

**SWAN POINT AT LAKE ELKHORN CONDOMINIUM ASSOCIATION, INC.**

**May 15, 2007**

HYPERLINK "<http://www.swanpoint.org/>"[www.swanpoint.org](http://www.swanpoint.org/)

Present: Randy Lappert, President; Barbara Boyd, Vice President; Kathy Bestany, Secretary; Ferd Lazarus Treasurer; Gracie Bradford and Tom Alizio, Board Members, Ann Wing, Grounds Committee Chair; Michael Klein, WP&M Management Company, Jim Spindler, resident.

Meeting was called to order at 7:05 p.m.

Minutes of April were approved by email on April 19 and are posted on the Swan Point website.

**Management Report**

The Association's lawyer sent a letter to the owner of 7383 Swan Point Way that reviewed the results of a violation hearing conducted in November. The Board gave the owner 30 days from the date of the letter to immediately repair all structural damage to the unit with a licensed contractor and required that she immediately perform a comprehensive cleaning of the unit using a bio cleaning company to complete the work. Failure to pay the fines and complete what was required by the Board would result in the imposition of a fine of \$25 per day for each day the violation continues. The homeowner has failed to provide documentation from contractors that she has repaired all structural damage and performed a comprehensive cleaning using a bio cleaning company. As a result, a lien will be filed by the association's lawyer in about 40 days.

The homeowner will be sentenced on May 18. Board directed that a signed letter from the association's attorney of a victim impact statement representing the Swan Point community be Fed Ex'd to Gracie Bradford so that she can present it to the judge at the hearing.

Board requested an update on the status of the lien on 7393 Swan Point Way.

Board requested that a letter be sent to the homeowner of 7347 Swan Point Way for payment of escalating late fees.

Board voted to cancel the late fee (\$15) for the owner of 7361 Swan Point Way, as she was the victim of identity theft and had to open a new checking account.

The Harbor Lane retaining wall project will begin May 21 and take three to four weeks to complete. Contractor will also look at wooden tie walls throughout the community; if only the top tie is rotted, he will give an estimate to replace these top ties. List of all walls will be sent by Ferd Lazarus to the management company.

The cost of snow removal this season was \$58,000. Mike Klein met with Chapel Valley's

director of snow removal who refused to negotiate the price. Mike Klein will recommend a fair price to pay and then a special assessment will be implemented.

Ferd Lazarus made a motion to have a special assessment to pay the snow bill over 12 months of the next fiscal year—November 2007 through October 2008. The motion was seconded by Gracie Bradford. The motion was defeated with a vote of four against and two for.

Barbara Boyd made a motion seconded by Kathy Bestany to have a special assessment to pay the snow bill over the remaining months of this fiscal year in one, two or possibly three payments ending October 31, 2007. The motion was approved with a vote of five in favor and one opposed.

Michael Klein will check the Swan Point documents relating to special assessments and report back to the board.

The final claim check for 7299 Swan Point Way has been received by the management company. A final walkthrough will be conducted before the funds are released.

The homeowner of 7291 Swan Point Way requested that a tulip poplar in the rear woods behind his unit be pruned or the tree itself be removed as it is a hazard during wind gusts. RAR examined the tree and concluded that “I don't feel that this tree is anymore risky than all of the other large trees that are overhanging the units throughout the complex.” The approximate cost for pruning this tree is \$1875. It is on CA property. We are permitted to prune CA trees that overhang onto Swan Point property. Homeowner may choose to have the tree pruned at his expense.

#### SPRAC Report

Board approved the deck application for 7279 Swan Point Way.

Gracie Bradford made a motion seconded by Tom Alizio to permit residents to choose between two standard deck styles, one with the vertical poles affixed to the base of the deck and the second with vertical poles affixed to a horizontal piece near the floor of the deck.

Gracie Bradford reported that a SPRAC meeting was held and that five residents have volunteered to serve for the walkthrough inspections. Tom Alizio and Kathy Bestany will also participate in the walkthroughs. The committee would like to hold the walkthroughs in the fall or no later than spring '08.

New SPRAC members met with Gracie Bradford on May 14. Copies of the Swan Point Architectural Guidelines and Owen Brown Architectural Guidelines were distributed. New members were asked to practice a walkthrough by assessing their own residences.

Board will investigate whether to join CA's website hosting.

Gracie Bradford reported on a meeting she attended of HOA and Condo Boards in Owen Brown on April 19 where a partial list of the rights of homeowners who live in condominiums

and homeowner associations was presented. Two websites that provide more complete information are HYPERLINK "http://www.marylandhomeownersassociation.info/"[www.marylandhomeownersassociation.info](http://www.marylandhomeownersassociation.info/) and HYPERLINK "http://www.mlis.state.md.us/"[www.mlis.state.md.us](http://www.mlis.state.md.us/)

Letter will be sent to the homeowner of 7445 requesting that he file an application for the patio that has been installed and alert him that the trim on his chimney is coming off.

#### Grounds Committee

Grounds Committee would like to tree work to begin at Swan Point Way and continue through the property as budget permits.

Dana Beard has compiled a list of residents who don't want their property pruned and she will forward the list to Don Duke of Chapel Valley.

Ferd Lazarus will now be the contact for residents who have grounds questions.

#### President's Report

Letters will be sent to the owners of 7239, 7241, 7243, 7245 and 7277 reminding them that trash and recycling are not to be placed curbside before 6 p.m. of the evening before the service. Failure to comply will result in a closed hearing with the board.

#### Resident's Speakout

Jim Spindler noted that there are individuals putting out trash and recycling before the required time.

He also noted that a deck has a redwood stain; residents are reminded that only clear sealants are allowed in Swan Point. A letter had already been sent to that homeowner explaining the violation, suggestions for how to remove the stain and a date for completion.

Resident Mary Sklarevsky requested that her inquiry about the Grounds Committee at the April Board meeting be clarified. She requested that the date and time of the meetings be posted on the Swan Point website so that interested unit owners could attend. As stated in the April minutes, the Grounds Committee is a subcommittee that meets monthly in a member's home and reports its findings to the Board at the Board's monthly meeting. It is not a public meeting.

Meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Kathy Bestany  
Secretary