

Seneca Overlook

Blunt Commons Homeowners Association

Minutes of the Most Recent HOA Meeting

Summary of business: Blunt Commons HOA meeting, 3/20/00, held at the Capt John Daly Elementary School Media Center, 7:30 PM.

Board Members present: Mark Bookbinder (President), Bill White (Vice-President), Rodney Pope (At-Large), and James Nolan (Treasurer). Mr. Bookbinder called the meeting to order at 7:40pm. The following items were discussed and acted upon:

1. Election of 1-yr-term BOD member. Nominees-only Bill White, for reelection. Re-elected by acclamation.
2. Old Business:
 - a. Status of F.O.Day commitments for development. Pond-not yet begun. Street trees-not installed. Day doesn't return calls from BOD and other residents. BOD will continue to attempt to get answers from Day.
 - b. Malfunctional street lighting. May still be Day's responsibility, but homeowners indicated that calling County might get response. Mike Potter asked that anyone noticing a light out call him with the light pole number, as well as trying County and/or developer.
3. New Business:
 - a. Suggestion from homeowner that letters and e-mail be sent to our County Council members (especially Nancy Dacek) and Doug Duncan concerning unfinished developer items (street trees, turnover of streets, signage, etc.). Mr. Potter and BOD supported idea.
 - b. Trash pickup following bad weather-related missed pickups-pickup will be made on the next scheduled pickup date, not the day following the missed pickup.
 - c. Curb damage due to snow removal noted by homeowners-Mr.Potter indicated that F O Day is responsible, and should be called to repair.
 - d. The Melvin fence request-
 - i. Mr. and Mrs. Melvin, of 20001 Yellow Leaf Terrace, had requested ACC approval to build a fence enclosing the side and rear portions of their lot. ACC denied their application, citing a conflict with Article VI, Section 17 of the Blunt Commons HOA Covenants. The Melvins appealed the ACC ruling to the BOD. The particulars of their request were described, as well as the results of an examination of the site performed by Glenn Reynolds, the Association's architect. Mr. Reynolds

determined that a fence could meet the existing Covenants **only** if built within the building restriction line (extended from the front building line of the house to his South) on the Yellow Leaf Way side of his lot. The proposed fence siting was beyond this limit, thus could not be approved "as-is."

ii. BOD and Mr. Potter indicated that, in order to build per their proposal, Mr. and Mrs. Melvin would have to seek an amendment to the Covenants. This would require preparing the text of the amendment, having it approved by the Association's lawyers, and then having it approved by i) 90% of the homeowners, ii) the Maryland-National Capital Park and Planning Commission, and possibly iii) all current lenders. This information was confirmed by the association's attorney, Mrs. Tamara Stoner of the Lerch, Early and Brewer PA law firm.

iii. Legal costs for an amendment could run approximately \$3,000--this was estimated by Mrs. Stoner. BOD asked "who pays?". Question was left for future discussion.

iv. BOD determined it could set up a committee to write the amendment to save some money, although the lawyers would still have to approve it. No volunteers came forth to participate.

v. It was determined, after some discussion, that the Melvins were unfamiliar with the limiting provisions of the Covenants, and may not have received a copy when they purchased their home. Mr. Potter explained that if they did not receive a copy of the governing documents for review prior to purchasing the home, this would have been in violation of current county and state law. He further stated that any homeowner who may be in this position should contact his/her attorney.

At 9:00 PM, BOD and Mr. Potter requested that public meeting be closed due to the lateness of the hour, so the BOD and the homeowners could meet in closed session with the Association's lawyer. Motion to close was made and seconded, and the meeting was adjourned.