

Minutes of the May 19, 2005 Meeting of the Board of Directors of the Norbeck Hills Homeowner Association

Board Members Present: Jeffery Chavis, President
Avrom Wofsey, Vice President
Ellsworth Romer (Treasurer)
Karen VanDuser (Secretary)

Others Present: Ravi Parkhie, Agent for the Association,
The Management Group Associates, Inc.
Four (4) Homeowners (see attached sign-in sheet)

The meeting was called to order by Jeffery Chavis, President, at 7:02 PM.

1. OPENING REMARKS

Mr. Chavis announced that the Community Cleanup was scheduled for Saturday, May 21st. He stated his hope that the turn-out for the cleanup would be greater than the number of homeowners who were attending this Board meeting.

He stated that all homeowners should stay alert and report any suspicious activity to the police. He stated, since the weather had begun to warm up, the level of crime in the community has increased.

He called on the other members of the Board to report the List of Accomplishments since the last meeting. Karen VanDuser reported that the accomplishments were primarily associated with response to homeowner feedback items received via e-mail from our web site. These included a request from a homeowner to have an Association tree pruned back. This tree was growing to a point at which it was rubbing on her home. Another homeowner reported a downed light pole in the townhome section of the community. The pole was removed by a contractor who also capped the wires and placed a cone over the electrical box for this pole. There also was a request from a homeowner who wished to use the common area behind their home for a party. The Board responded that the area could be used for guests to sit and walk, but the setting up of tables prior to and during the party would be considered "exclusive use of common property" and was, therefore, denied by the Board.

Karen VanDuser was requested to report on the burglary that had taken place on the community on May 12 and the apprehension of two young men by the police. She

reported the burglary had been committed at approximately 10:00 AM and the two young men apprehended were 18 and 16 years of age. One lived in our community and the other in a Cherry Wood. She further explained other burglaries had occurred on Gallagher Way, Boastfield Lane, and Hines Court. These had all been daylight burglaries to townhomes with buried basements. Ms. VanDuser reported that on this last break-in, which occurred on Cannes Lane, the police had responded within two minutes of the call. She, further, explained there were a number of other burglaries in the Olney area which had been reported in the Post and the Gazette. She was not sure that these two individuals had been involved in these other break-ins.

Ellsworth Romer reported, while he could not provide details because of an on going police investigation, that there is a ring of individuals. He stated that any homeowner who sees anything that appears out of the ordinary should be reported immediately to the police.

Jeff Chavis opened the Homeowner Forum.

2. HOMEOWNER FORUM

- a. A homeowner from Gallagher Way asked if the Board had conducted a Roll Call. Karen VanDuser reported that she had taken roll and pointed out that the Board Member list on the Agenda was for her use as the Secretary. The Gallagher Way homeowner challenged the Board that the first order of business on the Agenda was a Roll Call and that this had not be conducted because Ms. VanDuser was not in the room when he came in to the meeting room and could not have taken attendance. It was pointed out to the homeowner that all the Board members with the exception of Ellsworth Romer had assembled prior to 7:00 and that Ms. VanDuser had set up the sign-in table and the Board members working items and had only stepped into the parking lot for a minute or two before the meeting. Mr. Romer and Ms. VanDuser came into the room at approximately 7:00 and took their seats and the President had called the meeting to order, which is the first item on the Agenda, at 7:02 PM. In an effort to explain the Agenda from a homeowner perspective, one of the other homeowners offered that the Agenda did not call for a Roll Call. After some challenges by the Gallagher Way homeowner to the other homeowner present and the Board members on their ability to speak to this issue, the Secretary requested that the ten-minute speaking rule be invoked. Under this rule, the Gallagher Way homeowner was provided the next 10 minutes to raise his concerns and ask question of the Board for the next ten minutes and then was to surrender the floor to other homeowners who were in attendance.
- b. The same Gallagher Way homeowner then asked whether homeowners were responsible for appointment of officer positions on the Board. Specifically,

his question was whether the Board had the authority to appoint Ellsworth Romer to the position of Treasurer at the March meeting, as a result of the resignation of Bill Hicks who had been the Treasurer until his resignation. Karen VanDuser read to him and provided him with the specific portion of the By-Laws that dealt with this matter (By-Laws, Article VI, Section 1). It was explained that the Board is elected by the homeowners at the Annual Meeting but that Board elects Officers.

- c. The Gallagher Way homeowner stated that he was not aware that a Board Meeting had been held in April. It was explained to him that in March a letter had been sent to each homeowner which explained that Board Meeting were held on the third Thursday of each month and that these meetings and committee meetings would be posted on our Website.
- d. The homeowner from Gallagher Way stated that he believed that Mr. Romer needed to run in the next election because he was filling Bill Hicks position. The Board members and Ravi Parkhie explained to the homeowner that each Board member had a term of office. Ellsworth Romer's term was until 2006. Mr. Hick's term was up in 2005. The fact that Mr. Romer was filling the Officer position of Treasurer did not change his term of office. The difference between being a Board of Directors member and being an Officer was explained at length to this homeowner.
- e. The homeowner then asked why the Board members were service on the Committees. The Board explained that Committees were dependent upon volunteers and there had been insufficient volunteers for various Committee so the Board members were participating in these Committees. The homeowner was further informed that the By-Laws provide the Board with the authority to appoint members for committees (By-Laws, Article V, Section 3, (k)).
- g. A homeowner from Sandy Knoll asked the Board, if due to the increased crime in the community, was there more police presence. Ellsworth Romer reported that there was more attention by the Montgomery County Police Department to the community; however, he requested that homeowners please call the police whenever they see anything that looks unusual. He stated that the rapid response to the Cannes Lane burglary was indication that the police are staying near our community. Av Wofsey reported that the one individual who lived in Cherry Wood who had been apprehended is viewed by the police as a major contributor to the crimes in the community and that his apprehension should reduce crime within the community. Jeff Chavis emphasized that the police had told us the more calls the more attention by the police presence.

- h. This same Sandy Knoll homeowner asked if the homes that are in disrepair in the community are being cited. She was informed that the AECC was conducting walk throughs and that the County Department of Code Enforcement was also inspecting this community for such issues.
- i. The Sandy Knoll homeowner stated that a washing machine was left out. She was informed that the homeowner may have called the County for pickup. It was explained to her that it should not be placed more than 24 hours prior to County pickup and that, if it was not removed by the next day, we would call the County for removal.
- j. The Gallagher Way homeowner stated that he had been tasked by the prior Treasurer to research some tax law for the Association. He stated that he wanted to know the qualification of the current Treasurer to determine, if he would share this information with the community. Ellsworth Romer stated that he had a Bachelors in Civil Engineering, a Masters in Business, and was working on a Ph.D. in Organizational Leadership. Mr. Romer emphasized that the Master's program had included courses in Finance. The Gallagher Way homeowner challenged the Board Member on his knowledge of Finance and did not share the information with the Association. Jeff Chavis explained that the Board Members were volunteers and did not make a claim that they were the most knowledgeable in the community. He stated if the homeowner had something that was of benefit to the community it should be shared and the Board was ready to listen.
- k. Karen VanDuser took three minutes of homeowner time to explain that each homeowner should have copies of the Association documents and read them (Declaration and By-Laws). She explained that the Finance Committee had met in both November and March. In November, the Finance Committee was provided with information from the Treasurer which included a forecast of remaining bills to be paid and cash flow. In March, the Finance Committee identified that un-invoiced items had not been fully accounted for in the information provided in November. Because of this and a less cash availability in the last two months of 2004 resulted in a the true debt carry over figure being approximately \$84,000. Additionally, the Finance Committee was tasked by the Board in March to identify the full amount of the debt and develop a spending plan for the remainder of the 2005 year. The homeowners from Gallagher Way had walked off of the Finance Committee before this work was completed and the Board had completed this work themselves. Ms. VanDuser asked that the blame game stop and that all of the parties, including the Gallagher Way homeowner, start working together. She stated that we were on the right track. She said that we would over to 2005 with no Operating debt, if we did not have a hurricane in the fall or a heavy snow in December.

- l. A homeowner from Fishermans Lane asked if the kids had been lined up for the Community Cleanup. Av Wofsey reported that he had the Community Service Hour authorizations but we did not know how many of the communities kids would be participating in the cleanup. He stated that information regarding the Cleanup and a call for volunteers had been made to the Swim Team but he was not sure whether they would be participating. Karen VanDuser reported that she had tickets to be provided to each person participating for each bag of trash collected. These tickets would be used in a drawing for prizes which had been contributed by local businesses or bought with her own money. The total value of the prizes was \$120.

- m. A homeowner on the 17500 Gallagher Way asked if the community would be treating the common grounds for ants. The Board reported back to the homeowner that with the current budget situation would not allow us to treat this problem this year; however, several Board members offered chemicals that can be used in a hose sprayer if the homeowners were willing to treat the area themselves. This lead to a discussion of pursuing with the County the pickup of recycle in front of each townhomes and not placing the recycle on the parking fingers where the grass is being destroyed and the ants are taking up residence. **(Action Item 98: Board to draft a letter to Councilman Knapp requesting his assistance in getting the Montgomery County Recycle to change their requirement for clustering of recycle bins.)**

3. REVIEW OF PRIOR MEETING MINUTES

Karen VanDuser stated that the minutes had been circulated to the Board for review and comment via e-mail prior to the meeting. She stated that Ellsworth Romer had requested that one change be made and this had been done and the minutes provided to the Board in final prior to this meeting for a second review. Since she had not received any further requests for changes, she proposed a motion that the Minutes of the April 21 meeting be approved as written. Ellsworth Romer seconded the motion. The minutes were approved unanimously.

4. REPORTS FROM COMMITTEES

a. Architectural and Environmental Control Committee

Ellsworth Romer reported that one request for Architectural Change had been submitted since the last Board Meeting. This request was submitted by a homeowner on Hines Court for replacement of shingles. The homeowner was informed that she could start the replacement but was limited to dark gray, brown, or mixed (gray and brown). She was informed that she needed to make the necessary changes to her application to reflect the color and obtain the signatures of neighbors on either side of her

home. The provision approval was provided due to the emergency circumstances caused by the roof leaking.

Av Wofsey explained that rake boards on townhomes are deteriorating and leading to leaks in roofs. It was explained that the rake board is at the gable of your neighbors home and sits on your roof. This rake board must be in good condition to hold caulk that prevents water from going under your roof singles and entering your home.

Ellsworth Romer reported on the walk-through with the Montgomery County House Code Enforcement Department representative. He explained the county process of citation and follow-up. Norbeck Hills has a permanently assigned Code Inspector. He found violations in structure and grass. He stated that failing to correct can lead to the County placing a lean on a home. He also stated that the common areas of the Association are also part of the inspection and that the Association can be cited for the trash left on the common areas. For this reason, the Board must be diligent in execution of its trash policy ensuring that homeowners do not place trash on the common area and that if they do they are charged back for Board ordered removal.

Mr. Romer stated that the AECC will be working closely with the Code Enforcement Inspector.

b. Treasurer's Report

Ellsworth Romer reported \$84,663.64 carryover debt. Cash Distributions has been made in January, February, March, and April. Current 2004 debt remaining to be paid is \$14,810.78 of which \$14,653.93 is disputed. Letters have been sent to the two contractors involved in this disputed work because there were some contractual irregularities. Mr. Romer explained that the spending plan has been developed and the lawn service contract was started a month later than usual and is operating on a per cut basis. This has reduced the expenditures for lawn service. The Board has initiated actions to lower the dollar threshold for bids and is carefully examining all expenditures and had instituted other budget controls.

Fire Victims Fund

Karen VanDuser reported that the Fire Victims Account has taken into to date \$3140.00. Of this amount, checks have been written to provide support to the three victims leaving balance of \$612.09, as of May 13. A total of \$2527.91 has been disbursed. Ms. VanDuser thanked the two homeowners who have items to contribute to the Fire Victims. She also reported that based on discussions with the Peterson's, Mr. Ralph Vines at the Permit Office of Montgomery County is working to expedite the permit application for reconstruction. While the permit is for new construction, he believes that since there are existing water, gas and electric lines to the property and that Park and Planning will not have to do an evaluation of the lot which is normal for new construction, he will be able to move the permit process ahead. It is not yet known when the permit will be approved, however.

Pool Committee

Karen VanDuser reported that a Pool Committee meeting had been held on May 2. The meeting was attended by all of the Board of Directors to insure that any questions of the Committee could be addressed in a timely manner. She explained that the Board had raised a number of County law provisions that must be addressed to keep the pool in compliance and that these extended to Swim Team.

5. OLD BUSINESS

a. Review of Action Items assigned to the Board of Directors

1. Action Item 4 - Examine Mailboxes and Posts for Repair - The Board discussed setting up a date to complete this review of the mailboxes. The Board will set a date within the next two weeks to conduct this inspection. The Board members will provide available dates via e-mail to the Board Secretary.
2. Action Item 5 - Examine common areas behind townhomes to determine if there are any significant drainage problems that should be addressed. The Board will set a date within the next two weeks to complete this review of the common property. Board members will provide available dates via e-mail to the Board Secretary
3. Action Item 21 - Verizon Restoration of Association Property - Karen VanDuser reported that she is in contact with Mr. VanCleve of Verizon who is aware that cold patch areas at the entrance of the townhome courts must be permanently repaired, grassy common areas must have the grass restored and any ruts filled and seeded, and that the area that was eroded around the fire hydrant on the 17500 block of Gallagher Way needed to be filled and grass restored. Verizon is, however, still pulling cable in our community.
4. Action Items 34, 53, 62, 68, 77 - Attorney guidance on 1) House Rules regarding grilling in the front yard of townhomes, vehicle maintenance, trip hazards being caused by the leaving of toys on Association sidewalks, and the parking of motorcycles on front lawns; 2) insuring that townhome owners are properly informed and held responsible for the shoveling of common sidewalks in front of their homes to protect the Association from a liability standpoint (similar to County requirement for county sidewalks in front of single family homes); 3) ability of the Association to enter onto property which is improperly storing trash to correct in light of trespass laws of

Montgomery County; 4) notices to homeowners who have fences that are placed on Association owned common property - move to property line immediately or move to property line at next time of repair/replace, and proper placement prior to sale of home; 5) actions that can be taken by the Association when wooded property or common property are in disrepair (by homeowners and guests) due to children chopping trees, digging holes, etc. - Av Wofsey discussed with the Board the specific questions to ensure a proper understanding of the issues and will pursue with the Attorney prior to the next Board meeting.

5. Action Item 85 - Pursue with Swim Team the certifications for life-guards and a pool operator during hours of Swim Team activities that are outside of the hours of the Associations Pool Services contract. Karen VanDuser is pursuing this information with the Swim Team and has notified them that the information is required for both evidence of adherence to the Montgomery County Law and to meet the requirements of the liability insurance for the Pool. She has requested that this information be provided prior to the pool opening on May 28. The Board discussed contingencies if Swim Team does not supply this information. It was decided by the Board that should this information not be provided, the Board would secure a life-guard and operator using Swim Team funds to ensure that the Swim Team can conduct practices and meets and the Association would be in compliance with the County law.
6. Action Item 91 - Stop Signs for Townhome Courts. The Board discussed, while this is not an item that can be addressed under this years budget, that it would be helpful to obtain an estimated cost for a standard stop sign to use in developing future budgets. **(Action Item 99 - Ravi Parkhie to obtain an estimate for the cost of a single standard stop sign, post, and installation.) (update Action Item - Ravi Parkhie pursue with Montgomery County getting decals for our existing signs “loitering”, etc.)** During discussion on this topic, Ellsworth Romer asked Av Wofsey, if he knew the law regarding townhome courts. Av Wofsey stated that they were treated like driveways and persons could be ticketed for failing to grant the right away, but recommended getting signs placed with proper decals to allow for Montgomery County Police enforcement.

b. **Board and Management Agent Review for Non-voting Items**

1. Action Item 6 - Key Control Policy - The Management Group has provided a revised draft of the key policy in the May Management Report. The Board requested that as a result of a better understanding of the keys needed for the various gates and doors for the facilities (tennis and pool) and the bulletin board, the Management Group have the pump room at the pool re-pinned to match the guard kiosk (**Action Item 100 - Ravi Parkhie to have lock on pump room re-pinned to match that of the guard kiosk. He is to pursue this action, if the cost is under \$200 for re-pinning and getting some duplicate keys made. Ravi will ensure that the signed agreements for acceptance of the specific keys provided.**) With this done, it will be easier to define key sets for Swim Team Representative use, Swim Team Coach use, Swim Team Operator use, and Pool Services contract use for those keys which are used to open gates and doors at the pool facility. The key to the bulletin board will be tracked as a separate key set. In general, the key policy as currently written need only be augmented to reflect the various keys sets to be acceptable to the Board.
2. Action Item 18 - Boastfield Townhome Mismatched Shutters - The Board discussed that the Management Group should address the need to complete the work necessary to bring this home into compliance with the homeowner and not be dependent on the Realtor who had sold the home. This was addressed specifically because the Realtor had been hospitalized and had a family crisis. It was emphasized that it was the responsibility of the homeowner to bring the home into compliance and the homeowner could deal with the escrow issue on his own. (**Update Action Item 18 - Ravi Parkhie to contact homeowner and get a date certain for correction within the next 30 days and report back to the Board at the next meeting.**)
3. Action Item 39 - Common area drainage problem next to 17501 Longview Lane - The Board asked when the work would begun, which had been approved at the last Board meeting, to correct the common area drainage problem on the 17500 block of Longview. Mr. Parkhie reported that Mainscape, the contractor, would be completing the work within the next week.
4. Action Item 42 - Management Group contact Montgomery County Code Enforcement for follow-up on 4406 Fishermans Lane - The Board and Ravi Parkhie discussed the contact with Montgomery County and Ellsworth Romer will be walking with the inspector on his next visit to the property and has received a report on the process being followed by Montgomery County. **This Action Item was**

considered closed by the Board. There was some discussion by the Board regarding AECC compliance and use of common property (e.g., pool). It was determined that the Board would have to notify homeowners of this action by the Board. Ravi Parkhie suggested that AECC go through the list of violations provided in the Management Report and mark the most egregious ones for passes being withheld. The Board made a determination that this is something should be done next year but would not be done this year with a few exceptions. Specifically, the house that has the deck held up by scaffolding on Sandy Knoll, the house on Longview that has been replacing siding and replacing porch for over a year, and the house that has built a non-permitted retaining wall on Cannes Lane. **(Action Item 101 - AECC provide a list of homes who have such sever violations that their pool privileges should be suspended.) (Action Item 102: AECC work to strengthen the three letter notification of violation and provide a list next year to the Management Group prior to the issuance of Pool Passes to homeowners in violation.)**

5. Action Item 46 - Correction of AECC violations at 17601 MacDuff (garage door and fence) - The Board and Ravi Parkhie discussed that rotting posts and rails of the fence had been replaced and a new garage door installed; however, the homeowner has still not removed the plywood at the fence next to the house. **(Update Action Item 46 - Ravi Parkhie to direct the homeowner that the plywood must be removed to be in compliance and that a letter be sent which would require homeowner signature that the home is now in compliance, so a follow-up inspection can be scheduled.)**
6. Action Item 47 - Addendum to Contract for Trash Contractor to Pick-up Trash from Community Trashcans (located at tot-lots, at curb side on MacDuff Avenue and Hines Road, and Pool when open) - Ravi Parkhie will develop this addendum by the next Board meeting listing each of the curb-side trash can locations.
7. Action Item 48 - Kenco Invoice Progress and Expected Date of H&H Response - Ravi Parkhie reported that the letter had gone out to the last know address for Kenco Plumbing. He stated that there was not date due defined to H&H in the letter on disputed invoices. The Board directed Ravi to contact H&H to define a date of reply. **(update Action Item 48 - Ravi Parkhie to contact H&H to pursue date of reply to letter sent.)**
8. Action Item 52 - Pool Contract Change and Final Signature - The May Management Report provides the language being added to the contract to address the additional instructions to the contractor. The Board reviewed this language and found it acceptable. Ravi Parkhie

will provide this language in the contract to be signed by RSV Pools this year and provide the Board with evidence of acceptance. **(update Action Item 52 - Ravi to incorporate this approved language to the Pool Contract and get the contract signed for the year.)** The language include the putting up and taking down of the basketball hoop.

9. Action Item 55 - Develop Procedures for Application for Architectural Change and Violations Tracking - Ravi Parkhie provided a complete list of all open violations in the May Management Report. He asked that the AECC review the list for possible closures and report formats. **(update Action Item 55 - AECC to review and provide feedback on report format and content of AECC Violations but TMGA still must develop procedures.)**
10. Action Item 69 - Rejection of Application for Change Submitted by Cannes Lane Homeowner for Retaining Wall - The Board, based on referral of this item to Montgomery County, determined that this item could be closed. **(Action Item 69 - Closed)**
11. Action Item 71 - Community Cleanup Trash Pick-up - Ravi Parkhie reported that Potomac Disposal would be providing pick up on Monday, May 23, for Community Cleanup items and that the instructions to the contractor were to pick up items at one location on each court. Karen VanDuser questioned what size truck was being used for a “bulk” pickup. The Board will instruct persons involved in the cleanup to place items at the entrances of the courts. Jeff Chavis emphasized that the negotiated cost was for all of the trash. The Board instructed that Ravi should follow-up with the contractor ensure that he is picking up everything. Ravi stated that he had already had a discussion with them that they were not be leaving items the way they do on other bulk pickups and assured the Board that the Contractor would be picking up all items but re-cycleables.
12. Action Item 75 - Longview Lane Home Conducting Major Restorations - The Board discussed a problem with this home continuing to park a trailer and the homeowner has not completed the work within the one year time frame. The Board directed Ravi Parkhie to notify the homeowner that he is in non-compliance and the trailer must be removed from the premises. **(updated Action Item 75 - TMGA to write letter to homeowner telling him he is in violation by not completing the work within one year of receipt of approval and must remove the trailer from the parking lot or be towed. Action item will be closed after this letter is sent.)** The County had this item and it needs to stay open for 30 days for follow-up.

13. Action Item 79 - Comments to H&H on Problems with First Cut - The Board discussed, since the letter had been sent, this Action item can be closed (**Action Item 79 closed**)
14. Action Item 86 - RSV Pools has agreed verbally to this new requirement but has asked for guidance from the Board on days, hours, etc. (**Action Item 102 - Ellsworth Romer to develop written guidance regarding when the basketball hoop should be placed at the tennis courts and what time periods are reserved for tennis only.**)
15. Action Item 89 - General Ledger Entries Corrected for Site Maintenance and Property Maintenance - After a discussion regarding the Cash Distribution Report versus the General Ledger Trial Balance, the Board asked if the Cash Distribution Report had been done prior to the correction to the General Ledger. With an answer of “yes” from the Management Group Agent, the Board was satisfied and determined that this Action Item is now closed. (**Action Item 89 - closed**)

c. Board Discussion of Bid Submissions and Vote

1. Pool Supplies bids and Pool Repair bid - The Board was informed and presented with information supplied by the Pool Contractor reflecting that a pump discharge pipe repair needed to be made to pass inspection and open the pool for the season. Additionally, RSV Pools had requested that additional cartridges for the filtering system for the main and wading pools be procured to ensure backups were available for the season. The Board reviewed the bids and asked questions to better understand what was being done. The Board voted and unanimously approved the expenditure for new cartridges (8 for the main pool and 1 for the wading pool) and wading pools and \$600 for replacement of piping on the Main Pool pump which is leaking from the discharge side. The replacement of the piping must be completed to obtain a permit from the County to open the pool this year. The Board requested that a walk through of the pool be scheduled with the Pool Contractor for the following week. (**Action Item 103 - Ravi Parkhie to be arrange a walk through for the Board at the Pool with the Pool Contractor during the week of May 22.**)
2. Action Item 16 - Safety Related SOWS -
 - a. As defined in the Reserve Study, several smaller repair items not related to asphalt and concrete repair were defined as being in need of repair. These items had been offered to several contractors for bid and the Board reviewed these bids. John Smith, Handyman, offered the lowest bid for these items which included correcting some electrical problems and filling some

holes in the property with fill dirt to decrease trip hazards. Mr. Smith's bid was \$100. Ellsworth Romer moved that this \$100 bid be accepted and Karen VanDuser seconded the motion. The Board voted unanimously to award the work to John Smith for \$100.

- b. The Board asked Mr. Parkhie what was the status of getting the other SOWs related to asphalt and concrete out for bid. Mr. Parkhie stated that he had been consumed with items related to the getting the pool opened and that these new SOWs had not yet been released for bid. Mr. Parkhie was informed by the Board that these SOWs are critical and time sensitive and must be placed at a higher priority. Ravi Parkhie asked that an electronic copy of the Board comments needed to be retransmitted to him. He stated he would then complete these SOWs. Ellsworth Romer stated that this work must be let and started by August. **(update Action Item: Ravi Parkhie will make this a higher priority and will ensure sufficient time to allow for proper coordination with homeowners and place this out to bid and have bids returned to allow for Board review and award prior to August.)**
3. Action Item 37 - Lawn Maintenance Contractor - The Management Report contained bids and proposals from a number of Lawn Maintenance Contractors. Ellsworth Romer stated that these would need to be prorated since we would not be awarding a full year contract. Karen VanDuser emphasized that to obtain a prorated cost from the contractors the Board needed to define a date when they wanted the contract to start so that Mr. Parkhie could go back to the contractors selected as being in the best respondent category and obtain a prorated bid. The Board determined that mulching and "X" months worth of cuts would need to be removed from the period of performance and services needed to get the prorated cost. Karen VanDuser emphasized, since the Association did not have sufficient funds for chemicals this year, the Contractors should be reviewed based on the cost of Basic Services. She suggested, since Mainscape and H&H were the two lowest bids, references on these two companies be checked. Ellsworth Romer suggested that Ravi Parkhie provide the SOW to QMS, who had not been included in the bid process for a prorated bid, and a prorated bid be solicited from Mainscape. The prorated cost will be based on a start date of July 1, 2005. **(updated Action Item : Ravi Parkhie to provide a copy of the SOW with instructions to QMS to provide a bid within two weeks. They and Mainscape should be instructed to provide a new bid, also within two weeks, based on a July 1 start date. Karen**

VanDuser will call the references listed on Page 37 for Mainscape before the next Board meeting.)

4. Action Item 59 - Repair of Bulletin Board - Ravi Parkhie reported that bids had been received from M&R (\$350) and Gardiner had not submitted a bid. The Board discussed that repairs had been made before and that the design of the Bulletin Board was not constructed in a way that allowed for a fix that would not be vandalized easily in the future. For these reasons, the Board determined that a redesign of the Bulletin Board should be examined next year. The Bulletin Board could still be used, as it is now, to place announcements but all understood that without a front with lock on it, some announcements could be tampered with or destroyed. A sturdier, more permanent solution should be considered in reconstruction in 2006. The Board agreed that Action Item 59 for the repair of the Bulletin Board should be closed and that reconstruction costs be included in next years budget. **(Action Item 59 - Closed)**

5. Action Item 88 - Pruning of Cherry Tree on Boastfield Lane - Ravi Parkhie reported that bids had been received and included in the May Management Report from Daily Grinder (\$250) and Mainscape (\$350). Karen VanDuser's motion to accept the bid from Daily Grinder and award the work to them. Jeffery Chavis seconded this motion. The Board unanimously approved the awarding of the work to Daily Grinder. **(update Action Item 88 - Ravi to award the work to Daily Grinder for \$250 to prune this tree. Ravi to provide date to the Board so that they can e-mail the homeowner of when the work will start.)**

6. NEW BUSINESS

1. Karen VanDuser asked about an item in the May Management Report for the Montgomery County Hazardous Waste Permit noting that the former Board President's name was still on this form. **(Action Item 104 - Ravi Parkhie to ensure that Montgomery County Hazardous Waste Permit bear the current Board President's name.)**

2. Ellsworth Romer requested information regarding why Verizon bills had not appeared on the Aging Report recently. Ravi Parkhie reported that they had been prepaid to the end of the year and no bills would be received for the remainder of the year. Ravi responded to Ellsworth Romer's question regarding COCO that this bill will be coming in later in the year.

3. Karen VanDuser asked about an item in the Financial Reports in the May Management Report that \$438.32 is due from the Operating Fund to the Reserve Fund. She questioned what this is was for. She did not recall any expenditures that would have been reserve fund expenditures this year. **(Action Item 105 - Ravi Parkhie will research the \$438.32 notation of funds owned from the Operating Fund to the Reserve Funds and report at the next Board meeting. If this is incorrect, proper entries should be made to the Financial records of the Association.)**
4. A homeowner from Gallagher Way had a question regarding the Bid process. The Board explained that the Lawn Contract Statement of Work had been developed for a full year but getting the bids in and reviewed had taken some time. This meant that we had to go to an interim per cut contract. Because the Board is not permitted to sign a contract that goes beyond December 31, 2005, and most the bids exceed our budget we are asking for the lowest bidder and one other company submit bids for the prorated period. This homeowner also asked some questions regarding the audit. The Board explained that with the outstanding debt not having been fully identified by March when the auditor picked up the records, the audit draft would need to be reviewed and comments provided to the auditor before a final audit report would be delivered.
5. A homeowner from the 17500 block of Gallagher Way wanted to know what was being required by county law regarding life-guards and operators. Karen VanDuser explained Montgomery County Code, Chapter 51. She explained that our contract was for operating the pool from 11:00 AM and 8:00 PM. Since the Swim Team utilizes the pool prior to the hours of the Pool Contract, they need to provide information that demonstrates that the pool is opened for their use in compliance with the County Code.
6. This same homeowner from the 17500 block of Gallagher Way wanted to know if her understanding was correct regarding signage and enforcement of the law. She stated that it was her understanding that the county decal had to be affixed to the signs to ensure enforceability. The Board responded to her that this was correct and asked Ravi Parkhie what the status was regarding obtaining decals from Montgomery County. Mr. Parkhie stated that Officer Bearsley had not responded. Mr. Parkhie was directed to contact Captain Walker at the Wheaton-Glenmont station to pursue these decals. **(Action Item 106 - Ravi Parkhie to contact Captain Walker at MCPD to obtain decals for signage in the community to ensure proper ability of the police to enforce the law within the community.)**

7. Karen VanDuser requested that Ravi Parkhie provide the Board with a count and list of outside Pool Members. (**Action Item 107 - Ravi Parkhie to provide a list of outside pool membership and total count to the Board of Directors.**)

7. ADJOURNMENT

The meeting adjourned at 9:49 PM.

