

**Forest Glen Station Homeowner's Association
Executive Board Meeting and Rescheduled Annual Association Meeting
February 9, 2009**

I. Call to Order. The Meeting was called to order by the President at 7:34 P.M. The meeting was held at Montgomery Hills Baptist Church, at the corner of Georgia Ave. and Forest Glen Rd. The President showed a copy of the notice sent out to homeowners notifying them that the annual meeting had to be postponed from January because of the lack of a quorum. This meeting would serve as the Annual Association Meeting.

Board Members Present: Allen Feuer, President; Chuck Ehrlich, Treasurer; Francis O'Donnell, Secretary; and Doug Keeton.

Others Present: Joe Hubbard, Susan Morris, Clara Witt, Joshua Pitlick, Neil Efrom, Rodney Rudd, Thomas Schild, and Melanie Mullaney (CMI).

II. Establish Quorum / Approval of Minutes of Last Meeting. The President counted the proxies and Members in attendance and confirmed that a quorum had been achieved for the purposes of the Annual Meeting and the election of Board Members. The Board approved the minutes from the meeting of the Executive Board on January 12, 2009.

III. Officer/Committee Reports

A. Treasurer's Report. Mr. Ehrlich reported. The CMI report looked satisfactory. Reserve funds were displayed well. There was still an issue of getting the funds left over from 2008 for snow removal properly allocated to the new snow removal fund (to be transferred back out of the General Operating Fund, where they had been put). Mr. Martella said that he would fix that for next month's report. Three owners are in arrears on their assessments. Expenditures are on track with the budget.

B. Parking and Safety Committee. No report

C. Landscaping and Grounds Committee. No report.

D. Covenants Committee. No report.

E. Social Committee. No report.

IV. Open Forum. The President reviewed the events and issues addressed by the Board during the past year.

He noted that the HOA had retained the services of Mr. Schild, who provided a report later in the meeting (See paragraph VI. below).

He noted that Verizon has completed the installation of FiOS wiring in the neighborhood and FiOS is available for ordering. There may be a need for some additional digging to connect to individual houses. A box will have to be attached to each house that subscribes to the service. Installation takes 4 to 6 hours.

The President noted that the Board has directed CMI to add a special snow removal fund category to the budget. This special category will permit clear identification of savings during years when costs for snow removal are less than has been budgeted. A reduction in monthly assessments for the townhouse owners (who contribute most of the snow removal funds) will be possible if the Snow Removal Fund accumulates to the targeted amount. Mr. Hubbard asked about the timing of snow removal after a snowfall. The President responded that the time frame is specified in the contract.

The President commented that the HOA is fiscally sound, with expenditures closely following the budget.

The single family home at the corner of Kimball Place and Darcy Forest Drive, which had gone into foreclosure, is being occupied by new residents. CMI wants to be notified about sales and purchases.

Covenants are not always provided to new purchasers. Some HOA assessments are past due but this has not been a big problem.

The President noted that the reserve study results are reflected in the budget for 2009. This has been a positive development because the adjustments in the budget provide for the future.

There were good turnouts for the HOA picnic and the Halloween party.

For the future, the HOA needs to ensure the completion of the transfer of the common property and pond from the developer to the HOA.

Other items for the future: Keep an eye on the infrastructure; Investigate repairs for the pooling of water at bottom of the mews; Replace curbs at the corners where damage may occur. A reconsideration of parking rules for Darcy Green Place and Darcy Green Court is already on the agenda for the Board.

The President thanked the Board members for their service to the HOA, including Kevin Covert and Catherine Bocskor (former Presidents). He also thanked the Committee chairs for their efforts, including the Parking Committee Chair for arranging for the County police to make a presentation to an open Committee meeting.

There was discussion about resurfacing the community driveways (the private streets). The reserve study specified the need for periodic weatherproofing for all the private roads, using sealants. The reserves would cover the costs. Mr. Keeton asked CMI to solicit quotes for such work. Ms. Mullaney said she would need more clarity as to what specifically needs to be done. The sealants are preventative in nature, to keep the pavement from eroding due to water freezing within the pavement.

Mr. Pitlick commented about the residents of one house not securing its trash can. The can often ends up in the middle of the road where trash may spill. The Board concurred that this should be referred to the Covenants Committee.

V. New Business. See paragraph VII. (below) for the Election of New Board Members.

VI. Old Business.

A. FIOS update. See paragraph IV. (above).

B. Report by Mr. Schild. Mr. Thomas Schild, the attorney retained by the HOA to look into a number of unresolved issues about the community, reported on the results of his inquiries so far.

Forest Glen LLC is still listed on county records as the owner of the community property. Centex transferred the property to the LLC that is affiliated with Craftstar. The relevant documents were signed by the president of Craftstar. The Declaration of Covenants was signed by Centex with the consent of the LLC. The LLC became owner in December 2000.

The results of the County inspection of the storm water retention pond provoked this inquiry. The inspection noted several items of maintenance that were needed. The inspection results were sent by the County to the Forest Glen LLC. Ultimately, responsibility for maintenance of the pond can be conveyed to County, but not routine upkeep and cleanup. When the pond is up to County standards, the County will take over maintenance. Right now there are 10 parcels of land at various locations in the community that are still in the LLC's name. Mr. Schild commented that such property is typically transferred as part of the development close out process. The HOA could ask the LLC to underwrite the cost of needed repairs, including the pond. It is open to question if the LLC has an obligation to do the fix up. The LLC would have to bear the expenses of the transfer of the property. It was the LLC's fault for not conveying the property to the HOA. The HOA has incurred some expenses for maintaining this property. The President asked about the steep sidewalk on Darcy Green Place. Mr. Schild said he had not looked into that, only the pond.

Mr. Schild walked the Board through Plat # 21878 of the community, for which LLC is listed as the owner. Mr. Ehrlich asked if it would be worthwhile to write a letter to ask the LLC to do the work on the pond. He also asked if the LLC can transfer maintenance responsibility for the pond directly to County. Mr. Schild said the LLC could probably not do the transfer without the consent of the HOA. He suggested writing a letter to the LLC stating that: 1) the LLC is listed as the owner of the pond; please fix it up for the County; 2) please

execute the deeds; 3) here are the estimated costs. Mr. Ehrlich asked about liability insurance. Mr. Schild said that the HOA should maintain it.

The President offered a motion that the Board ask the LLC the following: 1) with respect to just the storm water retention pond: pay the expenses for maintenance and repairs in order to meet County requirements. The LLC could either clean the pond or pay for the cleaning; 2) convey all the common areas to the HOA; 3) pay the expenses for investigating this issue and the legal costs incurred. The motion was seconded and passed unanimously. Mr. Keeton asked if the LLC met its other obligations, e.g., the steep sidewalk ramp. There is some question about whether or not the ramp meets County code. There was another motion about clarifying the issues of the sidewalk ramp and the mews drainage problems. This issue was tabled pending Mr. Schild's continuing inquiries.

Mr. Schild also reported that the Articles of Incorporation are in good standing. He noted that the HOA does not have a County-registered "Resident Agent" identified to receive any notices of lawsuits. The County records still list a Mr. Robert Larkin (the incorporator) from the LLC as the Resident Agent, not Catherine Bocskor, who the HOA had thought was our designated Resident Agent. Apparently the LLC did not pay the requisite fee to the County, so the designation of Mr. Larkin was revoked, but his name is still listed. Mr. Schild commented that the HOA might have to start all over or just pay the \$25 fee. He said that he will see if for \$25 she could be just named. Mr. Schild said that the HOA may need a Board resolution to authorize this. He said there is no fee for being the Resident Agent. After further deliberation, the HOA Board concurred that Mr. Schild should be our designated Resident Agent.

Mr. Schild also noted that all the required personal property taxes are being paid.

VII. Election of Board Members. The Board appointed Susan Morris and Rodney Rudd as observers / inspectors for the election of officers. 4 residents had been nominated for the two Board positions that had become vacant (held by Mr. Feuer and Mr. Weinberger). After the ballots / proxies were collected, the inspectors retired to another room to count the votes. After the counting, the inspectors announced that the balloting resulted in the election of Clara Witt and Birgit Mitchell to the Board.

VIII. Next Meetings - The next meeting will be on Monday, March 9, 2009, at 7:30 PM, at the same location. The subsequent meeting will be on April 13, 2009.

IX. Closed Session of New Board for Officer Elections. Because not all of the members of the newly constituted Board were present, those who were present agreed to postpone the filling of the officer positions until all could be present and participate in the selection process. It was agreed to choose the officers before the next regularly scheduled meeting of the Board in March.

The Board then discussed the Committees and agreed that there is a need to solicit members and Chairs for the Committees. The committees are: Budget and Finance, Covenants, Social, Grounds and Landscaping, Parking and Safety, and the special Land Use Committee.

The meeting adjourned at 9:02 P.M.

Respectfully submitted,
Francis L. O'Donnell, Secretary