

## Memorandum

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**To:** Board of Directors FLECA  
**From:** Cliff M. Blondes, Acting Co-President  
**Date:** March 30, 2007  
**Subject:** Minutes from Board Meeting 03/29/07

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1. **Attendance:** The meeting was held from 7 - 9 p.m. in the Blue Crab Conference Room of the City of Rockville City Hall. In attendance from the Board of Directors were Cliff Blondes, Brian Rogers, William Armbruster and Kathleen Hug with Jerry Greenberg's proxy held by Cliff Blondes. Also present was an Architectural Control Committee Member, Gayle Brooks, our Neighborhood Resource Coordinator, Dwayne Jenkins, as well as FLECA members, Lois Stoner and Timothy Fauber.
2. **Board of Directors Replacement Member:** Kathleen Hug elected as a Member of the Board of Directors to replace Clayton Nickel's in light of his resignation.
3. **Nominating Committee:** William Armbruster is to recommend to the Board a Nominating Committee to nominate candidates for the Board of Directors for election at the 2008 meeting. The committee members for 2007-2008 need to be selected prior to and then announced at the next member meeting. They will serve from the close of the 5/1/07 (or 5/3/07) annual meeting until the close of the next annual meeting in 2008 (Article V of the Bylaws).
4. **Recruiting Committee:** William Armbruster is to recommend to the Board a Recruiting Committee to seek candidates to run for the Board of Directors for election at the May 2007 meeting. (Article IX of the Bylaws).
5. **Matching Grant Committee:** The Board, in accordance with Article IX of the Bylaws, established a Matching Grant Committee to explore application for the \$1,000.00 matching grants offered by the City of Rockville. The applications now are accepted quarterly with the next deadline being 6/1/07 and can be found at: <http://www.rockvillemd.gov/government/citymanager/matching-gran>

t-app.pdf . The Board explored many possibilities including a Front Entrance and Tree Beautification Project, including the trimming of the right-of-way trees in the single family area, mulching around the bases and possibly planting spring flowers. Needless to say, if structured properly, the 25% sweat equity could apply to the private property single family right-of-way trees and the other 25% contribution by the HOA applied to the front entrance. John Nickell, Gary Bergel and Timothy Fauber were appointed. Our Neighborhood Resource Coordinator, Dwayne Jenkins, is supplying copies of other similar applications that have been approved in the past.

6. **Financial:**

- a. **Liquid Assets:** Our treasurer, Brian Rogers, reported that cash on hand was approximately \$18,500 and the CD balance is about \$10,000.
- b. **Collection of Under-billed Prior Assessments for 2002-2005:**
  - i. The following remain unpaid:
    - (1) Holiday Jones \$172 for 2003
      - (a) William Armbruster will contact Holiday Jones to learn of her intentions
    - (2) Jerry Greenberg \$325 for 2002, 2004, 2005
      - (a) paid \$200 of \$525 and will pay balance
    - (3) Nancy Shirey \$172 for 2004
      - (a) Has requested waiver for tax return preparation services
    - (4) Cliff Blondes \$172 for 2002
      - (a) Payment contingent on member vote on what, if any collection efforts will be taken and if waiver for tax return services accepted then will seek same for legal services provided
  - ii. At the 1/26/07 Board meeting, it was decided that, *“the decision of whether to take any additional collection activity will be presented for decision by the general membership at the next meeting of the general membership.”*

7. **Membership meeting 05/01/07 (alt if no quorum 05/03/07):**
  - a. Notice and Agenda
    - i. Will be sent again even though previously sent and posted on the website
      - (1) Bylaws Art III Sect 1 within +/- 10 days of the anniversary; notice must be mailed at least 15 days prior. (Bylaws Art III, Sec 3)
    - ii. Proxy
      - (1) Pre-paid postcard return to 2473 McCormick
      - (2) Request for e-mail address
      - (3) Make clear that 39 members are necessary for a Quorum (Bylaws Art III, Sec 4)
        - (a) be prepared to announce 2nd meeting on 5/3/07 where only 20 are required for Quorum
        - (b) Brian will maintain a list of proxies received by member/property address to facilitate others getting proxies directly
      - (4) Purpose of Proxy
        - (a) Any and all issues
        - (b) Quorum only
        - (c) Specific items - list
        - (d) Designation of Board Member with names listed to circle
        - (e) List of candidates announced
    - iii. Include: Siding and Roofing Replacement Guidelines
8. **Next Board of Directors Meetings on 6/5/07 & 9/6/07**
9. **Development of "Board Book:"** containing outline of requirements, suggestions, recommendations, etc. for future Boards. Jerry, Brian and Cliff will work on.
10. **Communications with Members:**
  - a. Agreed to maximize use of on-line mailing service through USPS

- b. [FlintLedgeBoardtoMembers@googlegroups.com](mailto:FlintLedgeBoardtoMembers@googlegroups.com) is not highly accepted since only 18 of 39 invitations to join were accepted
- c. Doubtful whether could adopt electronic form of notice and voting as permitted by Maryland Statute.  
MD Code RP Sect 11B-113.1

11. **Website Update:**

- a. Still need to establish procedures on who is to manage and how it is to be done
- b. Note, problem of "flintledge.com" points as compared to <http://www.flintledge.com> has been corrected.
- c. Alternate website at geocities was removed.
- d. Cliff Blondes still working on removing outdated site maintained on [www.geocities.com](http://www.geocities.com) that Paul Jacobsen set up many years ago.  
[www.geocities.com/PicketFence/3682/dummy.html](http://www.geocities.com/PicketFence/3682/dummy.html)

12. **Architectural Control Committee - Gayle Brooks**

- a. **Additional members:** Gayle will contact Carol London and Emily Hutkoff to see if still interested.
- b. **Siding and Trim Replacement Colors**
  - i. Board adopted acceptable materials and colors for replacement and will distribute with meeting notice.
    - (1) Letters are to be sent to the current owners of 2305 McCormick Road and 2324 McCormick Road informing each of them that the current siding on their home violates the Architectural Control provisions of the Association's Declarations but that it need not be changed at this time if it is agreed that when any siding is repaired and/or replaced that all siding on the home will be changed to something that at that time is an accepted material, size and color. With respect to 2305 McCormick Road, it is the siding on the just the front of their home that is in violation because it does not match the rear and with respect to 2324 McCormick Road it is

- the siding on the entire home that does not match any acceptable color scheme.
- ii. 2329 McCormick Road - Zbarsky's request to use utilizing Natural Clay(#60) for siding and Desert tan (#07) for trim in the 6.5" wide vinyl previously was approved and is in conformance with new requirements
  
  - c. **Roofing Shingle Replacement Materials and Colors**
    - i. 2455 McCormick Road - Trehan: Mis-matched roofing shingles on front Gambrel - **Certainteed in Cedar Brown** is required, no response as required by 3/16/07 for action by 4/20/07
  
  - d. **City Forrester:** Gayle still working with on issue of how to get City of Rockville assistance with trees along McCormick Road and McCormick Court that are in front of single family homes and the following other issues at a meeting during the second week of April.
    - i. Plan is to approach the Forrester about Rockville needing to trim the Single Family Housing trees from a safety standpoint, citing blocking of the light posts, overhanging the road, blocking view of drivers, hitting bike riders, etc., with the idea of the City picking up the cost;
    - ii. Obtain an opinion on what needs to be done with the pine trees between the townhouses where Clayton and William live, including drainage or the acidity of the soil;
    - iii. Advise on what plants will be best for the weather conditions for the common areas, especially the entrance; and
    - iv. Whether the large tree on the rear of the property located at 2403 McCormick Road is in danger of falling.
  
  - e. **Inspection the of the Community:** Gayle and Kathleen Hug will and prepare a report to the Board of what violation notices they recommend be issued. The Board then will prepare recommendations for the incoming Board to pursue

after the May 2008 annual meeting of the members, preferably for the 2<sup>nd</sup> or 3<sup>rd</sup> week of May.

- f. **Landscaping Services:** Gayle will work with Superior Landscaping to develop a group pricing offer to give to the members with the hope that discounted rates will encourage members to take better care of their lawns and landscaping.
  - i. Need to address/finesse the issue raised by Bill Messett in his 1/16/07 e-mail:
    - (1) The maintenance (including leaf removal) of the shrub and flower beds that are around the town homes is the responsibility of the individual owners and is not included in our maintenance contract. Some of the residents (in both the single family and the town home side of the community) contract with me individually to maintain the landscaping around there homes. My workers have been questioned by some homeowners as to why we were not cleaning the leaves out of the beds in front there units under the maintenance contract.
  
- g. **Trees six (6) tall pines** between two townhouse sections - trim or remove and replace?
  - i. Bill of Superior Landscaping suggested replacing one at a time. Mistake to top the pine trees.
  - ii. Bartlett suggested that they should be either fertilized and pruned on a regular basis, (every 3 to 5 years) as outlined below, or removed and replaced with a more suitable tree species. Quotations were given to Prune \$2,550; Remove \$3,600; Fertilize \$225
  - iii. Denver Wilson \$600 to climb and trim
  - iv. Gayle is getting another opinion and estimate from Asplundh, as well as from City of Rockville Forrester
  
- h. Tree: Determine if **tall pine is in danger of falling that is located at rear of property at 2403 McCormick**, Milikh Gennady Nataly Bekkerman, (301) 424-5443

- i. **Annual landscaping and snow removal contract:** Needs to be updated and expanded as it does not include all things that Superior Landscaping actual does. Gayle will develop specifications for the front entrance and Cliff will draft suggested revisions.
- j. **Outdoor Lamp Replacement Policy:** Kathleen Hug will work on recommendations of lamps and contractors. Note that 2451 McCormick Rd, Remy & Geeta Rassekh, has a Dangerous Light Pole Lamp in Front and they are working to get contractor to reset
- k. **Entrance Sign:** No desire expressed
- l. **Sidewalk and Curbs:**
  - i. **Townhouse Area:** Repair and/or replacement, as well as curb cuts for handicap access - Consider establishing a time-line for obtaining estimate of cost for sidewalk/curb repair by city expert or other independent source and determine if adequate reserves are available and, if not determine if a Special Assessment is required and, if so, whether just the townhome members can be assessed
  - ii. **Single Family Area:** Dwayne Jenkins making arrangements to have aprons and curbs inspected by the City of Rockville.
- m. **Street Markings:**
  - i. Parking Blocks for townhouse spaces marked "Reserved" or "Guest."
    - (1) 2 spots, one must be designated, 66 spots /32 towns makes 2 extras (DJ says City will not allow restriction on parallel spots adjoining park)
  - ii. Painting of house number on curbs in Single Family Housing area with street address numbers is not permitted by City of Rockville
- n. **Storm Water Management Pond:** Last heard it was planned for 2007-08 but notice for comment was supposed

to be sent out again but Dwayne Jenkins does not see it in the budget or plans

13. **Alliance of Rockville Neighborhood Associations:** Lois Stoner will investigate and represent FLECA
14. **Montgomery Community Television Initiative:** No interest expressed.
15. **Consider retaining Legal Counsel:** Cliff still is investigating what it would cost to have an experienced HOA specialist review FLECA's legal documents to see what changes might be appropriate and to address:
  - a. Right of Way Trees: see analysis prepared by Gary Bergel and John Nickell
    - i. Whether the City of Rockville can be forced to continue maintaining the trees that abut McCormick Road and McCormick Court on that portion of private property on which the City of Rockville has an easement ("Right of Way Trees").
    - ii. Whether HOA can spend funds on trimming the Right of Way Trees that are on private property
      - (1) If not, whether legal documents could be amended to so permit and at what cost.
      - (2) Whether easements from single family private property homeowners would be required and at what cost.
  - b. Whether the HOA is responsible for maintenance of tree limbs attached to trees on HOA property when said limbs extend beyond the HOA property and over into private property (Stoner).
  - c. What action, if any, should be taken to place the private day care business on notice that it may not use HOA property, including but not limited to the Tot Lot, without prior written permission of FLECA assuming adequate insurance and sharing of cost of maintenance/replacement.
  - d. What action, if any, FLECA can take to cause the cessation non-permitted door-to-door solicitations.

16. **Consider retaining services of Surveyor:** To determine what is and is not FLECA community property to assist in making determination of what FLECA can spend money on and what property, e.g., concrete sidewalks and curbs, below to which Parcel for assessment purposes.
  
17. **Consider retaining services of a professional Resident Agent:** Maryland corporations, such as FLECA, Inc., must maintain with the Maryland State Department of Assessments and Taxation a Resident Agent for purposes of serving legal process on the corporation. At present, Cliff Blondes, is FLECA's resident agent. There are companies that serve this purpose for a small fee and should be considered. Keeping the resident agent a member is problematic if that member were to move or no longer be a member then the Board would have to remember to appoint a new resident agent.