27.00 and includes four signs. The McNally's paid this cost and will submit an invoice to the River Oaks Condos Treasurer. Therefore, Sue agreed to pay for an ad in the Capital Gazette. Joe Kolb has arranged with the county for the free Community Clean Up Dumpster, date and location to be identified. Bev contacted AmVets for a community pickup on May 10th. Bev will advise Yard Sale participants and fax a list of pick-up addresses to AmVets on Friday May 9th.

NEW BUSINESS

1. **Rules & Regs:** Modified and new rules and regulations were handed out at the meeting for everyone to review. Discussion ensued related to a suggestion for "expert" advice from both Neall and COMANCO. The board acknowledged this suggestion and wanted COMANCO's advice before contacting Neall to avoid any charges incurred by Neall's review.
2. **Towing Contract:** Hooked Up Towing - Jeff Ruby and Rich Ziehl presented themselves to the Board and responded to questions about their location, towing policies, availability, and signage. Impound lot is gated and located about 2 miles east on Central Ave, near Sue's Deli. Hooked Up Towing primarily tows for commercial businesses, we would be their first residential contract. Licensed and insured for \$3M and general liability policy. Hookup fee is \$65 and \$2/mile, then \$25/day starting the day of tow. Open/available 24/7. Same rate 24/7. Would come within 30 minutes. Have 3 trucks. Have fax capability. With the written authorization, don't need anyone at the car. **Motion passed to accept towing contract pending review by Board.**

OPEN FORUM

Jyl Dupont would like the Board to consider installing missing cement sidewalk in the area next to her house. The BOD agreed that Jyl would get estimates for review.

NEXT MEETING: May 22, 2008, at 7:00 p.m., at the Anne Arundel County Police Station, Edgewater, MD.

ADJOURNMENT: Joe Kolb adjourned the meeting at 9:10 PM. The BOD then held an executive session to discuss financial matters related to delinquent owner accounts.

MINUTES SUBMITTED BY: Beverly Wright Caruso

Previous Action Items

- ☒ Comanco-Provide complete log of all approved change request forms.
- ☒ Comanco-Provide copy of bi-weekly tour report from Comanco.
- ☒ Safety/Parking Committee - will look into getting a left-turn signal from Mayo Road into the community.
- ☒ Bev Caruso will include items in newsletter on Tot Lot closure at night and that owners should call BGE when street lights are not working properly.
- ☒ Shelly Kemeza will contact Bowen and other companies about towing contracts.
- ☒ Joe Kolb will arrange with the county for a dumpster to be made available in the community the week after the Yard Sale.
- ☒ Bev Caruso will check with the County's Sign Remover Program to see if our Board Meeting sign might have been removed as part of that program.
- ☒ Noel Turner (Tom Jones) will scan the association documents to a searchable .pdf format.
- ☐ Safety/Parking Committee - will look into the situation of the red SUV parking on the sidewalk.
- ☐ Audit
- ☐ Bev Caruso will do a summary of emails with Gary Carpenter.

New Action Items

- ☐ Cindy Kuhn will contact Signs By Tomorrow for Tot Lot and Braxton Park signs showing hours.
- ☐ Bev Caruso and Shelly Kemeza will highlight bike safety in newsletter.
- ☐ Bev Caruso will add "Amber White" to website as a trim color in addition to Wheat.
- ☐ Bev Caruso will include a request in the newsletter for owners to use Direct Debit for monthly dues.

Motions/Other Actions Approved:

1. Accept contract from Hooked Up Towing pending review by Board.

Important Dates

1. May 3, 2008 - Yard Sale

Treasurer's Report

	YTD Actual	2008 Budget
Income		
Assessments	66,768.06	191,520.00
Expenses		
Grounds - Maintenance	6,801.92	30,000.00
Snow Pushing		,000.00
Improvements & Repairs	1,999.00	10,000.00
Attorney's Fees	1,872.40	1,000.00
Admin. Expenses	1,036.05	2,500.00
Management Fees	9,028.80	27,086.00
Street Lighting	3,479.12	12,000.00
Insurance F&L	14,043.32	47,600.00
Insurance Fidelity	324.00	424.00
Audit and Tax Filing	225.00	850.00
Insurance Deductible		2,500.00
	38,809.61	138,960.00
Contribution to Reserves	6,742.76	20,228.33
Undesignated Equity	27,958.45	32,331.67
Reserve Fund Account	16,957.33	

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
MAY 22, 2008 MINUTES**

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:05 PM at the Anne Arundel County Police Station, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Jyl Dupont, Peggy Summers, Bev Caruso, Shelly Kemeza
- **COMANCO:** Cindy Kuhn, Lowell Thompson
- **Committee Chairs:** Hillary Frank (A&L), Peggy Donald (Newsletter), Alicia Smollon (Rules & Regs)
- **Owners/Renters:** Pauline Blume, Lisa Robinson, Nancy Miller, Leslie Kahl

APPROVAL OF MINUTES: Reading of the April minutes was waived and the minutes approved as presented.

PRESIDENT'S REPORT:

1. Maintenance reports resulted in 11 calls to COMANCO plus a couple of emails to Bev Caruso and Joe Kolb. Joe visited or called each person to discuss and once he did that, most owners understood the nature of the items mentioned.
2. Proposed Rules and Regulations should be mailed out tomorrow and unit owners will get them by Tuesday, in accordance with By-Laws requirement for advance notice. Meeting on June 12, 2008, for comments by unit owners, plus unit owners can submit written comments.
3. Tree removal will need to be addressed for those trees that are beyond Sierra's ability to handle them due to height or position. Between 10-20 trees that need to be removed. Estimate from Dave's Tree, including take down and haul away, is approximately \$850/tree. If we don't haul the debris away, then it will cost about \$450/tree to take down and cut and leave it. Need to address this from a budget perspective in 2009.
4. Joe Kolb asked Peggy Summers to set aside \$400.00 from Administrative funds to print newsletter commercially.
5. Dumpster was filled and replaced even without a reminder sent to owners.

TREASURER'S REPORT:

1. Report accepted as presented. See end of the minutes for balances.
2. The collection policy went into effect May 1, 2008. Eighteen unit owners did not get their dues in on time and were assessed a \$15 late fee. It is recommended that the Newsletter continue to post the board's request for all residents to sign up for direct deposit.
3. A total of four accounts have been sent to Mr. Neall this year. Two have paid in full and a third worked out a payment plan. The forth account was just send in May. I am very satisfied with the account receivable status.
4. We still have one account with our original attorney, Elmore and Associates. We are keeping that account with them until the bankruptcy petition plan is settled with the court. The good news is they have been paying their post petition dues for 2008.
5. The board votes tonight to approve the audit plan proposed by Jacobs and Jacobs CPA. The audit is required by our insurance provider and is recommended by the board and COMANCO. The cost will be carried under the insurance budget since this is essentially an offspring of that budget item and that line item is over funded.
6. There have been no unusual or non-budgeted expenses for this fiscal year.

COMMITTEE REPORTS

- **Communications**
 - a. NEWSLETTER photocopied and Minuteman Press by Nancy Miller for \$33. This will be the last newsletter mailed to off-site owners to save money. Notice was printed in April and May newsletters. Committee thanks residents for volunteering to distribute this month's newsletter. Always need volunteers for future distribution, and the reward is a social gathering hosted by Peggy Donald the week following distribution. We continue to get new addresses as a direct result of members seeing the request in the newsletter, bumping up the total to 89 email addresses.
 - b. Floor plans for Abbey and Dover posted on the website

c. Plats have been located on MD State Archives

- **Safety (Security/Parking)**

Shelly Kemeza reported that she had handled communications regarding numerous incidents this month. Both police and fire department had been contacted. The Braxton fence has been fixed. Her items to report were already published in the May newsletter.

- **By-Laws (Rules & Regs)**

Alicia Smollon reported as follows:

a. **LEASES:** The By-Laws contain provisions that may assist with safety and other issues which arise and plague our community. In particular, **Article X (Use Restrictions), Section 2 (Leasing) (Page 20):**

- No portion of a Unit other than the entire unit may be rented and no transient tenants may be accommodated.

Inhabitants of one unit may have at times rented a room to someone. A missed opportunity that cannot be blamed on Anne Arundel Police Department.

- Any unit owner who leases his/her unit must provide the BOD a copy of the lease immediately after it is signed.

Strict enforcement and maintenance of executed leases by the BOD could potentially assist in dealing with problem tenants. Sometimes, tenants are clearly in violation of their lease unbeknownst to the unit owner. For example, we were able to rid ourselves of problem pets at a neighboring rental unit when we contacted the owners. It turned out that the lease prohibited pets. The lease also listed the specific members of the tenants household and prohibited any other people from moving in with the tenant. This mechanism may be an effective way of handling some of the problem households who are renters now and in the future.

- All leases must contain a provision which requires that the tenants rights to use and occupy the unit is subject to and subordinate to the Declaration, the By-laws and the rules and regulations.

This means that an off-site owner/landlord can potentially evict problem children and their parents. This provision if strictly enforced can prevent tenants and unit owner/landlords from claiming their tenant was not aware of the rules of neighborhood. It also puts both tenants and landlords on notice that the BOD isn't going to tolerate shenanigans on the part of the tenants. This provision and the next provision provides some mechanism to work against the "rent-it-and-forget-it" mentality of some off-site owners.

- A copy of the Declaration, By-Laws, and rules and regulations be maintained on the property of the leased unit.

This provides notice of the "house rules." It reminds the tenant that the rules were made to be followed, not broken, and better yet, it places at least some responsibility squarely on the shoulders of off-site owners to ensure that the tenants are aware of the rules and will be required to follow them. Living next to a rented unit, the feeling that the owners moved out of state and saddled us with rude tenant neighbors who had the "I don't own it, I only temporarily live here, so I could care less about anybody but me and I'm not doing a lick of home maintenance" attitude was beyond disappointing. Strict enforcement of this Section may help combat some of the issues which arise involving our non-owner neighbors.

b. **NOISE & "NOXIOUS" ACTIVITY:** Although there was an article by Joe Kolb in the "Lamp Post" in March or April 2008 regarding noise, given the time of year and some of the safety issues facing our neighborhood, it is appropriate to point out that the By-Laws also contain provisions which address issues which have been repeatedly arising. **Article X (Use Restrictions), Section 3(b) (Prohibited Uses and Nuisances) (Page 21):**

- No noxious or offensive trade or activity shall be carried on and nothing shall be done in or on a unit which may be or become an annoyance to the neighborhood or the other Owners.

With regard to certain households in the community, I would refer the BOD to homeowner e-mail message of a few weekends ago about Braxton Way activity along with the activities of the past weekend.

- No nuisances shall be permitted or practice which becomes a nuisance which interferes with the peaceful use and possession by the members. The By-laws specifically include examples of nuisances: "loud music or noise; loud, frequent and late night parties;...."

The BOD can address unit owners via mechanisms within the By-Laws even when the Anne Arundel Police Department claims it can do nothing to assist. I believe that this is what one police officer was talking about the night he told me that he could not do anything about the folks from a certain unit. The officer told me to insist that the homeowners association handle them in the instance of the loud car radios and skateboarding on the metal I-beam placed in the middle of one of the streets. When used in conjunction with the Fining Procedure, this provision has the potential to be very strong.

- c. **COMMERCIAL VEHICLES:** On Tuesday, May 20, 2008, I provided Shelly Kemeza of the Safety Committee with the pertinent house rules regarding parking commercial vehicles on River Oaks property. Shelly has/will explain and address the situation in her report on behalf of the Safety Committee. The Rules & Regs committee will await direction or action by the Safety/Parking Committee, if deemed necessary.
- d. **A&L RULES REVISION:** The Rules and Regs Committee has recently reviewed Title 11 of the Real Property Article of the Maryland Code Annotated in conjunction with the River Oaks Declaration and By-Laws to ensure that we handle the voting and notice requirements correctly with regard to the proposed revised A&L Rules. Both the A&L committee and the Rules & Regs Committee have invested a significant amount of thought, energy, and time in getting as far in the process as we have gotten. Basically, we have a final draft of the "proposed legislation" which is ready for presentation. It is immeasurably important to ensure that we follow proper procedure when deciding on whether or not to actually adopt it and make it law of the River Oaks land. Title 11 and the documents controlling River Oaks procedure are not user-friendly and are complicated. The intention is to have the proper procedure down and have a time schedule for necessary mailings, content of necessary mailings, and dates for the material to be presented at a special June 12, 2008 meeting and the June Board meeting. The BOD will be voting on the proposed legislation at the June or July 2008 BOD meetings provided the BOD does not need additional research after hearing questions and concerns voiced by those in attendance at the June 12th meeting.

- **Architectural & Landscaping**

Hillary Frank reported that the A&L Committee met for three hours on May 5, 2008.

1. The purpose of meeting was to determine if the annual inspection could be improved upon in any way. It is recommended that next year's inspection volunteers again meet as a group for a refresher. After going over perhaps two groups of homes to get a feel for what the groups sees as needed corrections, teams can then split up. This way they will be looking and judging the same issues the same way.
2. The committee commenced the revamping of the unit inspection list to be less repetitive, easier to read and work with.
3. Committee made corrections on Rules and Regulations, which will be submitted to the community for review.
4. Deck placement and construction guidelines will soon be available for submission to the River Oaks website. Jim Allen will prepare drawings to assist unit owners in understanding where deck boundaries may start and end, among other guidance. They will then be forwarded on to Bev Wright for insertion on the web page. Also to be included in the Rules & Regulations mailing to the unit owners prior to the hearing meeting.

COMANCO

1. Board received the past month's Unit Activity report at the Board meeting.
2. Cindy Kuhn announced that she will be leaving COMANCO at the end of the month. She introduced Lowell Thompson who will be our new property manager. Lowell has a lot of experience including condo community president for 15 years and also construction project manager experience. He has been with Comanco full time for 6 months. Lowell's email is 136@comancoinc.com.
3. Cindy feels that River Oaks has made a lot of progress since December, 2007.
4. She has been very busy with other communities suffering water damage from storms and apologized for not being more responsive.
5. Cindy provided contact information for curb painting and also recommended Paul from Bartlett Tree and Richard Knabb with Knabb's Tree for estimates.

UNFINISHED/OLD BUSINESS

1. **Signs for Tot Lot and Braxton Park:** Cindy Kuhn gave us one sign, but Joe decided the sign was insufficient because of peel-off letters and that it needed to contain more information. Lowell Thompson will look in a sign catalog to get better park closure signs made and send the Board/A&L a template with standard wording.
2. **Towing Contract:** Shelly Kemeza brought the Hooked Up Towing contract for approval. Peggy Summers asked about exclusions which are not a part of the Hooked Up Towing contract, such as taking the wrong car. Cindy Kuhn will provide the Board with a copy of ABC Towing Contract for pertinent exclusions.
3. **Audit Proposal:** Three levels of audits exist. State Farm wants the medium audit level. The higher audit level would not provide any additional info, just verification of some documents. Leslie Kahl (201 Tilden) asked if River Oaks has had a reserve study done to date. No, not after the builder set up the reserve accounts. Peggy Summers expects that the audit will identify if a study needs to be done, and that's a separate fee. Bev Wright Caruso made a motion and Jyl Dupont seconded that the audit proposal from Jacobs and Jacobs be accepted. The Board voted unanimously to accept the proposal.
4. **Rules & Regs:** In addition to the President's Report, discussion ensued about the cover letter and whether or not it implied that the Board had actually approved the rules as written. The letter was amended at the meeting to clarify that the rules have not yet been adopted.

NEW BUSINESS

1. **Storage Facility:** Bev Wright Caruso motion, seconded by Jyl Dupont, passed unanimously to rent a 5 x 7.5 storage facility for \$81.00 per month. This facility would be used to store Christmas decorations (5 bags), water meter, extra post caps, filing cabinet, and Association records not maintained by COMANCO.
2. **Sierra:** Review and approve list of remove/replace dead trees. This would be in addition to \$5000 for BIG dead trees mentioned earlier. Leslie Kahl asked about common area trees versus homeowner trees. Bev Wright Caruso asked about homeowners getting together and removing the small trees. HOMEOWNERS need to keep their own trees trimmed - Newsletter item.

OPEN FORUM

Leslie Kahl (201 Tilden) just wanted to express her appreciation for the Board's efforts. She and her husband have Board and property management experience and understand our efforts.

SPECIAL MEETING: June 12, 2008 - Meeting to discuss and take unit owner comments about the proposed Rules & Regulations revisions.

NEXT MEETING: June 26, 2008, at 7:00 p.m., at the Anne Arundel County Police Station, Edgewater, MD

ADJOURNMENT: Joe Kolb adjourned the meeting at 9:10 PM.

MINUTES SUBMITTED BY: Beverly Wright Caruso

Previous Action Items

- ☒ Cindy Kuhn will contact Signs By Tomorrow
- ☒ Bev Caruso will highlight bike safety in newsletter.
- ☒ Bev Caruso will add Amber White to website as a trim color in addition to Wheat.
- ☒ Audit proposal
- ☐ Safety/Parking Committee - will look into the situation of the red SUV parking on the sidewalk.
- ☐ Bev Caruso will do a summary of emails with Gary Carpenter.

New Action Items

- ☐ Peggy Summers will identify if we have funds to photocopy or print the newsletter commercially.

- ☐ Newsletter items for Bev Caruso: Owners get a notice from Comanco once a late fee has been assessed; permanent item about Direct Debit to pay assessments; homeowners need to keep their own trees trimmed.

Motions/Other Actions Approved:

1. Audit proposal from Jacobs & Jacobs accepted.
2. Rent storage facility for \$81.00/month

Motions/Other Actions Not Approved:

None

Important Dates

None

Treasurer's Report 5.22.08

	YTD Actual		2008 Budget	
Income				
Assessments to 4.30.08	\$	82,263.82	\$	191,520.00
Expenses				
Grounds - Maintenance	\$	9,793.38	\$	30,000.00
Snow Pushing			\$	5,000.00
Improvements & Repairs	\$	2,144.52	\$	10,000.00
Attorney's Fees	\$	1,872.40	\$	1,000.00
Admin. Expenses	\$	1,418.27	\$	2,500.00
Management Fees	\$	11,286.00	\$	27,086.00
Street Lighting	\$	4,348.88	\$	12,000.00
Insurance F&L	\$	17,204.39	\$	47,600.00
Insurance Fidelity	\$	324.00	\$	424.00
Audit and Tax Filing	\$	225.00	\$	850.00
Insurance Deductible			\$	2,500.00
	\$	48,616.84	\$	138,960.00
Contribution to Reserves	\$	8,428.45	\$	20,228.33
Undesignated Equity	\$	33,646.98	\$	32,331.67
Reserve Fund Account	\$	18,643.02		

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
JUNE 26, 2008 MINUTES**

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:10 PM at the Anne Arundel County Police Station, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Jyl Dupont, Peggy Summers, Bev Caruso, Shelly Kemeza.
- **COMANCO:** Lowell Thompson
- **Committee Chairs:** Peggy Donald (Newsletter), Alicia Smollon (Rules & Regs)
- **Owners/Renters:** Nancy Miller, Ken Via, Rose Meale, Melissa Allen

APPROVAL OF MINUTES: Reading of the minutes for the May 2008 regular meeting and the June 12, 2008 special meeting were waived and the minutes approved as presented.

PRESIDENT'S REPORT: Joe Kolb welcomed Lowell Thompson, our new Comanco manager, and asked that Lowell respond within a reasonable time to email and phone calls and to provide substitute contact information in the event of his absence. The proposed changes to the Rules and Regulations are in progress, but are not ready to be published. For this meeting, the Board will allow the members Open Forum to follow President's remarks and Treasurer Report. If needed, the Board will allow a maximum time of 30 minutes for the Open Forum. Originator speeches or comments are to be held to 3 minutes. If there is a response from the BOD or floor to the originator, they will have 2 minutes to respond if requested. Should additional time be needed the Chair will decide whether to extend this portion of the meeting.

TREASURER'S REPORT: Report accepted as presented. See end of the minutes for balances

- **Income (Dues) Update:** The delinquent account balance has been substantially reduced since the Collection Policy went into effect May 1, 2008. Unfortunately, 22 unit owners have unpaid late fees. I urge anyone with an unpaid late fee to get the \$15 paid and sign up for direct deposit thru their bank or COMANCO. Two unit owners are in collection with Neall and Associates. One has worked out a payment plan and the other remains non-responsive. We still have one account with our original attorney, Elmore and Associates. We are keeping that account with them until the bankruptcy plan is settled. The unit owner is paying the post petition dues for 2008 and the courts have released \$500 towards back dues and attorney's fees. Additional payments are expected but it is up to the courts. Together, these 3 delinquent assessments account for over \$4,000 of the \$6,700 outstanding dues balance. Two other accounts have been issued final notice for payment letters. Hopefully these owners will get current so they don't have to incur the expense of collections.
- **Expense Update:** There have been no unusual or non-budgeted expenses for this fiscal year. An evaluation of the actual vs budgeted expenditures at mid year indicates we are on budget for all expenses except for the following: Grounds and maintenance will exceed budget as expected by about \$5,000. This is because Sierra's contract (including all options) is \$35,000 and the budget is only \$30,000. If we do not have any snow pushing events this fall we might stay in budget for FY 2008. Attorney's fees are expected to exceed the budget by at least \$1,000 due to the unit in bankruptcy. If collection is successful we may see more money from the court on this account. All other budget line items are in good shape. I expect we will be able to add at least \$20,000 in undesignated equity to the reserve fund this year. This \$20K added to the budgeted \$20,228 will add over \$40,000 to the reserve fund.
- **Audit:** Jacobs and Jacobs CPA has audited our financial documents at COMANCO and the audit reports and any findings will be available in July.
- **Insurance:** Per the attached notices from Kathleen Elmore and Gary Carpenter, the final order on the Gables on Tuckerman case upheld that the MD Condo Act does NOT require the Condo Association to repair or replace the property of an owner in an individual condominium unit after a casualty loss. The Master Policy is intended to cover only damage to common elements or the structure. Gary Carpenter indicated that State Farm intends to stand by the Master Policy issued to River Oaks which DOES cover all losses but that may change at 5/09 renewal. Additionally, on October 1st, 2008 the Condo Act allows increasing the deductible charged to unit owners to \$5,000 from \$1,000. This means that after October 1st, the full \$2,500 Master Policy deductible will be charged to the Unit Owner rather than the current charge of \$1,000 to unit owner and \$1,500 to River Oaks undesignated equity fund. Gary indicated that as currently written, insurance policies are being used as maintenance policies by unit owners. The industry is

expected to lean toward higher deductibles of \$10,000 to \$25,000. The unit owners cannot compel the condo association to file a claim for losses under the deductible; therefore, unit owners with claims under the master policy deductible will have to file the claim with their HO6 individual policy. Gary Carpenter and Kathleen Elmore encouraged all unit owners to talk to their respective insurance agents about increasing their building and content coverage as well as making sure their policy provides reimbursement of the master policy deductible amount.

- Insurance Update - put letter from Elmore and mail from Gary Carpenter in the newsletter. Peggy will ask Gary Carpenter how much our premium would be reduced if deductible increased.
- Lowell Thompson advised that Jim Faust is talking to lawyers and the unit owner's insurance company is going to appeal the ruling, so best advice is not to do anything yet.

OPEN FORUM: Melissa Allen - just wants to make sure that the parking issue on Millhaven Court doesn't go away just because some of the neighbors may be moving away.

COMMITTEE REPORTS

- **Communications**

- a) **NEWSLETTER:** Photocopied by Litho Press this month for \$41.45. We continue to get new addresses as a direct result of members seeing the request in the newsletter, bumping up the total to 100 email addresses.
- b) **WEBSITE:** Experiencing some problems with the survey forms not accurately recording responses, but Bev Wright Caruso is in contact with FREEWEBS tech support to resolve the problems.
- c) **ROSTER:** Bev Wright Caruso gave Lowell Thompson copies of the roster that she maintains. Lowell will give the hard copies of the rosters to Comanco's data entry employee. Hard copies with highlighted changes are the best way for Comanco to receive new information.

- **Safety (Security/Parking):** Shelly Kemeza reported that incidents have quieted down, but a couple of cars that were not locked were recently broken into on Millhaven Court. Shelly sent an email to the residents on Millhaven Court about these incidents and asked the owners to contact the police. Shelly intends to do another parking survey, especially because there are new residents on Millhaven Court. She is trying to lay out a plan for one space for each unit.

- **By-Laws (Rules & Regs):** Alicia Smollon reported that the rules are currently being revised based on homeowner comments. The final draft should be done in the next couple of weeks so that the Board can vote on it. Alicia referred to LEASE section in newsletter to alert offsite owners to send leases. \

- **Architectural & Landscaping:** Hillary Frank officially resigned as chairman of the committee and Joe is looking for a replacement Chairperson. Sierra replaced dead trees in the front of the community and in Braxton Park. For 2008, we are doing about a third of what is needed in terms of removing and replacing trees. The remainder will be postponed until 2009. Peggy asked whether Sierra was watering new trees and guaranteeing or replacing trees as part of their contract. Joe will review the contract and provide that information back to the Board.

COMANCO:

- Water damage claim is in process at 32 Millhaven Court. Basement was flooded by defect in a Peggy Donald's air conditioning unit. ServiceMaster was scheduled to be in 32 Millhaven Court today. Peggy Donald was present at the meeting and offered additional information as to how her unit damage was handled by State Farm and Service Master and how the other unit's damage was handled. The majority of the damage is under Peggy's laminate floor and perhaps under 32's non-carpet floors. There may be a subrogation against the service company that Peggy had to do her air conditioning service just weeks prior to the leak.
- No bi-weekly tour. Peggy Summers requested that a specific time and schedule be set for Comanco's walk-through. Lowell Thompson and Joe Kolb agreed to meet on Tuesday, July 8th at 9am.
- Comanco typically has month-end info available by the second week of the month. Joe Kolb requested and Comanco agreed that Comanco will email the information to us from now on.
- Comanco will send a request to all off-site owners if we do not receive the lease within the next 30-60 days.

UNFINISHED/OLD BUSINESS

1. **Signs for Tot Lot and Braxton Park:** Nancy Miller's contact via Minuteman Press sent an email as to what the sign would look like. Joe wants different size fonts to make it look more attractive. Joe will forward to Nancy what we received from her contact. Nancy will take a picture of our existing sign for dog station and send it to her contact.

Although the Board had talked about getting 10 ft poles, our other signs are 6 ft. signs. Joe recommends the 6 ft. metal channel pole.

2. **Towing Contract:** Shelly Kemeza has contacted the towing company about the liability paragraph being included. Joe Kolb mentioned having had several complaints about commercial vehicles so we need to get our contract in place.
3. **Audit Proposal:** Peggy Summers reported that the auditors have initially said that everything is fine, but they were looking for minutes for 2007 and 2008 meetings. However, Lowell says that we do not need to find any minutes because the auditors felt that the year-end of 2007 was sufficient.
4. **Maintenance Items:** We need to set a date to review maintenance corrections in community. Joe Kolb and Lowell Thompson will conduct the re-inspections on July 8th. In addition, Jyl Dupont has letter to go to the homeowners advising that the Board will be for looking at light posts to see if they are on. Joe Kolb asked for volunteers to see which lights are on. Nancy Miller will assist.

NEW BUSINESS

1. **Meeting site committee:** Joe Kolb raised the idea to establish a committee to look into next year's meeting site, date, and time. May want to establish the first or second Thursday of the month to better co-ordinate with Comanco's packet production. Better auditory capability, etc. After discussion with unit owners present, it was decided that we will stay at the police station and talk louder.
2. **Budget Committee:** Joe Kolb raised the suggestion to develop Budget Committee to begin preparation of 2009 budget so that it will be in terms the unit owner can understand. After discussion, Lowell Thompson advised that Comanco will prepare the budget based on input from the Board. Peggy Summers suggested waiting for audit results.

NEXT MEETING: July 24, 2008, at 7:00 p.m., at the Anne Arundel County Police Station, Edgewater, MD.

ADJOURNMENT: Joe Kolb adjourned the meeting at 8:35 PM.

MINUTES SUBMITTED BY: Beverly Wright Caruso

Previous Action Items

- ☐ Safety/Parking Committee - will look into the situation of the red SUV parking on the sidewalk.
- ☐ Bev Caruso will do a summary of emails with Gary Carpenter
- ☐ Peggy Summers will identify if we have funds to photocopy or print the newsletter commercially.
- ☒ Newsletter items for Bev Caruso: Owners get a notice from Comanco once a late fee has been assessed; Home owners need to keep their own trees trimmed. Permanent item about Direct Debit to pay assessments

New Action Items

- ☐ Insurance Update - put letter from Elmore and mail from Gary Carpenter in the newsletter.
- ☐ Peggy will ask Gary Carpenter how much our premium would be reduced if deductible increased.
- ☐ Joe will forward Tot Lot sign proof to Nancy Miller for her review and to see about changing the font.
- ☐ Nancy Miller will take a picture of our existing sign for dog station and send it to her contact.
- ☐ Joe will review and report to the Board the details of the Sierra contract regarded watering new trees and guaranteeing or replacing dead trees.
- ☐ Comanco will send a request to all off-site owners if we don't receive the lease within the next 30-60 days.

Motions/Other Actions Approved: None.

Motions/Other Actions Not Approved:

1. Board will forgo actively looking for another meeting location and continue to hold meetings at the police station.
2. Budget Committee need not be formed. Comanco will prepare a budget based on Board input after the audit results are received.

Important Dates: None.

Treasurer's Report 6.26.08

		YTD Actual	2008 Budget	
Income				
Assessments to 5.31.08	\$	98,884.36	\$	191,520.00
Expenses				
Grounds - Maintenance	\$	10,663.38	\$	30,000.00
Snow Pushing			\$	5,000.00
Improvements & Repairs	\$	2,576.52	\$	10,000.00
Attorney's Fees	\$	2,139.15	\$	1,000.00
Admin. Expenses	\$	1,986.43	\$	2,500.00
Management Fees	\$	13,542.80	\$	27,086.00
Street Lighting	\$	5,224.61	\$	12,000.00
Insurance F&L	\$	20,540.30	\$	47,600.00
Insurance Fidelity	\$	324.00	\$	424.00
Audit and Tax Filing	\$	225.00	\$	850.00
Insurance Deductible			\$	2,500.00
	\$	57,222.19	\$	138,960.00
Contribution to Reserves	\$	10,114.20	\$	20,228.33
Undesignated Equity	\$	41,662.17	\$	32,331.67
Reserve Fund Account	\$	20,328.77		

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
JULY 24, 2008 MINUTES**

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:10 PM at the Anne Arundel County Police Station, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Bev Caruso, Shelly Kemeza
- **COMANCO:** Lowell Thompson
- **Committee Chairs:** Peggy Donald (Newsletter), Alicia Smollon (Rules & Regs), Ken Via (Architectural Control and Landscape)
- **Owners/Renters:** Pauline Blume, Jim Allen

APPROVAL OF MINUTES: Reading of the June minutes was waived and the minutes approved as presented.

PRESIDENT'S REPORT: With Shelly's help and multiple visits by Lowell Thompson, the review of the Spring Inspection maintenance items for each residence is complete.

TREASURER'S REPORT: None.

OWNERS FORUM: None.

COMMITTEE REPORTS

- **Communications**
 - a. **NEWSLETTER:** Photocopied by Minuteman Press and they placed a full-page ad on the blank last page. We continue to get new addresses as a direct result of members seeing the request for contact info in the newsletter, bumping up the total to 103 email addresses.
 - b. **ROSTER:** Bev Wright Caruso gave Lowell Thompson copies of the main and offsite owner roster that she maintains for COMANCO'S use and reference.
- **Safety (Security/Parking)**
 - a. Shelly Kemeza advised as follows regarding security incidents, safety matters, and towing issues.
 - i. **INCIDENTS:** No security-related incidents or complaints had been reported since the arrest of a purported resident of a unit on Braxton Way. The arrest was reported in the Capital Gazette on July 19, 2008.
 - ii. **SAFETY/SECURITY:** Alicia Smollon is writing the letter to the owner of 3145 Solomon's Island Road to address the safety and security hazards present on the property.
 - iii. **TOWING SIGNS:** We are still waiting on towing company signs because the proof from the sign company was incorrect. If not correct by tomorrow at 5pm, Hooked Up Towing will contact another sign company. Joe Kolb asked Lowell Thompson if we need the signs up before we can put notices on cars. Lowell agreed that it would be best to wait until the signs are posted.
 - b. Alicia Smollon presented two letters to be sent out and a request for investigation. One letter is to the owner of a Braxton Way residence which has been the site of numerous disturbances, including problems associated with a purported resident of the unit who was arrested for assault. One letter was to District Representative Ed Reilly regarding the dilapidated property (3145 Solomon's Island Road) adjacent to Braxton Way. Alicia also presented a request for a Dept. of Planning and Zoning investigation on 3145 Solomon's Island. For our information, Jules Oaten, offsite owner of 209 Braxton Way, sent a similar request for investigation to the AACO Health Dept.
- **By-Laws (Rules & Regs):** Alicia Smollon recommended that if COMANCO does not start receiving leases from the offsite owners, then we need to send letters to these owners who are in violation of the By-Laws. However, Lowell Thompson noted that the letters need to state that, if we do not have a lease, we have to assume the unit is rented, which can negatively affect refinancing, when in fact these units are vacant second homes.

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
JULY 24, 2008 MINUTES**

- **Architectural Control & Landscaping**

- a. **MAINTENANCE REPORTS TO NEW OWNERS:** Ken Via asked Lowell Thompson if he got the email from a new owner who requested his Maintenance Report that he did not receive when he took possession on June 6, 2008. Ken also asked how a new buyer knows if there are any maintenance items. Lowell advised that after CondoCerts notifies COMANCO of any request by a seller for condo documents, the assigned property manager reviews the file for any liens or By-Laws violation (which includes Maintenance Report issues) and gives the certification to COMANCO staff to return to CondoCerts to be made a part of the condo package reviewed by the potential buyer.
- b. **TREES:** Ken also asked to revisit the issue about which trees are to be cut down. Joe Kolb advised that we don't have enough money to do all the trees, many of which have been on several reports over the years. Ken wants to go around with Joe to familiarize himself with all the tree issues. We have received one of two requested proposals to cut down trees. The next budget will have to include money to remove the trees presenting the greatest danger.

COMANCO-Lowell Thompson

- a. **AUDIT:** Presented a \$1500 bill from Jacobs & Jacobs, to be approved for the audit they conducted of our finances.
- b. **LOSS CLAIM:** The water damage loss claim for Units 32 and 34 Millhaven Court is going to exceed the association's policy deductible of \$2500. In fact, COMANCO/River Oaks has already received a check from State Farm for \$3300 out of a total of \$5000 that State Farm says that they will pay on the claim. State Farm will pay the \$1700 balance after evidence is presented that the repairs to the units have been made. Although Lowell was not planning to file a claim yet, State Farm said that, once they send an adjuster, the "claim is filed". Gary Carpenter, our State Farm Agent, says that is not the case, i.e., that River Oaks may or may not still file a claim. In connection with the claim, Lowell presented the bill from Service Masters for water damage work done at 32 Millhaven Court, just to show the cost so far is \$1766 plus carpet underlayment/padding. This bill would be paid out of the money paid to us by State Farm. However, Lowell will get an explanation from Gary Carpenter about the entire situation. Peggy Donald, owner of 34 Millhaven Court and a party to the claim, reported that she has already advised State Farm that she does not want to replace the entire floor, as estimated by State Farm, but only a portion of the floor. Lowell does not know the impact of that choice.
- c. **RETURNED MAIL:** Provided a copy of returned mail from two Braxton Way residences which the Board records show as accurate. Joe Kolb will contact the Post Office to advise that the addresses are correct for the party named.
- d. **VIOLATION NOTICE:** Revised a violation notice that already went out about a Recreational Vehicle parked in violation of the By-Laws, to clarify the violation and which By-Laws section applied.

UNFINISHED/OLD BUSINESS

1. **Signs for Tot Lot and Braxton Park:** Are posted and were able to be put up without needing to buy poles.
2. **Audit Proposal:** Meeting is scheduled with Jacobs and Jacobs to review Audit results.
3. **Maintenance Items:** Maintenance corrections in community have been reviewed.
4. **Rules & Regulations:** Discussion about the Exterior Lighting provision, including point requested to be raised by Peggy Summers concerning not prohibiting brass fixtures as replacement in kind. Board decided to retain the prohibition for reasons of uniformity in future replacement and because the brass does not hold up well. Section F, part 2, item c. about items prohibited in front yards will be split into two sentences for clarity, each with their own letter. Section C, part 2, item a, sentences regarding installed height and length and depth will be moved to opening paragraph. Section K is missing, so lettering will be changed. Bev Caruso will make Peggy Donald's proofreading corrections. Bev Caruso made a **motion to accept the revised Rules and Regulations**. Shelly Kemeza seconded. **Motion was passed by majority** vote of 4 in favor (including Jyl Dupont in absentia), 1 absent.

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
JULY 24, 2008 MINUTES**

NEW BUSINESS

1. **Doggie Stations:** Owner requested the Board to consider reinstating the two stations taken out and put into storage. Joe Kolb advised that the locations of each station were discussed at length, and the Board inquired with Pauline Blume, who services the stations, which stations were used and which were abused. The Board reviewed the request and declined to make any changes at this time.
2. **Maintenance Completion Letters:** Joe Kolb asked about how the Board wants the letters to be written to unit owners that did all, did some, or did nothing on their maintenance report. Board members present agreed to draft our own letter and give to COMANCO.

NEXT MEETING: August 28, 2008, at 7:00 p.m., at the Anne Arundel County Police Station, Edgewater, MD.

ADJOURNMENT: Joe Kolb adjourned the meeting at 9:02 PM.

MINUTES SUBMITTED BY: Beverly Wright Caruso

Previous Action Items

- ☒ Insurance Update - put letter from Elmore and mail from Gary Carpenter in the newsletter.
- ☒ Joe will forward Tot Lot sign proof to Nancy Miller for her review and to see about changing the font.
- ☒ Nancy Miller will take a picture of our existing sign for dog station and send it to her contact.
- ☒ Joe will review and report to the Board the details of the Sierra contract regarded watering new trees and guaranteeing or replacing dead trees.
- ☐ Peggy Summers will ask Gary Carpenter how much our premium would be reduced if deductible increased.
- ☐ COMANCO will send a request to all off-site owners for whom we do not have leases if we do not receive a copy of a lease within the next 30-60 days as a result of the article in the newsletter.

New Action Items

- ☐ Lowell Thompson will get explanation from Gary Carpenter about claim for 32 and 34 Millhaven Court.
- ☐ Joe Kolb will contact the Post Office to advise that the Braxton Way addresses on some returned mail are correct for the parties named.
- ☐ The Board will draft its own letter to accompany the letters to owners regarding the follow-up on maintenance inspection items.

Motions/Other Actions Approved:

1. Accept the revised Rules and Regulations. Motion passed with 4 in favor (including one in absentia), 1 absent.
2. \$1500 bill from Jacobs & Jacobs for audit approved for payment by Joe Kolb, in the Treasurer's absence.

Motions/Other Actions Not Approved:

1. No change to the revised location of doggie stations.

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES**

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:10 PM at the Anne Arundel County Police Station, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Jyl Dupont, Peggy Summers, Bev Caruso, Shelly Kemeza
- **COMANCO:** Lowell Thompson
- **Committee Chairs:** Alicia Smollon (Rules & Regs), Ken Via (Architectural Control and Landscape)
- **Owners/Renters:** Pauline Blume, Melissa Bronnert, Margaret Korosec, Amy Hrick, April Goodson, Jen Mercurio, Barbara Kinney, Noel Turner
- **Guest Speaker:** The Hon. Edward R. Reilly, County Councilman, 7th District

APPROVAL OF MINUTES: Reading of the July minutes was waived and the minutes approved as presented.

PRESIDENT'S REPORT: Joe Kolb introduced Councilman Reilly and explained that the purpose for his attendance was to help the community try to resolve safety and security issues. The regular order of the meeting would be modified so that Councilman Reilly could address the meeting.

GUEST SPEAKER: Councilman Reilly advised that he had received the letter drafted by Alicia Smollon on behalf of the BOD asking for his assistance in resolving safety and security issues posed by a dilapidated property on Solomon's Island Road behind the fence on Braxton Way, and the less than enthusiastic response from the police to community reports of possible drug activity, vandalism, and disturbing the peace.

Reilly praised the community's efforts thus far, but strongly encouraged people to continue to contact the police and report ALL problems because the police are statistically driven, i.e., the more complaints they receive, the more aggressive they become in addressing the problems. Even if the police do nothing, the report goes into their database. Reilly senses that the police do a lot "behind the scenes" that we are not aware of, and this has been borne out by private conversations that he has had with the police as well as observations of citizens when raids take place. The police must keep their investigations closely held to avoid disclosure before they are able to act. Reilly hand-delivered a copy of the BOD's letter to Capt. William Krampf, Southern District Police Commander, and reported that Krampf was displeased to read about all the incidents because he thought that he was responding to our complaints. According to Reilly, we now have Krampf's attention and Krampf wants a private meeting with the Board to discuss confidential information. Reilly emphasized that we are to schedule a meeting with Krampf as soon as possible and that Reilly will attend.

Regarding the Solomon's Island Road property, Reilly explained that the inspection process that the BOD requested is underway, but it is a slow process between letters and court dates and a judge requiring the property owner to take action. Reilly may be able to influence the permit process and put some pressure on the county to act more quickly. We will give Reilly the telephone number of the owner of the Solomon's Island property.

Reilly also advised that the Crofton Meadows community has an excellent program in place to identify people with no legal residence in the community. If a person cannot provide proof of residency within the community, they are given a notice of trespassing, and if they trespass again, the community contacts the police who will arrest them. This has been effective, but not easy, and requires someone who can approach strangers. Reilly will give us the contact info for Percy Sussex, Past President of Greater Crofton Homeowners Association. Reilly suggested that Mr. Sussex might be a good speaker for one of the BOD meetings. Basically, we need to create an unfriendly environment here for troublemakers.

Lastly, Reilly suggested that if we have troublesome owners, we should ask them for their liability insurance policy numbers. Whether or not they respond is not important. What is important is that they have been informed that they will be held accountable.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

In closing his remarks, Reilly provided his phone number 410-222-1401 and encouraged us to contact his office if we feel that our efforts are not successful.

Questions/Comments from attendees:

1. Can the police assist us in actually serving our own notices of trespassing? No, the police won't do that. Reilly recognizes the risk and urges owners not to do this alone. However, we have a right to protect our community.
2. The police asked us to facilitate their ability to come onto our property to enforce the law. We have removed benches, put up signs, made phone calls, shoo people away. It's frustrating for us when nothing more is done.
3. A resident who lives near the River Oaks rental unit which has been the subject of multiple complaints and police activity advised that they still feel very uncomfortable in their own home. Possible drug activity is no longer seen outside this unit, as opposed to before the arrest of "Davy" Josselyn, when common indicators of illegal activity were observed taking place in front of the unit. However, the resident now observes a high volume of non-resident visitor traffic in and out of the unit.
4. One resident referenced that the son of the owner of the rental unit takes care of the owner's affairs and if the owner is not responsive to the BOD's letter to remove the offending tenant, maybe we should contact the son. In response, Joe Kolb advised that he had left a phone message at the owner's offsite residence and was notified by the property manager that the owner had just returned to the area after being gone for a number of months and had received Joe's message. However, the owner has not seen the letter and information package yet.
5. Joe Kolb also sees that the teenagers are now using the Enclave as an entrance into our community because the fence they previously broke through to come into the community has been reinforced.
6. Alicia Smollon gave an update on Josselyn's legal status. Bail hearing is scheduled for tomorrow at Circuit Court, Church Circle, 9 am. Alicia talked to the state's attorney office and provided her with the myspace.com website pictures showing possible illegal activity. Alicia also emailed her the name of the underage girl who is a resident of the River Oaks unit cited by Josselyn as his residence.
7. Residents are concerned about retaliation if Josselyn is released. Alicia determined that Josselyn is not on the lease for the rental unit.
8. One resident expressed concerned about the foot traffic coming across the fence behind her residence on Braxton Way. She asked if she should call the police every time this activity is observed. Reilly advised YES, and to provide a physical description. Again, police are statistically driven, so the police NEED to be called.
9. Joe Kolb talked about stolen bike situation and prevalence of bikes being found behind a Millhaven Drive unit. Unfortunately, the police do not have a bike tracking system. Joe and Reilly recommended that we raise this issue with Krampf.

OPEN FORUM: There were no comments on other issues.

TREASURER'S REPORT: Report accepted as presented. See end of the minutes for balances and projected budget overruns and under runs.

- **Income (Dues) Update:** The delinquent account balance has been reduced by 50%. We have \$3,452 in outstanding assessments and \$2,825 in uncollected fees (attorney fees, late fees and collection admin. fees.) This is real success

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING

AUGUST 28, 2008 MINUTES

and proof of the effectiveness of the collection policy. Four Unit Owners are in collection with Neall and Associates. One unit owner has breached her payment plan agreement and because there are already several liens on this property I recommend we collect through district court. The three other unit owners are in the lien process. We still have one bankruptcy account with Elmore and Associates. The bankrupt unit owner continues to pay the post petition dues for 2008. See attached status reports from the attorneys and COMANCO for more information on accounts in collection.

- **Expense Update:** An evaluation of the projected expenses for the balance of 2008 indicates we are still tracking to set aside at least \$20K in undesignated equity to the reserve fund. When added to the budgeted reserves of \$20,228 and the beginning reserve balance at 1/1/08 of \$10,000, River Oaks reserves at 12/31/08 should be about \$50,000. If the budget had been maintained in prior years the reserves would be about \$120,000 so we still need to maintain this aggressive reserve funding at least through 2013. Setting aside \$40,000 in one year was made possible by a 20% increase in unit owner assessments the board's efforts to restrain miscellaneous spending.
- Peggy Summers talked to COMANCO about signing Miscellaneous Expense checks without our authority as previously agreed. Doggie bags are the example of this Miscellaneous Expense where checks were issued without the BOD's approval.

COMMITTEE REPORTS

- **Communications – Bev Wright Caruso**
 - a. NEWSLETTER – No August newsletter.
 - b. WEBSITE - Updated to include plats for all 35 sections and 6 overview plats. Still working out the procedures for enlarging and printing. Testing a new style 'Community Links' page as a result of an enhancement by Freewebs hosting service. Home Resource information page was significantly updated with additional information, much of it received from homeowners, including a report on the average life expectancy of home components.
 - c. Currently have email addresses for 113 residences up from 103 last month. This includes 15 of 43 off-site owners.
- **Safety (Security/Parking) – Shelly Kemeza:** Will be discussed under New Business.
- **By-Laws (Rules & Regs) – Alicia Smollon:**
 - I. We are having difficulty with window AC units in 2 houses on Millhaven Court and one house on Braxton Way. Currently, we are looking at the Rules & Regs and By-Laws to determine if we can force the removal of the AC units. One unit on Millhaven Court not only has a window AC unit in the back of the house but also has tin foil lining the windows. The other unit has a dark colored article of clothing or blanket stuffed in the window to seal the window opening not covered by the AC unit.

A. By-Laws Article VIII, Section 6 (Owner's responsibility to maintain AC Unit)

1. "The Owner of the condominium Unit shall repair and replace his Unit and shall maintain his Unit in good order, condition, and repair...."
2. "... The Owner of any Condominium Unit shall at his own expense maintain, repair, or replace any ..., heating and air conditioning equipment, whether within or without the Unit so long as it serves his Unit...."

I believe that this means that without a working AC unit, the BOD can force the owner to repair the unit, which will work to better the whole community for a variety of reasons by fines and advance notice of refusal to provide a Certification of Compliance.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

- a. Gets rid of the need for the window AC unit
- b. Will help with the extraordinarily low resale value that negatively affects all unit owners

B. By-Laws Article X, Section 3(l) (Units neat and orderly)

- 1. "The Units ..., must be kept in an orderly condition so as not to detract from the neat appearance of the community."
- 2. "The BOD, in its sole discretion, may determine whether or not Units and Limited Common Elements are orderly."

C. By-Laws Article X, Section 3(n) (Temporary Structures)

- 1. "No structure of a temporary character,..., shall be maintained upon any Common Element"
(Probably not much help with AC units)
- 2. "No bird feeders, bird baths, clothing, laundry or the like shall be hung from any part of any Unit"

D. Architectural Rules and Regulations K. (Window Drapes & Curtains)

- 1. "Any window curtains must be lined with white or off-white lining or must be white or off-white in color so that any outside viewer will only see the color white or off-white at the window."
- 2. "All ... replacement windows must contain white grids of the same style as originally presented during the construction by the builder."

II. Recently there have been discussions about inspections of 2 rental units due to concerns regarding safety – there was a fire on the deck of 1 unit and there is evidence of illegal activity in the 2nd residence.

A. By-Laws Article VIII, Section 8 (BOD Inspection Access)

- 1. "The BOD shall have an irrevocable right ... to enter the Condominium Units for the purpose of making repairs to the General and Limited Common Elements when the repairs are reasonably necessary for public safety or to prevent damage to other portions of the Condominium project."
- 2. "No entry ... for the purposes specified in this section shall be considered a trespass."

II. We have requested that all unit owners provide copies of leases and so far none have done so. All of the rented units are of particular concern to be sure that we do not have an excessive number of rented units which would be prohibitive in obtaining mortgages. There is also a security issue in knowing who is living in the community and in particular units.

A. Violations of the Rules, Section 3:

- 1. Notice to Unit Owner which complies with Md. Code Ann., Real Property, § 11-113 including 10 days to abate the problem without sanctions.
- 2. If no resolution, then set executive session hearing.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

3. If no resolution, and the BOD finds that a violation has occurred, and proper notice requirement have been met, then max fine of \$100 for each violation or \$25 per day for each continuing violation.

B. With regard to two rental units on Braxton Way and one on Millhaven Drive owned by the same person, both the owner and the property manager have been forwarded a written request that the owner address several issues, including the lease provision. At this point, I am recommending that we advise the owner and property manager of our intention to institute fining procedures for failure to comply, and perhaps for the noxious activity which occurred at the Braxton Way unit.

C. I am also suggesting that we send the 10-day notice to all owners who have failed to provide a copy of the leases. We've been putting the provision out there for them since the May 23rd meeting. It's been in the Lamppost. **Bev Caruso and Alicia Smollon will put a notice in the newsletter about fine per incident/per day.**

IV. The Parking & Safety Committee has renewed its efforts with regard to parking on Millhaven Court only.

A. Article XVII (Parking Spaces)

1. "All parking areas within the Condominium regime, except garages ... and driveways, shall be considered part of the General Common Elements (GCE)."

2. "Parking on the GCE may be regulated by the BOD and may initially be assigned by the Declarant and thereafter by the BOD."

3. Parking spaces may be assigned only to Unit Owners who have neither a garage nor driveway attached to their Unit."

4. ".... The BOD shall assign a maximum of 2 spaces per unit...."

5. Parking space assignments may be changed from time to time by the BOD as they determine to be in the best interests of the Association and its Unit Owners."

6. "No Unit Owner shall invite, encourage or permit the use by his guests of parking spaces on the GCE assigned to Units other than his own."

7. "... Unassigned spaces or spaces designated for general use may be used on a first come, first serve basis."

- **Architectural & Landscaping:**

a) **MAINTENANCE INSPECTION CORRECTIONS:** Ken Via is responding to 4 notices of correction of maintenance inspection items. He has completed checks on 3 of the 4 notices. As he verifies correction of the items reported by the owners, he is also reviewing all of the discrepancies listed on the original inspection reports from May 10th for that particular unit, and will make recommendation to the BOD regarding that owner's compliance progress. Upon verification of correction of all spring inspection report discrepancies for a particular unit, that unit's owner will be notified by either by email, hand delivery, or by the U.S. Postal Service.

b) **ARCHITECTURAL CHANGE APPLICATIONS:** Ken Via is responding to an owner's email requesting advice on landscaping in the front of their units. Ken's response will include a request to submit an Architectural Change Application before any reconfiguration of the landscaping is conducted.

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES**

COMANCO

- a) **BI-WEEKLY PROPERTY TOUR:** Planned on beginning after the maintenance violation cycle is completed. The Board wants the tours done on a bi-weekly basis per the contract. Any maintenance or architectural control violation letters sent out by COMANCO should be sent Certified/Return Receipt Requested.
- b) **ISSUES NEEDING ATTENTION:** Budget proposal should be ready by Tuesday at the latest.

UNFINISHED/OLD BUSINESS

- 1. **Trees:** Jyl, Shelly, and Joe have identified the most problematic trees. We have only heard from Bartlett. Jennifer Mercurio will provide contact information for Arborquest Trees as she knows these people. **Motion to accept the recommendation of the Tree Committee to remove Priority 1 trees.** Bev seconded. Discussion: Get a second bid. Of the four that were requested to give bids, we only have a current bid from Bartlett Tree Service. Regarding stump grinding, what about Stump Grinder for the stumps. Can we split the work? **Motion tabled.**

NEW BUSINESS

- 1. **Millhaven Court Parking:** Shelly Kemeza **made a motion to assign 1** parking space per non-garage unit on Millhaven Court (Plan B), to leave 29 spaces unassigned, and mark 12 spaces as Visitor, as proposed at the August 27th community meeting. Bev Caruso seconded. The **motion passed** with 4 votes. One BOD member was not present.

NEXT MEETING: September 25, 2008, 7:00 p.m., at the Anne Arundel County Police Station, Edgewater, MD.

ADJOURNMENT: Joe Kolb adjourned the meeting at 9:15 PM.

MINUTES SUBMITTED BY: Beverly Wright Caruso

Motions/Other Actions Approved:

- 1. Motion approved to assign one parking space per non-garage unit owner on Millhaven Court (29 spaces), to leave 29 spaces unassigned, and to mark 12 spaces for "Visitor" parking.

Motions/Other Actions Not Approved:

- 1. Motion tabled to accept Bartlett's Tree Service contract in order to see if we can get one more bid from Arborquest.

Previous Action Items

- ☒ Peggy Summers will ask Gary Carpenter how much our premium would be reduced if deductible increased.
- ☐ Comanco will send a request to all off-site owners if we don't receive the lease within the next 30-60 days.
- ☐ Need explanation from Gary Carpenter about claim for 32 and 34 Millhaven Court.
- ☐ Joe Kolb will contact the Post Office to advise that the Braxton Way addresses on some returned mail are correct for the party named.
- ☒ The Board will draft its own letter to accompany the letters to owners regarding the follow-up on maintenance inspection items.

New Action Items

- ☐ Bev Caruso will put a notice in the newsletter about fines per rules violation incident/per day or per occurrence.

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES**

Treasurer's Report 8.28.08

	YTD Actual	2008 Budget	Projected Over/Under
Income			
Assessments to 8.31.08	\$ 137,931.00	\$ 191,520.00	\$ (7,000.00)
Expenses			
Grounds - Maintenance	\$ 22,995.76	\$ 30,000.00	\$ (5,000.00)
Snow Pushing		\$ 5,000.00	
Improvements & Repairs	\$ 3,977.67	\$ 10,000.00	\$ 3,000.00
Attorney's Fees	\$ 2,236.65	\$ 1,000.00	\$ (3,000.00)
Admin. Expenses	\$ 3,433.55	\$ 2,500.00	\$ (1,500.00)
Management Fees	\$ 18,057.20	\$ 27,086.00	
Street Lighting	\$ 7,011.75	\$ 12,000.00	\$ 1,000.00
Insurance F&L	\$ 30,548.03	\$ 47,600.00	\$ 7,000.00
Insurance Fidelity	\$ 324.00	\$ 424.00	\$ 100.00
Audit and Tax Filing	\$ 1,725.00	\$ 850.00	\$ (3,000.00)
Insurance Deductible		\$ 2,500.00	
	\$ 90,309.61	\$ 138,960.00	\$ (1,400.00)
Contribution to Reserves	\$ 13,485.60	\$ 20,228.33	
Undesignated Equity	\$ 47,621.39	\$ 32,331.67	\$ (8,400.00)
Reserve Fund Account	\$ 23,700.17		\$ 23,931.67

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

River Oaks Condo Association e-mail relative to electronic voting to approve minor changes to revised Rules and Regulations approved at July, 2008 Board meeting. This is to be attached to the August 2008 meeting minutes.

Respectfully submitted,

Beverly Wright Caruso, Secretary

Date Compiled and added to minutes: 10/26/2008

From: Bev Wright [bev.wright@verizon.net]

Sent: Friday, July 25, 2008 12:04 AM

To: 'Alicia L. Smollon'; 'Peggy Donald'; 'dance4673@comcast.net'; James R Allen (letjimdoit@comcast.net); 'Dupont, Jyl (jyl.dupont@frb.gov)'; 'Kolb, Joseph (kolbjoe@comcast.net)'; Shelly A Kemeza (shellykemeza74@gmail.com); 'Summers, Peggy (p.summers1@gmail.com)'

Subject: Rules & Regulations-Revised 07.24.08

Attachments: Architectural Rules and Regulations 7.24.08.doc

Attached is the latest revised set of Rules & Regulations that was approved after discussion at tonight's Board meeting. Please review it one more time to make sure that I got the corrections (highlighted in yellow and noted below) and reply with confirmation of receipt.

Aside from punctuation and style changes made by Peggy Donald, and renumbering L, M, and N to K, L, and M, changes are:

C.2. Location and Size (of Sheds): Dimensions moved up into opening paragraph.

F.2. Gardening and Landscaping: Previous item "c" was split into "c" and "d" for clarity.

M.1. The word "approved" was added to the last sentence for clarity. (Peggy Donald suggestion noted on her mark-up copy, not discussed at meeting.)

Peggy Summers - we discussed removing the prohibition of brass fixtures as replacements. While the Board understands that it would not know if someone replaced their brass fixture with an identical one, the Board did not want to encourage or permit people to do so because it would perpetuate non-uniformity and the fact is that the brass fixtures tarnish easily and do not look good if not well-maintained, while the black ones retain their appearance and are in keeping with the style of the community. Therefore, that portion was ultimately not changed.

Bev

Bev Wright Caruso, Secretary

River Oaks Condominium Association

www.riveroakscondos.webs.com <<http://www.riveroakscondos.webs.com/>>

215 Tilden Way

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

703-606-2209 (cell); 202-324-2367 (work)
bev.wright@verizon.net

From: Joe Kolb [kolbjoe@comcast.net]
Sent: Friday, July 25, 2008 8:12 AM
To: 'Bev Wright'
Subject: you know what we forgot?

Bev you know what we talked about but forgot to insert? Ponds in the front yards or exposed in unfenced areas.

From: Bev Wright [bev.wright@verizon.net]
Sent: Friday, July 25, 2008 9:27 AM
To: 'Joe Kolb'
Subject: RE: you know what we forgot?

Hmmm.....how about if I just insert that with fountains and birdbaths? Check it out with everyone. I have not sent to Lowell yet.

From: Joe Kolb [kolbjoe@comcast.net]
Sent: Friday, July 25, 2008 9:35 AM
To: 'Bev Wright'
Subject: RE: you know what we forgot?

Just got off the phone with Jyl and she remembered that we had discussed it and is in agreement and I would believe that Peggy and Shelley would be as well given existing circumstances. Putting the word ponds along with birdbaths etc is perfect.

From: Alicia L. Smollon [asmollon@aol.com]
Sent: Friday, July 25, 2008 5:42 PM
To: kolbjoe@comcast.net; bev.wright@verizon.net; PeggyDonaldEmail@aol.com; dance4673@comcast.net; letjimdoit@comcast.net; jyl.dupont@frb.gov; shellykemeza74@gmail.com; p.summers1@gmail.com; bill.moseley01@gmail.com
Subject: Re: Updated for minor corrections and addition of PONDS

OK - folks - lets consider doing an e-mail vote from the BOD on the last round of adjustments with a copy of the e-mail votes attached to the minutes so nobody gets hinky with the validity of the rules at a later, inconvenient date.

Alicia

From: Bev Wright [bev.wright@verizon.net]
Sent: Friday, July 25, 2008 5:49 PM
To: 'Alicia L. Smollon'; 'kolbjoe@comcast.net'; 'PeggyDonaldEmail@aol.com'; 'dance4673@comcast.net'; 'letjimdoit@comcast.net'; 'jyl.dupont@frb.gov'; 'shellykemeza74@gmail.com'; 'p.summers1@gmail.com'; 'bill.moseley01@gmail.com'

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

Subject:RE: Updated for minor corrections and addition of PONDS

Joe, perhaps you can start some kind of shorter mail, or use this one.
I'm in favor of the changes.

Thanks. Bev

From: Joe Kolb [kolbjoe@comcast.net]
Sent: Friday, July 25, 2008 5:53 PM
To: 'Bev Wright'
Subject:RE: Updated for minor corrections and addition of PONDS

I just emailed Alicia asking why. We voted on the changes last night. Seem redundant to me. I have no problem doing it, but it seems unnecessary. Or am I missing something?

From: Joe Kolb [kolbjoe@comcast.net]
Sent: Friday, July 25, 2008 5:57 PM
To: Beverly Wright; Jyl Dupont; p.summers1; shellykemeza74@gmail.com
Subject:FW: Updated for minor corrections and addition of PONDS

Please take one last look at the adjustments and register your vote.

Bev - . I'm in favor of the changes. Thanks. Bev
Joe - I am in favor of the changes. I vote yes.
Jyl -
Peggy -
Shelley -

Please register your vote and return,

Thanks
Joe

From: Bev Wright [bev.wright@verizon.net]
Sent: Sunday, July 27, 2008 7:54 PM
To: 'Joe Kolb'
Subject:RE: Updated for minor corrections and addition of PONDS

The additions of "ponds" is a big change, one that should be voted on, to be 100% sure that no BOD member will suggest that a change was pushed through without a vote, even a change that all BOD members can be counted on to agree to....just a precaution.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

From: Joe Kolb [kolbjoe@comcast.net]
Sent: Monday, July 28, 2008 10:20 AM
To: Beverly Wright
Subject: Re-affirm the completed R&R's

Would you be so kind as to send out to each BOD a revised and final copy of the new R&R's so that they may read and affirm their vote on the document? Would appreciate it.

Joe

From: Bev Wright [bev.wright@verizon.net]
Sent: Monday, July 28, 2008 8:28 PM
To: 'Joe Kolb'
Cc: 'Jyl Dupont'; 'p.summers1@gmail.com'; 'Shelly Kemeza'
Subject: RE: Re-affirm the completed R&R's

Attachments: Architectural Rules and Regulations-7.25.08.doc

here is the final copy of the rules and regs.

From: Bev Wright [bev.wright@verizon.net]
Sent: Monday, July 28, 2008 11:39 PM
To: 'kolbjoe@comcast.net'
Subject: RE: Thank you

Joe - this is the message I want to send out. I've added some words and phrases to your basic thoughts, including a statement that they were approved and will be distributed soon. Of course, I will post on the website once the Board has reaffirmed the revised version. Just tell me if this is OK to go to the email group. Bev

I would like to take this opportunity to send a very heartfelt Thank You to everyone, including those unit owners and residents who came to our hearing to express their thoughts, feelings and concerns, for your contribution to the project to revise and update the Rules and Regulations. Some spent enormous amounts of their free time and others may have been involved only slightly. This undertaking would have not been possible without whatever amount you personally contributed.

The new Rules and Regulations for River Oaks, which were approved at the July Board meeting and will be distributed shortly, are the culmination of countless hours and many fiery and passionate debates. But it takes some "heat" to forge a good product. We now have that good product. Some folks will disagree with some part or another. There is no way we can please everyone. What we accomplished was to make the rules fair and understandable. Like everyone who worked on this project, I feel I

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING

AUGUST 28, 2008 MINUTES

lost more than anyone else on those issues that were important to me.
It was not, however, what was important to "me", but what was best for
the community.

Thanks to all,

Respectfully,

Joe Kolb
President.

From: Jyl.Dupont@frb.gov
Sent: Tuesday, July 29, 2008 8:25 AM
To: Joe Kolb
Cc: Beverly Wright; p.summers1; shellykemeza74@gmail.com
Subject: Re: FW: Updated for minor corrections and addition of PONDS

Me too! Also, pls change the "Rules Revised" date to today? yesterday? I
think it definitely should not be the 24th.

Love ya!

Me

Jyl A. Dupont
Consumer Financial Services Analyst
Division of Consumer and Community Affairs
Federal Reserve Board
Washington, DC 20551
202-452-2095

Please take one last look at the adjustments and register your vote.

Bev - I'm in favor of the changes. Thanks. Bev

Joe - I am in favor of the changes. I vote yes.

Jyl -

Peggy -

Shelley -

Please register your vote and return,

Thanks

Joe

From: Bev Wright [bev.wright@verizon.net]
Sent: Wednesday, July 30, 2008 3:08 AM
To: 'Jyl.Dupont@frb.gov'; 'Joe Kolb'
Cc: 'p.summers1'; 'shellykemeza74@gmail.com'

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

Subject: RE: FW: Updated for minor corrections and addition of PONDS

Re the revised date, we did vote on it at the Board meeting on the 24th, and this second affirmation is for only one word, PONDS, so maybe we can compromise and say "July 2008"?

From: Joe Kolb [kolbjoe@comcast.net]
Sent: Wednesday, July 30, 2008 11:25 AM
To: 'Bev Wright'; Jyl.Dupont@frb.gov
Cc: 'p.summers1'; shellykemeza74@gmail.com
Subject: RE: FW: Updated for minor corrections and addition of PONDS

Bev we have not heard the votes from Shelly and Peggy on the modifications.

Joe

From: Shelly Kemeza [mailto:shellykemeza74@gmail.com]
Sent: Wednesday, July 30, 2008 11:59 AM
To: Joe Kolb
Cc: Bev Wright; Jyl.Dupont@frb.gov; p. summers1
Subject: Re: FW: Updated for minor corrections and addition of PONDS

I am still fine with my vote of YES to the new Rules and Regs.

-----Original Message-----

From: Bev Wright [mailto:bev.wright@verizon.net]
Sent: Wednesday, July 30, 2008 12:09 PM
To: 'Joe Kolb'; Jyl.Dupont@frb.gov
Cc: 'p.summers1'; shellykemeza74@gmail.com
Subject: RE: FW: Updated for minor corrections and addition of PONDS

In this case, we know their position on the issue of ponds, so I think we can go forward. Just give me the date you want to appear.

-----Original Message-----

From: Joe Kolb [mailto:kolbjoe@comcast.net]
Sent: Wednesday, July 30, 2008 12:36 PM
To: 'Bev Wright'
Subject: RE: FW: Updated for minor corrections and addition of PONDS

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

Effective date August 1, 2008

From: p.summers1 [p.summers1@gmail.com]
Sent: Wednesday, July 30, 2008 4:36 PM
To: Joe Kolb
Cc: bev.wright@verizon.net; Shelly Kemeza; Jyl Dupont
Subject: Re: FW: Updated for minor corrections and addition of PONDS

Jyl, Bev, Joe, Shelly,
Since you already voted and had enough votes to pass the rules w/out me I hope you are all OK that I abstain from the e-vote. I realize its *petty* in the big picture but I object to the following:

I don't agree that (2) post lamps were approved. The only post lamp on record as being approved is the "mini". This board affirmed that vote. Like I said before, no offense to Joe, but his lamp is not as attractive as one might like to see in this community. I think we should vote on a new lamp. I also think we must allow people to replace their lamp "in-kind" under maintenance required by By-laws.

I also don't like patio furniture and figurines being approved for front yard use. *Landscape *furniture and figurines might be OK with ACC approval but that would be the most I'd approve. Excluding plastic furniture still allows all kinds material and styles.

Other than those items I think the new rules are very useful and I thank everyone for the tremendous effort. I'm not trying to be argumentative or nasty by not voting, so *PLEASE* *NO* HATE E-MAIL. I just don't feel comfortable with the 2 items noted above and the BOD already approved the Rs&Rs at the meeting anyway.
Peggy

From: Joe Kolb [kolbjoe@comcast.net]
Sent: Thursday, July 31, 2008 6:36 PM
To: 'Bev Wright'; Jyl.Dupont@frb.gov; 'Jyl A. Dupont (E-mail)'; 'Shelly Kemeza'; 'p.summers1'; 'Kenneth D Via '; 'Alicia L. Smollon'
Subject: Rules and Regs transmittal to Lowell.

Bev, since we now have an e-vote affirming the R&R changes, would you be so kind to email a copy of the new R&R's along with the letter we want to accompany them over to Lowell so he may get it scheduled for distribution. Please send it return receipt requested to Lowell. We might want to email Jim Faust and Michael Neall as well for their files. Can you think of any one that I missed? Does G Carpenter need one?

Thanks Joe

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

From: Bev Wright [bev.wright@verizon.net]
Sent: Friday, August 01, 2008 12:48 PM
To: Lowell Thompson (136@comancoinc.com)
Cc: 'Peggy Donald'; Kenneth D Via (dance4673@comcast.net); 'Alicia L. Smollon'; Jim Faust (116@comancoinc.com); 'michaelneall@verizon.net'; 'Dupont, Jyl (jyl.dupont@frb.gov)'; 'Kolb, Joseph (kolbjoe@comcast.net)'; Shelly A Kemeza (shellykemeza74@gmail.com); 'Summers, Peggy (p.summers1@gmail.com)'
Subject: River Oaks-Cover Letter & New Rules & Regulations

Importance: High

Attachments: Architectural Rules and Regulations-08.01.08.pdf; River_Oaks-Letter for R&R.pdf

Lowell - please distribute the attached updated River Oaks Rules & Regulations and cover letter to our owners as soon as possible.

Mike - attached are for info, for your River Oaks file.

Thanks.

Bev Wright Caruso, Secretary
River Oaks Condominium Association
www.riveroakscondos.webs.com <<http://www.riveroakscondos.webs.com/>>
215 Tilden Way
703-606-2209 (cell); 202-324-2367 (work)
bev.wright@verizon.net

From: Bev Wright [bev.wright@verizon.net]
Sent: Tuesday, August 05, 2008 1:56 AM
To: 'Beverly Wright Caruso'
Cc: Lowell Thompson (136@comancoinc.com)
Subject: River Oaks website updated for revised Rules & Regs

Hi - this is to let you know that the updated Architectural Rules and Regulations (R&R's), along with a cover letter to unit owners, have been posted to <http://riveroakscondos.webs.com/condoinsurancedocs.htm>. The updated R&R's, effective August 1, 2008, and cover letter will also be mailed to owners this week. These R&R's supersede the R&R's contained in the original Declaration.

Regards,

Bev Wright Caruso, Secretary
River Oaks Condominium Association
www.riveroakscondos.webs.com <<http://www.riveroakscondos.webs.com/>>
215 Tilden Way

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
AUGUST 28, 2008 MINUTES

703-606-2209 (cell); 202-324-2367 (work)
bev.wright@verizon.net

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
SEPTEMBER 25, 2008 MINUTES

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:10 PM at the Anne Arundel County Police Station, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Bev Caruso, Shelly Kemeza, Peggy Summers. Jyl Dupont was not present.
- **COMANCO:** Lowell Thompson
- **Committee Chairs:** Alicia Smollon (Rules & Regs)
- **Owners/Renters:** Pauline Blume, Shirley Sauve, Rose Meale, Noel Turner, Nancy Miller.

APPROVAL OF MINUTES: Reading of the August minutes was waived and the minutes approved as presented.

PRESIDENT'S REPORT:

1. Meeting with Capt Krampf - There has been an increased police presence since the BOD met with Capt. Krampf. While on foot in the community, Joe Kolb incidentally met with Capt. Krampf and a discussion ensued about identifying persons who do not belong in the community. Capt. Krampf referenced a law that if there is a sidewalk, people must use it, so the police cited one teenager recently for walking in the street near the Tot Lot. The police will also be enforcing county laws re speed limit. Joe previously asked Ed Reilly to look into reducing the speed limit to 15 mph comparable to the Landings. Homeowner Jill Sauve reportedly saw people going around the circle the wrong way.
2. River Oaks Property Line - Discussion about where our property line is compared to where the Landings property line is. Peggy Summers suggested that the property plats posted on the River Oaks website might have that information.
3. Priority 1 trees have been cut down. The tree at end of Braxton has been cabled.

TREASURER'S REPORT:

1. Report accepted as presented. See end of the minutes for year-to-date income/expense report with projected overruns/underruns.
2. **Income (Dues) Update:**
 - a. We have \$3,560 in outstanding assessments and \$2,884 in uncollected fees (attorney fees, late fees and collection admin. fees.) This totals \$6,445 owed to River Oaks by unit owners. All but \$1000 is owed by five unit owners in differing stages of litigation.
 - b. Neall and Associates recorded property liens on three of the four units they control for collection. The forth unit was sold at foreclosure and bought back by the bank. There were no proceeds to pay the \$588 in outstanding dues and legal fees therefore we will have to write off this debt and start collecting from Deutsche Bank, the new owner. The unit owner who breached their payment plan agreement this summer had a 4th lien placed (2005, 2006, 2007 and now 2008). We are starting the process of filing suit for collection in district court.
 - c. The unit in bankruptcy being handled by Elmore and Associates was scheduled to be sold by the bank today. It is undetermined what if any funds will be left to pay off the \$1855 debt owed by the unit owner.
 - d. Finally, the Treasurer recommends that a late fee reminder be placed in the newsletter because too many people are getting fined \$15 for making late payments and then not paying the fine. Collecting the late fees has become burdensome.
3. **Expense Update**
 - a. We are still operating well within our overall budget and are scheduled to set aside at least \$20K in undesignated equity to the reserve fund.

COMMITTEE REPORTS

- **Communications**

- a. NEWSLETTER photocopied by Nancy Miller, Minuteman Press, and Minuteman placed a 3/4 page ad on the blank last page. In addition, Nancy is commended for producing the newsletter on one 11x17 paper that is folded book-style, which presents a neater, more professional appearance over the stapled pages style. We continue to get new contact info via the web form and direct email as a result of members seeing the request for contact info in the newsletter, bumping up the total to 123 email addresses.
 - b. WEBSITE: Nothing new since last month.
- **Safety (Security/Parking):** Shelly Kemeza reported that Millhaven Court Parking will be painted. The contract from Standard Striping was missing the payment terms page, so we can't sign it until then, but the previous email vote was unanimous in favor of Standard Striping.
 - **By-Laws (Rules & Regs):** Alicia Smollon reported that, despite our best efforts for several months to get the word out and get folks in compliance. COMANCO has received possibly only three leases from the 41 off-site owners of record. Thus, we have no idea of the real number of rentals (because some offsite owners may not be renting their properties) or who is supposed to be living in River Oaks. As a last-ditch effort, I suggest that the BOD **seriously consider utilizing the fining procedure**. I **recommend that we develop a form letter** to send to each offsite owner giving them a drop-dead date to provide the lease if they are renting their unit or we will start the fining procedure (as a method to ensure that off-site owners are properly motivated). We **need to ensure that the letter comports with the initiation requirements of the fining procedure** to make sure we get the most impact for our expenditure. I also suggest that, since we would be creating a new form letter, the BOD may also want to consider **sending the same letter** to the few recalcitrant **homeowners who have done nothing in response to the maintenance notice** or those who have the more egregious **maintenance violations**.
 - **Architectural & Landscaping:** Since the August Board Meeting, it has been a busy Month for the AC&L Committee:
 - a. Only one ACA has been addressed, at 224 Tilden Way, with recommendations for approval with conditions on the items that qualify for ACA submission.
 - b. Maintenance Inspection discrepancies or discrepancy corrections were addressed at 20 and 60 Millhaven Ct, 242, 244, and 248 Tilden Way, 276 Braxton Way, and 2121, 2129, and 2130 Millhaven Drive with recommendations provided to the BOD. I may have missed a couple for accounting purposes from this list.
 - c. At least two tenant questions were answered by either email or phone.
 - d. Tree removal inspections with prospective contractors, and review of tree removal contracts took the spotlight.
 - e. A new menace, a possible Borer Miner invasion into some of our younger trees, was spotted by a tenant who sought advice from the Homestead Gardens horticulturalist. The tenant was provided a treatment regimen. Further inspection of a dozen or more trees around the entrance and Tot Lot area, as well as selected other areas in the complex, have resulted in similar deterioration either just beginning, or well underway. I took pictures of many such incidents, forwarded a few to Joe Kolb, President, who contacted Bartlett Tree service for advice and a possible inspection.

COMANCO

1. Bi-weekly Walk-Through: Lowell Thompson cannot get to all sections of the community at one time. If there is a complaint, he comes out to look at it. Lowell enjoys coming out to the property, but he has time constraints. Lowell says that Jim Faust is telling him not to do bi-weekly inspections. Joe will look into this with Jim Faust.
2. 224 Tilden called and wanted to know what was holding up her Architectural Change Application (ACA). Wants to install and remove some trees, and Ken wants to talk to the owner about placement of some of the trees. Other than that, ACA is approved.

OPEN FORUM

1. Shirley Sauve - 164 Tilden Way - very upset about her 5 neighbors who don't cut their grass. One neighbor throws trash off the balcony and they leave dog waste in the common area. She wants something done about this. Joe has already been in contact with Bob Culver, the manager for 2151 Millhaven Drive, who assured Joe that these problems are being addressed. Peggy is going to call Planning and Zoning to request an inspection of the deck that had the fire.

2. Rose Meale - her neighbors are feeding squirrels. Put note in the newsletter and Comanco will write a letter to 253 Tilden about no bird feeders because the seed attracts the squirrels which have caused damage to her property.

UNFINISHED/OLD BUSINESS

1. Many folks have not completed their projects. The Board will assemble the information into a database/spreadsheet and bring back a report to the next meeting.

NEW BUSINESS

1. **Budget 2009 preparation:** Peggy Summers still needs to get landscaping contract and insurance bids. Joe Kolb got a proposal for 2009 from Sierra, but he has not had a chance to review it. Lowell Thompson needs a budget to mail out by 10/17/2008. Discussion about amount to raise the dues.
2. **Elections 2009 preparation:** Joe Kolb - only one BOD position is up for election. COMANCO will send out a letter for nominations.
3. **Fence maintenance Millhaven Ct, Braxton Way:** Joe Kolb - Fence behind MHC and behind Braxton are falling down. Need structural reinforcement. Do we want to erect an 8 foot fence? Future discussion.
4. **Clean up community Day Proposal:** Ken Via - not present to discuss.
5. **262 Braxton Way:** The end of the condensate drain pipe at this residence got dirt in it and blocked drainage, causing interior damage. The owner is claiming that Sierra covered the drain pipe with dirt. Joe Kolb looked at the pipe and saw that it had been cleared. Joe does not know if the owner cleared it or whose responsibility it is to keep the pipe clear.

NEXT MEETING: October 30, 2008, at 7:00 p.m., at the Anne Arundel County Police Station, Edgewater, MD.

ADJOURNMENT: Joe Kolb adjourned the meeting at 8:55 PM.

MINUTES SUBMITTED BY: Beverly Wright Caruso

Motions/Other Actions Approved:

1. ACA for 224 Tilden Way approved pending discussion by Ken Via with homeowner re placement of tree.

Motions/Other Actions Not Approved: None.

Previous Action Items

- ☐ Comanco will send a request to all off-site owners if we don't receive the lease within the next 30-60 days.
- ☐ Need explanation from Gary Carpenter about claim for 32 and 34 Millhaven Court.
- ☐ Joe Kolb will contact the Post Office to advise that the Braxton Way addresses on some returned mail are correct for the party named.
- ☒ Bev Caruso will put a notice in the newsletter about fine per incident/per day.

New Action Items

- ☐ Joe Kolb will talk to Jim Faust, COMANCO, about bi-weekly walk-through tours by Lowell Thompson, Property Manager.
- ☐ Peggy Summers will call Anne Arundel County Planning and Zoning to request an inspection of the deck that had the fire.
- ☐ Bev Caruso will put an item in the newsletter about no bird feeders on decks.
- ☐ Bev Caruso will put an item in the newsletter about fee for late payment of assessments.
- ☐ Lowell Thompson will write a letter to 253 Tilden about no bird feeders on decks.
- ☐ The BOD will assemble inspection information into a database/spreadsheet and bring back a report to the next meeting.
- ☐ COMANCO will send out a letter to owners for nominations for one open BOD position.

Treasurer's Report 9.25.08

	YTD Actual	2008 Budget	Projected Over/Under
Income			
Assessments to 9/25/08	\$ 151,838.75	\$ 191,520.00	\$ (7,000)
Expenses			
Grounds - Maintenance	\$ 25,986.76	\$ 30,000.00	\$ (5,000)
Snow Pushing		\$ 5,000.00	\$ -
Impvnnts & Repairs (dog station maint.)	\$ 4,397.67	\$ 10,000.00	\$ 3,000
Attorney's Fees	\$ 2,246.65	\$ 1,000.00	\$ (3,000)
Admin. Expenses	\$ 3,526.35	\$ 2,500.00	\$ (1,500)
Management Fees	\$ 20,314.40	\$ 27,086.00	\$ -
Street Lighting	\$ 7,921.52	\$ 12,000.00	\$ 1,000
Insurance F&L	\$ 30,548.03	\$ 47,600.00	\$ 7,000
Insurance Fidelity	\$ 324.00	\$ 424.00	\$ 100
Audit and Tax Filing	\$ 1,725.00	\$ 850.00	\$ (3,000)
Insurance Deductible	\$ 1,766.65	\$ 2,500.00	\$ -
Expenses Totals	\$ 98,757.03	\$ 138,960.00	\$ (1,400)
Contribution to Reserves	\$ 13,485.60	\$ 20,228.33	
Undesignated Equity	\$ 53,081.72	\$ 32,331.67	\$ (8,400)
Reserve Fund Account	\$ 23,700.17		\$ 23,932

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
OCTOBER 23, 2008 MINUTES**

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:07 PM at the Anne Arundel County Police Station, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Jyl Dupont, Bev Caruso, Shelly Kemeza, Peggy Summers.
- **COMANCO:** Lowell Thompson.
- **COMMITTEE CHAIRS:** Alicia Smollon (Rules & Regs), Peggy Donald (Communications), Ken Via (AC& L).
- **OWNERS/RENTERS:** Lisa Robinson, Pam Garland, Melissa Bronnert, Rose Meale.
- **GUEST SPEAKER:** Percy Sussex

APPROVAL OF MINUTES: Reading of the September minutes was waived and the minutes approved as presented.

GUEST SPEAKER: MR. PERCY SUSSEX, CROFTON MEADOWS COMMUNITY ASSOCIATION: Joe Kolb introduced Percy Sussex as the former President of a large umbrella group of homes in Crofton, MD, that had problems with trespassers and used **Banning Letters** to help solve the problem. Mr. Sussex was at the meeting to explain the letters and process.

Mr. Sussex advised that, for 22 years, he was the President of Crofton Meadows Association, a large community with 12 sub-associations. Crofton Meadows experienced problems with teenagers and adults around the outdoor basketball courts, an unsupervised environment where fights would break out. Based on police advice, Crofton Meadows eliminated the outdoor basketball courts and, to enhance security, hired 2 off-duty police officers for 8 hours a week at a rate of approximately \$30/hour/officer. The community learned that most of the problems were created by outsiders. Therefore, Crofton Meadows began to issue Banning Letters. Banning Letters, in use in Anne Arundel County for many years, can be issued to individuals who live outside the community and have been identified by the police as engaged in undesirable or illegal activity. Once a community decides to issue a Banning Letter, Anne Arundel County Police will send a certified letter to the offender's residence. If the offender does not sign for the letter, the police will deliver it. Then, the offender can be charged with Trespassing if they are caught in the community again. The management company would represent the Association in a court hearing if the offender is arrested for Trespassing. People cannot be banned from public streets. Banning Letters last for 5 years. Mr. Sussex provided copies of two Banning Letters as examples.

OPEN FORUM:

1. Melissa Bronnert thanked the Board for their diligence in addressing the teenager problem. She has seen a significant decrease in nuisance activity.
2. Melissa Bronnert stated that dog owners at her end of Braxton Way are frustrated at the removal of the dog stations. As a result, there is a lot of mess and perhaps the bags being used up at the other stations at an alarming rate (as noted in the October newsletter) are being used by owners at Ms. Bronnert's end of Braxton.
3. Lisa Robinson supported Ms. Bronnert's comments and asked the Board to revisit the removal of the one station at her end of Braxton Way. Joe explained that the reduction in the stations was to reduce the cost to the community. Peggy Summers suggested replacing the bag station without the can. **The Board will consider replacing the dog station at the end of Braxton Way.**

PRESIDENT'S REPORT – Joe Kolb

1. **Sink holes:** Joe Kolb contacted Anne Arundel County (AACO) about the sink hole on Millhaven Drive. AACO said that they take care of the water /waste lines but that the storm drains are the responsibility of River Oaks. The Association has no Reserve Fund set up to repair the storm drains. Official review indicates that the pipe inside the box is sound, but that it should be looked at more closely. The problem may be in the grading around the box itself. Water running down the swale may be eroding the soil. A couple of years ago, COMANCO put some dirt around the hole, but it is eroding again. We have one proposal for \$700+ to fix this sink hole near the storm drain.

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
OCTOBER 23, 2008 MINUTES**

2. **Elections** are coming up and the Board encourages interested parties to nominate themselves. Peggy Summers is resigning, so there are 2 open Board positions. Shelly Kemeza will be running again, thus we need one more nominee. Joe thanked Peggy for her service and Rose Meale affirmed the terrific job Peggy has done as Treasurer.

TREASURER'S REPORT – Peggy Summers

1. There is no written report because nothing has changed from last month. See end of the minutes for balances.
2. One lien has been cleared up because property sold and the debt cleared.
3. Peggy will get an Open Item Summary with the addresses so that Bev Caruso can match that up with the current roster.
4. Peggy asked COMANCO to get in touch with her about putting a lien on property account #81450.
5. Account numbers 80622 and 80620 are the same residence and that the 2 account numbers are COMANCO's system to identify pre-and post-bankruptcy accounts.
6. Peggy could not approve two Bartlett invoice(s) because she could not reconcile them with an accompanying spreadsheet. Joe Kolb advised that the spreadsheet was only his initial worksheet and that the \$3600 invoice was an erroneous duplicate invoice. Peggy will review the original proposal and compare to the correct invoice for \$5580 and if everything is OK, she will approve the \$5580 invoice.
7. Regarding the pending insurance claim for 32 and 34 Millhaven Court, Peggy will work with Lowell to reconcile invoices for repairs on this claim to ensure that we do not pay more than State Farm has paid us up to this point and to collect any money that State Farm may owe us.
8. If an owner has a loss, they need to contact COMANCO, not State Farm, for an assessment about the loss. However, if it is a maintenance issue, the owner should call their own company.

COMMITTEE REPORTS

- **Communications – Bev Wright Caruso:**
 - a. **Newsletter:** Photocopied by Nancy Miller, Minuteman Press, and Minuteman placed a business-card size ad on the last page. Currently have 126 email addresses, up from 123 email addresses, leaving only 102 remaining. This includes 15 offsite owners and 15 tenants.
 - b. **Website:** Classified Ads continue to attract interest, with a few items being sold. Vendors We Like is also being updated with new information from owners.
 - c. **Email Group:** Hotmail has been rejecting group emails (too many recipients), so two email groups have been created and each mail is now sent out twice.
- **Safety (Security/Parking)- Shelly Kemeza:**
 - a. **Millhaven Court:** Has been relined and spaces numbered. No one is complaining.
 - b. **Safety and security** are better in that there has been less loitering. The police continue to ticket motorists on Millhaven Drive.
- **By-Laws (Rules & Regs) – Alicia Smollon:**
 - a. Alicia looked at the By-Laws to determine if we could draft a set of Parking Guidelines and specifically about what we could include regarding commercial vehicles. Alicia found numerous sections that would apply. In conjunction with the rules and regulations that Bev Caruso found online for another community, Alicia asked if the Board wanted to go forward with a similar set of rules. The Board stated that they want to go forward with a similar set of rules. Alicia will begin drafting a policy.

ISSUE #1: COMMERCIAL VEHICLE RULES

QUESTION: The BOD posed a question as to whether the BOD could set forth rules, similar to the Architectural Control and Landscaping rules, regarding the parking of commercial vehicles, as opposed to seeking an amendment to the By-Laws.

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
OCTOBER 23, 2008 MINUTES**

RESEARCH:

- **Authorization of the BOD to regulate commercial vehicle parking**

A review of the By-Laws sheds a lot of light on the issue. It appears from the By-Laws that at their inception there was a notion that the BOD may at some time in the future wish to pass rules and regulations regarding parking on Common Elements.

Consider Article V, Section 1 (page 4) which states, “The affairs of the Council of Unit Owners of the Condominium shall be governed by the BOD....” It is hard to imagine that parking, specifically the parking of commercial vehicles, on common elements would not be considered part of the affairs of the condominium.

Next consider Article V, Section 3 (pages 5-6) which delineates the powers and duties of the Board of Directors. “The Board of Directors shall have all the powers and duties necessary for the administration of the affairs of the Council of Unit Owners of the Corporation and may do such acts and things as are not prohibited by the Maryland Condominium Act or by these By-Laws....” As long as passing rules and regulations regarding commercial vehicle parking on common elements is not prohibited by the By-Laws or Maryland Condominium Act, the BOD could pass such rules.

The By-Laws do not contain a provision prohibiting Commercial Vehicle Parking Rules and Regulations. However, Article V, Section 3(d) contains a provision which states that the BOD shall have the power “to promulgate and enforce such rules and regulation and such restrictions and requirements as may be deemed proper respecting the use, occupancy and maintenance of the Condominium and the use of the General and Limited Common Elements.” Article V, Section 3(k) allows the BOD to have unauthorized vehicles removed from the Common Elements if in violation of rules adopted by the Council of Unit Owners. Section 3(k) implies an ability of the BOD to regulate parking.

Consider Article X, Section 3(l) (page 22) which states “No recreational vehicles, boats, boat trailers, camping trailers, trucks or motor vehicles of any kind except passenger cars, passenger van-type vehicles, pick-up trucks which do not display commercial lettering or signs, and other vehicles approved by a majority of the Board of Directors shall be parked or stored in or on any Condominium Units or Common Elements except in the area designated for such vehicles and/or boats by the Board of Directors, if any. Again the By-Laws were drafted with an eye to the future when 1) more specific rules and regulations regarding parking a variety of types of vehicles could be promulgated by the BOD and 2) that the BOD may, in the future, designate a specific parking area for commercial vehicles, boats, boat trailers, etc.

Next consider Article X, Section 3(l) which specifically states: “Nothing herein shall be construed to prevent the Unit Owners from parking such vehicles at the Unit for purposes of servicing, loading or unloading and except as may be permitted by regulations adopted by the Board of Directors.

Finally, in Article XVII (pages 34-35), the By-Laws specifically state: “Parking on the General Common Elements may be regulated by the Board of Directors....” Per Article XVII, all parking areas within the Condominium regime, except garages and driveways shall be considered part of the General Common Elements. The garages and driveways are considered to be part of the Units. Although based on Article X, Section 3(l) there is a premise that attempts to prohibit commercial parking on any Unit or Common Element. Thus, the distinction appears to be mostly irrelevant.

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
OCTOBER 23, 2008 MINUTES**

- **Commercial Use**

Article X, Section 3 (f) (page 22) prohibits industry, business, trade occupation or profession of any kind, commercial or religious from being conducted, maintained, or permitted on any part of the Condominium regime. The originators of the By-Laws clearly intended for all of River Oaks to be used in a residential capacity rather than a business capacity, whether someone is actually conducting a business from their home, garage, or driveway or whether they are using River Oaks property as an overnight storage facility for a commercial vehicle.

- b. With regard to fining, Alicia recommended to begin the fining procedures, starting with the most egregious violations. All off-site owners who have not produced a lease will be getting the same letter. Alicia went through the procedures. Alicia will draft a sample letter for initiating the fining procedures. Lowell will send a copy of the notice for violations.

ISSUE #2: FINING PROCEDURE

QUESTION: What steps will the BOD need to take to institute the fining procedure in connection with a violation of the rules, specifically the failure of Unit Owners to provide copies of the leases in connection with leased Units and the failure of the small number of Unit Owners who have egregious maintenance violations?

RESEARCH: Fines allowable: not more than \$100 for each violation or \$25/day for the violation

Step 1: Informal Request that a Unit Owner correct the violation.

Step 2: Informal Letter to Unit Owner

- time, date, place, & nature of violation
- action required to abate violation
- at least 10 days to abate violation or statement that further violation will result in sanctions after notice and hearing

Step 3: File Complaint with BOD

- if Steps 1 and 2 fail
- can be done by any Member of the Council of Unit Owners
- must contain a concise description of the violation
- must identify the specific provisions which are being violated
- must contain supporting facts

Step 4: Service of Complaint

- no specificity with method of service (hand-delivery or certified mail, restricted delivery, return receipt requested is suggested by ALS)
- give alleged violator 10 days to abate violation without sanctions

Step 5: Notice of Hearing

- if violation continues or recurs in the 10day period, set hearing and send new notice of hearing date, time, and place
- description of violation
- date, time, and place of the hearing (at least 10 days notice)
- invitation to violator to attend hearing, produce statement, evidence and witnesses
- the proposed sanction to be imposed

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
OCTOBER 23, 2008 MINUTES**

Step 6: Hearing

- by BOD
- during executive session of BOD
- must afford alleged violator reasonable opportunity to be heard
- proof of notice & invitation to be heard must be placed in the minutes
- statement of date and manner of deliver of Notice of Hearing entered into minutes by BOD member who delivered notice
- minutes of meeting must contain written statement of results of hearing and the sanctions imposed

• **Architectural Control & Landscaping – Ken Via:**

- a. **Spring Inspections:** Still working on getting a list together of what items need to be completed by each owner. Of the first 33 units that he reviewed, 16 are incomplete. If that trend continues, there will be a lot of additional letters to non-compliant homeowners. However, of the 16 that were incomplete, 4 appear to be corrected. Joe and Ken will get together to reconcile the Spring Inspection sheets with work that has been completed. Ken has cleared 3 units and approved one ACA for a fence.
- b. **Sierra Contract:** Ken has questions about Sierra's contract this year in order to determine the needs for next year's contract, i.e., what is the year of the contract vs. payments due; how we are notified of work done; more detailed invoices; unverified amounts of plants; services including watering, tree work, snow pushing. Joe Kolb advised that Snow Pushing is a separate contract. Ken has started to review all of the current Landscaping contract and proposals from them and other companies that may be interested in picking up our business for next year.
- c. **Repair:** BG&E fixed the falling lamp post on Tilden, near 202, which Shelly asked for remediation via online form.

COMANCO-Lowell Thompson:

1. **BI-WEEKLY WALK-THROUGH** - Joe Kolb spoke with Jim Faust @ COMANCO about this and it was a discussion about semantics. Joe said that it was OK for the manager to do a drive-through, provided the manager was aware of what was going on behind the units. Jim indicated that the visits were only if there was a problem cited by the community. Joe provided recommendations on time management for the manager to do part of the property each time. Jim agreed that this could be done, and Lowell agreed that he can do it that way.
2. **ISSUES:** There were no issues needing attention by the BOD for Comanco.

UNFINISHED/OLD BUSINESS

1. **Budget 2009 preparation:** The Board reviewed the proposed budget included in the Treasurer's monthly report package. Undesignated Equity (\$69,862) is the amount we still owe to our reserves, which is much less than we owed at the beginning of the year. Peggy Summers will go line-by-line on the proposed budget at the Annual Meeting. Bev Caruso moved to present the 2009 proposed budget, prepared by the Treasurer, to the community at the Annual Meeting. Joe Kolb seconded and the vote was unanimous in favor.
2. **Speed Limit:** County Councilman Ed Reilly's office responded to our request for a 15 mph to coincide with the limit in The Landings.
3. **Commercial Vehicles:** Discussed under By-Laws.

NEW BUSINESS

1. **Elections 2009 preparation:** Jyl Dupont advised that two BOD positions are up for election. COMANCO sent out a letter in error advertising 5 positions, so Jyl will draft the correction language and COMANCO will send out the correction letter advising that only 2 positions are available.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
OCTOBER 23, 2008 MINUTES

- 2. RELMS Landscaping Presentation:** Joe Kolb wants to select a time/place for Relms Landscaping to make a presentation to the ACC and BOD. **Ken will contact Relms and have them meet with the AC&L committee.**

IMPORTANT DATES:

1. **NEXT MEETING:** November 20, 2008, 7:15 p.m., at the home of Shelly Kemeza, 8 Millhaven Court
2. **ANNUAL MEETING:** December 3, 2008, 7:00 p.m., at the Police Station, Stepney's Lane, Edgewater, MD

ADJOURNMENT: Joe Kolb adjourned the meeting at 10:10 PM.

MINUTES SUBMITTED BY: Beverly Wright Caruso

Motions/Other Actions Approved:

1. Bev Caruso moved to present the 2009 proposed budget, prepared by the Treasurer, to the community at the Annual Meeting. Joe Kolb seconded and the vote was unanimous in favor.

Motions/Other Actions Not Approved: None.

Previous Action Items

- ☒ Need explanation from Gary Carpenter about claim for 32 and 34 Millhaven Court.
- ☒ Bev Caruso will put a notice in the newsletter about fine per incident/per day.
- ☒ Joe Kolb will talk to Jim Faust, COMANCO, about bi-weekly walk-through tours by Lowell Thompson, Property Manager.
- ☒ Peggy Summers will contact Anne Arundel County Planning and Zoning to request an inspection of the deck that had the fire.
- ☒ Bev Caruso will put an item in the newsletter about no bird feeders on decks.
- ☒ Bev Caruso will put an item in the newsletter about fee for late payment of assessments.
- ☒ COMANCO will send out a letter to owners for nominations for two open BOD positions.
- ☐ Comanco will send a request to all off-site owners if we don't receive the lease within the next 30-60 days.
- ☐ Joe Kolb will contact the Post Office to advise that the Braxton Way addresses on some returned mail are correct for the party named.
- ☐ Lowell Thompson will write a letter to 253 Tilden about no bird feeders on decks.
- ☐ The BOD will assemble inspection information into a database/spreadsheet and bring back a report to the next meeting.

New Action Items

- ☐ Peggy will get an Open Item Summary with the addresses so that Bev can match that up with the current roster.
- ☐ Peggy asked COMANCO to get in touch with her about putting a lien on property account #81450.
- ☐ Peggy will review the proposal and compare to the invoice and if everything is OK, she will approve the invoice.
- ☐ Peggy will work with Lowell to reconcile invoices for repairs on this claim to ensure that we do not pay more than State Farm has paid us up to this point and to collect any money that State Farm may owe us.
- ☐ The Board will consider replacing the dog station at the end of Braxton Way.
- ☐ Alicia Smollon will begin drafting a Parking Policy.
- ☐ Alicia Smollon will draft a sample letter for initiating the fining procedures. Lowell will send a copy of the notice for violations.
- ☐ Joe Kolb and Ken Via will get together to reconcile the Spring Inspection sheets with work that has been completed.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
OCTOBER 23, 2008 MINUTES

- ☐ Ken Via will contact Relms and have them meet with the AC&L committee.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
OCTOBER 23, 2008 MINUTES

Treasurer's Report

Treasurer's Report 10.23.08

	YTD Actual		2008 Budget	
Income				
Assessments to 9/25/08	\$	164,838.75	\$	191,520.00
Expenses				
Grounds - Maintenance	\$	28,978.22	\$	30,000.00
Snow Pushing			\$	5,000.00
Impvnts & Repairs (dog station maint.)	\$	4,859.45	\$	10,000.00
Attorney's Fees	\$	2,246.65	\$	1,000.00
Admin. Expenses	\$	3,699.85	\$	2,500.00
Management Fees	\$	22,571.60	\$	27,086.00
Street Lighting	\$	8,834.33	\$	12,000.00
Insurance F&L	\$	33,883.94	\$	47,600.00
Insurance Fidelity	\$	324.00	\$	424.00
Audit and Tax Filing	\$	3,225.00	\$	850.00
Insurance Deductible	\$	1,766.65	\$	2,500.00
	\$	110,389.69	\$	138,960.00
Contribution to Reserves	\$	15,171.30	\$	20,228.33
Undesignated Equity	\$	54,449.06	\$	32,331.67
Reserve Fund Account	\$	25,385.87		

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
NOVEMBER 20, 2008 MINUTES**

CALL TO ORDER: Joe Kolb called to order the regular meeting of the River Oaks Board of Directors at 7:25 PM at the home of Shelly Kemeza, 8 Millhaven Court, Edgewater, MD.

ROLL CALL: Bev Wright Caruso conducted a roll call. The following persons were present:

- **BOD:** Joe Kolb, Jyl Dupont, Bev Caruso, Shelly Kemeza, Peggy Summers.
- **COMANCO:** Lowell Thompson.
- **COMMITTEE CHAIRS:** Alicia Smollon (Rules & Regs), Ken Via (AC& L).
- **OWNERS/RENTERS:** Pauline Blume, Shannon Whaley, Nancy Miller.

APPROVAL OF MINUTES: Reading of the October minutes was waived and the minutes approved as presented.

PRESIDENT'S REPORT – Joe Kolb

1. Activity from youths has quieted dramatically following successful enforcement surge from AAPD and several families involved having moved out.
2. The lights are coming back on throughout the community. Shelly Kemeza and Peggy Donald identified homes with lights that were not lit and then Jyl Dupont delivered a notice from the Board to each residence advising that they need to return their lamp post to working order with 30 days of the date of the notice.

TREASURER'S REPORT – Peggy Summers

1. In addition to presenting the Income/Expenses statement, which includes the proposed 2009 Budget, Peggy Summers highlighted the higher than budgeted amount for Grounds Maintenance due to trees being taken down and new plantings. Joe Kolb explained that we spent \$2700 on new plantings plus \$5580 for removing trees.
2. Peggy still has not seen the bill for the drywall for repairs to 32 & 34 Millhaven Court on the Comanco financial report. See Old Business and New Action Items on recouping excess expenses for insurance claim.
3. Peggy also requested that Comanco send the new owners at 2 Millhaven Court coupons to pay dues. When the owners purchased the unit from the bank, the bank did not provide condo documents or coupons.
4. Accounts 80622 and 80620: Still on our books and foreclosure was cancelled.
5. Account 81450: Unit owner has been advised of our intent to file a lien, but no lien has yet been filed. The owner is paying monthly, but not making back payments. Peggy asked our attorney, Michael Neall, to create the lien but he has not done it yet. Joe Kolb will email Neall to file the lien.
6. Lowell Thompson will determine if owners are being notified of past due balances.

COMMITTEE REPORTS

- **Communications** - Bev Wright Caruso
 - a. **NEWSLETTER** was not published prior to this meeting, but will be published prior to the Annual Meeting.
 - b. **WEBSITE**- Moved "Home Based Businesses" from Classified Ads to a new page due to increased number of ads.
 - c. **EMAIL GROUP:** Currently have email addresses for 131 units, up from 126 last month, leaving only 97 units remaining. This includes 15 offsite owners and 15 tenants.
- **By-Laws (Rules & Regs) and Safety (Security/Parking) – Alicia Smollon**
 - a. **COMMERCIAL VEHICLE RULES**
 - i. Volunteers needed from the community as well as the BOD to draft new rules. Alicia suggests organizing during December, 2008 and starting to draft in January 2009.
 - ii. Alicia will ask Bill Mosley and Jim Allen to help review drafts and trouble-shoot the wording.
 - b. **FINING PROCEDURE** - Fining Letter drafted pertaining to the maintenance inspections as well as the lease issue:
 - i. **Maintenance Inspections:** Letter was drafted as Step #2 in the Fining Procedure to be on the safe side and to ensure that the letter contains all of the elements required by step #2. Together with the AC & L committee, we will need to tailor each letter per Ken Via's inspections and list the rule and/or By-Law

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
NOVEMBER 20, 2008 MINUTES**

violated. There is a noticeable amount of repetition so that won't be as much of a daunting process as it seems on the surface.

- ii. **Leases:** With the exception of 211 Braxton Way, the letter is drafted as step #1. However, a step #2 letter was specifically drafted for 211 Braxton Way unit because the lease issue was included in the letter forwarded to the owner during the summer.
- iii. **The way ahead:** Need to approve three form letters in content and approve their use, then Comanco can auto-send step #1 to all off-site owners except 211 Braxton Way unit, and send the step #2 letter to the 211 Braxton Way owner.
- iv. **Delivery Method:** Must decide the delivery method of the letters, either first class mail or certified, restricted delivery, return receipt requested.

c. BANNING PROCEDURE

- i. Using a form provided by Capt. Krampf, AAPD, Alicia Smollon and Bev Caruso drafted a Banning Letter, as suggested by Percy Sussex, Ed Reilly, and Capt. Krampf.
- ii. The BOD **voted in favor** of banning Karl Davis Josselyn. Details bearing on this issue:
 - Josselyn was recently convicted of assault and is currently committed to the Department of Corrections. On November 10, 2008, Josselyn pleaded guilty to 1st degree assault and to intent to injure with a deadly weapon, for which he was sentenced respectively to 20 years in jail with all but 5 years suspended starting July 12, 2008, and to 3 years starting July 12, 2008, in connection with an incident which occurred on July 3, 2008 on the grounds of Giant Food, Solomon's Island, Road, Edgewater, MD, an area adjacent to the River Oaks Condominium. Circuit Court for Anne Arundel County Case Number 02-K-08-0001596. Board voted to send a Banning Letter to Karl Davis Josselyn.
 - The letter could be served on Josselyn's attorney by 12/10 or served on him directly by Sheriff. The form given by Capt. Krampf indicates personal service vs. substituted service. There are 2 considerations in the decision: 1) cost and 2) the method deemed acceptable and enforceable by the AAPD.
 - Former tenants at 211 Braxton Way may now be living in The Enclave which shares a common entrance with River Oaks. Josselyn was not on the lease at 211 Braxton Way, but may be listed on The Enclave lease. However, the common entrance has been described as public. The private property section of Millhaven Drive starts at the circle. We should still be OK with banning Josselyn even if he is listed on the lease in The Enclave.
- iii. As a community relations issue, Alicia will send an e-mail to the Braxton Way residents telling them what she found in the public record re Josselyn. The Braxton Way residents stood up and answered the BOD's call for assistance and information on security issues, and Alicia doubts that they had been told by the State's Attorney's office or AAPD about the outcome of the Josselyn criminal case. One of the residents was nervous about retribution issues. Alicia thinks that resident would feel much safer. It's also a success on many levels aided by the BOD - good community relations opportunity.

• **Architectural & Landscaping – Ken Via**

- a. **ARCHITECTURAL CHANGE APPLICATIONS (ACA):** One ACA received from 282 Braxton Way. The owner wants to re-landscape the front of her townhouse with small shrubs and lots of pavers. The design includes three topiaries, small 8"-10" grasses in front of them, and the light post, and a small tree on the right side right next to the water meter. Ken has been discussing with the owner issues of proximity of the root systems to the water meter and the types of trees she wants to plant.
- b. **CONSULTATIONS:** One request from Rose Russillo, 224 Tilden. Rose asked for a confirmation as to whether a shed will be approved in her back yard to store her lawn mower (currently in the house) and garden tools. The shed she has picked is 6' 9" bottom to peak, over regulation height according to the R&R. She also has issues

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
NOVEMBER 20, 2008 MINUTES**

with location in her yard with a concrete wall guarding the rear, and a swale in the middle to keep water away from the house. Fence lines are in concert with plat lines, in fact the wall cuts off 1 ½ feet of her plat. I have asked Rose to continue to search for a smaller height shed, however she thinks she has exhausted the available affordable resources.

c. WAITING TO BE ADDRESSED:

- i. Tree damage behind 282-284 Braxton Way, as described in emails to the Board. After discussion, the **Board decided that Comanco will send a letter** to the renters at 284 Braxton Way to contact Sierra Landscape, to pay Sierra directly for 2 trees of like size and type, to do so before the winter sets in, and to email the Board when the work has been done. Bev Caruso will email her with same information.
- ii. Unsightly condition of 60 Millhaven Ct. Unit owner has asked for help in determining what to do, but refuses to sway from her original landscape architecture design and purpose.

- d. **LANDSCAPING CONTRACTS:** Proposals received from Sierra and Relms. Sierra provided updated contract after the interview. Received a new proposal from Tulip Grove Landscaping. A fourth company, Advantage Lawns, has been over to measure and submitted some questions clarifying boundaries which Ken Via answered. They will be submitting a bid. Ken will be setting up interviews during the first week of December for the last two companies. Of the three proposals received, all are within percentage points of \$34,000, but each offers different options. Ken has built a comparison sheet similar to the maintenance issues spreadsheet to compare each item bid, for evaluation. Committee will provide the subjective piece of the evaluation, however Ken does not expect to be recommending a contract before the general meeting on Dec. 3rd.

- e. **MAINTENANCE INSPECTIONS:** Nearly complete re-inspection of all properties that still have issues from the last official COMANCO inspection third week in July 08. (See handout for detailed accounting of all properties). Some important facts from cataloging the inspections:
- i. Braxton - 31 of 63 units have spring inspection items remaining.
 - ii. Millhaven Drive – 15 of 45 units have items remaining
 - iii. Tilden Way – of 85 units, 33 are complete as of July, 19 more have been inspected but results not yet recorded, and 33 remain to be inspected. Ken should complete Saturday morning, unless Joe has time to do tomorrow. Potential is 52 of 85 with items remaining.
 - iv. Millhaven Ct – of 35 units, 11 are complete, remaining 24 have been inspected, 12 of those are complete, so 12 of 35 units have items remaining.
 - v. Not counting Tilden, of the 58 units cataloged, 27 have scraping and painting to do, that is just under 50%, and Ken doesn't expect a much lower percentage on Tilden. We are probably out of the window for most painting companies to guarantee their work at this point.

RE maintenance, because of the time of the year, Joe Kolb wants to send a letter giving a weather extension to those owners who need to paint. However, that letter will not excuse the homeowner from handling other items that need repair, and fines could be levied on the other unrepaired items. Jyl Dupont recommends a letter with specific dates for getting the painting done in the early spring.

COMANCO – Lowell Thompson

1. Bi-weekly Walk-Through - none.
2. Management contract needs to be signed. There are some changes in the contract. The Board will review the changes and discuss at the next meeting. Comanco will not order the coupons until the contract is signed, and the coupons need to be mailed to owners before January 1, 2009, when the assessments are due.
3. Lowell thinks that there are about 5 leases, plus one received from Jules Colker. Lowell will provide a list of leases received.
4. Letters going out tomorrow to houses with antennas, cables, and satellite wires exposed.

**RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
NOVEMBER 20, 2008 MINUTES**

OPEN FORUM – No comments.

UNFINISHED/OLD BUSINESS

1. **Sink hole:** Board **voted in favor** of repairing sink hole alongside 2130 Millhaven Drive in accordance with proposal submitted by Armando Santos.
2. **Budget 2009/Annual Meeting** - Comanco will use Peggy Summers' numbers to update 2009 Budget and will print copies of the budget for the Annual Meeting.
3. **Siding Repair-** Board **voted in favor** of repairing the siding on Unit 280 Braxton, which was damaged following a large tree falling two months ago. Lowell Thompson will contact Siding, Inc. to fix it.
4. **Repair of fence** around the community behind 70-60 Millhaven Court, alongside 284-285 Braxton Way, and alongside 209 -202 Braxton Way - Lowell will get two estimates to fix fences in the above areas.
5. **Insurance Claim** - Comanco needs to recover excess expenses from State Farm related to claim for 32 and 34 Millhaven Court and also recover excess depreciation from the loss. Board **voted in favor** of paying the outstanding bill for the drywall.
6. **Dog Stations/Bags** – Board **authorized** Pauline Blume to purchase more dog station bags. One dog station can will be replaced using one in storage, and the bag portion of another station will be reinstalled at the 285 end of Braxton.

NEW BUSINESS

1. **Elections 2009 preparation** - Comanco will provide an official database list of owners for check-in. Lowell Thompson will conduct the check-in at the meeting. Bev Caruso will put notices in the newsletter, on the website, and send an email to unit owners that proxies must be signed by owners (not renters) and should either be given to a Board member or other homeowner who is attending, dropped off at Jyl Dupont's house, or sent to Comanco.
2. **Volunteers** are needed to form committees for the following:
 - a. Replacing the lamp posts to make them uniform:
 - b. Develop Rules and Regs regarding commercial vehicles and parking and to look into putting down pavers that have holes for grass to grow to eliminate permeable surface issues in order to add extra parking along Braxton Way Park.
 - c. Changing, repairing and upgrading the Tot Lot.

NEXT MEETING: December 3, 2008, 7:00 p.m., at the Police Station, Stepneys Lane, Edgewater, MD. New Board will have its organizational meeting immediately after the Annual Meeting.

ADJOURNMENT: Joe Kolb adjourned the meeting at 10:15 PM.

MINUTES SUBMITTED BY: Beverly Wright Caruso

Motions/Other Actions Approved:

- Send a Banning Letter to Karl Davis Josselyn.
- Renters at 284 Braxton Way should contact Sierra Landscape to install new trees, pay Sierra directly for 2 trees of like size and type, to do so before the winter sets in, and to email the Board when the work has been done.
- Repair sink hole in accordance with proposal submitted by Armando Santos.
- Fix siding on 280 Braxton Way.
- Pay bill for drywall repairs to Millhaven Court units.
- Purchase more dog station waste bags.

Motions/Other Actions Not Approved: None.

RIVER OAKS REGULAR BOARD OF DIRECTORS MEETING
NOVEMBER 20, 2008 MINUTES

New Action Items

For Lowell Thompson:

- ☐ Recover excess expenses related to claim for 32 and 34 MHC and recover excess depreciation from the loss
- ☐ Ensure that owners of 2 Millhaven Court receive assessment coupons.
- ☐ Find out if owners are being notified of past due balances.
- ☐ Contact Siding, Inc., to repair the siding on 280 Braxton Way.
- ☐ Get two estimates to fix fences in areas noted in the minutes.
- ☐ Send a letter to the renters at 284 Braxton to contact Sierra Landscape and pay Sierra directly for 2 trees of like size and type and before the winter sets in, and to email us when it's done.

For Board:

- ☐ Joe Kolb will email Neall to file the lien on 81450.
- ☐ Alicia Smollon will notify Braxton Way residents of legal status of Josselyn.
- ☐ Bev Wright Caruso will email renters at 284 Braxton Way with tree repair information.
- ☐ Review Comanco contract for changes and to approve as soon as possible.
- ☐ Bev Caruso will use newsletter, website and email to notify owners about submitting proxies.

Previous Action Items

- ☐ Comanco will send a request to all off-site owners if we don't receive the lease within the next 30-60 days.
- ☐ Do we want to erect an 8 foot fence? Future discussion.

RIVER OAKS CONDOMINIUM ASSOCIATION
ANNUAL MEETING MINUTES
December 3, 2008

BOARD MEMBERS PRESENT: Joe Kolb, President
Jyl Dupont, Vice President
Beverly Wright Caruso, Secretary
Peggy Summers, Treasurer
Shelly Kemeza, Member

OTHERS PRESENT: Lowell Thompson, Comanco, Inc.
19 residences represented in person.

CALL TO ORDER: The meeting was held at the Anne Arundel County Police Station, located in Edgewater, Maryland. The meeting was called to order by Joe Kolb, President, at 7:10 P.M.

ROLL CALL/SIGN IN: Verified by Lowell Thompson, Comanco.

MINUTES: The 2007 Annual Meeting minutes were distributed to each owner in attendance and read into the record by Beverly Wright Caruso. There was no discussion of the minutes and they were approved as written.

PRESIDENT'S OPENING REMARKS: Joe Kolb reported on the year's accomplishments, including the comprehensive maintenance inspection and subsequent improvement in the community's appearance; replacement of approximately \$40,000 back into our Reserve Funds, removal of trees that presented potential safety hazards; establishment of community website and email group; updated Rules and Regulations; assignment of parking spaces on Millhaven Court; and, security improvements, including Parkland & Tot Lot closure signs and increased attention paid to the community by the Anne Arundel County Police Captain.

TREASURER'S REPORT: Peggy Summers presented an overview of the budget and the community budget for 2009. This year the Board of Directors significantly improved the financial status of the community. By working with COMANCO, State Farm, our attorneys, landscaper and individual unit owners we were able to maintain our operating budget and make significant contributions to our reserve funds. Our budget has three categories:

1. **Income:** Our dues at \$70 per month x 228 unit owners. We are fortunate to have only one unit in foreclosure and 2 properties under lien restriction. We implemented a collection policy this year and have a very good collection rate. Owners with dues more than 60 days delinquent are turned over to our attorney for collections. We have had several unit owners in this situation this year. Everyone, but the 3 just noted have settled their debt. We have several more unit owners in the "collection process" now and I'm confident these owners will make payments soon.
2. **Operating Expenses:**
 - a. General Liability Insurance is our greatest expense. This insurance covers general liability losses and losses to the physical interior and exterior of our individual townhouse units. An insurable loss has to be caused by a "covered" event.
 - b. Grounds and Maintenance is our 2nd largest operating expense. This category covers all regular landscaping activities including lawn cutting, edging, fertilizers, flowers, soil aeration and over seeding. We also spent a great deal of your money on tree removal and replacement.

RIVER OAKS CONDOMINIUM ASSOCIATION
ANNUAL MEETING MINUTES
December 3, 2008

- c. The final major operating expense is the fee charged by our managing agent. COMANCO handles all our finances, collections, and day-to-day inquiries from unit owners. They attend our monthly Board meetings and perform monthly maintenance inspections. Our financial records were audited this year by Jacobs and Jacobs CPA firm and found to be in good order according to GAAP.
3. **Reserve Fund:** A reserve fund was established in 2001 to set aside \$400,000, collected in increments of \$20,000 per year over a 20-year period. This fund was established to cover repair and replacement of the following capital items:
 - a. Asphalt roadway (mill/overlay)
 - b. Sidewalk replacement
 - c. Curb and gutter replacement
 - d. Retaining wall replacement

Funds to replace these capital items should not be confused with general maintenance. For example, sidewalk and curb and gutter damage caused by vehicle parking would be a repair activity covered under the general operating budget.

When this board was elected at the end of 2007 we should have collected \$20,000 per year for 6 years and had a reserve fund balance of \$120,000. We only had \$10,000. This year we were able to set aside the budgeted \$20,000 along with another \$20,000 in undesignated equity. We need to continue reserving \$40,000 per year until we get our reserves in balance with the established plan (estimated time is 5 years).

As this is my last board meeting, I want to thank my fellow board members for all their hard work, and I wish you all the best in the next year.

Jyl moved and Shelly seconded that the budget be accepted for implementation. Under the By-laws, the budget must be accepted by the current Board. Jyl Dupont moved and seconded that the budget be approved as presented. The motion was unanimous and the budget was approved.

OPEN FORUM: The President opened the floor for discussion. Topics raised by the participants are listed below. The new Board will address these and other community issues/concerns as soon as possible.

- Why is our fee less than other communities? Peggy Summers addressed this question by saying that we are actually accelerating our deposits to the reserves. Our budget is set based on our expenses.
- Why was the reserve so low? New expenses that were not budgeted were paid out of reserves, i.e., speed bumps and other repairs not budgeted for or not responsible for, and monthly assessments not increased accordingly.
- Line item for interest refers to reserves. Savings account now, but with more money in the reserves, the new board may choose to put the money in a higher yield fund.

RIVER OAKS CONDOMINIUM ASSOCIATION
ANNUAL MEETING MINUTES
December 3, 2008

- Insurance - what is covered? Anything that is not a maintenance or negligence event AND exceeds \$2500. Then the condo policy will cover the \$2500, but not until then. Homeowner's first call would be to Management Company.
- Line item for Audit/Tax Filing: Difference between budget and expense was unexpected and SF required an audit since we had not ever been audited. Since we don't need to do it again, it is not in the current budget.
- In the new rules, we went to the Fire Chief of AACO about rules for charcoal grills, fire pits, propane grills, etc, for townhouses. Propane is fine. Charcoal and fire pits are not. However, one owner (221 Tilden Way) has natural gas plumbing and asks that we go back to the F/C and find out how natural gas fits into our rules. She has a gas fireplace and a gas grill hookup as an original installation.
- Policy for vehicles without license plates? We are private so police cannot come in to enforce, but we can have it towed. The owner raising this issue will contact the Board about the vehicles with specific info.
- Accutech commercial vehicle - is anything being done? Has been addressed by previous Boards and our documents are not clear as to what a "commercial vehicle" is.

NEW BUSINESS:

1. **Election 2009:** The Secretary verified that there was a quorum of **62 owners** either at the meeting or by proxy. The Vice President announced that there are two candidates for the two open Board positions: Shelly Kemeza and Shannon Whaley. The Vice President called for other nominations from the floor. There were no nominations. Each candidate spoke about themselves. It was moved by Jyl Dupont and seconded by Bev Wright Caruso that the nominations be closed and that the ballot was accepted by acclamation.
2. **Caroling Event:** Dana Springer to have a caroling event on Sunday, December 14th gathering at 5 pm. The Secretary will send an email to the community.

BOARD ANNOUNCEMENTS: Next regular BOD meeting will be January 22, 2009, 7 pm, at the Police Station.

ADJOURNMENT: There being no further business to discuss, the meeting was adjourned at 8:25 P.M.

Respectfully Submitted by: Beverly Wright Caruso

Date Approved: 11/23/2009