

**Minutes of the  
BOARD OF DIRECTORS MEETING  
Held: January 24, 2019**

Approved February 28, 2019

A meeting of the Columbia Association Board of Directors was held on Thursday, January 24, 2019 at Columbia Association headquarters. Present were Chairman Andrew Stack and members Dick Boulton, Renee DuBois, Lin Eagan, Janet Evans, Alan Klein, Nancy McCord, Gregg Schwind (arrived at 7:20), Virginia Thomas, and Shari Zaret (arrived at 7:05). Also present were CA Vice President/CFO Susan Krabbe and General Counsel Sheri Fanaroff.

- 1. Call to Order:** The Board of Directors Meeting was called to order at 7:01 p.m. by Chairman Andrew Stack. Mr. Stack announced the directors and senior staff in attendance, reminded attendees that the meeting is being recorded and broadcast, and reminded them to follow CA's Five Civility Principles.

*Ms. Zaret arrived at 7:05 p.m.*

**2. Announcement of Closed/Special Meetings:**

The **Risk Management Committee** held a closed meeting on January 10, 2019 at Columbia Association headquarters. Members present were Milton Matthews, Susan Krabbe, Nancy McCord, Lin Eagan and Shari Zaret. The vote to close the meeting was 5-0-0.

The closed meeting was authorized under the Maryland Homeowners Act, Md. Code, Real Property §11B-111(4)(iv) consultation with staff personnel, consultants, attorneys, board members or other persons in connection with pending or potential litigation or other legal matters. The meeting was closed from 6:34 p.m. until 6:57 p.m. to discuss general liability matters, incidents and claims.

The **Architectural Resource Committee** held a closed meeting on January 14, 2019. Members present were Sheri Fanaroff, Deb Bach, Carl McKinney, Eva Lambright, and Gracie Bradford. The vote to close the meeting was 5-0-0.

The closed meeting was authorized under the Maryland Homeowners Act, Md. Code, Real Property §11B-111(4)(iv) consultation with staff personnel, consultants, attorneys, board members or other persons in connection with pending or potential litigation or other legal matters. The meeting was closed from 1:04 p.m. until 1:48 p.m. for discussion of new and ongoing covenant cases.

**3. Approval of Agenda**

Mr. Stack asked that Item 12 be removed from the agenda, due to the absence of CA President/CEO Milton W. Matthews.

**Action:** Ms. Thomas moved to approve the agenda as amended. Ms. Eagan seconded the motion, which passed unanimously. Vote: 9-0-0

For: Messrs. Boulton, Klein, Stack and Mses. DuBois, Eagan, Evans, McCord, Thomas, and Zaret

Against: none

Abstain: none

- 4. Disclosure of Conflict of Interest:** Mr. Stack said that some Board members, including himself, may have a conflict of interest by voting on agenda Item 9(b)3.iii (re: Elderly Individuals Tax Credit).

## 5. Resident Speakout:

- a) Jonathan Edelson, Oakland Mills Village Association, spoke about the CA budget.
- b) Jonathan Edelson, Oakland Mills, spoke about CA assistance during the federal government shutdown.

*Mr. Schwind arrived at 7:20 p.m.*

- c) Nina Basu, Inner Arbor Trust, spoke about state legislation related to the IAT's proposed Butterfly Guest Services Building (05-19) and marketplace liquor license (06-19).
- d) Will Glass, Taps LLC, spoke about a marketplace liquor license for Symphony Woods.
- e) Chris Alleva, spoke about a possible CA role in planning and zoning.
- f) Joel Hurewitz, Harpers Choice, spoke about Howard County Bill 4-19.
- g) Pat Hersey, Oakland Mills, spoke about Howard County bill 4-19.
- h) Alisa Nielfeld-Batiz, Oakland Mills, spoke about Howard County bill 4-19.
- i) Noah Carter, works in Howard County, spoke about Howard County bill 4-19.
- j) Pam Klahr, former Chamber of Commerce chair, spoke about bill 05-19 re: Symphony Woods
- k) Brian England, Hickory Ridge, spoke about East Guilford Industrial Park covenant enforcement.

**Action:** Ms. Schwind moved that the Board waive attorney-client privilege to allow CA General Counsel Sheri Fanaroff to give legal advice about the plastic bag bill during tonight's open meeting. Mr. Klein seconded the motion, which passed. Vote: 6-1-3

For: Messrs. Boulton, Klein, and Schwind; and Meses. DuBois, McCord, and Zaret  
Against: Mr. Stack  
Abstain: Meses. Eagan, Evans and Thomas

Mr. Stack said the discussion should occur when the Board discusses other state legislation -- Item 9(b)3 on tonight's agenda.

## 6. Chairman's Remarks:

Mr. Stack submitted a written report.

## 7. Reports/Presentations

### (a) President's Report

Mr. Matthews submitted a written report.

### (b) Report from the CA Representatives to the Inner Arbor Trust Board of Directors

Lin Eagan submitted a written report. In response to questions from Board members, she noted that new rules and regulations being developed for the park will apply to all of the park's users and will include enforcement measures.

### (c) Financial Reports – none

### (d) Quarterly Update re: Member Information

Sport and Fitness Department Director Dan Burns gave an overview re: membership sales and attrition.

## 8. Second Deliberation by the Board on the Conditional FY 2020 Budget with proposed additions and deletions from stakeholders

Board members discussed a budget item regarding a feasibility study for an elevator in Oakland Manor. Mr. Stack also suggested that members send in their questions and ideas in preparation for the budget discussion that will be held during the next work session.

## 9. Board Action

### (a) Consent Agenda

1. **Approval of Minutes** – December 13, 2018 BOD meeting  
The minutes were approved by consent.

(b) Board Votes

1. Acceptance of Final Report from the Millennials Work Group

**Action:** Ms. McCord moved to accept the Millennials Work Group report and to direct CA President Milton Matthews to present a draft Millennials Advisory Committee charter at the Board's next work session, scheduled for February 14. Ms. Thomas seconded the motion, which passed.

Vote: 9-1-0.

For: Messrs. Boulton, Klein, and Stack; and Meses. DuBois, Eagan, Evans, McCord, Thomas and Zarat

Against: Mr. Schwind

Abstain: none

2. East Guilford Industrial Park Covenant Enforcement Recommendation

Mr. Klein moved that CA staff meet with East Guilford Industrial Park property owners to learn their views on CA's proposed Agreement to Modify Guilford Industrial Restrictions. Ms. Thomas seconded the motion, which passed unanimously. Board members will be invited to the meetings.

*Ms. DuBois left the room.*

3. Vote on Howard County State Delegation Legislation

- i. Howard County 05-19: Butterfly Building

**Action:** Ms. McCord moved to support the legislation, which would provide funding for the design and construction of the Inner Arbor Trust's Butterfly Building in Symphony Woods. Mr. Schwind seconded the motion, which passed. Vote: 7-2-0.

For: Messrs. Schwind, and Stack; and Meses., Eagan, Evans, McCord, Thomas, and Zaret

Against: Messrs. Boulton and Klein

Abstain: none

*Ms. DuBois returned.*

- ii. Howard County 06-19: Marketplace License

**Action:** Ms. McCord moved to support the legislation, which would enable Howard County to issue marketplace liquor licenses. Ms. Thomas seconded the motion, which passed unanimously.

- iii. Howard County 16-19: Elderly Individuals Tax Credit

**Action:** Mr. Klein moved to support the legislation, which would allow people to claim the tax credit if they have lived in the same county for 40 years, rather than in the same dwelling. Ms. Thomas seconded the motion.

Mr. Boulton moved to amend the motion to add that the tax credit should be needs based. The motion was not seconded.

The original motion to support Howard County bill 16-19 passed. Vote: 7-1-2.

For: Messrs. Klein and Schwind; and Meses. DuBois, Eagan, Evans, Thomas, and Zaret

Against: Mr. Boulton

Abstain: Ms. McCord and Mr. Stack

- iv. Howard County 4-19: Authority to Impose Fees for Use of Disposable Bags (*added to agenda*)

**Action:** Ms. Thomas moved to support amending the legislation to allow a surcharge of up to 10 cents per plastic bag. Mr. Klein seconded the motion, which passed. Vote: 9-1-0.

For: Messrs. Boulton, Klein, Schwind; and Mses. DuBois, Eagan, Evans, McCord, Thomas, and Zaret  
Against: Mr. Stack  
Abstain: none

**Action:** Ms. Thomas moved to support amending the legislation to also apply the surcharge to paper bags. Ms. Evans seconded the motion, which failed. Vote: 4-5-1.  
For: Mses. Eagan, Evans, Thomas, and Mr. Klein  
Against: Mses. McCord and Zaret; and Messrs. Boulton, Schwind, Stack  
Abstain: Ms. DuBois

#### 4. Vote on Development

##### i. Jordan Overlook

**Action:** Ms. Thomas moved to oppose a proposed conditional use petition that would allow a 21-unit age-restricted adult community to be built on an outparcel in Oakland Mills' Thunder Hill. Ms. Eagan seconded the motion, which passed. Vote: 9-1-0.  
For: Messrs. Boulton, Klein, Schwind and Stack; and Mses. DuBois, Eagan, Evans, Thomas, and Zaret  
Against: Ms. McCord  
Abstain: none

If the developer instead pursues building 11 single-family detached homes, which is permitted under the existing zoning as a matter of right, CA staff recommends that the Board take no action because there would be no public review process; zoning that permits single-family homes is already in place.

##### ii. ZB 1120M Enterprise Homes, Inc./Community Homes

**Action:** Ms. McCord moved to support a proposed amendment to the Preliminary Development Plan for Columbia New Town District to increase the number of allowable multi-family units by 300 and assign the units to five specific properties in Wilde Lake and Harpers Choice. Mr. Schwind seconded the motion, which passed. Vote: 9-1-0.  
For: Messrs. Boulton, Schwind and Stack; and Mses. DuBois, Eagan, Evans, McCord, Thomas, and Zaret  
Against: Mr. Klein  
Abstain: none

##### Howard County 12-19: Public Ethics – Developer Contributions (*added to agenda*)

**Action:** Mr. Boulton moved to support legislation that would prohibit zoning amendment applicants from donating to elected officials while the application is pending, and would prohibit county council members from voting on or participating in the proceeding on the application if [s]he received payment from the applicant during a 36-month period preceding the filing of the application. Mr. Klein seconded the motion.

**Action:** Mr. Stack moved to table the previous motion, which was based on a *summary* of the bill, not the actual bill. Ms. Zaret seconded the motion, which passed unanimously.

Ms. Fanaroff will provide copies of Howard County 12-19 at the next meeting.

#### 10. Tracking Forms

- (a) Tracking Form for Board Requests
- (b) Tracking Form for Resident Requests

#### 11. Talking Points.

12. Entertain motion to hold a closed meeting of the CA Board of Directors on January 24, 2019 under the Maryland Homeowners Act, Md. Code, Real Property §11B-111(4)(i) discussion of matters pertaining to employees and personnel and (vi) consideration of the terms or conditions of a business transaction in the negotiation stage if the disclosure could adversely affect the economic interests of the homeowners association. **TABLED**
13. Entertain motion to hold a closed meeting of the CA Board of Directors on January 24, 2019 under the Maryland Homeowners Act, Md. Code, Real Property §11B-111(4)(iii) Consultation with legal counsel on legal matters. **TABLED**
14. **Adjournment:** The meeting was adjourned at 11:06 p.m.

Respectfully submitted,

Valerie Montague  
Recording Secretary