

Forest Glen Station Homeowner's Association
Executive Board Meeting
November 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. Present were Francis O'Donnell, President; Birgit Mitchell, Vice-President; Chuck Ehrlich, Treasurer; Clara Witt, Secretary; and, Joe Hubbard, Member at Large. Others Present: Rodney Rudd, Ravi Venkataramani, Mary Jo Vazquez, Camilla Jones, and Marcus Joseph. Melanie Mullaney represented CMI.

II. Approval of Minutes of Last Meeting. After adjustments and corrections were made to the October 5 meeting minutes, they were approved. Review and approval of the October 19 minutes were deferred pending final drafting.

III. Officer/Committee Reports

- A. Treasurer's Report.** A draft budget has been sent to the president and CMI. Mr. Ehrlich will meet with Ms. Mullaney in the next few weeks to compare the draft budget with CMI's draft projection. New items in the budget are expected to cover a contract for a full time exterminator for community rodent control, a balancing of the snow removal fund, and a transfer of the HOA funds for the water retention pond from the reserves to the General Operating Fund. Consideration is being given to add a line item to the budget for funding improvements in community lighting. A meeting of the Budget and Finance Committee to review the draft budget will be announced so that interested community members may attend. Mr. Ehrlich will attempt to have a draft budget presented to the Board before its next meeting.
- B. Parking and Safety Committee.** No report.
- C. Landscaping and Grounds Committee.** No formal report. Mr. O'Donnell reported that he had heard from the Chair that the 2 recently planted trees that have died should be replaced by the nursery in accordance with the 1 year warranty. Ms. Mullaney said she will follow up with the nursery. The Chair had also reminded that the landscaping and snow removal contract for next year is up for renewal.
- D. Social Committee.** The Halloween/Block party was a great success and the Board heartily thanked Camilla and Gregory Jones and the others involved for their hard work. The children of the community had a wonderful time. The Committee recommended that, for next year, the Board consider increasing the budget for the Committee by \$100. The Board supported this recommendation's inclusion in the draft budget. The Committee also recommended that the process of dispensing the funds allocated for the party be amended so that funds are available at the time that party supplies and equipment are purchased. The Board unanimously agreed to this change.
- E. Covenants Committee.** No formal report. The Committee will meet on November 10 and vote for new officers.

IV. Open Forum.

- A. Lighting.** Community members requested that the Board continue efforts to improve the lighting of common areas in the community. The need for repairing a non-working light was brought to the Board's attention. CMI was asked to address this repair. The Board considered the need for new lights and their placement at locations where they are most needed. It was noted that, in general, when residents do not keep their exterior lights on, the community does tend to be dark at night,

even on streets maintained by the County. The Parking and Safety Committee was asked to make a walk-through assessment of the community and make a recommendation on where additional HOA-supported lighting is most needed. The Board will consider this recommendation and determine how it might fund this proposed expenditure. CMI will assemble technology and cost information for Board consideration.

- B. Violation of HOA rules.** The Board was made aware that items such as benches and trash containers are being placed in parking spaces in the community. This action is preventing residents from using the spaces for parking. The Board asked CMI to investigate this reported violation of HOA rules and, if necessary, issue a violation to persons blocking access to parking spaces.

V. Old Business.

- A. Review of the October 19 Presentation by Mr. Schild About HOA Rules, Regulations and Processes.** Mr. O'Donnell reviewed Mr. Schild's comments at the October 19 meeting for the benefit of Board and community members who were not present at that meeting. What was clear from Mr. Schild's statements was the Board has the responsibility to make decisions that the Board deems in the best interests of the community as a whole. It is responsible for the management of the community's common property. Thus it is the Board's understanding that it is responsible for making decisions about the community's common property that are fair and equitable to all community members. It was noted that Mr. Schild needed more time to review the Articles of Incorporation, the Declaration of Covenants, Conditions, and Restrictions, and the Bylaws of the Association to complete his opinion on the specific issue of parking allocations. In particular, he was asked to clarify, on the basis of the aforementioned documents, whether the assignment of parking places could be done by the Board of Directors or must be decided by a vote of the entire HOA. The Board will follow up with Mr. Schild for his opinion. Definitive action by the Board on parking allocations is pending the receipt of Mr. Schild's opinion.
- B. Parking allocations:** The Board discussed the need to resolve the parking allocation problem in the equitable interest of the community as a whole. Ms. Mullaney stated that she met with the County Department of Public Works and learned that the Department determined that the community's use of the North side of the East end of Darcy Green Place for 5 parking spaces may be permissible. The Department advised, however, that those parking spaces should not be reserved for any specific residents' use until the County can determine if its agreement with the Developer contains stipulations about how that parking can be used by the community. Ms. Mullaney, in agreement with what the Board learned from Mr. Schild on October 19th, recommended that the Board defer any decision about parking spaces on Darcy Green Ct pending the Department's determination. The Department of Public Works has been asked to review the applicable site plan amendments pertaining to community parking. CMI will continue to follow up with the Department.
- C. Parking Permits.** Ms. Mitchell suggested that the Board ask CMI to cancel all old CMI-issued parking passes and reallocate new passes in consideration of the limited amount of parking available in the community and on the need to equitably address the parking needs of all community members. The Board believed, however, that the actual cancellation and reissuing of parking passes would be premature at this time, and that such action should be taken after the Board knows specifically the number of parking spaces available, and has a more complete understanding of the actual parking demand. The Board needs to first learn from the County its determination about the number of usable parking spaces on Darcy Green Place. The Board would also like to see a survey of the needs of all community members affected by the parking issue on Darcy Green Place and Darcy Green Court before it proceeds to a decision on this complex issue. A motion carried unanimously to draft a survey to ask residents about their parking needs. The Board asked CMI to develop a

questionnaire for surveying all community members on Darcy Green Place and Darcy Green Court. This will be done with the assistance of Mr. O'Donnell. The questionnaire will inform community members that the cancellation of old parking permits and the issuing of new ones are under the Board's consideration. It will also notify community members that the number of new parking passes will most likely be limited because of the actual parking availability in the area. The Board expressed its hope that all community members will strive to do whatever they can as individuals to help lessen the parking shortage problem.

- D. Curb repair.** CMI presented two proposals for the repair of curbs and the replacement of sidewalks. AB Viers and Sons Inc.'s proposal totaled \$33,889.00. The proposal from Dominion Paving and Sealing totaled \$42,655.00. These totals did not include any asphalt sealing. The Board requested that CMI get a map showing where in the community the vendors' repairs would be, and that a third proposal be solicited. Ms. Mullaney agreed to do this. Mr. Ehrlich noted that the HOA does not have enough money for such curb and sidewalk repairs in its current reserves to do this work, as the reserves study did not consider that curb deterioration in the community would occur so soon. It was noted that the probable cause of the faster deterioration is the frequent running over of the curbs by trash trucks and other large vehicles. If these truck-related damages continue, the Budget Committee will need to study the long term implications of any continuing damage on future HOA budgets and HOA assessment decisions.
- E. Reimbursement to homeowner for public lighting on Clark Place.** The homeowner at 9834 Darcy Forest Dr who is paying for the lighting bill for the streetlight on Clark Place asked Ms. Mullaney to resolve the issue of non-payment of reimbursement for the electric costs for the light on Clark place. Ms. Mullaney was also asked to present the homeowner with a written proposal for how any future reimbursements for this bill will be calculated and paid to the homeowner. The Board asked Ms. Mullaney to follow up on the outstanding matter. The Board recognizes that the use of private homeowners' electricity connections was not a desirable solution to the lighting needs of the community.

VI. New Business:

- A. Underground Streams in the Community.** Ms. Mullaney of CMI mentioned the fact that this area of Montgomery County, including our community, has naturally occurring underground streams, that the flow of these streams can migrate over time, and that it is often impossible to locate their originating point. They can occur on community common property and on homeowner's property. The Board has no ability to control the existence or flow of natural streams in the community. Community members are asked to provide the Board information about what they know about stream locations and actions in the community so that neighbors can be aware of what is happening. The Board cannot be responsible for underground stream damage to homeowner property in the community.
- B. Safety:** The Board recognized that the safety of all community members is of primary importance. It understands that some community members are worried about their ability to safely enter and leave their homes where their doors open onto unpaved ground. The Board also understands concerns about the safe use of sliding patio doors instead of standard entrance doors when persons enter and leave private residences. The Board understands that there is a grassy slope at the back exit of some homes, and that slope can be slippery. While the Board wants to do what it can to promote overall safety in the community, community members must understand that the maintenance of safe conditions in and on Homeowners' property is the Homeowners' responsibility and not that of the HOA. The Board does welcome applications for Covenants Committee approval of safety improvements done by homeowners. Covenants Committee approval is needed to assure

all community members that alterations to home exteriors are consistent with HOA rules. Since the Committee has historically approved applications by homeowners to re-grade and pave the grassy slope of their property facing Darcy Green Court, the Board encourages homeowners affected by this slope to consider this option.

Mr. Joseph asked if there was any periodic checking of fire hydrants in the community. Ms. Mullaney agreed to have CMI check with the County to make sure that the hydrants on the community are included in this process.

VII. Adjournment: 10:24 pm

VIII. Next Meeting. The next meeting of the Board is scheduled for Monday, Dec 14, 2009, at 7:30 PM at the Montgomery Hills Baptist Church.

Respectfully submitted,
Clara J. Witt, Secretary