

Forest Glen Station Homeowner's Association
Executive Board Meeting
April 14, 2008

I. Call to Order. The Board Meeting was called to order by President, Kevin Covert, at 7:39 P.M. The meeting was held at Montgomery Hills Baptist Church, 9729 Georgia Avenue, in Room 202.

Other Members Present: Chuck Ehrlich, Treasurer; Francis O'Donnell, Secy.; and Doug Keeton.

Others Present: Rebecca Hess, Rodney Rudd, and Diann Waters (CMI).

II. Approval of Minutes of Last Meeting. The Board approved the minutes from the Executive Board Meeting of March 10, 2008 after making some changes suggested by Mr. Ehrlich.

III. Officer/Committee Reports.

A. Treasurer / Budget and Finance Committee. Mr. Ehrlich had questions and comments about the management report from CMI. Noteworthy was that expenses have been less than budgeted mainly due to lower snow removal costs. To provide for the future, any surplus can be moved into the snow removal reserve. The report also showed over \$4,000 in surplus income due to the periodic nature of assessment collection. Two residents are in arrears. The \$4,000 returned because of the uncashed check (to CENTEX) will remain in reserves. Mr. Ehrlich asked Ms. Waters to research and report to the Board some clarification from CMI about the status of the pond and the likely financial implications of transfer from CENTEX to the HOA. He asked about CM Plus Services; Ms. Waters said that CMI uses that company for maintenance work. Mr. Ehrlich said that no Budget and Finance Committee meeting is scheduled yet but a meeting in June is likely.

B. Parking and Safety Committee. Mr. Rudd said that the next meeting of the Committee is tentatively planned for Monday, May 5, at 7:30 PM. He mentioned that a few people have been asking about keys to the Metro gate. He did not know if they were previous holders of such keys, but he emphasized that, even though the lock has been changed, the old keys will work on the new lock. He said that he will have some more keys made and submit an expense report.

With respect to the non-functioning light on Darcy Green Place, he said that he had checked the Montgomery County web page but it was not working. Ms. Waters reported that she had called Montgomery Lighting who checked and said that there was no power to the light because the meter had been booted. PEPCO had shut off the power because nobody was paying the bill for it. The last bill to CENTEX homes was in March 2007. She arranged for PEPCO to switch the billing to the HOA for the period March 07 – March 08 and forecast that the lights should go on by tomorrow night. The President said that he would check with CENTEX about when it will transfer responsibility for the community property. Montgomery Lighting mentioned that we have a mix of county and private street lights in our community. The PEPCO point of contact is Ms. Matthews at (202) 872-3103. The President said he would check with PEPCO.

C. Landscaping and Grounds Committee. Ms. Hess reported on the April 4 Committee meeting. The Committee discussed the following items. There was a spring cleanup of the forest reserve areas on March 29 and another one was scheduled for April 19. The piles of debris will be ready to be removed by CMI. The Committee will work on replacement of dead shrubs with new ones. Tentative plan is for the Committee to put ribbons on dead plants and solicit donations of new plants from residents. A list of approved plants will be distributed. The Committee raised three items for consideration by the Board with a view to asking CMI to obtain cost estimates for these possible projects: 1) Steps from the north end of the Tot Lot to Clark Place, possibly built with railroad ties. The Board discussed this proposal and tabled it at this time. 2) The corners damaged by trash trucks

around Clark Place. The Committee proposed that, when the curbs have to be replaced, the corners could be reengineered to consist of low profile curbs with river stones between the curbs to minimize the damage to turf. The Board approved adding this item to the reserves study that will be done this year in order to get an estimate of costs. 3) Handrail for the steep ramp from the sidewalk down to Darcy Green Place in the mews area. The Board decided to ask CMI to prepare an estimate on the costs of installing a hand rail and to provide choices of 2 designs (possibly black wrought iron).

Also discussed was the picnic table that had been moved to the Tot Lot area. The Committee recommended returning the table to its original location near the barbecue grill at the corner of Clark Place and Darcy Forest Drive.

Mr. Hughes had also sent word that the landscaping company had recently put down fertilizer and marked the treated areas with tiny warning flags. He asked A&W Landscaping to send an email to the HOA in the future about such fertilizer and pesticide applications so we can alert residents. He said that additional fertilizer will be put down in May.

D. Covenants Committee. The President reported that the Committee did meet this month but there were no items of new business referred to the Board.

E. Social Committee and Special Committee re Land Use. No reports this month.

IV. Open Forum. There were no comments.

V. Old Business.

A. Removing Forest Area Retention Signs. This CMI action is pending. It could be combined with removal of waste from the forest reserve spring cleanups, which should be deferred until after the cleanup on April 19. CMI had previously reported that 5 signs had been removed.

B. Moving Picnic Table Back to Original Location. Following the Landscaping and Grounds Committee's recommendation, the Board had held an email vote on this recommendation and approved moving it back. Ms. Hess reported that the table has been moved. See III.C. (above).

C. Monitoring Memberships of the FGS Listserv. Mr. Keeton will send the electronic version of the spreadsheet to Board for review and comments. The goal is to better identify the subscribers and to ensure that they are all residents or owners in the community.

D. Metal Post Fragment at Corner of Darcy Forest Drive and Kimball Place. Mr. Martella of CMI sent word that he had looked for the post and could not find it. Mr. Keeton said he would spray paint it orange so CMI can find it.

VI. New Business.

A. CMI Management Report. Mr. Ehrlich had covered this topic earlier (see III.A. above). He noted that the snow removal portion of the budget is \$8,300 ahead for the year, i.e., expenditures have been much less than were budgeted. He had no other additional comments.

B. Reserve Study. The Board has received a proposal for the update of the Reserve Study done a few years ago. In summary: The proposed cost is \$1,650. It would cover all 107 units, common site improvements, lighting, etc. Included would be inspection of the infrastructure and an assessment of its condition. Estimated replacement costs and the remaining useful life would be provided. The study would also examine and evaluate the current status of reserve funds.

Mr. Ehrlich had a few comments about the proposal. The budget line item for the study is not apparent in this month's management report. He will review it with the accountant and Mr. Feuer. He

also expressed concern about the possibility of hidden costs in the study. The proposal does not include pest inspections. The referenced "List of community references" was not in fact present. He asked Ms. Waters to see if there was an attachment to the email that the Board did not receive. The study proposal requires someone to walk the grounds with those doing the Study and for the HOA to provide a site plan. He asked Ms. Waters to see if CMI has a current site plan and the other information and documents described in the proposal. He asked about additional charges from CMI to have someone walk the site with the company. It was unclear how much time would be needed to facilitate the study. Time would influence the possible charge from CMI and the availability of a Board member. There may be additional costs beyond the \$1,650, e.g., for a meeting with the membership or to brief the Board. Charges may be \$160 per hour and there may be travel expenses. Mr. Ehrlich noted that after these items of information are available, the Board can vote on study.

C. Lights Out on Darcy Green Place. This was discussed previously. See III.B. above.

D. Restrictions on Displaying Candidate Yard Signs. The Covenants Committee had forwarded via email a quotation from the Maryland Homeowners Association Act pertaining to the posting of candidate or proposition signs on residents' property. The FGS HOA covenants prohibit the posting of such signs, but the state law authorizes that such signs may be posted for "30 days before the primary election, general election, or vote on the proposition; and 7 days after the primary election, general election, or vote on the proposition." The Board agreed that this state standard would apply here.

E. Removal of Yard Waste from Community Cleanup. As discussed in III.C. above, the Board asked CMI to remove the debris after the cleanup on April 19.

F. Hiring a Lawyer. Mr. Ehrlich raised the issue of the Board possibly retaining its own lawyer and not restricting itself to using CMI's lawyer. He commented that the Board had not wanted to do this in the past. Possible contentious issues could arise where use of the CMI lawyers might pose a potential conflict of interest. He wants to explore CMI's legal support and charges. Right now there are charges from CMI for lawyers contacting residents whose assessments are in arrears. He had distributed materials from two law firms who provide such services. Typical quotation was an annual limited retainer of \$2,400 plus an hourly rate. Such services would include unlimited telephone consultation. The advantage of having our own lawyer would be that the firm would get to know our organization, bylaws, etc. Mr. Ehrlich said that he would research the above issues and would like to be ready by June to make firmer recommendations. The President asked Board members to come up with a list of future, possible, contentious issues. Mr. Ehrlich had already done that and he mentioned the issues he had thought of. The President asked him to email his list to the Board members. It would help inform the Board about possible reasons to have a lawyer on retainer. Examples mentioned were covenants interpretation, community property, private property, the storm water retention pond, and transfer of ownership from CENTEX. Ms. Hess mentioned that it would have to be clearer who is the client, i.e., the members of the Executive Board or the HOA membership as a whole. It was agreed that this question requires clarification.

VI. Next Meetings: Monday, May 12, 2008 and Monday, June 9, 2008

The meeting adjourned at 9:06 P.M.

Respectfully submitted,
Francis L. O'Donnell, Secretary