

Forest Glen Station Homeowner's Association

Minutes of the Meeting of the Executive Board 10 October 2005

I. The meeting was called to order by the President, Catherine Bocskor, at 7:36 P.M. The meeting was held at the Wheaton Regional Library, 11701 Georgia Avenue, Wheaton, MD.

Board Members Present: Catherine Bocskor, President; Doug Brandi, Vice President; Greg Slovik, Treasurer; Francis O'Donnell, Secretary

Others Present: Rob Tarkington, Jason Sartori, Kevin Covert, Norah O'Donnell

The President distributed the agenda. The Board approved the minutes from September 20, 2005.

II. Officer and Committee Reports

A. Montgomery County meeting. The President and Mr. Brandi attended. HOAs of the county were invited to attend. Appeals to a mandatory arbitration board must occur before court action. There were presentations by current and previous county council members. The President spoke to Mr. Silverman. She wrote to him about our problems with Centex. She wants to testify re the Park and Planning Commission's job in monitoring the FGS developer's adherence to plans.

Mr. Brandi reported that mediation (free) is available for conflicts between Boards and homeowners. Ed Model was head of this group. During a role playing example of an arbitration, it was shown that Boards should rely on whether the HOA has followed covenants. There is a bias in favor of the homeowner. A manual on HOA operation is on the website of the organization. www.montgomerycountymd.gov/ccoc

A Mr. Legett raised the issue of retention ponds. Ponds may get runoff from areas outside community. This subject may be addressed through legislation. Mr. Silverman raised the issue of possibly having an attorney for the HOA for every hearing. This would save on the expenses of an attorney. The Council will clarify the law by additional legislation.

Mr. Covert asked about mandatory arbitration. The President responded that if an owner or the HOA are unhappy with resolution of an issue, they can pay \$50 to go to arbitration.

B. Covenants Committee. Mr. Covert reported. There had been no recent complaints or requests for changes to covenants. The committee has held nine (9) monthly meetings in a row. The last meeting was a walking tour. No violations were noted. The committee has reviewed the covenants and has suggested changes to submit to board.

In response to a question about whether the committee checks to see if members' monthly assessments are delinquent when reviewing architectural changes, the response was that the committee merely checks plans and permits but has no knowledge about the status of assessment payments. The President said that the Board would need to look at the covenants or bylaws or could check with CMI about this issue.

C. Budget and Finance Committee. Mr. Sartori, the Chair, reported that the committee members have corresponded informally. It has not received this month's reports from CMI. The President

mentioned a recent article in the Gazette about Metro seeking a developer for the site of the current Metro parking lot. The HOA should take an interest in this possibility. Mr. Sartori commented that there may be a zoning issue with such development. The height of a replacement parking garage may be problematic. Denser development around mass transit is a county objective.

D. Lighting: Ms. O'Donnell reported on recent contacts with Centex re the lighting project. She last spoke to Mr. Green on Wednesday. Approval for the project is more or less finalized. Centex will use another company, Utility Systems. She asked him to call back when the contract is signed. She described prior conversations, including those with the other contractor, Muscatello. The President asked Ms. O'Donnell to send her a copy of her summary notes about contacts with Centex. The President said that she might provide a copy of her next letter to the County Council to Mr. Mankowski of Centex. Mr. Slovik said all this effort results from the planning board not doing its job. The President said it's time for her to call Mr. Mankowski of Centex.

III. Open Forum. There were no issues raised by homeowners in attendance.

IV. New Business. The Board set a date of October 23 for discussion of the new budget for 2006.

Mr. Brandi recommended that the homeowner assessments be paid quarterly. This would be cheaper for the accounting done by the management company. The President noted that this is a budget issue. Mr. Slovik said that it could even be done semi-annually. The President said the Board should consider this topic at the 23 October meeting.

There was discussion about a month-to-month contract with CMI while the Board considers the competing management companies' proposals. Mr. Slovik commented that CMI has worked well for the HOA. The President noted that if the majority of the Board prefers to go with CMI for another year, it would save the Board lengthy discussion. CMI services might decline under a month to month contract. Mr. Sartori noted that CMI might not be the best for there is some dissatisfaction with the service. Mr. Slovik suggested that the Board could take over some of the services, such as hiring local handymen locally and thus save money. Mr. Brandi suggested that the Board consider self-management. The budget would decrease greatly.

The President said that she would ask Mr. Ehrlich about his feelings about continuing with CMI for another year. She would have this information by the 23rd.

V. Old Business.

A. Mews Brick Sidewalk – Mr. Maccado said the work would be done as soon as the rain spell ends.

B. Dogs and Lawns: The Board decided to defer this issue further until next spring. Mr. Slovik stated that he feels that the drought this year has been a factor.

VI. Budget Proposals. The Board then received briefings from the Treasurer, Mr. Slovik, and the Chair of the Budget and Finance Committee, Mr. Sartori, describing their respective approaches to planning the HOA budget for 2006. Each speaker was given 30 minutes to explain his proposal.

The President thanked, on behalf of the Board and the HOA, Mr. Slovik and Mr. Sartori for their hard work in preparing the proposed budgets and the presentations they made. Further discussion of the proposals will continue at the meeting on October 23.

Mr. Slovik's presentation featured the following elements:

- A 4 tier basis for differing levels of assessments, depending upon the zoning of the residence. He noted that Section 5.6.(a) of the Declaration of Covenants for the HOA provides for the establishment of such tiers. The 4 tiers corresponded to:
 - o Expenses common to all residences in the community. (Tier I)
 - o Expenses common to all townhomes, but not the single family dwellings. (II)
 - o Expenses common to only those townhomes facing a mews. (III)
 - o Expenses common to only the single family dwellings. (IV)
- The application of tiers resulted in three different levels of assessments, corresponding to:
 - o Townhomes not facing a mews (Tiers I + II) \$ 36.25 per month
 - o Townhomes facing a mews (I + II + III) \$ 54.59
 - o Single family homes (I + IV) \$ 25.43
- This proposal for the HOA budget emphasized that private property was the responsibility of the owner / resident and not the HOA as a whole.
 - o As a result, the proposed budget did not cover most of the lawn and garden maintenance in the townhome area, and no such services are furnished to the single family dwellings. Residents of all homes in the community would be responsible for all of the lawn services and landscaping on their property.
 - o The proposed budget did not cover snow removal from sidewalks on private property, but did cover snow removal from driving and parking areas. Residents of all homes would be responsible for all snow removal from their sidewalks and driveways.
- The private trash pickup on Saturdays was not included.

Mr. Sartori's presentation featured the following elements:

- It included the private trash pickup on Saturdays. (\$ 3.86 per month per owner)
- It noted that all lawn services are provided to property that is commonly owned by all of the HOA (60% of the total) or is privately owned by townhome and condominium owners (40% of the total). No lawn services are provided to the single family dwellings.
- It noted that, because most of the mulching services are provided to property that is privately owned by townhome and condominium owners, 25% of the expense of mulching, pruning, fertilizing, and pest control should be distributed to all residents and 75% should be assessed to the townhome and condominium owners. No such services are provided to the single family dwellings.
- It distributed the assessment for snow removal 100% to all residents. The presentation stated that the majority of snow removal occurs on commonly owned property (i.e., the community's alleys and private streets). Only a small portion of snow removal occurs on the private properties of individual homeowners – the sidewalks in front of some (but not all) of the homes. All homeowners are responsible for clearing snow from their walkways and driveways.
- This budget proposal would result in assessments of \$ 65.39 per month for residents of the townhomes and condominiums, and \$ 53.67 for residents of the single family dwellings.

VII. Next Meeting. The next Board meeting was tentatively scheduled for November 14, 2005. The meeting adjourned at 9:22 P.M.

Respectfully submitted,

Francis L. O'Donnell
Secretary