

Montgomery West Homeowners Association  
Minutes – Annual Meeting  
November 17, 2020

**Meeting called to order at 7 p.m. Quorum present** based on members present and proxies received

**Annual Meeting conducted via zoom**

**Board Members in attendance:** Steve Stefany, President; Maureen Serieux, Vice President/AERC Chair; Michele Heffner, Treasurer; Lula Davis, Secretary; and Cheryl Horton, member-at-large

**HOA members attending via zoom:** Jim Horton, Bill Roberts, Janet Fujikawa and Sundar Chockalingam

**Approval of 2019 annual meeting minutes.** In view of the covid crisis, the annual minutes were shared with HOA members via the website and email. The minutes as presented before the board were approved by unanimous vote. Motion to approve offered by Sundar and seconded by Cheryl.

**Nominating Committee:** The nominating committee—Michele and Maureen—presented 2 names for consideration to replace the 2 board members whose terms expire at the end of 2020. The community was provided with ballots naming the 2 nominees: Sundar Chockalingam and Jim Horton. The ballots collected and returned voted unanimously for the nominees-- to fill the vacancies.

The first meeting of the Board will occur in January 2021, at which time, the new Board will elect individuals to the specific board positions. As a point of fact for the new Board, Sundar has expressed an interest in serving as Treasurer.

Michele, as a longstanding member of the community and having served in several board positions, indicated that the Treasurer position is critical to the community and requires a time commitment, an interest in the financial issues of the community and a desire. Whereas the position of secretary is a good place for an incoming member to get a good feel for the operation of the Board with recording the business at board meetings, keeping Board records, updating HOA google docs, as well as uploading and updating historical documents.

**Treasurer's Report:** The proposed 2021 budget is slightly lower than what was approved for 2020. The HOA is financially secure. All HOA assets are fully depreciated. The Board has agreed previously that any maturing CDs would get rolled over into the Wells Fargo Savings Replacement fund. Currently, the HOA has a Wells Fargo Savings Fund for replacing assets and Savings Reserve Fund for potential legal costs.

Noted in the Budget with respect to legal: The Board did not expend as much as previously budgeted, so no increase.

Also, no increase in HOA assessments. \$6,000 was budgeted in 2020 for the reserve fund replacement of assets—the retaining wall that is leaning. Those funds were not used.

Landscaping budget increased since the HOA is now responsible for the maintenance of the area in and around the storm drainage system behind the townhouses on Kinglet and neighboring community

pool—the County oversees maintenance of the concrete facility. The HOA had the area cleaned up in 2020 and also had repairs made to the fence surrounding the drainage system. The fence repair work and cleanup work were done by Kart Landscaping. A question was put forth as to whether Board will engage services of another company to do landscape maintenance in the pond area, or work with Greenlink to add to our current contract. At this point, no specific contract has been entered with Greenlink or any other company to effect the maintenance of the landscaping in and around the storm drainage system.

Bill Roberts inquired as to when the county took over maintenance of the stormwater retention pond. Apparently this was turned over to the county in 2008. In 2019, the HOA received a notice of violation in reference to our responsibility under the 2008 agreement to maintain the storm pond landscaping. Of course, the maintenance of any private property abutting the facility falls under the auspices of the individual homeowner, with the same being true for the other storm drain facility behind the houses on Mourning Dove Court.

Budgeted funding for the Bookkeeper will be increased in view of the fact that the Bookkeeper will take on other duties that have previously been handled by Treasurer.

Another item noted in the Budget are expenses for the CCOC. Annually, the CCOC does an assessment of \$5 per household in the community (\$520). Those funds were not collected in 2020 due to Covid. So the Treasurer has budgeted \$1,040 in 2021 to cover both years.

**Annual Audit:** An annual audit of the HOA's finances is underway. The Treasurer has expressed some frustration and displeasure with the auditors and their lackadaisical approach and customer service, since the draft audit for 2019 was only received today, November 17. Consequently, the HOA's bookkeeper has indicated that the HOA may be able to do an abbreviated audit.

The Treasurer mentioned that in view of the lack of service, the incoming board may wish to engage the services of another company next year.

**Status of outstanding (late) accounts:** The overwhelming majority of homeowners pay their dues in a timely manner. The HOA continues to see a small number of accounts which are in some state of arrears. The Treasurer is working with the legal team to iron out a payment plan or payoff assessment for some. Letters have been sent to at least 4 homeowners who are 2-3 quarters late. 10 properties are only 1 quarter late.

**AERC Committee Report:** Maureen indicated that she had received 3 routine requests since the last board meeting. They were all approved. Those items noted in the October survey have been remedied.

The Greenlink contract for landscaping/mowing services has been received and reviewed. The contract is for 1 year and the cost is the same as for 2020. Maureen indicated that her contact with Greenlink has been very responsive whenever she reaches out. The Board voted affirmatively to accept the Greenlink contract for 1 year.

**Homeowner complaint regarding overcrowding of residence:** The HOA has no authority to police the interiors of homes. The county does have specific dwelling space requirements in abodes. Board agreed that the legal team should be consulted on what the County zoning laws are in this area. Sundar and Bill mentioned that the Board should reach out via letter/email --to the County Executive, County Council, Montgomery County Housing Authority in order to get an understanding of what rights the HOA has in addressing—questions raised about overcrowded dwellings and by extension excessive number of cars on the streets.

**Other matters:** Bill Roberts brought up the issue of the maintenance of HOA property bordering the neighboring community—Parcel Z. The open field has wooden pillars which were installed by the neighboring community, even though it is Montgomery West's property. The belief is that individuals were driving onto the open area, and the pillars were installed to discourage and limit access. Bill's question was specifically related to a liability issue.

The discussion centered around engaging the neighboring community to discuss this issue and to hopefully come to terms with some agreement indicating the rights and responsibilities of each community-- as it related to Parcel Z,-- or potentially the sale of the parcel. Sundar suggested the drafting of an agreement on the nature of each community's responsibility. Perhaps the legal team should be engaged to discuss in view of the potential for legal action in the event there is a case of liability.

**No further business.**

**Meeting adjourned at 8:05 p.m., on a motion by Steve and seconded by Maureen, with all in attendance voting to adjourn.**

Steve Stefany  
President

Lula Davis  
Secretary