

Norbeck Hills Homeowners Association
Board of Directors Meeting
April 20, 2006

(As Amended and Approved at the May 18, 2006 Board of Directors Meeting)

Board Members Present: Barbara Beccles, Ellsworth Romer, Eva Tax and
Av Wofsey

Board Members Absent: Sheila Wright

Others Present: Ruchita Patel, Management Agent
Inalva Dossantos, 17628 Goose Creek Road
Steve Evans, 17504 Gallagher Way
Alberta Magzarian, 17429 MacDuff Avenue
Karl Borst, 17629 MacDuff Avenue
Maureen James, 17609 MacDuff Avenue
David Sheedy, 17518 Gallagher Way
Doris Fox, 17331 Sandy Knoll Drive
Folly Kuevey, 17424 Gallagher Way
Louie Diplacido, 17570 MacDuff Avenue
Dave Calacicco
Rosalind Chavis, 17514 Gallagher Way
Clara Smith, 4408 Fishermans Court
Ingrid Romer, 4401 Fishermans Court
Lon Nguyen, 17410 Gallagher Way
Ralph Padarathsingh, 17416 Gallagher Way

Call to Order

The meeting was called to order at 7:05 p.m.

Homeowner Forum

Alberta Magzarian advised that she lives on MacDuff Avenue next to the creek. She would like the Board to hold a cleanup day to clean up trash dumped in the wood lines. It was a successful event in the past.

She also reported destruction of property by the creek. Kids are rolling rip rap down into the creek. She has also seen a lot of trash dumped in this area. She suggested that a "No Dumping" sign be installed in this area.

Ms. Magzarian advised that linden trees are attractive to Japanese beetles. Several years ago, murky spore was applied. She suggested that the community consider doing so again.

She requested that the Board consider removing the dead trees by the creek.

Folly Kuevey advised that, when he was on the Board and Chair of the Finance Committee, he had asked a question regarding transfers from reserves but had never received an answer. The Board reminded him that the question had been answered more than once. They also reminded him that the Finance Committee Chair and Board Treasurer are two different positions. The Treasurer is responsible for reporting on the finances and the Chair of the Finance Committee is responsible for reporting to the Treasurer.

Mr. Kuevey advised that he had recently received a response to his letter indicating that some issues would be discussed in an Executive Session. He stated that he had asked his questions in open forum and would like a response in open forum. Barbara Beccles advised that the Finance Committee was created by the Board of Directors to work under the direction of the Treasurer. At the February 16, 2006 meeting, Mr. Kuevey was told that there was a procedure in place to inspect the financial records by contacting TMGA. The Board had already confirmed to Mr. Kuevey that the Association is not a tax-exempt organization.

Mr. Kuevey advised that he had received a letter regarding his storm door and would like clarification regarding why he received this letter since the door was installed before he purchased his home. The Board explained that this does not necessarily mean that Mr. Kuevey is not responsible for correcting any architectural violations in relation to this door.

Lon Nguyen of 17410 Gallagher Way stated that she had received a letter asking her to remove her metal swing set from the backyard. She questioned why metal swing sets are not permitted. Ruchita Patel explained that most community associations do not permit metal swing sets due to the fact that, once they begin to rust, they can be an eyesore to neighboring homeowners. In addition, metal swing sets tend to create more noise.

In response to her question, the Board advised Ms. Nguyen that she could remove her fence provided that she submitted an architectural change request and the ACC approves it. Ruchita Patel will send Ms. Nguyen another copy of the legal documents for the community.

Ralph Padarathsingh of 17416 Gallagher Way advised that he had received a maintenance letter regarding his stained fence. He advised that it had been installed for 2 ½ years. The fence was a dark brown wined style. Ruchita Patel explained that this was the first year in which she had performed the inspection and she was not aware of any past history regarding particular modifications. She encouraged homeowners to follow the instructions that are in the maintenance letters if they receive one so that the database can be updated as necessary.

Mr. Padarathsingh stated that a tree branch at the edge of the wood line behind his home needs to be trimmed. A work order will be issued for this matter.

Doris Fox of 17331 Sandy Knoll Drive stated that she had received a late notice for dumping her refrigerator in the common area. She had made arrangements to remove this refrigerator but Handyman Services picked it up before her contractor arrived. After discussion, the Board's consensus was to waive the trash charge applied to Ms. Fox's account.

Steve Evans of 17504 Gallagher Way questioned whether there was any chance of changing the meeting date to a different night. The Board advised that the third Thursday was the only night on which all of their schedules were free.

Mr. Evans advised that he had received a charge for trash dumping. The trash actually belonged to his neighbor. At this time, he is not appealing this charge.

Mr. Evans received a letter regarding the fact that he had removed some fencing. He had also received a letter regarding his window air conditioning unit. He questioned why the air conditioning is being cited now, when it has not been an issue for the past 4 to 5 years. The Board advised that window air conditionings have never been permitted and may have been overlooked in past inspections. Mr. Evans advised that all of his violations had been corrected since receiving the letters. Ruchita Patel encouraged him to follow the procedures outlined in the maintenance letter and also advised all homeowners that they are welcome to call her if they have a question.

Louie Diplacido requested the Board to consider buying a portable microphone for the meetings. He also encouraged the Board to be more fiscally responsible as he believes that the costs for sanding the fire lanes are exorbitant. He advised that the concrete in front of his house is not level and could be considered a trip hazard. Mr. Diplacido advised that he was threatened by the County for "fictitious issues" at his home which he ultimately resolved. He believes that the Association is ignoring important issues on some homes such as rotted trim. In addition, he believes that the Association is not pursuing HOC for violations concerning their homes and tenants.

Av Wofsey advised that, at the March meeting, the Board met with HOC for about one hour to discuss concerns related to their homes. He provided details to HOC regarding the many problems that have been experienced. Ruchita Patel added that the asphalt, sealcoating and fire lane painting contract was awarded at the February 2006 meeting for approximately \$61,000. However, she has since negotiated the costs down to approximately \$50,000. She also advised that, following the March meeting, she had several conversations the new HOC Manager, who has committed to making the necessary repairs to the HOC homes in Norbeck Hills.

Barbara Beccles advised the homeowners present that asphalt sealcoating is part of the regular maintenance cycle for the parking lots in order to prevent potholes and significant damage. Av Wofsey and Ellsworth Romer explained that reserve expenditures keep the community well maintained and prevent deterioration of the grounds. Although it may seem as though the asphalt repair work is expensive, it is not one considering that the repairs have been postponed for several years.

Ellsworth Romer explained that the Board is very fiscally responsible. Three years ago, the community was behind on paying its bills due to cash flow shortages. The Association is now current on all of its bills and had a small net excess in 2005. Av Wofsey advised that he lives on a County road and the street has been paved by the County several times since he moved into the community. The townhome streets have never been repaved during this same period. Townhome owners should be entitled to the same level of maintenance on their streets as single family homeowners. Ruchita Patel explained the criteria used to select areas for concrete repairs. She also explained that the decision to sandblast and stain the fire lanes was more cost effective in the long than scraping and painting them.

David Sheedy of 17518 Gallagher Way advised that he had just moved into the community two weeks ago and received a maintenance letter even before he received a welcome package. Ruchita Patel explained that she does not know who owns each home when she performs an inspection. She also advised that it usually takes approximately 4 weeks before her office is notified by the settlement attorneys of a change in ownership of a home. She advised that she would place the issues cited on hold for 3 months to allow Mr. Sheedy an opportunity to get settled in and arrange for the repairs.

Inalva Dossantos advised that she had just moved into 17628 Goose Creek Road and attended the meeting to see what goes on. The Board encouraged her to continue to attend.

Folly Kuevey objected to a comment made earlier in the meeting to him regarding his request for clarification on the financials. He stated that he considers the person who made the comment to have a low IQ. Barbara Beccles warned Mr. Kuevey that he, and all members present, are expected to act in a mature manner when at the meetings. She explained to the homeowners present Mr. Kuevey's concerns regarding possible collusion between the Board President, Treasurer and the management company.

Meeting Minutes

Eva Tax moved to approve the minutes from the February 16, 2006 meeting as submitted. The motion seconded by Av Wofsey and passed unanimously.

Swim Team Attendance

Dave Calacicco introduced Maureen James as the new swim team liaison. He provided some background regarding how the swim team was created about 12 years ago. In his opinion, it is a very good community activity which should be continued in the future. He explained that, in 2005, he was not as involved with the team due to his move from the community. He was not aware until he saw that the budget had been reduced that there was a problem in communicating between the swim team and the Board. He introduced Maureen James as the new liaison and indicated his belief that her involvement would significantly improve communication.

Mr. Calacicco advised that the swim team raises funds through swim team events to cover costs not covered by the Association. However, he would appreciate if the Board would continue to subsidize the swim team so that the fees could be kept as low as possible in order to allow the team to be accessible to as many kids as possible. He also advised that the swim team helps with a scholarship fund and also subsidizes swim suits for members who can't afford them. He provided a financial summary to the Board.

The Board thanked him and Ms. James for attending the meeting and requested that she attend every Board meeting during the summer. They also requested that pictures of the swim team event be provided to the website administrator for posting. The Board requested that the financial report of the team's activities be provided at the end of the season.

After further discussion, Mr. Calacicco and Ms. James departed.

Committee Reports:

A. AECC

The Board reviewed architectural change requests that were submitted over the past month. They were as follows:

- 17522 Gallagher Way – Ellsworth Romer advised that he had approved this application contingent upon the windows being reinstalled in their original manner.
- 17532 Longview Lane – This application was approved.
- 17645 Longview Lane – This application for a shed was approved contingent upon the yard being enclosed by a 6 foot fence. Ellsworth Romer confirmed that the homeowner already has a fence in place.
- 17215 Sandy Knoll Drive – This application for a fence was approved. Ellsworth Romer confirmed that the homeowners do not have a shed.

Ellsworth Romer moved to affirm the above decisions. The motion was seconded by Av Wofsey and passed unanimously.

The Board reviewed two issues raised by the owners of 17514 Gallagher Way regarding maintenance issues for which they were cited in 2005. They advised that there is precedent to not allow an arbor to be installed in the front yard. In addition, the lawn ornaments should be considered a violation, as they do not comply with the design guidelines. Av Wofsey moved to deny the appeal to allow the lawn ornaments and arbor to remain. The motion was seconded by Eva Tax and passed unanimously.

The Board reviewed the appeal letter submitted by the owner of 26 Hines Court to allow her new style of window to remain. The consensus was that the homeowner must put the mullions back into the window.

B. Pool

Ellsworth Romer moved to approve the proposal submitted by RSV Pools to replace the shaft seal and bearings for a total cost of \$750. The motion was seconded by Av Wofsey and passed unanimously.

The Board reviewed proposals submitted to replace the hot water heater at the pool. Av Wofsey moved to approve the proposal submitted by RSV Pools provided that they also include a 3 year warranty on parts and labor. The funds would be taken from reserves to cover this cost. The motion was seconded by Eva Tax and passed unanimously.

C. GOCA

Ellsworth Romer moved to renew the membership with GOCA. The motion was seconded by Av Wofsey and passed unanimously. The Board requested that the Norbeck Hills link be added to the website.

Cannes Lane Fences

The Board discussed the fences installed by the owners of 4502 and 4504 Cannes Lane. Ellsworth Romer and Ruchita Patel confirmed that they look like they are on common area. They are encroaching on common area by several feet. Ellsworth Romer advised that, when a neighboring home conducted a survey of their property, it was determined that the fences were definitely on common area. After discussion, the Board's consensus was to send a letter to both homeowners to provide a plat of the property and documentation such as a survey to confirm that their fence was on their property.

Committee Report continued:

A. GOCA

Ingrid Romer advised that, at the last GOCA meeting, the group discussed the remodeling of Montgomery General Hospital. She reported that the ICC construction is still moving forward. Some homes have already been claimed by the state to make room for the ICC.

B. Website

Karl Borst advised that he had not had an opportunity to update the website. However, he thinks it is a positive sign that people are looking at the site and noting that it needs to be updated. He encouraged the Board to provide him with content to include on the website.

C. Finance

Ellsworth Romer summarized the financial statements for the period ending March 31, 2006.

D. Security

Ellsworth Romer advised that there had been very few incidents over the past few months. This morning, a SWAT team raided a home on Gallagher Way that the police had been monitoring. Mr. Romer reported a decrease in towing from approximately 25 cars per month to about 12 per month.

New Business

Barbara Beccles read aloud a letter of thank from the Speights thanking the community for their help after their home was destroyed by fire. The Board requested that a PDF version of the letter be sent to Karl Borst for inclusion on the website.

In response to a question raised by Maureen James, the Board confirmed that there is no active pool committee. Ruchita Patel invited Ms. James to contact her if she experienced any problems. Barbara Beccles also reminded her to attend each Board meeting to discuss the swim team's activities.

There was a discussion regarding dogs on Hines Court. It was reported that one of the residents who does not pick up after their dog has been seen peeping into windows. This has been reported to security.

Folly Kuevey provided suggestions for how reserve expenditures should be reported.

Louie Diplacido requested the status of the white trailer on MacDuff Avenue. The Board advised that this is a County road and that he should contact the police to complain. Ruchita Patel advised that she had already asked the police to monitor this trailer and to ticket it as necessary.

Karl Borst advised that he would be posting the contract onto the website in the near future.

Executive Session

The Board moved to go into Executive Session at 9:10 p.m. for the purpose of discussing delinquent accounts and possible litigation.

Adjournment

The meeting was adjourned at 9:30 p.m.

Submitted by, Ruchita Patel, The Management Group Associates

RP/njw

II.1.6, II.1.6c

g/assoc/NH/Meeting Minutes/April 20 2006 – Draft