

Norbeck Hills Homeowners Association

Board of Directors

January 19, 2006

(As Amended and Approved at the February 16, 2006 Board of Directors Meeting)

Board Members: Barbara Beccles, President,

Av Wofsey

Ellsworth Romer

Eva Tax

Folly Kuevey

Others Present: Ruchita Patel, Management Agent

Jeff Chavis

Lauren Brum

Sheila Wright

Gracie Bennett

Clara Smith

George Britt

Ingrid Romer

David Mayle

Call to Order

The meeting was called to order at 7:15 p.m. by Av Wofsey, Vice President. Av Wofsey, Ellsworth Romer and Eva Tax were in attendance.

Homeowner Forum

Lauren Brum of Jenner Court stated that there is a lot of dog feces at the tot lot behind Jenner Court. She has not been able to identify the violators. She also reported broken glass and trash on and around the path. There was a discussion regarding installing signs at the tot lot. The Board advised Ms. Brum that the issue of dog feces comes up frequently and was previously a problem at Hines Court. The violators were fined and the problem was eliminated. They encouraged her to try to determine who the violators are so that fines can be issued. A reminder regarding dog feces will be included in the newsletter. Ruchita Patel will obtain prices to install signs at the tot lots.

Ingrid Romer reported that vehicles are parking along MacDuff Avenue very close to the intersections, reducing visibility. Ruchita Patel advised that the Board had recently requested Montgomery County to install additional signs on MacDuff Avenue, particularly near the intersections and prohibiting parking on the side of the street. She will verify that all of the existing signs are up.

A homeowner reported trailers parking on MacDuff Avenue in violation of the "No Parking" signs. Ellsworth Romer will contact the neighborhood security regarding this and Ruchita Patel will write a letter to the police.

Jeff Chavis complimented the trash removal crews for the work performed over the Christmas and New Year's holidays. Per Mr. Chavis, they did a nice job.

David Mayle, the renter of 4506 Jenner Court, advised that he had been fined for placing trash on the common areas. He advised that the trash was not his. When he moved in, a large pile of trash had been placed on the common area in front of his home. At the same time, residents of several other units on Jenner Court were in the process of moving out. He also advised that many residents of Jenner Court place their trash out in central pick up points on the common area, and not in front of their homes. Ellsworth Romer advised that problems with trash disposal had been discussed at several meetings. If the Association can determine who the violator is, it bills that person. In cases where the bill is sent to the incorrect person, this person can usually identify the violator. The Association has made a significant amount of progress in correcting this problem using this procedure. A discussion ensued regarding the process used to fine homeowners. Ruchita Patel advised that, over the past several months, the process of identifying violators has been modified. In a majority of the cases, the contractor is able to identify the violator based on packing labels or similar items on the trash, and he forwards this information to her office as evidence. Ellsworth Romer moved to waive the trash disposal fee of \$53.00 assessed

against 4506 Jenner Court. The motion was seconded by Eva Tax and passed unanimously.

Mr. Mayle volunteered to serve as the street captain for Jenner Court.

Board Member Arrivals

Barbara Beccles arrived at 7:45 p.m. Folly Kuevey at 7:50 p.m.

Homeowner Forum, Continued

David Mayle advised that few reserved spaces have been assigned to each townhouse leaving one guest space. Several townhome residents have three or more vehicles. He questioned whether vehicles could be parked in the turn lanes off of Cashell Road without being ticketed. Ellsworth Romer provided the history of this matter and advised that vehicles parked in the turn lanes would be subject to ticketing by Montgomery County.

Folly Kuevey read a statement regarding his concerns. He advised that he ran for the Board of Directors to get involved, but is concerned as to the way Board business is run. He expressed objections to signing a contract with TMGA for a period of longer than one year and advised that he had not seen a final copy. In addition, he had sent in a newsletter article to the newsletter committee as a Board member. The committee denied use of this article because they felt that it was slanderous and inflammatory. He stated his belief that the committee should not have the right to edit the newsletter.

Ingrid Romer advised that the newsletter is prepared by volunteers. Mr. Kuevey's article was inflammatory, potentially slanderous and was limited to his particular issues as opposed to those of the neighborhood. She advised that the newsletter should not be used for the purpose of being one individual's forum to object to decisions to which he does not agree. The newsletter is primarily for informational purposes.

Ellsworth Romer moved to suspend the Homeowner Forum to address two matters not on the agenda. The motion was seconded by Av Wofsey and passed unanimously.

TMGA Contract

Barbara Beccles reported that, on December 19, 2005, the Board held a special meeting to discuss the management contract. Present at this meeting were herself, Ellsworth Romer, Av Wofsey and Folly Kuevey. The Board went through the management contract and made amendments as necessary. A vote

was conducted to accept the management contract as amended. The motion passed 3-1. Folly Kuevey voted against. She advised, in light of the Board's decision at the special meeting, she will be signing the management contract as amended as President of the Board of Directors.

Folly Kuevey advised that the reason he voted against the contract is because he felt that, at a previous meeting, a consensus had been reached to extend the term for no longer than one year. Board members present as well as Jeff Chavis advised that there had been a discussion regarding the term of the contract but a decision had been reached. Barbara Beccles advised that by e-mail following the meeting, the Board reached a consensus that the contract term would be for 3 years. When the Board met on December 19, 2005, they voted on the terms of the contract as well as the length. The contract was approved as amended based on a majority of the vote. She reminded Mr. Kuevey that, at that meeting, he had made a motion to reconsider the Board's decision. There was no second to this motion and it died. She also advised, in her opinion, everything possible had been done by the Board to keep the lines of communications between the Board members regarding this matter above board. She resents the implications made by Mr. Kuevey that there was any intentional wrongdoing.

Ruchita Patel reminded the Board that the contract is for one year, with two one-year options to renew. In addition, there is a 30-day termination clause so, in effect, it is for a 30-day term. Jeff Chavis advised that changes were made to the contract based on his discussions with Jeff Gatling. Ellsworth Romer confirmed that these changes had been seen by the entire Board.

Removal of Board Member

Ellsworth Romer advised that, due to Mr. Kuevey's past behaviors as a Board member, he wished to invoke Article 4 Section 3 of the Bylaws regarding the removal of officers. Ellsworth Romer moved to remove Folly Kuevey from the Board and to appoint the individual who came in second in votes at the 2005 Annual Meeting to his place. The motion was seconded by Av Wofsey and passed 3-1-1. Folly Kuevey voted against. Eva Tax abstained. Folly Kuevey advised that he knew that this was coming and had decided to leave the Board. His resignation was accepted.

Mr. Kuevey advised that he had previously asked questions regarding the financial statements and had not been given a response by TMGA. Barbara Beccles advised him that he had been told several times that questions and answers regarding the financial statements had to be routed through the Treasurer and/or Board President. A heated discussion ensued.

After a cooling off period had elapsed, Barbara Beccles explained to the members present the reasons prompting the Board to seek removal of Mr. Kuevey. She apologized for the heated discussions. Av Wofsey commended the remainder of the Board for the time and effort that they spend on the community, in particular Ellsworth Romer. Ellsworth Romer apologized for displaying his anger against Mr. Kuevey and provided some examples of past incidents that the Board had had to deal with. He explained that, in his opinion, this type of behavior was not acceptable.

Sheila Wright assumed her position as a Board member.

Meeting Minutes

The following change was made to the minutes of the October 20, 2005 meeting:

- a. Meeting Minutes. The following sentence was deleted: "Eva Tax said she did not recall her seconding the motion for Ruchita to obtain verbal quotes from RSV Pools."

Av Wofsey moved to approve the minutes of the October 20, 2005 meeting as amended. The motion was seconded by Ellsworth Romer and passed unanimously.

Ruchita Patel advised that she and Sheila Wright were compiling the minutes of the November meeting. A review of these minutes would be included on the Agenda for the February meeting.

Committee Reports

A. AECC

Ellsworth Romer advised that no Architectural Change Requests have been reviewed over the past month which required a Board vote.

The Board's consensus was to move forward with a Commission on Common Ownership case against the owners of 17547 Longview Lane for their continued failure to complete the repair work that they began on their home.

B. Pool

No report.

C. Grounds Committee

The Board reviewed proposals submitted by MainScapes and The Daily Grinder to remove dead trees, replace these trees and grind stumps throughout the community. After discussion, Av Wofsey moved to award a contract to The Daily Grinder to do all of the work specified except for the removal of pine trees on Boastfield Lane. The total cost of this contract will be \$3,140.00. The motion was seconded by Sheila Wright and passed unanimously. Ellsworth Romer requested that The Daily Grinder also remove the tree limb growing over Cashell Road behind the single-family homes on Sandy Knoll Drive.

Ruchita Patel advised that, in her opinion, she could obtain a better price to prune the trees in the single-family sections of the community. The Board agreed to defer this matter pending the receipt of additional bids.

D. Newsletter

Ingrid advised that she is in the process of preparing the newsletter.

E. GOCA

Ingrid Romer advised that, at the most recent GOCA meeting, a discussion was held regarding building a skateboard park at the Olney Rec. Park. A meeting to this effect will be held on February 2, 2006 at 7:00 p.m. Details regarding the proposed design can be found at www.sitedesigngroup.com. Ms. Romer also advised that GOCA needs volunteers to help with the ICC project.

F. Website

No report.

G. Finance Committee

No report.

H. Security and Parking

No report.

I. Street Captains

No report.

Stormwater Management Repairs

The Board reviewed proposals submitted by MainScapes and Highway and Safety Services to bring storm water facility #236 into compliance with Montgomery County's standards. Ruchita Patel advised that she had spoken with Highway and Safety Services and negotiated their bid down by a further \$1,250. After discussion, Ellsworth Romer moved to hire Highway and Safety Services to complete all necessary work for a total cost of \$17,500 and to authorize Chen, Walsh, Tecler and McCabe to begin the legal process of transitioning this pond. Funds for the necessary repairs would be taken from reserves. The motion was seconded by Av Wofsey and passed unanimously.

Old Business

Jeff Chavis requested that the tree next to his home be removed because the roots are damaging the yard. Ruchita Patel advised that she would add this to the tree removal list for removal at a later date.

New Business

Barbara Beccles advised that, at the next meeting, the community would resume with Community Reports.

Barbara Beccles advised that she would be sending a certified letter to Folly Kuevey confirming the actions at that night's meeting and removing him from the Finance Committee.

Adjournment

The meeting was adjourned at 9:02 p.m.

Submitted by,

Ruchita Patel, The Management Group Associates

RP/ph

NH/IIL.6, IIL.6c

NH/Meeting Minutes/January 19 2006