

**Courthouse Walk HOA Board Meeting  
HOA Meeting Minutes  
July 28, 2009  
6:30 pm  
Rockville Library**

**Summary of Action Items listed in Minutes**

1. Board to refine ARC process and recreate ARC.
2. John Mohler and Mark Olinger will look at the road together to inspect areas reported to be crumbling.
3. Alice Liu to make copy of CHW plat from John Mohler.
4. Judi Whalen begin researching enforcement policy implementation options.
5. John Mohler with Summit Management's help will find receipt for mailboxes purchased for \$8000.
6. Jonathan Lock will talk to Brenda of Summit management about 2006 Transition Draft Audit, 2007 Draft Audit, 2008 Audit.

**II. Determination of Quorum**

Quorum achieved.

Introduced Mark Olinger, partner at Summit Management who is acting as our primary contact now for property management issues. Marina Talavera will be working closely with him to support us.

**III. Approval of Previous Board Meeting Minutes**

April 14, 2009 – Approved and Alice Liu will post on the web site

**IV. Report of Officers and Committees**

**Architectural Review Committee (ARC)**

The Board decided to discontinue the ARC as of now so that it can work to refine the communication and management processes and thanked the ARC members for their time. David Stupar will lead it for now and the Board will seek to recreate the ARC in the near future.

The ARC reported that a pin oak tree near 320 LMD along the entrance to Monroe St is very defoliated. John Mohler is having an arborist from City come tomorrow to look at two trees on S. Washington St. and will have this person look at the pin oak tree.

*Alice T. Liu*

FYI – regarding whether trees are on CHW or City property: measure from the middle of S. Washington St and go 25 ft east towards John's house and that part is City property. The trees John is asking the city to look at are just outside of this so they are on CHW property.

**Road issue.** Al Ripskis/ARC reported that there are portions of the street that are crumbling. He had Michael Wilhelm, PE, chief of Rockville's street Contract Management Division, inspect the streets on Friday, July 17. There are two main sections of the road affected – between 302 and 308 and another chunk. There are several approaches to remedy this problem, from inexpensive to expensive. We didn't get any cost estimates or ballpark numbers from Michael Wilhelm.

ACTION: John Mohler and Mark Olinger will look at the road together.

### **Management Report**

Board decided that it is OK to use an estimate for the location of the CHW property line in the Mt. Vernon Place right of way for Stolburg to estimate cost of landscaping this area. John Mohler has a plat for the entire CHW development. Alice will make a copy of this.

Next meeting is October 22, 6:30 pm

## **V. Unfinished Business**

### **Enforcement Policy Resolution**

No lawyer is needed just to pass a resolution but it won't have teeth without fines. To amend the by-laws to allow fines, we need 75% of community to vote yes. There's no time limit on the voting. Mark Olinger recommends we do the latter because there's not much point in having a resolution with no teeth. We also would need to use a lawyer to get the language right. Mark brought up another option: in some associations they completely rewrite their by-laws because the old by-laws are so outdated. He has had some do it and guessed the cost to be \$3000-5000 for lawyer.

This issue has been bouncing back and forth for a while now and we need to make a decision. To do this we need someone to focus on this. Judy will be the point person for this issue and do the legwork and research and get back to us.

## **VI. New Business**

### **Road Abandonment**

The Board approved \$1500 for lawyer Norman Knopf to advise the HOA on the application from Montgomery County and Victory Housing to abandon the Mt. Vernon

Place right-of-way, known as the "paper road", that runs behind the 200-232 LMD townhouses. We need to understand any tax implications from inheriting one-half of this road as well as liability and cost for additional maintenance (will inherit some trees). CHW is already paying for maintenance of this area owned by the City – the City should have been paying for it. City proposals do not work in our favor: the option they favor is one that includes a public improvement easement on the half of the road that would revert to CHW, to allow for a future bike/pedestrian path if one was needed.

### **Victory Housing**

Alice Liu gave an update. The Planning Commission meeting on Aug. 12 is the next major meeting; the PC will give a recommendation on whether to approve the VH application or not. The Sep. 12 Board of Appeals meeting is where it is actually approved or not. Board members were cautious about taking a strong position and how we state it. The concern is if we appear to oppose the project, Victory Housing will dig in or go away. Some fear that the County may decide to put in a garage for the County courthouse or something worse. Alice Liu responded that VH is not likely to go away so easily because this is such a good deal for them. VH is getting the land essentially for free, and they have the City's political support. The garage is a low risk now because the County is now proposing to expand the Council Office Building garage on Fleet St. We aren't going to drive them away that easily because they don't see us as a threat – we're not rich - they haven't approached us like they approached the residents in Potomac.

### **SunTrust CD Deposit**

Board memorialized that we agreed to renew the CD.

### **Audits**

Audit found that a few years ago mailboxes were recorded out of Operating Expense instead of Reserves. Cost for four mailboxes was \$8000. John Mohler would like to find the receipt for the mailboxes. Mark Olinger believes that there must be a record of it somewhere because the auditor found it.

With money market accounts and CDs we have more in cash in Reserve fund. It's reasonable to take excess and put it back in Reserve Fund and bring it back to \$46,000.

2003 audit – we need to approve it or file it away as incomplete. No real repercussions after six years. Decision – file it as incomplete. No one can go back and make an issue based on 2003 financials.

2006 Final audit - was finalized in last meeting

2006 Transition Draft Audit – some of it makes sense but not all of it. No decision tonight – Jonathan will talk to Brenda

2007 Draft Audit – No decision tonight – Jonathan will talk to Brenda

2008 Audit - No decision tonight – Jonathan will talk to Brenda

Offline Jonathan can approve and then we just ratify at next meeting

Decision to use Ahlberg for 2008 audit was formally ratified today with formal approval of the Ahlberg engagement letter for 2008 audit.

## VII. Wish List

See Issues list on the web site for more detailed description of each item. Approved the following:

Approved at 7/28/09 meeting

### Landscaping

\$3,500	current landscaping budget
-\$700	fall flowers
\$2,800	Subtotal
-\$1,600	#7 - clearing the back wall
\$1,200	Subtotal
-\$350	#10a and #13 - power wash
-\$135	#8 - Three red top bushes
-\$100	#16 - renewal prune bush
-\$35	#10b - pressure treated board for front fence
-\$250	#12 - trim holly tree
<b>\$330</b>	<b>Balance remaining in landscape budget</b>

### Capital Expense/Reserve Funds

\$2,130	#14 - Swale
\$30	#15 - Timbers for rear wall, \$30 each

## VIII. Open Forum

Question on raising dues: we have some big landscaping projects in the future. We also need to build up the reserves. Are there any restrictions in the By-laws on how much we can raise the fees, based on CPI for example? No.

Mark Olinger on the road repair issue: it is more of a maintenance issue, not a capital expense. We would have to set up an Operational reserves account.

A resident reported that one of the townhouse rows with no garage has garbage and recycling cans in front. The ARC said that violation letters were sent to these homeowners. It's the owner's responsibility. There was a suggestion to have a letter about rules on trash pickup to give to renters.

ATL