



September 23, 2014

**To:** Alan Klein  
Nancy McCord  
Gregg Schwind  
Milton Matthews

**From:** Andrew Stack, Board Chair

**cc:** Columbia Association Board of Directors  
Rob Goldman, Governance Chief of Staff  
Sheri Fanaroff

**Subject: Board Operations Committee Meeting – Monday,  
September 29, 2014 at 7:30 p.m. – CA Board Room**

**AGENDA**

1. Call to Order
2. Announcement of Closed/Special Meetings Held/To Be Held 1 min.
3. Approval of Agenda 1 min.
4. Resident Speakout TBD
5. Approval of Minutes **September 2, 2014** 2 min.
6. Finalize Proposed Agendas for upcoming Board of Directors Meetings **60 min.**
  - a. Review Proposed Draft – October 9, 2014 (30 min.)
  - b. Review Proposed Draft – October 23, 2014 (30 min.)
7. Administrative Items **30 min.**
  - a. Recommendation of Strategies for Reviewing CA's Charter and By-Laws (20 min.)
  - b. Howard County Noise Ordinance Information (10 min.)
8. Tracking Form 2 min.
9. Talking Points 2 min.
10. Adjournment – Approximately 9:10 p.m.

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**DRAFT MINUTES**  
**BOARD OPERATIONS COMMITTEE MEETING**  
**HELD: SEPTEMBER 2, 2014**

To be Approved: September 29, 2014

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The regular meeting of the Board Operations Committee was held on Tuesday, September 2, 2014, at 7:30 p.m. at the Columbia Association Building. Present were BOC members Andrew Stack, Russ Swatek (on behalf of Gregg Schwind), Nancy McCord and Alan Klein. Gregg Schwind arrived at 8:07 p.m. Also present were Jeanne Ketley and Chief Staff Liaisons Susan Krabbe and Jane Dembner, Governance Chief of Staff Rob Goldman, General Counsel Sheri Fanaroff, and President/CEO Milton Matthews.

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2. **Announcement of Closed/Special Meetings Held/To Be Held:** None.

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3. **Approval of the Agenda:** Nancy McCord moved to approve the Agenda, Russ Swatek seconded. The BOC voted unanimously to approve the Agenda. Vote 4-0-0.

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4. **Approval of the Minutes:** Nancy McCord moved to approve the Minutes of the August 4, 2014 meeting, Russ Swatek seconded. The vote to approve was 3-0-1.

For: Nancy McCord, Andrew Stack and Russ Swatek

Against: None

Abstain: Alan Klein

5. **Resident Speakout:** No residents were present for Resident Speakout.

6. **Approval of the Agenda for the September 11, 2014 BOD Meeting:** Alan Klein made a motion to change the time for Resident Speakout to “TBA”, Russ Swatek seconded.

Vote 2-2-0

For: Alan Klein and Russ Swatek

Against: Andrew Stack and Nancy McCord

Abstain: None

**Action:** Motion failed to pass.

Alan Klein asked to discuss the issue of noise at Haven on the Lake and around the neighborhoods. Jeannne Ketley also raised the issue of noise and the possibility of instituting noise laws within the HOA. President Matthews advised that Mary Kay Sigaty would be holding a meeting regarding a specific noise complaint in Town Center. Milton Matthews agreed to have staff prepare an outline who is responsible for noise enforcement within the HOA by the October 9 Board meeting.

Rob Goldman advised that Staff has been implementing all of the enhancements to the advisory committees that were approved by the Board in April and an update will be provided at the October meeting.

46 Nancy McCord moved to approve the agenda for the September 11, 2014 Board of Directors  
47 meeting. Alan Klein seconded the motion.

48 Vote: 4-0-0

49 For: Andrew Stack, Gregg Schwind, Nancy McCord and Alan Klein

50 Against: None

51 Abstain: None

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53 **7. Administrative Items Arising from the BOC Job Description:**

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55 **(a) Guidelines for Closing a Meeting:** Sheri Fanaroff, General Counsel, provided a  
56 summary showing the guidelines for conducting closed meetings of the Columbia  
57 Association Board of Directors. The BOC discussed what should be considered  
58 privileged. Alan Klein made several suggestions for changes to be made to the suggested  
59 guidelines. The BOC discussed providing information in advance of closed meetings to  
60 the Board. Nancy McCord made a motion to table this item for four months. Alan Klein  
61 seconded the motion. The vote to approve was 3-1-0.

62 For: Nancy McCord, Alan Klein, Gregg Schwind

63 Against: Andrew Stack

64 Abstain: None

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66 **(b) FY 15 Goals for CA President/CEO** – President Matthews provided his goals for the  
67 remainder of fiscal year 2015. There were several questions from Board members and in  
68 particular on the capacity to enroll online for a CA membership. In goal no. 4 it was  
69 requested that the word “small” be changed to “limited” and add “build, plan and  
70 purchase”. Goal no. 4 was amended to read “Fully implement, on a limited scale, the  
71 capacity to enroll (build, price and purchase) online for a CA membership.”

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73 It was agreed to remove the word “next” from goal no. 3.

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75 Nancy McCord moved to approve the President/CEO’s goals for the remainder of fiscal  
76 year 2015 as amended. Gregg Schwind seconded the motion. The vote to approve was  
77 4-0-0.

78 For: Andrew Stack, Gregg Schwind, Nancy McCord and Alan Klein

79 Against: None

80 Abstain: None

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82 **(c) Principles for Civil Behavior at CA Meetings and Facilities:** Jane Dembner presented  
83 principles for Civil Behavior at CA Meetings and Facilities. Jeanne Ketley suggested  
84 adding an additional principle, “apologize freely and accept apologies freely.” Alan  
85 Klein asked to add “respect people’s time” and “respect for people’s opinions”. It was  
86 suggested that these principles be read at the beginning of each meeting.

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88 Nancy McCord moved to send the principles for Civil Behavior at CA Meeting and  
89 Facilities as amended be sent to the Board of Directors for approval. Greg Schwind  
90 seconded the motion. The vote to approve was 4-0-0.

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92 For: Andrew Stack, Gregg Schwind, Nancy McCord and Alan Klein  
93 Against: None  
94 Abstain: None

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97 8. **Tracking Form:** The tracking form was reviewed.

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99 9. **Talking Points:** Alison Mathieson presented the Talking Points.

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101 10. **Adjournment:** Nancy McCord moved to adjourn the meeting. Gregg Schwind seconded the  
102 motion. The BOC meeting adjourned at 9:12 p.m.

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104 Respectfully submitted,

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106 Alison Mathieson

107 Recording Secretary



## Draft – As of 9-23-14

October 3, 2014

To: Columbia Association Board of Directors  
Advisory Committee Chairpersons  
Village Board Chairs  
Village Managers  
Members of the Press  
CA Management

From: Andrew Stack, Board Chair

**The Columbia Association Board of Directors Meeting will be held on Thursday, October 9, 2014 at 7:30 p.m. at the Columbia Association Building, 10221 Wincopin Circle, Columbia, MD 21044.**

### AGENDA

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|---|------------------|
| 1. Call to Order (Announce Directors/Staff in Attendance)   | 1 min.           |
| 2. Announcement of Closed/Special Meetings Held/To Be Held  | 1 min.           |
| 3. Approval of Agenda   | 1 min.           |
| 4. Disclosure of Conflicts of Interest  | 1 min.           |
| 5. Resident Speakout  | 15 min.          |
| 6. Approval of Minutes <b>September 11, 2014</b>  | 2 min.           |
| 7. Chairman's Remarks   | 3 min.           |
| 8. President's Remarks; Follow-Up Questions from the Board Members                                      | 10 min.          |
| 9. Committee Chairs' Remarks  | <b>10 min.</b>   |
| (a) Board Operations Committee  | <i>(2 min.)</i>  |
| (b) External Relations Committee  | <i>(2 min.)</i>  |
| (c) Planning and Strategy Committee   | <i>(2 min.)</i>  |
| (d) Strategic Implementation Committee  | <i>(2 min.)</i>  |
| (e) CA Representatives to the Inner Arbor Trust Board of Directors                                      | <i>(2 min.)</i>  |
| 10. Recommendations for Board Action  |                  |
| (a) Consent Agenda  |                  |
| 1.  |                  |
| 2.  |                  |
| 3.  |                  |
| 4.  |                  |
| (b) Recommendations for Action  |                  |
| 1. Approval of civility principles to guide discourse at Board of Directors meetings and work sessions. | <i>(10 min.)</i> |
| 2.  |                  |
| 3.  |                  |
| 4.  |                  |

- 11. Special Topics and Presentations xx min.
  - (a)
  - (b)
- 12. Committee Agendas
  - (a) Planning and Strategy Committee X min.
    - 1. Discussion
      - (a)
      - (b)
      - (c)
      - (d) Committee Tracking Form (2 min.)
  - (b) Strategic Implementation Committee
    - 1. Discussion
      - (a) Spectrum NG Status Update 20 min.
- 13. Tracking Forms 5 min.
  - (a) Tracking Form for Board Requests
  - (b) Tracking Form for Resident Requests
- 14. Talking Points 2 min.
- 15. Adjournment – No Later than 11:00 p.m. (Expected Ending Time: Approximately XX:XX p.m.)
- 16. **Closed meeting of the Board of Directors follows adjournment of the open meeting**

**Next Board Meeting: Thursday, October 23, 2014**

**ARRANGEMENTS FOR AN INTERPRETER FOR THE HEARING IMPAIRED CAN BE MADE BY CALLING 410-715-3111 AT LEAST THREE DAYS IN ADVANCE OF THE MEETING.**

**CA Mission Statement**

Working every day in hundreds of ways to make Columbia an even better place to live, work, and play.

**CA Vision Statement**

Making Columbia the community of choice today and for generations to come.



**Draft – As of 9-23-14**

October 17, 2014

To: Columbia Association Board of Directors  
Advisory Committee Chairpersons  
Village Board Chairs  
Village Managers  
Members of the Press  
CA Management

From: Andrew Stack, Board Chair

**The Columbia Association Board of Directors Meeting will be held on Thursday, October 23, 2014 at 7:30 p.m. at the Columbia Association Building, 10221 Wincopin Circle, Columbia, MD 21044.**

**AGENDA**

- |   |                |
|---|----------------|
| 1. Call to Order (Announce Directors/Staff in Attendance)                     | 1 min.         |
| 2. Announcement of Closed/Special Meetings Held/To Be Held                    | 1 min.         |
| 3. Approval of Agenda   | 1 min.         |
| 4. Disclosure of Conflicts of Interest  | 1 min.         |
| 5. Resident Speakout  | 15 min.        |
| 6. Approval of Minutes  | 2 min.         |
| 7. Chairman's Remarks   | 3 min.         |
| 8. President's Report – See written report – Follow-Up Questions from the BOD | 10 min.        |
| 9. Committee Chairs' Remarks  | <b>10 min.</b> |
| (a) Board Operations Committee  | (2 min.)       |
| (b) External Relations Committee  | (2 min.)       |
| (c) Planning and Strategy Committee   | (2 min.)       |
| (d) Strategic Implementation Committee  | (2 min.)       |
| (e) CA Representatives on the Inner Arbor Trust Board of Directors            | (2 min.)       |
| 10. Recommendations for Board Action  |                |
| (a) Consent Agenda  |                |
| 1.  |                |
| 2.  |                |
| 3.  |                |
| 4.  |                |
| (b) Recommendations for Action  |                |
| 1.  | xx min.        |
| 2.  |                |
| 3.  |                |
| 4.  |                |

- 11. Special Topics and Presentations 60 min.
  - (a)
  - (b)
  - (c)
  - (d)
- 12. Committee Agendas
  - (a) Strategic Implementation Committee **60 min.**
    - 1. Discussion
      - (a) Update – On-Line Enrollment – Next Steps (30 min.)
      - (b)
      - (c)
      - (d) Committee Tracking Form (5 min.)
  - (b) External Relations Committee **50 min.**
    - 1. Discussion
      - (a) Update – Advisory Committee Enhancements (15 min.)
      - (b) Recap – Columbia Speaks, CA Listens (10 min.)
      - (c) Update – Stakeholders’ Dinners (5 min.)
      - (d) Update on lakefront carillon bells and proposed engagement process (15 min.)
      - (e) Committee Tracking Form (5 min.)
- 13. Tracking Forms 5 min.
  - (a) Tracking Form for Board Requests
  - (b) Tracking Form for Resident Requests
- 14. Talking Points 2 min.
- 15. Adjournment – No Later than 11:00 p.m. (Expected Ending Time: Approximately XX:XX p.m.)

**Next Board Meeting: Thursday, November 13, 2014**

**ARRANGEMENTS FOR AN INTERPRETER FOR THE HEARING IMPAIRED CAN BE MADE BY CALLING 410-715-3111 AT LEAST THREE DAYS IN ADVANCE OF THE MEETING.**

**CA Mission Statement**

Working every day in hundreds of ways to make Columbia an even better place to live, work, and play.

**CA Vision Statement**

Making Columbia the community of choice today and for generations to come.





To: Members of Board Operations Committee  
Alan Klein  
Nancy McCord  
Gregg Schwind  
Andrew Stack

From: Milton W. Matthews, President/CEO

Date: 25 September 2014

cc: Columbia Association Board of Directors  
Sheri Fanaroff, General Counsel  
Rob Goldman, Governance Chief of Staff

Subject: **Recommendations and Strategies for Reviewing Columbia Association's Charter and By-Laws**

The most recent actions by the Board of Directors of the Columbia Association(CA) to review the Charter and By-Laws of the organization were March 2004, when the sitting Board established the Governance Review Committee. The Governance Review Committee worked for six months, resulting in a presentation of a final report to the CA Board of Directors on 29 September 2004.

It has now been exactly ten years since the final report of the Governance Review Committee was presented to the sitting CA Board of Directors. The current CA Board of Directors has expressed an interest in initiating actions to review the existing versions, respectively, of CA's Charter and By-Laws.

Working closely with Sheri Fanaroff, CA's General Counsel, please find outlined below some recommendations and strategies that should serve to start the discussion with respect to initiating actions for a process in 2014/2015 to review CA's Charter and By-Laws.

### **Review Committee Composition**

9 members, each with 1 vote, consisting of:

- 3 resident members selected by CA Board of Directors
- 2 resident members selected by the 10 Villages, as a group
- 2 members representing commercial property owners (not residents of Columbia)
- 1 member representing the Executive Committee of the Howard County Chamber of Commerce
- 1 member representing a business on CA assessed property (not a resident of Columbia)

### **Term of Review Committee**

The term of the Review Committee should not exceed 12 months from the date that the CA Board of Directors approve formation of the committee and committee charge – all members of the committee must be selected within three months and the work of the committee must be completed within nine months thereafter.

During the nine-month period when the work of the committee is to be completed, the committee must hold a minimum of two public meetings to solicit the input from residents and other stakeholders in the Columbia community.

### **Mission of the Review Committee**

Provide advisory input to CA Board of Directors with respect to recommended changes to CA's Charter and By-Laws.

For your consideration and a starting point for discussion, an illustrative list of several subject areas and examples for each are provided below.

#### 1) Administrative matters requiring revision of documents

- Correction in Charter of name of current agent for service of process
- Revision of By-Laws regarding purposes for closing a meeting to track the same in the Maryland Homeowners Association Act
- Addition of language to Charter clarifying limitation of directors' personal liability for money damages in accordance with Maryland Corporation Law
- Clarification in line with limitation of Columbia Council meetings to one annual meeting and that Columbia Council Representatives' sole function is to elect CA directors
- Revision of By-Laws regarding inspection and copying of CA books and records to track Maryland Homeowners Association Act
- Other changes appropriate in view of any changes to law since last revision(s) to CA's Charter and By-Laws

- 2) Language as to responsibility/accountability of directors
  - Addition of language to Charter in line with language in By-Laws permitting removal of a director by CA Board
  - Addition of language to By-Laws permitting suspension of a director
- 3) Procedural Clarifications
  - Revision of By-Laws to clarify that directors are elected by Columbia Council Representatives remaining in office for the second year of their terms along with newly elected Columbia Council Representatives and not by the vote of outgoing Columbia Council Representatives
- 4) Other Possible Subject Areas
  - Additional of a eleventh voting member to the CA Board of Directors

#### **Follow-up by CA Board of Directors**

- 1) During the first six-month period following the receipt of the final report from the Review Committee, the CA Board of Directors must hold a minimum of two public meetings to receive input from residents and other stakeholders in the Columbia community on the content, including recommendations, in the final report.
- 2) Within twelve months of receipt of the final report from the Review Committee, the CA Board of Directors must state in a written document its intended actions in response to the content, including recommendations, in the final report.



Date: 9/23/14

To: Columbia Association Board of Directors, Board Operations Committee

Thru: Jane Dembner, Director of Community Building and Open Space

From: Scott Templin, Community Planner

Subject: Howard County Noise Ordinance

### Introduction

This summary is in response to a CA Board request on noise regulations in Howard County. There are two sets of noise ordinances that govern Howard County. One set is written and regulated by the state of Maryland that is specific to Merriweather Post Pavilion. The other set is for all other areas of Howard County.

### Howard County Noise Ordinance

The Howard County Noise Ordinance is located in the Howard County Code under Section 8.900. Noise standards are defined by decibel level. Section 8.900 references the state's COMAR26.02.03.01 to define decibel level as "a unit of measure equal to ten times the logarithm to the base ten of the ratio of the square of the sound pressure to the square of a standard reference pressure. For the purpose of this subtitle, 20 micropascals shall be the standard reference pressure."

The maximum allowable noise levels by land-use in the Howard County County Code refers to the state of Maryland's COMAR 26.02.03.03A (1). However, this section of the Maryland Code has been repealed and is now referenced in table 1 of COMAR 26.02.03.02. This discrepancy leaves ambiguity for law enforcement officials about the decibel levels that are permitted, since the correct code is not referenced. Corrective legislation has been drafted by the Howard County Council to refer to the new code in COMAR 26.02.03.02 and is anticipated to be filed early next term. The corrective legislation will take effect 61 days after it is passed and signed to become effective. Below is the table in COMAR 26.02.03.02 that will be referenced in future legislation that lists the maximum allowable decibel noise levels for receiving land use categories:

Day/Night	Industrial	Commercial	Residential
Day	75	67	65
Night	75	62	55

Daytime hours are defined as 7:00am to 10:00pm and nighttime hours are between 10:00pm and 7:00am. Noise measurements are taken at points on or within the property line of the receiving property boundary/zoning district. Sound level meters should meet or exceed the National Standards Institute or successor bodies.



Many exceptions exist to the noise regulations above that are stated in COMAR 26.02.03.02C (2), which are listed below:

- “(a) Household tools and portable appliances in normal usage during daytime hours;
- (b) Lawn care and snow removal equipment (daytime only) when used and maintained in accordance with the manufacturer's specifications;
- (c) Agricultural field machinery when used and maintained in accordance with manufacturer's specifications;
- (d) Blasting operations for demolition, construction, and mining or quarrying (daytime only);
- (e) Motor vehicles on public roads;
- (f) Aircraft and related airport operations at airports licensed by the Maryland Aviation Administration;
- (g) Boats on State waters or motor vehicles on State lands under the jurisdiction of the Department of Natural Resources;
- (h) Emergency operations;
- (i) Pile driving equipment during the daytime hours of 8 a.m. to 5 p.m.;
- (j) Sound except those sounds that are electronically amplified, between 7 a.m. and midnight, created by:
  - (i) Sporting events (except trap shooting, skeet shooting, or other target shooting);
  - (ii) Entertainment events; and
  - (iii) Other public gatherings operating under permit or permission of the appropriate local jurisdiction;
- (k) Rapid rail transit vehicles and railroads;
- (l) Construction and repair work on public property;
- (m) Air conditioning or heat pump equipment used to cool or heat housing on residential property; for this equipment, a person may not cause or permit noise levels which exceed 70 dBA for air conditioning equipment at receiving residential property and 75 dBA for heat pump equipment at receiving residential property;
- (n) Household pets on residential property that are maintained in accordance with local zoning requirements;
- (o) Except in Allegany, Anne Arundel, Baltimore City, Calvert, Charles, Garrett, Howard, Montgomery, St. Mary's, and Washington Counties, trap shooting, skeet shooting, or other target shooting between the hours of 9 a.m. and 10 p.m. on any range or other property of a shooting sports club that is chartered and in operation as of January 1, 2001;
- (p) Trash collection operations between the hours of 7 a.m. and 10 p.m.
- (q) Marina equipment used to move boats during the period from 7 am to 7 pm provided that the noise level does not exceed 80 dBA at 20 meters from the equipment.”

### **State of Maryland Noise Ordinance**

In 2013, the Howard County state delegation introduced a bill that was later passed by the Maryland General Assembly that provided separate noise regulations for Merriweather Post Pavilion. House Bill 1514 (7) (I) (1) states for any outdoor concert venue with a capacity of over 15,000 people, that 95 decibels or lower between 9:00am and 11:00pm, and 55 decibels or



lower between 11:00pm and 11:30pm be permitted within a .25 mile radius of the venue. In areas outside .25 mile radius of the venue, the decibel levels need to be 72.5 decibels or lower between 9:00am and 11:00pm, and 55 decibels or lower between 11:00pm and 11:30pm. Note: electronic amplification at an outdoor concert venue with capacity for more than 15,000 people is not permitted between 11:30pm and 9:00am.

**FY 15 Tracking Form  
Board Operations Committee  
September 19, 2014**

Submitted to Committee by (name):	Date sent to Committee	Description of Topic	1st Reading	Date Due to Board	Extensions	Date sent to CA Board	Recommendation of the Committee	Board Action
BOC	5/1/2014	Planning for the President/CEO Mid-Year Review	Will be placed on the 11/03/14 BOC meeting agenda					
BOC	5/1/2014	Planning for the President/CEO Annual Review and Compensation Decision	Will be placed on the 1/5/15 BOC meeting agenda					
BOC	5/1/2014	Planning for the Proposed Goals and Objectives for the President/CEO for FY 16	Will be placed on the 1/5/15 BOC meeting agenda					
Alan Klein	6/2/2014	Discuss Board Self-Evaluation Process	6/30/2014				Discussed at the 6/30/14 BOC meeting. Will appear on the agenda for the 8/14/14 BOD meeting. Postponed until 9/11/14 BOD Meeting.	At the 9/11/14 BOD meeting, the BOD decided to discontinue the use of the Board self-evaluation process.
Milton Matthews	6/30/2014	Process for Handling Information Requests from Board Members	6/30/2014				Discussed at the 6/30/14 BOC meeting. Will appear on the agenda for the 12/1/14 BOC meeting.	
BOC	6/30/2014	Guidelines for Closing a Meeting	8/4/2014				Deferred until the 9/2/14 BOC meeting.	At the 9/2/14 BOC meeting, the BOC voted to table this item for four months.

**FY 15 Tracking Form  
Board Operations Committee  
September 19, 2014**

	Submitted to Committee by (name):	Date sent to Committee	Description of Topic	1st Reading	Date Due to Board	Extensions	Date sent to CA Board	Recommendation of the Committee	Board Action
8	BOC	6/30/2014	Board Member Use of CA-Issued E-Mail Addresses	8/4/2014				Staff will provide instructions and/or training for accessing and using CA-issued e-mail addresses.	Instructions on Gmail and Google Drive were sent to BOD members, and training was provided on September 11 and 14.
9	BOD	7/10/2014	CA staff to work with the BOC to recommend strategies for reviewing CA's charter and by-laws	Will be placed on the 9/29/14 BOC meeting agenda					