

POTOMAC CROSSING

HOMEOWNERS ASSOCIATION, INC.

<http://www.potomaccrossinghoa.org>

**Board of Directors Meeting Minutes
Monday, January 13, 2014
Travilah Elementary School
North Potomac, Maryland**

Board Members Present:

- Karen Chandler
- Alan Czarata
- Richard Meddings
- Rick Meyer

Not present:

- Linda Mayo
- Michael Foecking
- Ligia Moss

Representing Vanguard Management:

- Jeffrey D. Luther
- Kate Werrett

Call to order with quorum by Karen Chandler, Treasurer at 7:15 PM.

Minutes:

The November 11, 2013 meeting minutes were read and approved with revisions by acclamation (Rick Meyer will send revised final to Ligia Moss for posting on the PCHOA website – with a copy to Kate Werrett.)

There was no business meeting of the PCHOA Board in December, 2013.

Main Entrance Monuments:

Management confirmed that the renovation and restoration project for the two main entrance monuments at Saddle River Drive has been satisfactorily completed.

Subsequent to the November 11, 2013 meeting management successfully negotiated final contract price with AW Landscapes of \$22,000 for the project including tree removal, along with \$500 for an electrical subcontractor to convert the existing high voltage lights. Final total project cost will be \$22,500., and

Potomac Crossing Homeowners Association
c/o Vanguard Management Associates, Inc.
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was approved by email vote on November 18th. Work commenced in late November and was completed between snow storms and cold weather in mid-December.

2014 Draft Operating Plan:

Management presented a draft operating plan of key tasks to be addressed in 2014, which was followed by discussion regarding the proposed elements:

- Timing and extent of re-inspections for AECC non-compliance letters sent in Fall, 2013 was tabled for further discussion at the February 10, 2014 meeting. Management will provide an update on progress of outstanding non-compliance notices.
- Community Event with possible community Yard Sale – will be tentatively scheduled for mid-September in lieu of October
- August Board meeting is “optional” and may be waived based on ability to gain a quorum in peak vacation month.

Homeowner Forum:

Board addressed question from homeowner regarding air conditioning units which extend from windows are generally not approved by the AECC. These types of units are not considered in compliance with architectural conformity for exterior changes.

Homeowner was invited to research alternative types of window air conditioning units and present additional information to the AECC for evaluation.

Common Element Observation Report:

Management will request AW Landscapes to provide quote for removal of “street stumps” of which at least four are estimated to be present in the community. This will be as part of preparation for replacement of missing street trees. (Three trees were cut down on Great Notch Terrace and one in front of 14040 Saddle River was dead and was removed by the County.)

Conversation with David Gardner, Esq.:

Mr. Gardner, an attorney in Rockville, who specializes in HOA law and is on retainer to PCHOA – was invited to address the Board on general collection procedures. Mr. Gardner reported that he is now also licensed as “collector” by the State of Maryland.

Mr. Gardner prefaced his remarks by noting that overwhelming number of PCHOA home owners are staying current with payments and that there are only two large outstanding collection issues at present. In his view our community is fortunate to have a very favorable collections ratio.

In response to written questions from Board Member, Mr. Gardner stressed that the Board may act “*pro se*” on behalf of itself in collection matters, even if Vanguard as our managing agent may not. So long as PCHOA is diligent with regards to the Federal Debt Collection Practices Act (FDCPA), and careful to be succinct and factual in all correspondence with homeowners regarding collections. Homeowners may

be invited to meet with the entire Board to discuss outstanding balances, but such meetings should only be conducted in closed "executive sessions."

As such, Mr. Gardner encourages direct outreach and communication by the Board as the first step in any collection matters -- prior to initiation of legal remedies such as liens, suits or foreclosure actions.

Mr. Gardner presented a detailed listing of his various services and discussed his fee schedule. He emphasized that his billing rate was \$250 per hour for action involving court hearings or pleadings.

Mr. Gardner agreed to assist the Board in updating and revising PCHOA's current written collections policy and procedures with particular focus on procedures regarding "acceleration" of annual fees where payment by homeowner is delinquent.

Next Meeting: Scheduled for **7:00pm** Monday, February 10, 2014

Meeting adjourned 8:55PM.

Respectfully submitted,



W. E. "Rick" Meyer
Secretary

Approved - FINAL

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