



oakland mills
we value connections

Oakland Mills Community Association

Village Board Meeting Minutes

The Other Barn ~ 5851 Robert Oliver Place ~ Columbia, MD 21045

Board Members: Bill McCormack, Jr., Co-Chair~ Ginny Thomas, Co-Chair ~ Jervis Dorton, AC Chair ~ Jonathan Edelson ~ Paul Verchinski
Tawania Williams ~ Kay Wisniewski
Reginald Avery, Columbia Council Representative

February 24, 2015

Regular OMCA BoD Meeting

Mr. McCormack called the regular meeting of the OMCA Board of Directors to order at 7:01 pm.

Present: Bill McCormack, Jr., Board Co-Chair; Ginny Thomas, Board Co-Chair; Jervis Dorton, AC Chair; Paul Verchinski; Tawania Williams; Jonathan Edelson; Kay Wisniewski; Reginald Avery, CA Board
Sandy Cederbaum, Village Manager; Brigitta Warren, Event & Administrative Coordinator

Also Present: Randy Clay, HC Department of Planning and Zoning; JoAnn Trach, Mahan Rykiel; Brian Townsend, Lead Consultant, Professional Engineer, Mahan Rykiel; See Resident List

Opening of Meeting

- **Ms. Wisniewski** motioned that the agenda for February 24, 2015 (ATTACHMENT “A”) be approved. **Ms. Thomas** seconded and the motion passed (5-0-0).
- **Ms. Thomas** motioned to accept the February 10, 2015 OMCA Board meeting minutes (ATTACHMENT “B”). **Mr. Verchinski** seconded and the motion passed (5-0-0).

Ms. Williams arrived at 7:07pm.

Resident Remarks

- Resident Julia McCready was present to thank **Ms. Cederbaum** for her service and share her personal appreciation for all that **Ms. Cederbaum** has done and continues to do for Oakland Mills.
- Resident Bill Woodcock was present to find out more about the Streetscape project as it was an initiative that began in the 2000’s when he was a member of the OMCA Board. He also thanked **Ms. Cederbaum** for her continued service to Oakland Mills and thanked **Mr. Avery** for his continued work on Symphony Woods/Inner Arbor.
- Resident Barbara Heazel asked the OMCA Board to not forget about the people and the community that make up Oakland Mills. She stated she moved to Oakland Mills years ago because of the “soul” of the village.
- Resident Karen Gray was present to hear about the Streetscape project as she has known two individuals who have been in accidents in the past two months at Stevens Forest Road and Camelback Road. She also stated how grateful she was for the extensive email list **Ms. Cederbaum** started and has continued to grow.

- Resident Daniel Kirk-Davidoff dittoed what each resident has stated about **Ms. Cederbaum**.

Stevens Forest-Whitacre Streetscape Project Update

- Randy Clay brought greetings from the new County Executive's office. Mr. Clay presented large scale drawings of the changes made to the Streetscape project based on recommendations made at his last visit to Oakland Mills in November 2014. There is a proposal to make vertical curbs but not make changes to the curbs location. He shared where there will be bump outs to define entrances to apartment parking lots. There will be better use of pavement and bike lanes will be added. A roundabout is not being considered at Stevens Forest/Whiteacre due to sight distance.
- Brian Townsend stated that the group is looking at other ways aside from roundabouts at Stevens Forest/Whiteacre. The group also looked at the Stevens Forest Road/ Camelback Way/Santiago intersection. They are looking to see if they can make the current right of way into a possible roundabout in hopes of slowing traffic down as well as making the traffic go in one direction.

Mr. Dorton arrived at 7:26pm.

- **Mr. Verchinski** asked what types of scenarios are being looked at for Stevens Forest Road and Whitacre. Mr. Townsend responded that the group just finished looking at the roundabout study and has not looked into other specifics. **Mr. Verchinski** asked what the timeline was. Mr. Clay responded that the alignment for the path will determine how the treatment comes together. Resident Karen Gray asked if HC DPZ was working with Howard Hughes. Mr. Clay responded that yes, HC is always in dialogue with Howard Hughes.
- Joann Trach gave a description of what Whitacre will look like as far as trees, plantings, etc. **Mr. Verchinski** asked to get rid of the sweet gums and recommended putting in a flowering tree. She stated that Howard County Landscape Management determines what is planted. **Ms. Thomas** asked what the timeline was. Mr. Clay stated that Phase I and Phase 2 are already included in county funding and hoped that the construction phase could begin in Spring, 2015. Thursday, Feb. 28 there will be an opportunity to present testimony or testimony can be given online. Tuesday, March 10th there will be a second budget hearing. Mr. Clay stated he will send link regarding funding for project.

Discussion on what topics to discuss at meeting with County Council members

- OMCA Board received a letter from 4 County Council representatives who represent Columbia who would like to meet with the villages regarding: 1) future of New Town Zoning; 2) results of the Columbia Market Study; 3) reinstating Revitalization Committee; and how Howard County can best help the villages meet their goals. The board said they would like to ask the Council Chair and Councilman Ball to invite Councilman Fox to the meeting so that all 5 Council Members could be here for the discussion.
- **Ms. Wisniewski** suggested these questions should be publicized to the community for their input. She requested it be put on Facebook and the website.

Board Co-Chair Remarks

- **Ms. Thomas** stated that she and **Mr. McCormack** met with Diane Wilson from the County Executive's office and six heads of County organizations. **Ms. Thomas and Mr. McCormack** gave an overview of what the OMCA Board is trying to accomplish regarding redevelopment of Oakland Mills. **Ms. Thomas** asked if the County would partner with Oakland Mills. Ms. Wilson asked the Howard County department heads to begin brainstorming as to how to go forward to help OM. She stated she would get

back to the OM VB within 3-4 weeks.

- **Mr. Dorton** was concerned that this meeting was held before the County had the VCCP. **Ms. Thomas** stated that illustrations needed to be added to the plan before it is complete. **Mr. Verchinski** suggested sending the VCCP to the County with a note stating that illustrations are to be added.
- **Mr. Avery** stated that if another meeting is held with the County to please notify all Board members in advance case they would like to attend and so that they could give input

New Business

Board Letter to County Executive and Councilman Ball requesting release of Bridge Feasibility Study and funds for bridge engineering and design in County budget (ATTACHMENT "C")

- **Ms. Thomas** asked if a letter should be sent. Resident Karen Gray, Bridge Columbia, responded that the OMCA Board should send a letter if they would like but please don't ask for the feasibility study to be rushed. **Ms. Thomas** stated she wanted to make sure to say something to ensure that the Bridge project be a budget priority.
- **Ms. Cederbaum** will follow up with a call to Councilman Ball's office and draft a letter to send.

Andy Byun, Special Assistant with the County Executive's office was present to introduce himself. He will be working with Phil Nichols and will be splitting duties according to Department.

Discussion of CA Abandoned Policy Draft (ATTACHMENT "D")

- **Mr. Avery** stated that the CA Board SIC committee is supposed to vote on the proposed policy at the February 26, 2015 meeting. He suggested that the Village boards should let him know of any changes that need to be made to the proposed policy.
- **Mr. Verchinski** expressed concern that the Village Boards were not included in the process. **Mr. Avery** stated that now was the chance for the Village Boards to review the policy and him know of any changes. The SIC committee that **Mr. Avery** is a part of will vote on the policy first and if the policy is approved, the CA Board will then vote on it.
- **Mr. Verchinski** stated he is unclear of the timeline for the villages. He asked how long CA's decision process is. **Mr. Avery** stated he will ask about the specific timeline.
- **Mr. Dorton** suggested that the list of significant problems include faded, peeling paint. **Mr. Verchinski** asked that the title be changed to read "Examples, not limited to", **Mr. Edelson** and others asked the Village Board be notified of the decisions regarding CA authorizing or not authorizing work on such properties. **Ms. Cederbaum** will draft the proposed amendments in memo to **Mr. Avery** and he will bring them to the SIC and to the entire CA Board and **Mr. Matthews**.

Board annual election of Manager of the Association as per the Oakland Mills Community Association By-Laws

- **Mr. McCormack** stated the OMCA Board should have voted on the Village Manager back in May and will rectify tonight. **Ms. Thomas** apologized to **Ms. Cederbaum** for not voting sooner.
- **Ms. Thomas** motioned to elect Sandy Cederbaum as Village Manager of the OMCA until the end of the fiscal year, April 30, 2015. **Mr. Edelson** seconded. **Mr. Verchinski** requested the Village Manager's position description, personnel reviews, and goals for the year. **Mr. Avery** and **Ms. Cederbaum** both stated that the information was part of Ms. Cederbaum's personnel file.
- **Ms. Wisniewski** called the question and the motion was voted on and passed (6-0-1).

Ms. Wisniewski motioned to authorize a sub-committee to market Oakland Mills. **Ms. Thomas** seconded and the motion passed (7-0-0).

Mr. Dorton asked about the letter he and **Mr. Verchinski** have put together regarding the Oakland Ridge Business Park and Snowden River Service Stations and if it should be sent. **Mr. Edelson** asked if the draft letter had been sent to the entire Board to review. **Mr. McCormack** stated that it was voted on at the last Board meeting that **Mr. Verchinski** and **Mr. Dorton** would put together the letter to be sent regarding this issue. **Ms. Thomas** stated she is concerned with the language of the letter.

Mr. Verchinski motioned to support the fueling station task force recommendations with one exception regarding New Town Zoning district and a minimum of one mile apart be required for any new fueling station.

Mr. Dorton seconded and the motion passed (5-0-2).

Mr. McCormack asked **Ms. Cederbaum** to draft a letter.

Mr. Verchinski asked if the following items could be added to the Oakland Mills website: a lot maintenance complaint form and lot maintenance requirements, a pdf of the OMCA covenants along with the by-laws with sections regarding maintenance and examples of what some complaints are. **Ms. Cederbaum** stated she will look into.

Mr. Verchinski asked about getting the information as an HOA from the County regarding foreclosures in Oakland Mills and asked that **Ms. Cederbaum** send the required HOA documents to the County so that Oakland Mills could receive foreclosure information on properties in Oakland Mills.

Mr. Avery announced that the meeting at 7pm (2/25) at the Hilton Garden Hotel between the Inner Arbor Trust Board of Directors and the CA Board of Directors. Residents are invited to attend, but there will be no resident speak out.

Board Discussion of obtaining legal advice on Architectural Committee and Covenant issues

- **Ms. Thomas** moved to close the meeting to discuss personnel – legal guidance. **Mr. Verchinski** seconded.
- After discussion, **Ms. Thomas** withdrew her motion and **Mr. Verchinski** withdrew his second. **Mr. Avery** stated that the law states very specifically why a meeting should be closed.
- **Mr. Edelson** motioned to close the meeting to discuss whether the Board should seek legal guidance. **Ms. Thomas** seconded.
- **Mr. Edelson** read from HOA guidelines to determine if meeting should be closed.
- **Mr. Edelson** withdrew his motion.

- **Mr. McCormack** presented background information regarding the reasoning for obtaining outside legal counsel. The OMCA Board would like to know what are the Board's authority and responsibility. What specific information can the board have? The OMCA Board is looking to retain Pam Sorota, Esq. who worked for the Howard County Office of Law. She specializes in land use and covenant issues. **Mr. Verchinski, Mr. Edelson, Ms. Cederbaum and Mr. McCormack** met with **Ms. Sorota**. She stated she would provide legal guidance at a rate of \$275/hour and it would probably take 5-10 hours.
- **Mr. Avery** stated that the OMCA Board should outline exactly what they would like the attorney to do and asked if CA is capable of providing the same information as an outside attorney. **Ms. Thomas** responded that there is a need for an outside objective opinion.
- **Mr. Verchinski** motioned to authorize up to 10 hours with the attorney and to also authorize for an additional 5 hours if necessary. **Ms. Thomas** seconded.
- **Mr. Edelson** stated that before we approve the money we need to be more specific about what we want as a Board.
- **Mr. McCormack** stated that three Board members will collect questions and then decide how to

proceed. **Ms. Thomas** feels it is important to not wait any longer after March 10th. **Mr. Verchinski** withdrew the motion and **Ms. Thomas** withdrew her second of the motion.

- **Mr. Verchinski, Mr. Avery and Mr. Edelson** will work together to come up with a scope of work for the attorney. The questions already formulated will be sent to the entire Board to review. Please send any additional questions to **Mr. Verchinski, Mr. Edelson and Mr. Avery**.

The regular OMCA Board meeting was adjourned at 10:10 pm.

Respectfully submitted: Brigitta Warren, Event and Administrative Coordinator

Action Items for Next Meeting (3/10/15)

Board Actions –

Ask Councilmember Ball and Sigaty to invite Councilman Fox to the April 28 OM BoD meeting along with the four other Councilmembers

Mr. Edelson, Mr. Avery, Mr. Verchinski: Draft questions for lawyer and share with board prior to March 10

Ms. Thomas, Mr. Verchinski, Mr. Dorton: Rewrite letter regarding Oakland Ridge and Snowden River

Staff Actions –

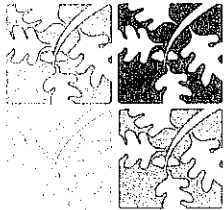
Ms. Cederbaum: Draft letter to County Executive and Councilman Ball in support of funds in the FY 2016 budget for Bridge Columbia and Stevens Forest/Whiteacre Streetscape budget.

Ms. Cederbaum: Draft letter to Councilmembers Sigaty and Ball in support of the Fueling Task Force Recommendations as per the board discussion

Ms. Cederbaum: Draft memo to Mr. Avery and CA SIC regarding board comments/amendments to the proposed CA Abandoned Property Policy

Ms. Cederbaum: Work with web designer to add a covenant complaint form, legal docs and information on complaint reporting to OM Website

Ms. Cederbaum: Find out what village documents need to be submitted to the County so that we can receive notice of foreclosures in our village.



oakland mills
we value connections

**Oakland Mills Community Association
Village Board Meeting AGENDA**

The Other Barn ~ 5851 Robert Oliver Place ~ Columbia, MD 21045

Board Members: Virginia Thomas, Co-Chair ~ Bill McCormack, Co-Chair,

Jervis Dorton, Architectural Committee Chair ~ Jonathan Edelson

Paul Verchinski ~ Tawania Williams ~ Kay Wisniewski

Reginald Avery, Columbia Council Representative

**February 24, 2015
Meeting Begins at 7:00 p.m.**

7:00 p.m. Opening of meeting

Approve the agenda for tonight's meeting

Approve the minutes from the February 10, 2015 meeting

7:05 p.m. Resident Remarks

7:10 p.m. Steven Forest-White Acre Streetscape Project Update,

Randy Clay – Howard County DPZ

Update on existing County project to redesign portions of White Acre Road and Steven Forest Road.

Preliminary design plans were presented in November 2014. County staff to provide updated plans for the

project. (Discussion limited to current project which begins at Santiago/Stevens Forest to Whiteacre Road and Whiteacre to Basket Ring.)

8:10 p.m. Discussion on what topics to discuss at meeting with County Council members at the April 28, 2015 OMCA Board meeting, Virginia Thomas and Bill McCormack

8:45 p.m. Board Co-Chair Remarks, Virginia Thomas and Bill McCormack

8:55 p.m. New Business

Board letter to County Executive and Councilman Ball requesting release of Bridge Feasibility Study and funds for bridge engineering and design in County budget.

Discussion of CA Abandoned Policy Draft (to be posted on CA website on Feb. 19, 2015)

Board annual election of Manager of the Association as per the Oakland Mills Community Association By-Laws, OM Board of Directors

Board Discussion of obtaining legal advice on Architectural Committee and Covenant issues, Bill McCormack, Jonathan Edelson, Paul Verchinski

9:30 p.m. Board Bulletin Board

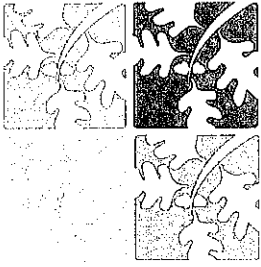
9:35p.m. Adjourn

Upcoming Events:

Lively Arts: Feb. 27

OM Education Committee: Mar 3, 6:00 p.m. Diane Martin, HCPSS to discuss HCPSS Strategic Plan

Baby Expo: March 7, 10 a.m. – 2 p.m.



Oakland Mills Community Association

Village Board Meeting Minutes

The Other Barn ~ 5851 Robert Oliver Place ~ Columbia, MD 21045

Board Members: Bill McCormack, Jr., Co-Chair~ Ginny Thomas, Co-Chair ~ Jervis Dorton, AC Chair ~ Jonathan Edelson ~ Paul Verchinski
Tawania Williams ~ Kay Wisniewski
Reginald Avery, Columbia Council Representative

oakland mills
we value connections

February 10, 2015

Regular OMCA BoD Meeting

Mr. McCormack called the regular meeting of the OMCA Board of Directors to order at 7:01 pm.

Present: Bill McCormack, Jr., Board Co-Chair; Ginny Thomas, Board Co-Chair; Jervis Dorton, AC Chair; Paul Verchinski; Tawania Williams; Sandy Cederbaum, Village Manager; Brigitta Warren, Event & Administrative Coordinator

Absent: Jonathan Edelson; Kay Wisniewski; Reginald Avery, CA Board

Also Present: Rick Levitan; Chris Alleva; Jon DiTimasso; See Resident List

Opening of Meeting

- **Ms. Thomas** motioned that the agenda for February 10, 2015 (ATTACHMENT "A") be approved with an amendment to remove the CA Board Report. **Mr. Verchinski** seconded and the motion passed (5-0-0).
- **Mr. McCormack** motioned to accept the January 27, 2015 OMCA Board meeting minutes (ATTACHMENT "B"). **Mr. Verchinski** seconded. **Ms. Thomas** asked to amend the minutes to include the discussion regarding the house on Farewell Road. **Mr. Verchinski** motioned to accept the amended minutes. **Ms. Thomas** seconded and the motion passed (5-0-0).

Resident Remarks

- Rick Levitan, a Howard County business owner for 15 years, was present to recommend the OMCA Board pass a resolution to write the Howard County Council in support of the "Howard County Fueling Stations Task Force recommendations (ATTACHMENT "C"). Mr. Levitan stated he is in agreement with the recommendations made by the Task Force. **Mr. Verchinski** asked what recommendations were made and what is the Task Force asking the County Council to do. Mr. Levitan responded that the report he distributed has this information. He also stated that the recommendations are specifically for brand new location and includes New Town (NT) **Ms. Thomas** asked if Mr. Levitan had a County Council member who was interested in this. Mr. Levitan responded that possibly Councilman Calvin Ball and stated that the County Council has commissioned the Task Force. Additional questions were asked. The Board indicated they would read the recommendations and take it under advisement.

Christopher Alleva was present to share some information with the OMCA Board regarding this issue.

Board Co-Chair Remarks

Ms. Thomas asked about taking further action regarding the Farewell Road house discussed at the January 27, 2015 OMCA Board meeting. She indicated she would like to bring the details of the case to County Executive Kittleman, Councilman Calvin Ball and HC Housing Director Tom Carbo. **Mr. McCormack** suggested working with Councilman Ball's office to develop a "bad" landlord law. **Ms. Thomas** motioned to request that the County Executive, Councilman Calvin Ball and Howard County Housing Director, Tom Carbo develop legislation that would deal with bad landlords and create a "bad" landlord law to have their license pulled. **Mr. Verchinski** seconded and the motion passed (5-0-0). **Mr. McCormack** will follow up with researching the Metropolitan Baltimore Quidell that issued the voucher of the house on Farewell Road and what type of courts rule in cases relating to the tenants and the MBQ.

Manager's Report

- **Ms. Cederbaum** distributed her report (ATTACHMENT "D"). **Ms. Cederbaum**, upon **Ms. Thomas'** request, will follow up with Buck Bohmer regarding the safety issues at the Stevens Forest/Farewell Road interchange.

New Business

Columbia New Town Zoning, Proposed Changes

- **Ms. Thomas** met with Councilwoman Mary Kay Sigaty regarding new housing in Columbia and whether it will include MIHU housing. The CA Board will be having a meeting regarding New Town Zoning on February 12th. **Ms. Thomas** requested that the OMCA Board and staff work with the other nine villages, the CA Board and Howard County Housing to schedule a meeting to discuss New Town Zoning. **Mr. McCormack** gave some background information relating to New Town Zoning. **Mr. McCormack** requested that a call should be made to County Executive Kittleman's office regarding this issue.

County Enforcement of Commercial Covenants and FDP's

- **Mr. Dorton** stated he had written a letter to Sheri Fanaroff, CA Attorney, regarding the lack of enforcement of the covenants on commercial properties. Ms. Fanaroff responded that CA only had jurisdiction over one property that Mr. Jervis wrote to her about and CA had no jurisdiction over the other properties. She suggested **Mr. Dorton** contact HC Department of Planning and Zoning. **Mr. Dorton** has contacted HCDPZ who stated that there was no County ordinance regarding cutting down trees. Chris Alleva, who was present at the meeting, stated that there was in fact such an ordinance. Mr. Alleva presented the OMCA Board with a letter to be sent to County Executive and the Howard County Council regarding a planning board decision on Snowden River.. **Mr. Verchinski** stated that he felt the letter should be sent with minor changes made making it relevant to Oakland Mills. **Ms. Thomas** felt more research was needed. **Ms. Thomas** motioned to amend the letter to read "It has come to the OMCA Board's attention that residents are concerned with possible violations at these properties: (list properties)...and could we please get together with the individual from the County who oversees these properties. Thank you for your attention to this matter." **Mr. Verchinski** seconded and the motion passed (5-0-0). **Mr. McCormack** suggested **Mr. Dorton** work with Mr. Alleva to come up with some examples.

CA Charter/By Law Changes to Make All Lien Payers Members of CA

- **Mr. McCormack** explained why this change is important. He also stated the OMCA Board will need to decide if this is something that they should take action on. **Ms. Cederbaum** stated that two years ago, all of the ten Village Boards got together and sent a letter to CA opposing proposed legislation to make CA a civic association. Suggestions were given as to what the next steps should be.
- **Mr. Verchinski** gave an update regarding the CA Board meeting that was held regarding an ethics violation charge.

Columbia Downtown Housing Corporation

A discussion was held regarding Downtown Columbia Housing Commission meeting and the percentage of affordable housing that is required as part of downtown Columbia's new housing units. **Ms. Thomas** attended the Downtown Columbia Housing Commission meeting and will forward the committee minutes.

Ms. Thomas and **Mr. McCormack** met with Clay Carr, to continue the discussion regarding a sports complex in Oakland Mills and also met with Dennis Miller of Ryland Homes.

- **Ms. Thomas** received an email from Diane Wilson, Chief of Staff to the County Executive. Ms. Wilson indicated that she has received several emails opposing the VCCP and the Multi-Use Sports Complex. It was suggested that the board include information in the community e-newsletter to gain support for the complex.

The regular OMCA Board meeting was adjourned at 9:25 pm.

Respectfully submitted: Brigitta Warren, Event and Administrative Coordinator

Action Items for Next Meeting (2/10/15)

Board Actions –

Mr. Avery will follow up with CA regarding the ponds and invite them to attend an OMCA Board meeting. **Mr. Verchinski** and **Mr. Dorton** will draft a letter to the County Executive about the planning board issues on Snowden River Road.

Mr. McCormack will follow up with researching the Metropolitan Baltimore Quidell that issued the voucher of the house on Farewell Road and what type of courts rule in cases relating to the tenants and the MBQ.

Staff Actions –

Ms. Cederbaum will contact **Mr. Bohmer** (HC Traffic Engineer) about the Stevens Forest/Farewell interchange. **Ms. Cederbaum** will follow up regarding a joint village meeting on NT zoning.

To: The Oakland Mills Village Board
From: Friends of Bridge Columbia
(Cathy Spain, Karen Gray, Fred Gottemoeller, Sandy Cederbaum,
John Slater, Bob Bartolo)
Re: Suggested Next Steps for Bridge Columbia
Date: February 20, 2015

Following is some suggested language for next steps you may want to include in your correspondence with the County Executive and the County Council on the future of Bridge Columbia if you feel a letter is warranted at this time. Bridge Columbia is meeting with County Executive Kittleman and Councilmember Ball on March 2nd. We would prefer for that meeting to occur before you send a letter. We think the best approach is for Bridge Columbia and the OMVB to have a strategy discussion after that meeting to decide the content of any letter and next steps.

If you feel it is necessary to go forward with the letter, we ask that you not specifically ask for the release of the feasibility study at this point. Since the study itself has no recommendations, we would prefer to let the county release it at their discretion. We do plan to ask for the study's release at the March 2nd meeting.

If you decide to send a letter during your February 24th meeting we suggest that it include the following language:

The construction of Bridge Columbia is a top priority for Oakland Mills. If the county approaches this project with urgency, similar projects indicate that the bridge could get built in four years. There's no reason for OM to wait any longer than that.

These are the steps that must be taken to move this project forward.

- 1. Select a bridge option to pursue. The county executive, county council, and relevant departments need to work together to make this choice as soon as possible. The OMVB recommends one of the options that includes two lanes of transit (Options 3B or 4B).*
- 2. Proceed with the preliminary engineering and environmental permitting study, potentially by extending the URS contract.*
- 3. Assure that sufficient funds are available for these studies and for moving the project forward. If there are not currently sufficient funds left from the 2013 capital budget item to get started, then funds must be added in the 2016 budget.*
- 4. Initiate grant requests through the MD Department of Transportation (MdDOT) or Regional Planning Council(RPC). A meeting of the County Executive with the Secretary of MdDOT or consultation with the state delegation would be an ideal start. At the very least, Bridge Columbia should be put onto the "wish list" that the county discusses with MdDOT every fall.*

If you have any questions about our recommendation to delay your letter, please do not hesitate to contact us. We are available to meet with you next week before your meeting.

**COLUMBIA ASSOCIATION, INC.
POLICY ON COVENANT ENFORCEMENT WITH RESPECT TO
VACANT AND ABANDONED RESIDENTIAL PROPERTY**

This document sets forth the Columbia Association, Inc. ("CA") policy and procedure for enforcement of architectural covenants with respect to vacant and abandoned residential properties. It replaces any prior CA policies with respect to vacant and abandoned homes.

A home is vacant and abandoned when there is no one residing in or occupying the home and no sign of any resident activity on the property. (This policy does not apply to any property that is only seasonally vacant.)

1. A Village Community Association ("Village") Board of Directors may by written resolution directed to the Chairperson of CA's Architectural Resource Committee ("ARC") request that CA enter onto property pursuant to the Village's and CA's Deeds and Declarations of Covenants and perform certain exterior work to remedy architectural covenant violations existing on vacant and abandoned residential property that is subject to the CA annual charge. The Village shall specify the requested work, which may consist of:

a. Lawn maintenance;

b. Trash removal;

c. Correction of an exterior condition presenting a clear safety hazard to anyone entering onto the property (e.g., exposed bare wiring, broken glass, sharp equipment left in yard, dead tree, etc.); and/or

d. Repair, replacement or removal of an exterior condition that constitutes a significant architectural covenant violation causing a substantial negative impact on the visual appeal of the property as viewed from the street or the adjoining residential properties. Examples of such violations are listed on Exhibit A attached hereto and made a part hereof. The determination as to whether a violation causes a substantial negative impact, for purposes of CA's decision whether to accept a property for action under this policy, is at the absolute discretion of CA.

2. The following preconditions must be met by the Village before the Village may submit a resolution requesting the work described above in section 1(a), 1(b) or 1(c):

a. The Village must have sent to the property owner at least two (2) covenant violation notices and have not received any response from the property owner; and

b. The Village, over a period of at least thirty (30) days following the expiration of the first violation notice period, must have made significant efforts to

(i) locate the property owner and received no response to such efforts, and

(ii) locate the mortgagee, property management company or other person responsible in the absence of the property owner for the repair and maintenance of the property and been unsuccessful in such efforts.

3. The following preconditions must be met by the Village before the Village may submit a resolution requesting the work described above in section 1(d):

a. The Village must have sent to the property owner at least three (3) covenant violation notices and have not received any response from the property owner; and

b. The Village, over a period of sixty (60) days following the expiration of the second violation notice period, must have made significant efforts to

(i) locate the property owner and received no response to such efforts, and

(ii) locate the mortgagee, property management company or other person responsible in the absence of the property owner for the repair and maintenance of the property and been unsuccessful in such efforts.

4. In the case of all requests for work described above in section 1, the Village Covenant Advisor must inspect the property no more than two (2) business days prior to the submission of the request to the ARC Chairperson so as to verify the current condition of the property and the accuracy of the request.

5. Village requests submitted under this policy shall be accompanied by:

a. a memorandum prepared by the Covenant Advisor

(i) listing any communications or attempted communications to or with the property owner, mortgagee, property management company or other persons relating to covenant violations existing on the subject property, and

(ii) detailing all other efforts made to locate such persons; and

b. Color photographs of the covenant violations taken during the Covenant Advisor's inspection just prior to the submission of the request.

6. The ARC will consider the request at its next regularly scheduled monthly meeting and determine whether to recommend to the CA President that CA's Department of Open Space and Facility Services ("DOSFS") be directed to enter upon the property to perform the requested work.

7. The President in his or her absolute discretion will determine whether to accept the ARC's recommendation in part, in whole or at all. If accepted, the President will give written authorization to the DOSFS Director to perform the approved work and send a copy of such authorization to CA's General Counsel, CA's Assessments Department and the appropriate Covenant Advisor.

8. In addition to the discretion vested in the President referenced in section 7 above, CA also may limit the number of cases that it will accept under this policy or the amount or types of work to be done on a particular property based on any budgetary limits CA may set on the costs of maintenance and repair work on vacant and abandoned residential properties or any limitation on the amount and types of work that CA may reasonably perform given its current staffing and expertise.

9. The ARC and President in making the determinations set forth in sections 6 and 7 above may consult with CA's General Counsel and consider relevant legal, financial and other factors, including but not limited to those factors identified in section 8 above and the degree of the significance of the covenant violations in proportion to the costs of the requested maintenance and/or repair work.

10. Following acceptance of a request by the President, the Village must and CA may continue to make efforts to locate any mortgagee, property management company or other person with responsibility for the maintenance and repair of the property. If such a person is identified by the Village, it will so notify CA within five (5) business days. CA will inform that party of its obligation to make any repairs not completed by CA and for ongoing maintenance, and will advise the DOSFS Director and the village that the repair and maintenance obligations have been referred to that party.

11. Upon completion (or partial completion pursuant to section 10 above) of the approved work, the DOSFS Director shall notify the ARC Chairperson, CA's General Counsel, CA's Assessments Department and the Village Covenant Advisor of the completion (or partial

completion) and cost of the work. CA will send the property owner (and the mortgagee if one has been identified) a Special Assessment invoice for the cost of the work and place a notation of the Special Assessment in CA's assessment file for that property. If the property owner fails to pay the Special Assessment, CA may proceed to create a lien and file a statement of lien, pursuant to the Maryland Contract Lien Act, Maryland Code, Real Property, Section 14-202, *et seq.*, in order to recover its damages (*i.e.*, the cost of the work) and any other amounts (such as collection costs, late charges and attorneys' fees) permitted by law. CA also reserves its rights under law to foreclose on the abandoned property.

Approved _____, 2015
Columbia Association Board of Directors

Exhibit A

**EXAMPLES OF SIGNIFICANT COVENANT VIOLATIONS
FOR PURPOSES OF SECTION 1(d)**

1. Broken windows
2. Broken doors
3. Missing or dangling gutters
4. Missing siding
5. Siding grossly overgrown with algae
6. Missing roof shingles
7. Broken or missing shutters
8. Missing or rotted trim
9. Broken exterior light fixtures
10. Broken fencing
11. Broken or rotted decks
12. Broken front porch pillars
13. Broken lantern poles
14. Missing or broken exterior vent covers allowing animals to enter home

The decision as to whether it is most appropriate in the circumstances to repair, replace or remove the item constituting a covenant violation will be at the absolute discretion of CA.