

## **Minutes of the November 18, 2004 Meeting of the Board of Directors of the Norbeck Hills Homeowner Association**

Board Members Present: Jeffrey Chavis (President)  
Ellsworth Romer (Member at Large)  
Karen VanDuser (Secretary)

Board Members Absent: Avrom Wofsey, Vice President  
William Hicks, Treasurer

Others Present: Ravi Parkhie, Agent for the Association,  
The Management Group Associates, Inc.  
Nine (9) Homeowners (see attached sign-in sheet)

### **Call to Order:**

Jeff Chavis called the Norbeck Hill Homeowners Association Meeting to order at 7:12 PM and stated that the first Agenda Item was to open the Homeowner Forum. He addressed the Homeowners present and informed them that this was their opportunity to discuss anything that they wanted to, bring comments to the Board, ask questions, etc.

### **Homeowner Forum:**

Mr. Chavis informed Homeowners that that Board would be meeting monthly, starting in January, and would use the web site to keep Homeowners informed of events between meetings.

1. One of the Homeowners asked if the Budget had been voted on. The Homeowner was informed that that was a business item for the Board which was on the agenda for this meeting.
2. A Homeowner, who is involved with the Swim Team, announced the Holiday Happening would be conducted at the Pool on December 5, 2005 from 5:30-6:30. This event is sponsored by the Swim Team and is open to the entire community. The Swim Team sponsors this event as a way of saying "thank-you" to the community for their support.
3. Mr. Chavis informed the Homeowners that they can use this opportunity to address any questions on the Budget. The questions asked on this topic are provided below along with Board response.
  - a. Has the 2005 Budget been approved with the assessment increase? The Board responded that they had referred the Budget out to the Finance Committee for review and comment. The Finance Committee will be reporting back at this

meeting and the Board will be passing a final budget, during the Board's Business portion of this meeting.

- b. Won't the Tree Maintenance line item in the budget be reduced as the trees mature and could the Association save money by having some of the Homeowners, acting as a volunteer group, undertake this work? The Homeowners that the cost of tree maintenance increases with the age of the tree and that due to liability issues only professional (licensed and bonded) contractors are used to perform tree maintenance work. Most trees are situated near parking lots, etc. and could drop on automobiles. The Homeowner was also informed that Tree Maintenance was not what was driving the assessment increase. This led to a discussion of whether the Bradford Pears would be replaced by other types of trees. The Board responded that no trees would be replaced, if they were currently healthy, and that the type of trees to replace unhealthy or dead trees would consider something other than Bradford Pears. The Board explained that Tree Maintenance was not the driving force for the increase in assessment.
  - c. Which line items are driving the increase in the assessments? Homeowners were informed that this increase in assessments was due to prior year debt, the need to replenish reserves, and a requirement to address some safety and repair issues that are to be performed with Operating Funds. This led to a detailed explanation of prior year debt, the difference between Operating and Reserve Funds, and the restrictions for the use of Reserve Funds.
4. An inquiry was made by a Homeowner regarding the policy for lighting at the pool. The Board informed the Homeowner that the lights are on all night for insurance, as well as, security reasons.
5. A Homeowner asked if the Lawn Contractor was responsible for raking the leaves. The Homeowner was informed that this was the case and the Contractor was on the property to perform this activity this week. The Homeowner complimented the work done so far this week around this homeowner's property. Specifically, they have been very good about clearing leaves on common property up against the homeowner's fence.
6. A question was raised by a Homeowner regarding whether the Lawn Contract had a clause that dictated the time that they could start work. The Board stated that there was not a clause and the primary reason for arriving and starting work early was to avoid the heat of the day.
7. There was an inquiry of the Board regarding whether bulk could be picked up on both trash pickup days. The Board informed the Homeowner that we had just re-negotiated the contract and were getting the maximum service for the dollar.

8. A Homeowner asked if LNM was still doing our snow removal. The Homeowner was informed by the Board that the contract runs until December 31, 2004. Further, the Homeowners were informed that the Board is currently reviewing bids from company's for snow removal and shoveling for 2005. The Homeowners were informed that the snow contract was for a calendar year.
9. There was a question raised regarding what had happened in the woods on Gallagher Way the afternoon of the meeting. The Homeowners were told of the fire set in the woods. Homeowners were informed that the fire was caused by children lighting the fire after having carried gasoline into the woods. They were told that the police were called and the children were apprehended. This is a now a police and fire marshal matter. Ellsworth Romer made a motion that we pursue with our attorney the possibility of taking legal action on this matter and Karen VanDuser seconded this motion. The vote was unanimous to pursue this matter with the attorney. **Action Item to Board to review out options with the attorney regarding actions by juveniles which have resulted in our calling the police (vandalism, arson, etc.)**
10. A question regarding the current status of the eviction proceeding for the tenants in an HOC home on Hines Court was raised. The Homeowners was informed that until the court case for the criminal activity for which the residents were charged was completed, the eviction proceeding could not proceed. The Homeowners asked if something would be put out by the Board on this matter. Due to the sensitivity and privacy of the individuals, the Homeowners were instructed to call HOC and that the Board would not be publishing anything on this matter. Jeff reminded the Homeowners present that it is imperative that when they see something that appears suspicious or unlawful that they call the police.

Homeowner Forum closed at 8:00

### **Review of Prior Meeting Minutes:**

Minutes for two meetings were presented for comment/approval.

Karen VanDuser moved that the minutes for the July 15 meeting be approved as written, Ellsworth Romer seconded this motion. The vote was unanimous to approve the minutes.

Karen VanDuser moved that the minutes for the September 18 meeting that was continued and completed on October 21 be approved as written. Ellsworth Romer seconded this motion. The minutes were approved by a unanimous vote.

### **Reports from Committees:**

1. Architectural and Environmental Control Committee: Ellsworth Romer reviewed four Architectural Change Requests with the Board and presented the AECC position regarding approval on three of these applications.

- a. 17541 Longview Lane - homeowner wishes to paint house white, the house is not bordered by white houses and the painting will cover the berry blue paint that has been cited by the AECC as being in violation. Ellsworth Romer moved to approve the painting of the house an off white with black shutters. Karen VanDuser seconded the motion. The application was approved by a unanimous vote of the Board.
  - b. 17408 Gallagher Way - homeowner wishes to install a satellite dish on the roof of his home, due to problems with placing the dish on the deck or on backside of the house. Karen VanDuser offered a motion that the application be approved with a conditional clause regarding placement and visibility (rear roof below ridge line), Ellsworth Romer seconded the motion, and the Board approved the application with a vote of 3 to 0.
  - c. 4507 Jenner Court - Replacement of fence with same fence type, since fence was in disrepair. Ellsworth Romer made a motion to accept,. After confirming that the AECC had reviewed this matter, as a full body, Karen VanDuser seconded the motion. The vote was unanimous to approve.
  - d. 4537 Boastfield Lane - This application was delivered to the Board this evening. The request is from a new homeowner has been unable to find the same style side shutters for the side of an end unit home as were installed by the developer. Homeowner requests that the four (4) replacement shutters he has purchased, which have a different design than those installed by the developer be approved, since this side of the home faces the woods. The Board discussed this application and feels that a site visit to inspect the shutters is necessary, prior to taking any further action on this request. A motion was made by Ellsworth Romer that this application be returned to the AECC for further review, Karen VanDuser seconded and a vote was taken which was unanimous.
2. Street and Court Captains: Since Barbara Beccles the Chair of this Committee was unable to come to the meeting, a written statement was read to the Board by the Association Secretary.

A meeting was held on Friday, November 6 at 7:00 PM in the ReMax Community Room. Present were: Barbara Beccles, Chair; Alfred Goldman, Street Captain for 17300 MacDuff and Guttenberg; Dirk Holger, Court Captain for 4400 Cannes Lane, and Sheila Wright, Court Captain for 17500 Gallagher Way.

A short discussion was held regarding the duties for Street and Court Captains and questions were answered. Captains were encouraged to go out and introduce themselves to their neighbors, tell them about the program, and encourage them to come out the Homeowners meetings including our renters. They were also asked

to develop a listing of their neighbors with names, address, and telephone numbers, if possible.

It was also discussed and a consensus reached that one of our goals should be that this committee and the people involved could eventually become the Neighborhood Watch program. We also discussed ways that we could get more people involved and how frequently we should meet. The consensus was that meeting frequency would be left up the Chair.

Members of the committee were also encouraged to bring any ideas, complaints, etc. to the Chair and to the Chair of the AECC. It was stressed that we are a sub-committee under the AECC.

Since the above meeting, three (3) more people have volunteered to become Court Captains: Eva Tax for the 17400 block of Gallagher Way, Ashley Smith for MacDuff near the pool, and David Brint for 4500 Cannes Lane.

Another meeting will be scheduled for sometime in December or early January so that we can get all of our volunteers meeting together.

There was motion made by Ellsworth Romer to received this report into the minutes, seconded by Karen VanDuser, and the motion passed with three (3) votes.

### 3. Pool Committee - Jeff Chavis

Jeff Chavis reported that there was a meeting of the Pool Committee on November 5, 2004 at the ReMax Community Center. In attendance were Jeff Chavis, Becky Tener, and Maureen James. The Committee went over all the different topics and concerns associated with the pool. The Committee came up with a list of questions and concerns to be addressed with the Swim Team and the Board, and some general questions for the Pool Committee to take back to contractors use the pool, the security of the pool, the events around the pool, and the safety of the pool. Those questions and concerns will be followed up on by the Committee. The Committee is in hoping to obtain answers before their next meeting . The Committee will use this information to develop ways to improve the way that the pool is run and making things run more smoothly for the community.

Mr. Chavis stated that one of his concerns was that the Committee should be made up of at least five (5) people, possibly six (6). He, further, stated that for the Pool Committee, the members can be any pool users and non-pool users; membership should not be just Swim Team members. Mr. Chavis wants the Pool Committee to hear all of the concerns and comments from the community, so that it will have some balance. He believes, that because last year there was not someone on the Committee who was at the pool frequently, the Board was

somewhat caught off guard when issues were raised at Board meetings. The Pool Committee is going to insure that there is a calendar of events put together and provided to the Board and the Pool Contractor. The Pool Committee will be meeting with the Contractor in advance of the events to ensure that they are staffed properly and have the supplies that are needed to support the event. The Pool Committee will be working with the Board to ensure that contracts contain language that will direct the Contractors to monitor admission to the pool and establishing better control the pool better through the use of sign-in sheets, checking pool passes, and ensuring that groups of kids are not going into the pool unsupervised. Mr. Chavis asked for anyone who had any questions regarding the pool to contact him and stated that the Pool Committee would work to address any issues.

At the end of Mr. Chavis' report, Ellsworth Romer asked if any of the teenagers have been asked to become members of the Pool Committee. Jeff Chavis is in agreement with soliciting interested youth to participate. A motion to write a Newsletter article to call for volunteers to the various committees, including the Pool Committee, and call for youth participation on the Pool Committee and any of the other Committees was made by Karen VanDuser, this motion was seconded by Ellsworth Romer. The motion passed unanimously. **Action Item - Newsletter Committee is to write an article that calls for volunteers, including kids.**

4. Newsletter Committee - Since Ingrid Romer was not present in time to deliver this report to the Board, Karen VanDuser reported for her.

The Newsletter Committee issued a Fall Newsletter in November that informed the homeowners of the result of the election and the resignations that occurred, at the October 21, 2004, meeting. The Newsletter Committee is, also, working on a Winter Newsletter that will be delivered prior to the Holidays. Articles in this Newsletter will address disposal of Christmas Trees, Snow Etiquette, and A Call for Committee Volunteers.

5. GOCA Representatives - Since Ingrid Romer was not present at the time that the report needed to be presented and had sent in a written report, Karen VanDuser read this report to those present.

The Olney Coalition needs your help in writing to the County Council concerning several zoning issues that have an impact on the Olney Master Plan. Currently, three (3) parcels may impact the Master Plan. 1) there is the a 32 acre parcel located on Bowie Mill Road at the power lines which has a concept currently of 77-156 homes but there is discussion of rezoning to a higher density and inclusion of a shopping center on this parcel, 2) there is a parcel located across from the soccer field at Olney Mill on Rt 108 (Pulte/Freeman Parcel) that could be developed for 110 homes and, if MPDUs are required, the number could go up to 134, 3) there is a parcel located at the end of Bowie Mill next to Sequoyah

Elementary School that could be zoned for 154 homes, and if MPDUs are required 187 homes.

Just these three developments add an additional 241-477 homes to our schools, roads, and other infrastructure. Letters should be sent to the County Council before they meet on November 26, 2004 on this matter. Letters should express personal impact of this growth on you and your quality of life.

The Web address for information on whom to write to and what should be addressed in the letters is [www.olneycoalition.org](http://www.olneycoalition.org).

**Action Item: The Board asked Karl Borst to add this address to the website.**

GOCA has been told by the Montgomery County Police Department that more police patrolling is now slated and that the police will be active in Olney. Residents of Olney should contact the police directly, if there is a problem. *In Norbeck Hills neither the AECC nor the Board Members are law enforcers - call the police. Call the Montgomery County Police for non-emergencies on 301-279-8000.*

There is a class that will be start in January talking about how to get to know and understand the police department in Montgomery County. This course will provide training and, if you sign up, you will have a background check before proceeding.

Rosalind Chavis will be attending the GOCA meetings with Ingrid Romer on the 2<sup>nd</sup> Tuesday of each month.

Jeff Chavis made a motion to include both the Newsletter and GOCA Representative Reports into the minutes. Karen VanDuser seconded this motion. The motion passed unanimously.

#### 6. Security and Parking Committee - Ellsworth Romer

Ellsworth Romer reported that a truck on MacDuff Avenue had had its tires flattened. Officer Paden of our Security Force will be pursuing this. Officer Paden believes that he knows the two young men who may be responsible for this incident. He will be placing these individuals under surveillance. Mr. Romer, also, stated that, as we discussed during Homeowners Forum, the community had had a fire in the woods. He stated that Security is working, even when you may not see them. Montgomery County Police Department is providing re-enforcements when needed, but be watchful and call the police phone number when ever you see something that you have concerns about.

Karen VanDuser moved that the report on Security be made a portion of the minutes, Ellsworth Romer seconded and the motion passed unanimously.

7. Web Administrator - Karl Borst

Karl Borst reported that he needs more information to be submitted for posting on the Web. He emphasized the postings must be approved by the Board, but encouraged persons to come forward with any ideas. Mr. Borst is installing a weather link for homeowners' use on the Website.

8. By-Laws and Regulations Committee - Since there were a number of policies that would be voted on at this meeting, there was not report from the Committee.

9. Finance Committee - Rosiland Chavis reported:

- The Finance Committee met at REMAX Building on November 5, 2004, (Kevin Shaplin and Bill Hicks were not in attendance).
- By vote of Board Members present at REMAX that evening, I was voted on to the Finance Committee as a member to serve with Folly Kuevey, Av Wofsey, Kevin Shaplin, Karen VanDuser, and Bill Hicks.
- By vote of Board Members present at REMAX that evening, Folly Kuevey was appointed to the position of Acting Chair for this meeting.
- The Committee focus was a review of the Proposed Budget with special attention paid to unpaid 2004 expenses and the Reserve Study.
- The Committee specifically reviewed the cash deposits for October 2004, as a basis to validate the payments that would be made for the remainder of this year. This was done to verify the unpaid 2004 bill amount that would be carried over to 2005 for payment.
- The Committee also utilized and verified the spreadsheet of unpaid bills presented to it by the Board which had been prepared by The Management Group. The Finance Committee determined that several other billing items would come in before the end of 2004 (i.e., lawn lime and mulch activities by H&H, and some addition utilities bills).

- The Committee paid special attention to the 5 page supplement to the Reserve Study entitled “Recommended Repairs” with a focus on the Safety Issues defined in Section A, and Section B, Item 7 which dealt with repairs to the parking lots that must be completed prior to resealing.

- The primary budget changes recommended are:

Reserve Contribution was reduced from \$60K to \$40K

Increase the 2004 unpaid bills from \$26K to \$30K

Increase Security from \$13K to \$15K for increased security in Summer months

Increase of Site Maintenance \$15K to \$22K

Reduce Management Fees line item to the level of 2004 costs

Establish a Contingency Fund line item of \$8,771 that is restricted for use to address weather, property value, and safety related issues that may arise during the coming year. Any money remaining in this line item at the end of 2005 should be deposited in the Reserve account.

- The Finance Committee also recommended that the spreadsheet clearly define the 2004 unpaid bill carryover as Prior Year Debt.

- The Finance Committee recommends that the planned expenditures defined in the Reserve Study be delayed one year (from 2005 to 2006). This recommendation is based on the need to perform, in 2005, repairs to the parking lots and to address the identified safety issues. These activities must be completed prior to implementing the expenditure plan defined in the Reserve Study.

- The Finance Committee has prepared a report to the Board. This report contains two (2) spreadsheet formats for the 2005 Budget. One is presented in simple terms that could be used to communicate and explain the 2005 Budget to Homeowners. The other spreadsheet is more consistent with Accounting conventions and could be provided to The Management Group for use by the Accounting Department and the Auditor. The line item costs are the same on both; however, the order of presentation is different.

- The Finance Committee also included a number of recommendations regarding what actions the Board needs to take to assure oversight and control of the Budget. These include:

The Board, in particular the President, should review expenditures and all invoices reflected in the Aging Report.

At least monthly, the Board and the Finance Committee should review the Budget Report (Report by Line Item of expenditures and remaining balance) and any concerns be addressed.

The Finance Committee should be provided information, including Financial Reports, contracts, contract ceilings, estimates, etc.

Each Board Member must be an active participant in providing oversight of the total Budget. The Finance Committee has presented, in this recommendation, some lower level recommendations regarding development of monthly spending plans, developing estimates for authorized by not yet invoiced activities, etc.

The Board should review The Management Group contract to assure that all reports that are necessary for Board financial oversight are being delivered and that the timeliness is adequate for effective oversight. The Board should examine contract language to ensure that is consistent with the goal of financial oversight and make changes as required. The Finance Committee will assist in this matter, if requested.

Karen VanDuser made a motion to include the Finance Committee Report in the minutes of the Board Meeting, and the motion was seconded by Ellsworth Romer. The motion was passed with a unanimous vote of the Board Members present.

Karen VanDuser provided a presentation of the Reserve Study to the homeowners present, so that they could understand why the Finance Committee had made the recommendations that had just been presented. This included an explanation of what the difference was between Reserve funds and Operating funds. She, also, informed the Board Members that they had copy of the complete Finance Committee Report with spreadsheets and recommendations in their meeting package.

## **Old Business**

### 2005 Budget

After a discussion of the changes to the proposed budget line items and the changes recommended by the Finance Committee which included the fact that the budget, as recommended, was very restrictive. The Board all agreed that this was necessary since the funds were tight for this year even with the increase. Karen VanDuser made a motion that the Board accept the budget and format recommended by the Finance Committee for communication to the Homeowners, Ellsworth Romer seconded this motion. The Board voted unanimously to accept the budget and format recommended by the Finance Committee for communicating the budget to the Homeowners.

The Board discussed the format that was presented by the Finance Committee for use by the auditor and the Management Group. Ellsworth Romer made a motion that the Board accept the format for the stated use and that both formats be provided to be included in the Associations official records. Karen VanDuser seconded this motion. The vote was unanimous.

Karen VanDuser then made a motion on each of the recommendations offered by the Finance Committee.

1. After an inquiry to the Management Group, regarding the ability to provide an aging report, the first recommendation of the Finance Committee that **“The Board, in particular the President, should review expenditures and all invoices reflected in the Aging Report (Invoices unpaid, at least monthly)”**, was seconded by Ellsworth Romer. The motion was voted on and the Board was unanimous in its acceptance.
2. The Finance Committee recommended that **“At least monthly, Budget Report (Report by Line Item of expenditures and remaining balance) will be reviewed by the Board and the Finance Committee and any concerns be addressed.”** After Karen VanDuser explained that the information was presented in the Management Report and could easily be provided to the Finance Committee, Ellsworth Romer seconded the motion. The Board unanimously accepted the recommendation.
3. The Finance Committee recommended that **“Each Board Member be an active participant in providing oversight for the total Budget, and where possible, develop monthly spending plans for their assigned Line Items or Contracts reflecting billed and paid amounts, as well as estimates for authorized but not yet invoices activities.”** After some discussion of the need for the President of the Board to make assignments within the Board for individual line items, the motion was seconded by Ellsworth Romer. The Board vote with unanimous in accepting this recommendation.
4. The Finance Committee recommended that **“Each Board Member must take responsibility for ensuring that expenditures do not exceed the budgeted level of the Line Item for each Line Item within the Budget. This is not just the job of the Treasurer.”** Jeff Chavis stated that this was consistent with what had been stated in recommendation 3, above. Ellsworth Romer seconded the motion for acceptance. The motion was carried with an affirmative vote of all three Board Members present.
5. The recommendation from the Finance Committee that **“The Board must ensure that the Finance Committee is provided with the Financial Reports, mentioned above, including others that are a part of the Management contract, and provide any information regarding contract ceilings, estimates, etc.”** was accepted by the Board Members present, after a second by Ellsworth Romer and the vote of all three Board Members in the affirmative.

6. The Finance Committee recommended that **“The Board should review its Management Contracts Accounting Procedures and ensure that all reports that are necessary for Board Financial Oversight are being delivered and that the timeliness of these reports is adequate for effective oversight. To guarantee consistent performance and in years to come, the Board should consider whether contract language should be included, if not already in the contract.”** Ellsworth Romer seconded the motion made by Karen VanDuser. The vote of the Board members present passed the motion 3 to 0. During the discussion of this recommendation, Jeff Chavis emphasized that record keeping instructions need to be established with the Management Group to ensure that a copy of the contracts for each year be made a part of each annual records. **Action Item: Board should review the Management Group contract and define record keeping requirements and ensure that reports are defined with a frequency of delivery sufficient to ensure availability of information for proper and effective Financial Oversight.**

Jeff Chavis asked that the members of the Finance Committee be polled to ensure that they are still interested in continuing to serve and, if not, to get more individuals involved in the Finance Committee. **Action Item: Karen VanDuser and Ellsworth Romer will query the members of the Finance Committee and pursue replacements, as necessary.**

#### Trash Policy

The Board recommended that the policy be changed to be more generic regarding use of specific days of the week for trash pickup (this would remove the days of Wednesdays, Saturdays, and Thursdays from the policy). The reason for this recommendation was day for recycle was different for the various locations within the community. Additionally, this change would ensure that should new trash contractors are hired and the pickup dates change, the policy will not need to be changed. Several other changes regarding clarity of language were also recommended.

During, this discussion Jeff Chavis asked that Ravi Parkhie, TMGA, discuss with the trash contractor that cans must be placed back up on the curb and the lids should be placed on the cans. Karen VanDuser asked that Ravi Parkhie report back to the Board regarding whether this would necessitate a contract language change to the trash contract. **Action Item: Ravi Parkhie will discuss the instruction with the trash contractor.** Ravi Parkhie reported that the policy would be placed in the Homeowner Depository when the passed.

A motion to accept the Trash Policy with the agreed upon changes was made by Karen VanDuser. This motion was seconded by Jeff Chavis. The Board voted unanimously to accept the policy with the changes agreed upon. **Action Item: Ravi Parkhie will make the changes, mail the policy to all Homeowners and take action to provide a copy to the Homeowner Depository.**

### Collections Policy

The Board reviewed this policy and ensured that they had a thorough understanding of the order defined for application of payments. The Board had no changes. A motion to accept the policy as written and distribute to the Homeowners was made by Karen VanDuser. The motion was seconded by Jeff Chavis seconded the motion. The Board voted 3 to 0 to adopt this version of the policy and distribute it to the Homeowners.

**Action Item: Ravi Parkhie will mail this policy to all Homeowners and take action to provide a copy to the Homeowner Depository.**

### Architectural and Environmental Control Policy

The Board reviewed this policy and found it acceptable. A motion to accept the policy as written was made by Karen VanDuser. A second to this motion was made by Jeff Chavis.

The Board voted 3 to 0 to accept this policy as written. **Action Item: Ravi Parkhie will mail this policy to all Homeowners and take action to provide a copy to the Homeowner Depository.**

### Mailbox Scrape and Paint of Poles and Boxes

The Board had tabled the discussion of this item at the meeting on October 21, 2004. Jeff Chavis stated that, since action on this item required that the weather be warmer, the item should be discussed in the Spring. Ravi Parkhie explained that the Post Office is not required to paint these mailboxes; they are only required to fix a mailbox that is falling over. A motion was made by Ellsworth mailboxes be scraped and painted in the Spring and that a determination of how this would be accomplished will be made as the weather warms. Karen VanDuser seconded the motion. A vote was taken and all three Board Members, present, voted in the affirmative. **Action Item: Board should revisit this item in the Spring time frame to determine how this will be accomplished.**

### Cannes Lane Walkway

Karen VanDuser stated, that even though the Board had rejected a request by the Cannes Lane Homeowners to install a walkway made of tree rounds at the October 21, 2004, meeting, she had added this item to the agenda for further Board action. The action she defined was that the Board needed to go to the property and make a determination what responsibility the Board had in alleviating the water retention problem which had caused the homeowners to make their request. The Board agreed. A motion was made by Karen VanDuser to revisit this and other common property areas to determine, if the Board needed to address any drainage/water retention problems behind homes, at the end of March or beginning of April. Ellsworth Romer seconded this motion. The three Board Members voted in the affirmative.

**Action Item: Board will walk behind the rows of the various townhomes in late March or early April, following rainy periods, to determine if there exists a**

**drainage problem in these areas. Following the identification of drainage problems, the Board will review its options for correction of these problems and the timing of corrective actions.**

## **Management Group Report**

### MCPD Agent Letter

Ravi Parkhie presented to the Board the letter to the Montgomery County Police Department which provided them with the ability to act as Agents for the Association. After answering some questions raised by Jeff Chavis regarding the authority that this gave the police and his concerns regarding whether this would lead to police harassment of children assembling in their own court. Jeff Chavis had asked that a change be made to reflect a proper phone number where he could be reached. Ellsworth Romer moved that the letter of approved with the change in phone number, Karen VanDuser seconded this motion. The Board agreed unanimously to the motion. Jeff signed the letter. **Action Item: Ravi Parkhie will make a copy and file it in the Association's records, and mail the letter to the Montgomery County Police Department.**

### County Code Enforcement Inspection and Follow-up

Ravi Parkhie reported that, due to some problems with getting the County to conduct follow-up re-inspection activities, he had arranged for a different agent from the County to come to the property and conduct a follow-up walk though with him on December 6. He asked that Ellsworth Romer to provide him with any other houses that need to be addressed due to egregious problems. **Action Item: Ellsworth will provide a list of any additional homes that should addressed by November 20 to Ravi Parkhie.**

### Letter to Homeowners Transmitting 2005 Final Budget

Karen VanDuser informed Ravi Parkhie that she had a draft letter to Homeowners that could be used to transmit the 2005 Final Budget. Ravi suggested that the letter be e-mailed to him so that he could add language regarding electronic payment of assessments. Karen VanDuser read this draft to the Board. After Board discussion, Karen VanDuser agreed that this letter would be sent via e-mail to the Board Members for comment by NLT November 22 and she would address the comments and provide a final copy of the letter electronically to the Ravi Parkie by NLT November 23. Ravi Parkhie, then, made a suggestion that the assessment amounts be rounded to the nearest tenth of a cent, making the assessment for Townhomes \$67.50 and for Single Family Homes \$44.60. Karen VanDuser stated that would require a change to the spreadsheets. She agreed to make these changes and supply the spreadsheets along with the letter language to the Board and to The Management Group by the agreed upon schedule. Ravi Parkhie was to ensure that, before the Management Group sends out the letter and Budget, language would be add to provide the information on electronic payments and to provide the date of the next Board meeting. A motion to make the rounding change to

the monthly assessment amounts for single family homes and townhomes was made by Karen VanDuser. This motion was seconded Jeff Chavis. The motion was voted upon and all three Board Members voted in the affirmative. **Action Items: Karen VanDuser to make changes to spreadsheets and deliver spreadsheets and letter to Board for comment. Karen VanDuser to make any changes required by the Board review and forward the letter and spreadsheets to Ravi Parkhie by NLT November 23. Ravi Parkhie to finalize the letter to homeowners and mail out the letter and 2005 Budget to Homeowners before December 1, 2004.**

#### Trash and Debris Cleanup

There was some discussion of the controls necessary regarding trash policing activities and the need to control costs for these services. These discussions lead to a determination that dump fee receipts needed to be provided to the Board. Further, the discussion called for a consolidation of calls for trash/debris pickup. Details of this and, possible modification to the Lawn Services Contract, will be worked on in the coming months by the Board and the Management Group.

#### Follow-up on E-mails

**Keys to Association Property.** An e-mail had been sent to Ravi regarding keys for the pool and bulletin board. **Action Item: Ravi will recall the keys and write a key control policy.**

**Tennis Court gate hinge replacement.** **Action Item: 1) Ravi will look at the existing hinge and report back to the Board with more details regarding the replacement/repair and estimate of cost. 2) Ravi will also arrange for Jeff Chavis to meet with both Handyman and Gardener contractors to discuss cost of services, etc.**

**Parking at the Pool by Homeowner.** Homeowner was notified that the Board position was that the third automobile could not be parked at the pool.

**Parking Policy.** Ravi stated that he had sent the Parking Policy with changes in the definition of Commercial Vehicles to Jeff Chavis recently. Several of the Board Members had not received a copy. **Action Item: Ravi will send out the Parking Policy again for comment by the Board.**

## **Adjournment of Meeting**

Karen VanDuser made a motion that the meeting be adjourned. Ellsworth Romer seconded. The vote of the Board was unanimous. The meeting of the Board of Directors was adjourned at 9:55 PM.