

Minutes of the March 17, 2004 Meeting of the Board of Directors of the Norbeck Hills Homeowner Association

Board Members Present: Jeffery Chavis (President)
 Avrom Wofsey, Vice President
 Ellsworth Romer (Member at Large)
 Karen VanDuser (Secretary)

Others Present: Ravi Parkhie, Agent for the Association,
 The Management Group Associates, Inc.
 Two (2) Homeowners (see attached sign-in sheet)

The meeting was called to order by Jeffery Chavis, President, at 7:04 PM

1. OPENING REMARKS

Jeff Chavis and Karen VanDuser addressed the homeowners present on the following:

Jeff Chavis reported: 1) the Board has sent out a letter to the Peterson's offering AECC prioritization for any Architectural Changes that they may have in their efforts to rebuild their home, which was destroyed by a fire on January 10, 2005; 2) a letter was sent to home neighboring the three homes damaged by the fire requesting their assistance in reporting any persons entering these properties or any suspicious activities; 3) letters were sent to Juvenile Services Divisions and the State Attorney requesting assistance and guidance in resolving issues associated with juvenile crime within the community; 4) a letter was sent to all homeowners regarding the policy of announcing committee meetings on our Website; and 5) Bill Hicks, the Treasurer of the NHHOA had resigned and that the Board would vote at this meeting on who will assume the role of Treasurer and how they would address the vacancy on the Board that his resignation created.

Karen VanDuser was asked to report on the progress of the support to the Fire Victims. Ms. VanDuser reported on the need for some donation for the Fire Victims and that they would be posted on the Norbeck Hills website. She is, also, pursuing getting an article in the Gazette to get outside attention on this donation list. She reported that due to high winds the wall of the home to the right of the Peterson home had collapsed. She stated the current balance of the Fire Victims account at Bank of America was \$797. These funds are currently allotted to provide for continued payment for storage facilities for the Peterson family and for the storage facility maintained by the Fund for the donated items for all three families. Total disbursements to date are \$1780.54 and the total contributions received was \$2740. Disbursements have been made to date to support homeowners in their out of pocket expenses incurred due to displacement, and to pay for storage facilities.

Jeff Chavis then opened the meeting to Homeowner Forum at 7:13 PM.

2. HOMEOWNER FORUM

- a. A homeowner on Cannes Lane raised a concern regarding the trash contractor not picking up the trash from the community trash cans located on MacDuff Ave., Hines Road, and at the tot-lots. She stated that she had notices a turnover of staff on the Trash Contract and felt that, perhaps, they needed to be reminded that they had a responsibility to empty these containers when conducting their community trash pickups on Wednesdays and Saturdays. **(Action Item 47: Ravi Parkhie was given an action to remind the Trash Contractor of this responsibility and to provide them with the location of all the non-homeowner trash containers.)**
- b. A Gallagher Way homeowner raised a question regarding the cost of providing a copy of the agenda and minutes to each homeowner in attendance. He wanted to know the cost per page. Karen VanDuser responded to this inquiry stating that she prepared both the agenda and the minutes and personally made and paid for the copies that were provided at the meetings. Ravi Parkhie responded, as well, that Report Generation is a basic part of the Property Management Contract.
- c. The Cannes Lane homeowner asked if the Association had recently paid for cleaning of the parking lots. She was informed that the Association has not contracted for this service and that most likely the cleaning of her townhome court resulted from the work being conducted in the community by Verizon. Verizon is in the neighborhood installing fiber optic cable. The homeowner went on to discuss some disruption to service lighting on her court. It appears that the electrical cable to the street lights was inadvertently cut by Verizon but the street lighting has been restored.

3. REVIEW OF PRIOR MEETING MINUTES

The minutes of the February 17 meeting had been delivered to the Board Members via e-mail shortly after the meeting. Each Board Member had identified any typos and changes that needed to be made and a final copy was delivered via e-mail prior to this meeting. Karen VanDuser made a motion to accept the Minutes, as delivered in final prior to meeting by e-mail and in paper form at this meeting. The motion was seconded by Ellsworth Romer seconded the motion. The vote to accept the Minutes was unanimous.

4. REPORTS FROM COMMITTEES

a. Architectural and Environmental Control Committee

Ellsworth Romer reported on a number of applications received from homeowners, since the last meeting and the recommendations for Board approval.

1. 17231 Sandy Knoll Drive - a homeowner has submitted a request to remove an existing deck and place an addition on his home. The AECC recommends approval of this request.
2. 4406 Cannes Lane - the homeowner has submitted a request to install aluminum cladding over the trim area of his townhome and to change the color of his shutters. The AECC recommends approval of this request since the color of the cladding and the shutters are within the current approved color palette.
3. 17402 Gallagher Way - the homeowner has submitted a request to replace the current windows with similar designed vinyl windows. The AECC recommends approval.
4. 17400 Gallagher Way - the homeowner has submitted a request to replace the current windows and doors (sliding, hinged and storm) with similar windows and doors. The windows will be vinyl. The AECC recommends approval.
5. 4305 Scotch Meadow - the homeowner has requested that he be authorized to remove four trees from his backyard. The AECC recommends approval with a caveat that the homeowner be informed that this is only Norbeck Hill HOA approval and that he needs to be sure whether County Approval must be obtained.

The Board voted and approved all of the requests consistent with AECC recommendations.

A homeowner on Cannes Lane asked if the homeowner had submitted the required information asked for by the AECC for approval on a request that was discussed in February. This AECC request dealt with a retaining wall in a rear yard of a townhome. The homeowner was informed that the information (building permit and surveys) had not been submitted, as yet.

b. Finance Committee

Folly Kuevey, Acting Chair, of the Finance Committee presented a report to the Board. The subject of this report was the meeting of the Finance Committee on March 9, 2005 (Attachment 1). The primary points covered were:

- a. The Committee meeting focused on three areas: Ground Rules, Review of Financial Reports, Addressing Board Concerns.
- b. The Committee recommends that there be a Chair, generally, the

- h. The Finance Committee recommended that the Board review the Property Management contract to insure that proper reporting is addressed for financial matters.
- i. The Fire Victims account, while controlled by two Board Members and one homeowner and not the Property Management contractor, must be have its records provided to the Auditors at the time of the next audit, since it bears the Tax Id of the Association. It is the Finance Committee's understanding that this is acceptable to the Board.

The Board asked a series of questions to get a better understanding of the debt. This discussion lead into it stating its position that the payment actions necessary for the disputed invoices must be resolved. To this end, it directed the Management Group to pursue this matter. Karen VanDuser stated, that to insure conflicts do not arising from contractors having taken actions in years past which are not known to the current Association Boards(the case with the current the Kenco Plumbing bills), all direction to Contractors needs to be documented in writing. Ellsworth Romer reinforced that the only way to resolve our current situation was to pursue it now in writing. Karen VanDuser made a motion that Ravi draft letters to H&H and Kenco and provide these drafts to Board for review. The H&H letter should address the conditions of the contract (specifically, that these services were optional and were only to be performed if directed by the Property Management Company to do so). The Kenco Plumbing contract should ask them to provide evidence of the request to perform the services for which we are being billed. Ellsworth Romer seconded the motion. The Board voted unanimously to approve this motion. **(Action Item 48: Ravi Parkie was directed to develop drafts of letters for review by the Board to: (1) H&H and address the fact that the contract called for the services that are reflected in the disputed invoices to be optional and, as such, the contractor was required to perform such services only when directed to do so by the Property Management Company, and (2) Kenco Plumbing to request the Work Order that requested these services.)**

Jeff Chavis stated that H&H should be provided with an additional letter that put H&H on notice that no optional services should be performed without prior approval. **(Action Item 49: Ravi is to write this letter that addressed that no optional services should be performed to H&H. This letter was to be sent immediately.)**

Ravi Parkhie asked for Board guidance regarding what to do with 2005 Lawn Service activities given that the H&H contract had expired. Further, he wanted direction regarding whether the non-disputed invoices from H&H would be paid, prior to him sending the letter regarding the disputed costs. Karen VanDuser suggested that the Finance Committee be given a chance to review all of the outstanding invoices before a decision is made to pay all of the non-disputed

invoices for H&H. She further suggested that the H&H be told that we would like to continue with them on a month to month basis. She suggested that, in the interim period, we should put our RFP on the street to compete the contract to see, if we can get a better price and enter into a new contract with the best bidder. Ellsworth Romer expressed that he would like to go forward on a month to month basis with H&H, while pursuing a longer term contract at a better cost. He agreed that he would like to see the non-disputed invoices from H&H cleared as quickly as possible. He stated that he would await the recommendation of the Finance Committee regarding paying all of the non-disputed H&H invoices because of the question raised on two invoices that were no longer on the Aging Report.

(Action Item 50: Ravi Parkhie to report back to the Board on status of the two questioned invoices (40407 and 40414).

(Action Item 51: Ravi Parkhie is to pursue with H&H a month to month contract.)

Ellsworth Romer stated that he agreed with Karen VanDuser's previous comments regarding putting things in writing when dealing with contractors. He stated that he did not want any more hand-shake deals.

Jeff Chavis thanked Folly Kuevey and the rest of the Finance Committee for the time they had spent and the future time that they would be spending on resolving the budget issues.

5. OLD BUSINESS

a. Review of Action Items

Karen VanDuser read through the current Action Items list and polled the Board and the Management Agent on the various Action Items Assigned to them (see Attachment 2). It was determined that a number of the Management Agent Action Items were closed by information presented in the March Management Report. Therefore, the following Action Items were determined to be closed: Items 2, 8, 10, 13, 14, 15, 19, 20, 25, 26, 27 (Board actions completed, however, a new Action Item will be issued to TMGA to ensure that this information has been incorporated into the Homeowner Membership Package and conveyed to the Pool Contractor), 32 (Board actions completed; Action Item 16 assigned to TMGA will be used to completely close this action. Action Item 16 requires issuance of this SOW to Bidders, review and award), 35 (Board Actions completed; however, a new Action Item will be issued to TMGA for publication of the Pool Membership information; 36, 37 (Board Actions completed, however, a new Action Items will be issued to TMGA for issuance of the SOW to Bidders, review and award). Several Action Items that were assigned to the TMGA will continue to remain open, since the Board has provided feedback on information provided, and the Management Group

must make changes and continue these items to completion (Action Items 6, 7, 12, 16, 23, 27, and 33). Several AECC related Action Items will need to remain open until follow-up inspections are made (Action Items 18 and 24). The Board must review and make a determination based on the information supplied in the March Management Report if Action Items 31 and 33 should be closed. Additionally, the Board must determine whether they wish to pursue Action Item 34 any further, based on information reported by Av Wofsey, Ellsworth Romer, and Karen VanDuser.

Action Item 34. Karen VanDuser researched and reported regarding laws associated with use of grills in front yards. While there are no laws that address front yards, there are laws regarding distances from structures. Because placement of grills in compliance with the distance restrictions from structures, causes grills to be in close proximity to common sidewalks in the townhome section of the community, she recommends to the Board that local guidance restricting grills in front yards of town homes be issued.

Av Wofsey reported that there is no restriction regarding drinking alcoholic beverages from bottles and/or cans in the county law with regards to front yards of private property. He stated that we would issue local guidance regarding our common property (sidewalks, grassy areas, etc.).

Ellsworth reported he has research sunbathing in front yards. He found no restrictions found regarding sunbathing in front yards in other HOA guidelines and/or State/County law.

The research for this Action Item is completed but the Board needs to determine if it wants to issue its own guidance on these matters.

b. Board Discussion and Vote on Parking Policy

The Board had no further discussion on this policy and Karen VanDuser offered a motion that the Parking Policy which had been changed to include the word “generally” at the beginning of the parenthetical phrase regarding dimensions of parking spaces in Section IVb1 (see Attachment 3) be approved and made effective May 1, 2005. Ellsworth Romer seconded this motion. The Board passed this motion unanimously. **(Update Action Item 23: Ravi Parkhie will mail this final Policy to all homeowners and residents and ensure that a copy is placed in the Association Repository).**

6. NEW BUSINESS

a. Board Discussion and Appointment of Treasurer

Karen VanDuser stated we have four Board Officer positions and four Board Members. Therefore, she recommended, if Ellsworth Romer who currently was serving as a Board Member at Large was willing to serve as Treasurer that he be appointed to that Officer position. Ellsworth said he had no objection. Karen VanDuser then made a motion that Ellsworth Romer be appointed as Treasurer. Av Wofsey seconded the motion. The Board voted unanimously to appoint Ellsworth Romer to the position of Treasurer.

b. Board Discussion of Vacancy and Actions

Jeff Chavis discussed, since we were near the Annual Meeting in June, we had two options regarding this vacancy. First, we could appoint a person to fill the position until the Annual Meeting when they would need to run as a candidate for the Board and receive homeowners' votes to continue or we would leave the position vacant for three months and let the Annual Meeting election process fill the position. Av Wofsey reiterated that we could appoint someone to the position but they would only be able to serve three months and would need to be elected to the Board to go any further than the three months. Karen VanDuser stated that she would prefer to see the Board encourage homeowners to run in June to fill this position. If elected in June, the person would have a term of three months. Karen VanDuser moved that the position remain vacant and that it be filled through the normal process of a homeowners' election in June. Ellsworth Romer seconded this motion. The motion carried by a vote in the affirmative by all of the Board Members.

c. Report from the Management Agent

Ravi Parkhie reported

- 1) he had followed up with the homeowner at 17402 Gallagher Way and was told that the application for change regarding sliding glass doors on this residence was for both the upper and lower sliding glass doors.
- 2) he followed up on the shutter replacement for Boastfield Lane. Karen VanDuser asked that the homeowner not the real estate agent be contacted since an application for change had been submitted by the homeowner. Ellsworth Romer stated that the

application must be properly signed and that the completion information should be tracked so that follow-up inspections can be scheduled. **(Action Items Update 18: 1) Ravi Parkhie to contact the homeowner to determine when the Boastfield property will be completed and that they be informed to fill out the completion information and send it back to TMGA to allow scheduling of a follow-up inspection.)** **(New Action Item 55: 1) TMGA initiate necessary policies and procedures to ensure that applications bear appropriate signatures and are tracked for completion and follow-up inspection. 2) TMGA track the Applications for Change scheduled completion dates and completion information. From this information TMGA should provide the AECC with a report (monthly), to ensure proper follow-inspections. 3) Ravi was asked that Action Item numbers be included with information in the Management Report that responds to the Action Item.)**

- 3) 17428 Gallagher Way was informed by letter that they need to take action to correct problems and that if corrections are not made Code Enforcement (Montgomery County) will be issuing fines and liens against the property.
- 4) he had sent the letters to the homeowners regarding Committee meetings and asked the Board whether additional rooms needed to be secured. Discussion of the Board resulted in a determination, since homeowners had not been attending committee meetings to observe operations, that no rooms needed to be secured at this time.
- 5) the invoice for the fire hydrant turn off by a plumber had been forwarded to Verizon. Verizon has accepted that payment for this plumbing service is their responsibility, since the hydrant was left open by their sub-contractor.
- 6) after-hours call procedures were included in the Management Group Report. Karen VanDuser stated that she did not believe that the procedures did not state times and events that would be necessary to pass this information on to the homeowners. Jeff Chavis provided some guidance to TMGA regarding how the procedures should be structured and what they should address. Ravi asked that the Board send him an e-mail regarding what the Board wanted changed. The Board stated that we have stated our requirements and that we were looking for what TMGA's process was that addressed these requirements. Because of the use of the an answer service and use of voice

message services, there was a great deal of discussion of how the requirements for 10 minute response to the homeowner could be met. Focus must reach a person on the first call, if they do not they must move on to the next managers on the list until they reach someone in person, that manager must return the call to the homeowner within 10 minutes of receipt of the call. The Board will be writing something up to provide their thoughts to the Management Group regarding structure and content of the procedures (**Update Action Item 7: Board to develop a draft sample procedures to TMGA regarding on-call actions and response times**).

7) Trash Removal estimates from Handyman were included in the Management Report. The individual home pickup for trash violations was set at \$50, except when the amount of trash was large (over 15 bags, or 8 bulk items, or a truck load) and then it would be \$150 and the cost of dumping. The contractor will take a picture of the trash when he responds to pick it up. The Board was satisfied with this agreement and the negotiated prices.

8) Charge Back Procedure for Contingency Fund use was presented and had been discussed with the Accounting Group. All understand that the fund is to be replenished through the prioritized application of fees received defined in the Collections Policy. Karen VanC(C.5hkend that therolese and)Tj0.00101 Tc-0.001

homeowners and residents where the homeowner is not the resident. This was recommended to obtain compliance more quickly.

- 10) Pool Membership forms were included along with other items associated with pool rules, etc. The Board provided TMGA with written changes at the Board meeting. After, resolving some of the questions posed by the Board regarding why homeowners who had previously had pool passes and were current on dues and without violations would have to fill out any information to get a pool pass this year, the pool information was approved with noted changes. The Management Group explained that the purpose of having each person fill out a pool pass application, this year, is to gain critical data and update records. This unique circumstance of taking an affirmative action to get a household membership will be required of homeowners only this year. The Board stressed that the transmittal letter would describe why we are doing this year. Their concern is that infrequent users of the pool need to be made aware that they **do need** to file an application, this year. Next year pool passes will be validated for homeowners without action, if they have no changes and are in compliance with assessments and AECC guidelines. The Board decided that additional pool guest passes would be available for \$20 for 10 guests, but only two (2) guests could be admitted at a time. Each household will be provided with one free guest pass (10 punches) at the time of their pool membership approval. These initial guest passes will be affixed to their membership cards and be available on the homeowners first visit to the pool in the 2005 season. **(Action Item 35 update: Ravi to 1) make changes as defined by the Board marked up copy to all Pool Membership and Pool Rules materials, 2) ensure that the transmittal letter describe why all must fill out an application this year and that their free guest pass card (10 punches) will be available to them upon their first visit to the pool (affixed to their membership card in the pool membership box), 3) indicate that additional pool guest passes would be available for \$20 for 10 guests, but only two (2) guests could be admitted at a time, 4) make sure pool service contractor is aware of the two (2) guest per entry rule.**

Karen VanDuser to provide electronic of marked up (adds and deletes incorporated) to TMGA pool membership documents for this purpose, including pool rules.)

- 11) he stated that the Pool Contract was included in the Management Report for Board review and comment. The Board stated that we wanted we wanted to enforce strictly that there should be no congregation around the kiosk and guard stands. The Pool Contractor should ensure that their staff do not have guests at the kiosk. The Pool Contractor should have available rubber pants for sale at the kiosk. The Pool Contractor should ensure that the Pool Manager/Operator needs to be on-site and dedicated to us. The Pool Contractor should enforce the use of sign-in and sign-out sheets by homeowners and guests. The Pool Contractor should have available permission slips and accident/incident report forms (required to be filled out in accordance with Montgomery County Laws). **(Action Item 52: Ravi to develop an written addendum to the Pool Contract to address: 1) The Board stated that we wanted we wanted to enforce strictly that there should be no congregation around the kiosk and guard stands. 2) The Pool Contractor should ensure that their staff do not have guests at the kiosk. 3) The Pool Contractor should have available rubber pants for sale at the kiosk. 4) The Pool Contractor should ensure that the Pool Manager/Operator needs to be on-site and dedicated to us. 5) The Pool Contractor should enforce the use of sign-in and sign-out sheets by homeowners and guests. 6) The Pool Contractor should have available permission slips and accident/incident report forms (required to be filled out in accordance with Montgomery County Laws). 7) Ensure that no loitering is allowed at the pool, particularly at the entrances to the facility and at the exits of the shower rooms (the Pool Contractor should be instructed to call the police, if there is any resistance by pool members to requests for them to disperse.)**
- 12) Security Violation Procedures are included in the Management Report. Officers Aubrey and Paden have been informed of the out of state tagged vehicles and that these vehicles are currently lawfully parked.
- 13) Key Procedures have been provided in the Management Report. The homeowner who has keys to the pool has not returned them, as instructed. Jeff Chavis is pursuing this matter. Karen VanDuser raised some concerns about all keys being defined as a single set, the bulletin board keys not being included, and wanted to know why all individuals must have all keys. The tennis court is a combination lock and the combination will be changed in the Spring. **(Action Item 6**

Update: Jeff Chavis and Ravi are to pursue with the Pool Committee and the Swim Team why they need all keys, whether their coaches are operator and life-guard certified and what the date of the certification expires.)

- 14) Asphalt Patching and Concrete Proposals are included in the Management Report. The Board stated that the proposals were not sufficient to make the award and that there were changes necessary to the SOW. The Board provided guidance on changes. Karen VanDuser requested that more Maryland Companies be contacted. Ellsworth Romer suggested that Concrete General, Maryland Concrete, F.O'Day, and another Contractor who Ellsworth will provide the name and contact information for. **(Action Item 16 Update: Ravi to incorporate Board changes and reissue this SOW to the bidders list provided by the Board. Ellsworth to provide contact information for one other contractor).**
- 15) Fire Marshal Report is **not** in the Management Report but Ravi is pursuing this. They yellow highlight maps and these must be picked up at the Fire Marshal's Office. Ravi will make arrangements to pick these up. Ellsworth Romer posed a question regarding the update of the fire lane and no-parking signs. Ravi reported that the Tow Contractor has the signs and will be providing
- 16) A homeowner has slipped during the snow and has submitted a report. The insurance company is being provided all pertinent information and will be investigating this claim. Karen VanDuser raised a concern that perhaps the attorney needs to review whether we need to issue a policy rather than a newsletter article requiring homeowners to clear common sidewalks in front of their property. **(Action Item 53: Pursue with Attorney whether there needs to be a policy issued that requires homeowners to clear the common sidewalks in front of their homes.)**
- 17) the Fire Victims assessments and late fees waivers have been discussed with accounting and are presented in the Management Report with the proper addresses.
- 18) the representative costs of two electrical contractors have been provided in the Management Report (Power Systems and Montgomery Lighting).

19) a report from the Attorney that a lien has been settled on a delinquent townhome and funds are being deposited into the HOA account. Karen VanDuser asked where would we find the deposit for this and for the closure of the Chevy Chase Account (**Action Item 54: Ravi is to research and demonstrate to the Board where and when these two cash deposits (Chevy Chase account closure and delinquency recovery were made).**)

Ravi asked if the Board had any comments on the Lawn Contract that was provided electronically. The Board provided a written copy of its comments with additions and deletions marked. (**Update Action Item 37: Karen VanDuser to provide clean electronic copy of the Board revision and Ravi to work on develop a final draft for Board review prior issuance of this lawn contract.**)

7. ADJOURNMENT

Due to the lateness of the hour (10:00 PM), the Board voted unanimously to adjourn and to work on the remaining agenda item - Property Management SOW at a later time.

The meeting adjourned at 10:03 PM.

ATTACHMENT 1

IS NOT AVAILABLE IN ELECTRONIC FORMAT
A COPY OF THIS ATTACHMENT MAY BE FOUND IN THE
ASSOCIATION PAPER FILES MAINTAINED BY THE MANAGEMENT GROUP
ASSOCIATES

ATTACHMENT 2

Open Action Items (new entries are bolded)

1. Board review options with the attorney regarding the Association's ability to take actions beyond calling the police when juveniles have damaged association property (vandalism, arson, etc.). Items to discuss include costs of damage (direct and indirect), inconvenience and disruption to the neighborhood, anxiety, etc. **Status:** Av Wofsey has researched names and addresses for Juvenile Officers and the States Attorney. **Karen VanDuser drafted, obtained signatures, and mailed letters to Juvenile Officers and States Attorney. Copies of these letters will be provided to the Management Group for placement in Association files at the next Board Meeting. This Action item remains Open until the copies are provided to the Management Group..**
2. Karen VanDuser and Ellsworth Romer to query members of Finance Committee regarding continuation of service and pursue replacements, as necessary. **Status:** Kevin Shaplin is not able to serve on the Finance Committee at this time. No replacement has been found, as yet. **Action Item remains Open.**
3. Board to review Management Group Contract and define record keeping requirements to ensure that reports are defined with a frequency of delivery sufficient to ensure availability of information for proper and effective Financial Oversight. **Status: On-going. Comments received have been incorporated into the Statement of Work and the Board will review this document at the March Board meeting. Action Item remains Open.**
4. Board is to examine mailboxes and make a determination regarding scraping and painting of poles and boxes - **Status: Action Item remains Open and should be addressed in Spring timeframe.**
5. Board is to make site visit to common areas behind all townhome row to determine if there are drainage problems that require correction. They are to develop options for correction, if necessary, and timing of corrective action. **Status: Action Item remains Open and should be addressed in the late March or early April timeframe.**
6. Ravi Parkhie to recall the keys for all facilities (pool and tennis) and the Bulletin Board and write a Key Control Policy for Board review. **Status: Ravi has included a Draft Key Control Policy in the February Management Report. He reports that a second call has been placed to Becky Tener to return her keys to Jeff Chavis over the weekend of February 12; Darstan Singhaus will drop off his keys to Bill Hicks over the same weekend, Bill will bring Darstan's keys to the next Board meeting; Barbara Beccles still has one key to the Bulletin Board.**

Action Item remains Open until Board has reviewed and approved Key Control Policy.

7. Jeff Chavis requested that Ravi Parkhie provide the actual procedures followed for after hours calls to the Management Group to the on-call person. **Status: Ravi Parkhie has provided the *Focus Answering Service Procedures* but needs to provide the actual procedures followed by the Management Group. Ravi was instructed that the Management Group procedures should provide sufficient information for the Board to provide homeowners with response times for call back, action, etc.) *Action Item remains Open until full procedure of both Focus and TMGA procedures are presented back to the Board to the level of detail requested.***
8. During the Homeowner Association Meeting on January 20 and number of newsletter articles were identified to the Newsletter Committee for inclusion in the next Newsletter. They were: 1) When and Who to Call for Various Types of Parking Violations, 2) Homeowners Guide to Fire Insurance, 3) Proper Venting of Dryers and Cleaning of Dryer Vents and Ducts, 4) return of article on Animal Control Regulations for Montgomery County (curb your dog and clean up after it), 5) Trash Policy, and 6) How to Cancel the Gazette Newspaper Delivery. **Status: The Newsletter Committee is working from this list and some articles that they had wanted to publish in this edition. They anticipate publication of the Newsletter around March 21. A draft will be provided to the Board in early March. *Action Item remains Open until Newsletter is published.***
9. Finance Committee to meet and provide Financial Report and comments at Board Meetings starting in February. Bill Hicks has this Action Item. **Status: The Finance Committee will meet in early March. *Action Item remains Open until reports from the Finance Committee have been received by the Board for consecutive months.***
10. Management Group report to reflect all homeowner calls related to trash and actions taken. **Status: *Suggest this be made a routine part of the Management Report and this item be marked as closed. This Action Item remains Open at this time.***
11. Court and Street Captains to develop internal reporting procedures resulting from observing trash violations in their areas. **Status: *Action Item remains Open.***
12. Management Group to develop a letter to homeowners informing them of Trash Policy and consequences for failure to comply and present it to the Board for review. **Status: A template Trash Letter was presented to the Board for Approval in the February Management Report. The Board provided comments to the Management Group and stated that the template needed to be broadened with unique language for the various types of trash and recycle violation. The letter should address not just the placement of trash on the curb on a non-trash day,**

but should include: common ground dumping, recycle packaging, removal of recycle and trash cans from public sight, etc. *Action Item remains Open.*

13. Multiple (Trash Policy)

- a. Management Group to ensure that procedures are in place for tracking Trash violation letters **Status: *This Action Item remains Open.***
- b. Management Group and Treasurer to ensure proper charge back accounting (Note: must address the 180 day window for reoccurrence.) **Status: *Bill Hicks and The Management Group to work to ensure that Contingency Fund is appropriately utilized, Site Maintenance Line Item debts are corrected, and that Accounting is fully aware of the proper application of payment and restoring money back to the Contingency Fund line item when collected. Status: This Action Item remains Open until the accounting and charge-back procedures are defined and reviewed/approved by the Board. These procedures must address forward funding with Contingency Fund, payments made to contractor from this fund, and that Contingency Fund is restored as fees are collected in accordance with prioritization of payments established in the Collections Policy.***
- c. Management Group and Treasurer to insure that corrections are made to General Ledger and Cash Distribution Reports for trash removal charges. Ensure that the General Ledger Trial Balance includes the Contingency Fund. (Restore Funds to Site Maintenance line item and reflect debts to Contingency Fund line item) **Status: *This Action Item remains Open.***

14. Management Group to get signed agreement of negotiated rate from Handyman Services to lock it in and to define procedures of opening trash a getting evidence of address/taking photos, etc. These procedures and the signed agreement are to be provided to the Board when completed. **Status: *Ravi reports that this item is still open, pending meeting with Handyman Services, Inc. Action Item remains Open.***

15. Karen VanDuser is to draft the procedures to be followed for Committee meetings and a letter to homeowners explaining how and where they can find out about Committee meetings (web and bulletin board). Drafts are to satisfy the Maryland Homeowner Association Act and when completed are to be provided to the Management Group for review and comment by the attorney prior to sending out to homeowners. **Status: *Karen drafted the letter and circulated for Board concurrence. The letter was transmitted via e-mail by Jeff Chavis to Ravi Parkhie for completion of remaining actions. Action Item remains Open.***

16. Management Group to develop Statements of Work and Requests for Bid for work defined as safety related (concrete and electrical), asphalt repair, and striping and stenciling. These SOWs and RFBs will be provided for the Board for review and

comment to ensure issuance of contracts in Spring and early Summer. **Status: Ravi provided RFP's for concrete sidewalks, concrete curb and gutter, asphalt patching, reserved stenciling, and line striping are included in the February Management Report. Electrical items are to be covered during an on-site visit with Montgomery Lighting scheduled for Friday, February 18, 2005, at 9:30 AM. Action Item remains Open until Management Group reports back to the Board regarding bids already solicited and develops SOW for Electrical items.**

17. Management Group to present Fire Marshal Report (yellow curb and fire lane signs placement) when received to the Board for review and direction. **Status: Ravi reported that he made the request to the Fire Marshal for this report. Action Item remains Open.**
18. Management Group to follow-up on AECC decision to reject shutters as installed on Boastfield Lane property. Letter should be placed in Management Report and corrective action tracked. **Status: This Action Item remains Open.**
19. **Ravi Parkhie to remove old signs in front of the pool that authorize 24 hours parking, since these are confusing now that we have place the new sign at the entrance. Status: This Action Item remains Open.**
20. **Jeff Chavis to contact Karl Borst to have these dates, locations, and times added to the website information. Status: This Action Item remains Open.**
21. **Board to pursue restoration with Verizon and County in the Spring when we can assess all of the damaged areas. Status: This Action Item remains Open.**
22. **Board needs to ensure that Security is informed of this incident (attempted theft of vehicle on 17400 block Gallagher Way at 3:30 AM.) Ellsworth Romer and Ravi Parkhie have this action. Status: This Action Item remains Open.**
23. **Board should make the editorial change of adding "generally" to the parenthetical information in Section IVb of the Parking Policy before issuing it as a final policy. Status: Karen VanDuser has made this change to the final Parking Policy and distributed to all Board Members via e-mail. This Action Item is Closed.**
24. **Based on Board approval of AECC Applications from 4500 Cannes Lane (Replace Fence With Wyngate Fence), 24 Hines Court (Replace Fence But Move Gate), 17402 Gallagher Way (Replace Sliding Glass Door), and 17600 Longview Lane (Install Satellite Dish -Rear of Home), Ellsworth Romer is to returned signed applications to Ravi Parkhie. Ravi Parkhie is notify the homeowners of the approval and obtain information from the homeowner at 17402 Gallagher regarding which of the sliding doors is being replaced to complete the Association's records. Status: This Action Item remains Open.**

25. **Treasurer and Management Group should work to ensure that accounting issues resulting from a motion to not impose late fees on fire victims accounts while they are out of the community for reconstruction are addressed appropriately, prior to homeowners reentering the community. Status: *This Action Item remains Open.***
26. **Multiple (Fire Victim):**
- a. **Treasurer and Management Group should work to ensure that accounting issues raising from the waiver of three months assessments to each of the three fire victims are addressed appropriately. Status: *This Action Item remains Open.***
 - b. **Ravi Parkhie to ensure that the Accounting Department be informed of proper addresses for these homeowners. Status: *This Action Item remains Open.***
 - c. **Ravi Parkhie to ensure that the homeowners (fire victims) are notified of their waiver of assessments. Status: *This Action Item remains Open.***
27. **Board needs to confirm whether to set the past due assessment level to less than 60 days for this years pool pass authorization and develop some written guidance regarding letting in banned homeowners as guests of another homeowner. This guidance should be delivered to all homeowners and to the Pool Contractor. Status: *This Action Item remains Open.***
28. **Karen VanDuser to take the February Management Report and from it create a set of sample summary reports and content instructions for Board review. Status: *This Action Item remains Open.***
29. **Ravi Parkhie to research and provide an explanation for the variances seen in the February Financial associated with delinquent accounts (detail by homeowners for those sent to the Attorney and the Aging Report). Status: *Action Item remains Open.***
30. **Ravi Parkhie to research and provide an answer to the Board regarding whether or not we had recovered any of the past due money from the persons, who are listed in the February Financial report as prior homeowners, at closing or through some other means? Also, whether there is anything that can be done to recover the money and are we doing it now that the homes have sold? Status: *Action Item remains Open.***

31. Mutiple (Parking)

- a. Ravi Parkhie is to ensure that Security is made aware of situation regarding the cars with South Dakota plates. Status: *Action Item remains Open.***
- b. Management Group to document in procedures that the Board has directed that any parking situation that results in a sticker being placed and then tow canceled, thus allowing the car remaining in the lot, be conveyed to Security with appropriate information. Status: *Action Item remains Open.***

32. Multiple (Bidding of Asphalt and Concrete Work)

- a. Karen VanDuser will provide changes to SOW for asphalt and concrete repair for review by full Board. Changes will be provided in writing through the Board President to the Management Group. Status: *Action Item remains Open.***
- b. Board has to provide direction to Management Group regarding who should be asked to bid on asphalt and concrete repair SOWs. *Action Item remains Open.***

33. Management Group to insure procedures reflect the need to immediately report to the Board of Directors and information regarding: damage to property, suspicious activities, repairs that need to be made to protect the community, threat to homeowners, and injury of a homeowner. Status: *Action Item remains Open.*

34. **Multiple - Response to Homeowner Complaints regarding grilling in front yards, sunbathing in front yards, and drinking of alcohol from cans and bottles in front yards. The Board will review the county ordinances and other associations guidelines to address homeowner complaints regarding: grilling, sunbathing, and drinking of alcohol from cans and bottles.**
- a. **Ellsworth Romer will review and report back to the Board on the subject of sunbathing in front yards. Status: *Action Item remains Open.***
 - b. **Av Wofsey will review and report back to the Board on the subject of drinking of alcohol from cans in bottles in front yards. Status: *Action Item remains Open.***
 - c. **Karen VanDuser will review and report back to the Board on the subject of grill in front yards. Status: *Action Item remains Open.***
35. **Board and Pool Committee must review and provide comments back to the Management Group regarding by the second week of March on the Outside Pool Membership package. Status: *Action Item remains Open.***
36. **Ravi Parkhie is to send the three homeowners who have violated the Trash Policy letters immediately informing them of the \$50 fine that has been levied due to their violation. Status: *Action Item remains Open.***

ATTACHMENT #3

Adopted: April 14, 1988
Effective: May 26, 1988
Revised: March 17, 2005
Effective: May 1, 2005

Norbeck Hills Homeowners Association

Vehicle Parking and Storage Violation Enforcement Procedures

The Board of Directors has adopted a new Vehicle Parking and Storage Violation Enforcement Procedures for parking areas in the Cashell Manor/Norbeck Hills Homeowners Association. This Procedure will be used for the removal of vehicles from the all property governed by the Association, including both townhomes and single family homes.

- I. The owner of any vehicle on which current registration plates are not properly displayed, junk vehicle, trailer, camper, camper-truck, motor home, home trailer, boat, boat trailer, stored vehicle or the like, any vehicle which poses a hazard, or any vehicle not parked properly in parking spaces which are located on common property, without the written permission of the Board, shall be notified by the Board through the use of a 48-hour warning sticker which shall be placed on said vehicle. All vehicles that are in violation of this procedure will be stickered with a violation notice. The notice indicates that the vehicle will be towed from the community at the owner's risk and expense after the allotted 48 hours has elapsed.

Note: In the case of parking in a marked fire lane or double parking on any community maintained roadway, vehicles shall be subject to an immediate tow, as are vehicles parking on the unpaved/grassy areas of the community.

- II. Vehicles not removed within the 48 hour period shall be removed from the community. Towing and storage charges or damage incurred in the process, if any, shall be the responsibility of the owner of the vehicle. If the vehicle is determined to be owned by a tenant, the unit owner may be held responsible for towing and storage charges incurred by the Norbeck Hills Homeowners Association.

III. Any subsequent violation of the Parking Procedures, within 180 days of any violation involving the same vehicle, will result in immediate removal of said vehicle from the community without further notice.

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IV. The following definitions shall apply:

- a. Junk Vehicle: A junk vehicle is any vehicle that is incapable of passing current Maryland State Motor Vehicle Administration procedures or does not display current registration plates.
- b. General Use Vehicles: 1) any vehicle which when parked in a townhome parking space (generally, parking space size is 204 inches long and 94 inches wide) extends into the roadway area of the townhome parking lot (Note: vehicles are to be parked so that no portion of the vehicle extends over the common areas, be it sidewalk or grass, and in such a way as to not block access to operate an neighboring vehicle), 2) any vehicle with a weight of greater than 7000 pounds, or 3) any vehicle that exceeds a height of 80 inches.
- c. Other general use vehicles: Panel vans, trucks with caps/shells installed on the cargo bed that exceed the cab height, and box trucks.
- d. Class E, Class F, and Farm vehicles: Vehicles that are defined with the Annotated Code of Maryland, Transportation, Title 13 guidelines as 1) Class E vehicles having unique definitions within the code, such as tow trucks, 2) Class F vehicles - Truck Tractors, and Farm vehicles such as tractors.
- e. Trailer: A trailer is any vehicle which is drawn by another vehicle having motor power.
- f. Boat: As defined in the dictionary.
- g. Camper: A camper is any vehicle which is drawn by another vehicle and used as a temporary or permanent dwelling.

- h. Motor Home: A motor home is a vehicle that can be driven and used as temporary or permanent dwelling.
- i. Vehicle on which current registration plates are not displayed: Self-explanatory.

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- j. Hazard: 1) Any vehicle parked in an area that can impede access of emergency vehicles, or any vehicle parked in a designated no parking zone, or fire lane, 2) Any vehicle impeding the access of another vehicle while attempting to enter or leave the community, 3) Any vehicle with visible and accessible tools of the trade e.g., welding equipment, fuel, mowing equipment, etc., and 4) Vehicles with visible and accessible loads of rubbish, trash, etc.
 - k. Commercial Vehicle: 1) Any vehicle displaying advertising (business name, phone numbers, etc.) for the business for which the vehicle is used, 2) Any vehicle equipped with racks for carrying of pipes, ladders, glass, etc., or 3) Any vehicle with a load capacity of over $\frac{3}{4}$ ton *or* more than two axles. Note: If the vehicle has magnetic covers affixed that cover advertising and is not restricted by the other two criteria listed within this paragraph, it is not considered commercial. However, it may be restricted from parking due to other criteria contained in this policy.
- V. Reserved Parking – Any vehicle parked in a townhouse space that is reserved for a particular unit that does not belong in that space is subject to an immediate tow. These vehicles do not need to be warned before towing. A homeowner who wishes to have a vehicle towed out of their reserved parking space merely needs to call and obtain authorization from the Management Company.
- VI. Enforcement – The community shall use any means legally authorized including filing suite, filing complaints with Commission on Common Ownership, or any means authorized under the provisions of Article VII, Section II of the Declaration. These means shall include, but not be limited to,

using community hired security patrols to sticker vehicles for any of the aforementioned violations and providing them with the authority to call for a vehicle to be towed once the warning period has expired.