

Northgate Hall Newsletter

Fall 2006

Pond Issue

As most of you are aware by now, our community has a swale or shallow trough, designed to carry excess storm water from the open space between Kilbride and Bowline Roads, down behind the town homes along Deviation Road and into the woods. In spite of no dumping signs being posted where this water enters the woods, some residents still continue to use the area as their personal dumping grounds for anything from grass clippings to lawn furniture. This excessive dumping combined with the heavy rains we had in June of 2006 caused some severe erosion in this area. This swale that was once a few feet wide is now over ten (10) feet deep and approximately twenty (20) feet wide. Board members have staked and roped off this area and have been negotiating with County Government and State officials in an effort to remedy this situation at the lowest possible cost to the community.

While this was going on, one of our community members decided to add even more grief to the situation by contacting the County Department of Environment Protection and Resource Management (DEPRM) to inform them that our storm water management pond needed to be inspected. As a result an inspection was carried out by DEPRM and the results were that the excess run-off pipe for the pond is deteriorated and must be replaced. Mr. Al Wirth from this department further stated that this pond was on private property and was therefore the responsibility of the property owners. In other words, we as homeowners in this community all share in the cost to repair this drain.

At first the DEPRM stated that we only had thirty days from the receipt of the notice received on July 13th to have engineering plans (a cost of between \$3,000 and \$6,000) sent to their office or face a fine of \$1,000 per day for non-compliance.

In negotiations with the County, the board has bought some additional time by having the water level lowered to three feet (at a cost of \$700.00) to reduce the pressure on the retaining dam and decrease the chance of the this dam breaching.

Now you maybe wondering what is the cost of these repairs? Well, this untimely phone call and subsequent, unfortunate inspection could end up costing us \$75,000 to \$100,000 resulting in a special assessment of \$300.00 to \$400.00 per household and would have to be levied within the coming year.

When your board members asked the county when was the last time this pond had been inspected by them for any damage as required by law, we were informed that the last inspection was in 1999 and that there was no record of any inspection before that. Please note that storm water management ponds are to be inspected every three years according to DEPRM.

The board of directors have been feverishly looking through records in the County archives to find out in fact who the maintenance responsibility of this storm water management pond actually belongs to and to date have found nothing that concretely points the finger at our community; however, that does not mean we are not. Further, the board feels that the county bares a great deal of the responsibility for the condition of the pond due to the fact that they have been negligent on the three year inspections which may have prevented this problem in the first place.

To help argue these points and several others, which may very well end up in court, the board has hired an attorney that specializes in HOA law and is knowledgeable in fighting battles with government agencies on behalf of community associations.

Of course nothing is free. This attorney (Mr. Carroll Holzer) has lowered his hourly price in an effort to make things affordable for our small budget.

Mr. Holzer has agreed to attend our next general meeting on December 14, 2006, 7PM sharp at the Perry Hall Library, 9440 Belair Road. At this time he will explain where we stand and what our options are. This will also be your opportunity to ask any questions you may have.

Due to the financial implications of the county's directive we expect a higher than normal turnout; it is imperative that all community members attend. As with past general meetings, some community members take it very lightly and do not attend. Please do not apply this same method of thinking to this meeting. At this meeting very important decisions will be made and votes on these decisions will be taken. Should you not attend, it can only be concluded that you agree with the majority of community members present. ***Please plan to attend. This is a fight to save us thousands of dollars.***

Also at our general meeting we will be discussing and voting on several other issues including but not limited to amending the covenants in the following area: annual assessments, signage, dumpster day, our budget, along with the voting for and the installation of officers. Should you have any community issues that you wish to discuss, this is the time to present them. Community records will also be available for anyone who wishes to view them.



Now you can be a winner too! Just have your holiday lights on at 6 pm for the annual light judging contest on December 16, 2006. Prizes are: 1st. place-\$25.00, 2nd place-\$15.00 and 3rd place-\$10.00 in both categories of homes. Winners will be announced in our next newsletter.



Speaking of the newsletter, this will be the last copy of the newsletter that you will receive via the US. Postal Service because finally we have gone high tech. That's right, starting in just a few weeks we will have our own website up and running. The web address will be www.northgatehall.com and from then on all newsletters will be posted there. Not only will the newsletter be available, but also a Frequently Asked Questions (FAQ) section, the new covenants/bylaws, names of officers, a feedback section and a brief section about our community. Now, should you not have access to the internet, send us a brief note stating that you wish to continue to receive a hard copy of the newsletter and we will be glad to accommodate you. We will also have a sign up sheet at the general meeting for this purpose.

One other thing, we do need sponsors for our website. If you have a business or know someone who does, please ask them if they would be interested in becoming a sponsor. Sponsorship is only \$60.00 per year (that's \$5.00 a month) for 24/7 advertising 365 days a year. They would just have to submit a business card and a brief message on what information they want on their ad and the webmaster will take care of the rest. For further details please contact any board member or it can be obtained at the general meeting.

**SEE YOU AT THE GENERAL MEETING,
IT IS IMPORTANT THAT YOU BE THERE!**