

Approved on July 8, 2020

**Churchill Village South Homeowners Association**  
**Virtual Board of Directors Meeting**  
**June 10, 2020**

The Board of Directors of Churchill Village Homeowners Association held a virtual Board of Directors Meeting on Wednesday, June 10, 2020 at 7:00 p.m.

**Board Members Present:**

Jim Ganz, President  
Aaron Skolnik, Treasurer  
Holly Williams, Director  
Kathie Matthews, Secretary (Online at 7:27 p.m.)

**Also Present:**

Alan Van Grack, Community Manager  
Jeff Luther, Vanguard Management  
Ruth Ann Allen, Recording Secretary

**Board Member Absent:**

Patricia Jones-Butler, Director

**Homeowners Present – Call-Ins:**

Shelby Bidwell, 13716 Wanegarden Drive  
Susan Peangmeth, 13601 Teakwood Lane  
Patrick and Marilyn Optiz, 19711 Teakwood Circle  
Dale Rubenstein, 20102 Timber Oak Lane

**A. MANAGEMENT ANNOUNCEMENT**

As a general reminder, recording and videotaping of a Board meeting is not allowed. The official record of the Board's meetings and decisions is the adopted minutes.

**B. TEMPORARY BOARD APPOINTMENT**

**MOTION:** (Jim Ganz/Aaron Skolnik) Appoint Jeff Luther as a temporary Board Member until another Board member joins the virtual Board meeting.

**Vote:** Motion Passed - Unanimous

**C. CALL TO ORDER**

The Board of Directors Meeting was called to order by Jim Ganz at 7:10 p.m.

**D. MINUTES**

1. May 12, 2020 Board of Directors Meeting Minutes and Closed Meeting Minutes

**MOTION:** (Aaron Skolnik/ Holly Williams) Accept the Board of Directors Meeting Minutes and Closed Meeting Minutes of May 12, 2020 as submitted.

**Vote:** Motion Passed – 3 ayes/0 nays/1 abstention (Luther)

**E. HOMEOWNER OPEN FORUM**

1. Suzanne Peangmeth, 13601 Teakwood Lane, noted that she had been corresponding with Management about the trees in the wooded area next to her home that have damaged her

house and fence. This matter will be discussed by the Board under the Management Report.

2. Marilyn Optiz, 19711 Teakwood Circle, noted that a tree near her townhome has new growth which will turn into bigger branches and could become a larger problem. The Board requested that Ms. Optiz email Management a plat showing the location of the tree.

#### **F. TEMPORARY BOARD MEMBER RESIGNATION**

Jeff Luther resigned as a temporary Board Member at 7:27 p.m. as a quorum of Board members was now present.

#### **G. MANAGEMENT REPORT**

##### **1. Swimming Pool Season Status**

Management reported that the opening of the pools in CVS is in “control” of the Montgomery County Government. Once pools are allowed to open there will specific directives to follow. These directions could include limiting to lane lap swimming only, social distancing, reduced capacity, and cleaning guidelines. The pool company would also have to provide specific plans for opening in regard to the directives.

Currently, RSV Pools has a maintenance only contract. The estimated costs for opening the pools meeting the requirement being imposed by the Maryland Department of Health, even for a short time, could be a financial hurdle for the Association.

The Board discussed what options and problems there are for opening pools:

- Open only one (1) pool
- Waivers
- Specific times for high risk patrons
- Have RSV provide plans for opening the pools
- Liability to the Association
- Who would enforce the rules?
- The extra costs involved

The Board requested that Management set up a virtual meeting with RSV Pools to discuss their plans for opening the pools and then to set up a meeting with the Association’s Legal Counsel to discuss the liability exposure for the Association to open the pools.

##### **2. Swim Team Insurance Renewal**

Aaron Skolnik reported that the Germantown-Gaithersburg Swim League will not be holding a swim team season this year, so the renewal of the swim team insurance is not required.

Management will inform Manougian Insurance Agency that the swim team insurance policy does not need to be renewed for 2020.

3. Homeowner Request – Dance Fitness Class

Dale Rubenstein, 20102 Timber Oak Lane, sent a request to hold a dance fitness class at the Wanegarden Pool parking lot. Ms. Rubenstein teaches a dance fitness program through LaBlast. She would like to hold the class from 9:30 a.m. – 10:00 a.m. The program would be limited to ten (10) people who would be spaced every other parking space for social distancing, and participants would sign a waiver that exempts CVS and LaBlast from any/all liability due to injury in order to participate. Ms. Rubenstein has personal liability insurance for teaching dance.

Management noted that the Association has no insurance coverage for communicable diseases for the common areas and pools.

The Board requested that Ms. Rubenstein review her insurance policy for coverage of communicable diseases and provide the Board with a copy. The Board can take any action on this request via email vote.

4. Clubhouse Cleaning

Management provided the Board with a proposal from Betson Lawn Etc. to clean the clubhouse prior to reopening in the amount of \$600.00. The oven would be cleaned for an additional \$125.00, although it is not clear if the oven can be cleaned due to its condition.

The Board discussed that the oven should just be replaced instead of cleaned.

**MOTION:** (Jim Ganz/Aaron Skolnik) Approve the proposal from Betson Lawns for clubhouse cleaning at a cost not to exceed \$600.00.

**Vote:** Motion Passed

The Board requested that Management check that Betson Lawns will follow regulations for cleaning of public spaces during covid-19.

It was also noted that the Board should discuss the replacement of the window blinds in the clubhouse.

5. Multiple Asphalt and Concrete Repairs

Management noted that O’Leary Asphalt has stated that the asphalt and concrete repairs can be done. The Board requested that Management schedule dates for this work along with sending notification to the community of the upcoming work.

6. Tree Work

Management provided the Board with several proposals for tree work in CVS:

Location	Work
13408 Winterspoon Lane	Remove Mulberry Tree and replace with Redbud Tree
19925 Wild Cherry Lane	Removal of remaining bottom portion of tree
13601 Teakwood Lane	Prune White Oak Tree and prune/remove other trees
Lake Park Court	Remove/prune 2 Pine trees; remove dead Oak Tree
Larkspur Court	Remove/prune 2 dogwoods and install 1 tree

**MOTION:** (Jim Ganz/Aaron Skolnik) Accept the proposal from S&P Tree for the Mulberry Tree removal and replacement at 13408 Winterspoon Lane in the amount of \$2,970.00, removal of remaining tree stump at 19925 Wild Cherry Lane in the amount of \$1,175.00, tree work by 13601 Teakwood Lane in the amount of \$1,800.00, tree work at Lake Park Court in the amount of \$850.00, and removal of two (2) Dogwoods and install one (1) Corus Tree at Larkspur Court in the amount of \$828.00; not to exceed estimated costs for each proposal.

**Vote:** Motion Passed – Unanimous

7. Drainage Issue – 20023 Wyman Way

Management was contacted by the owner of 10012 Wyman Way of water entering their property from the common area which has caused damage to the interior of the home.

Management provided the Board with two (2) proposals:

<b>Contractor</b>	<b>Proposal</b>	<b>Cost</b>
John’s Labor Group	Redefine the drainage swell behind and to the right of the property by grading and fill. Stabilize with permanent grass seed and erosion matting.	\$2,350.00
John’s Labor Group - Option	Install riprap channel near end of swale	\$350.00
Ruppert Landscape	Regrade pathway above the rear yard to re-direct water run off away from the fence; seed and straw	\$850.00

**MOTION:** (Jim Ganz/Kathie Matthews) Accept the proposal from John’s Labor Group for redefining the drainage swell, install grass seed, and install a rip rap channel near the end of swale not to exceed \$2,700.00.

**Vote:** Motion Passed – Unanimous

8. Brush Removal – 20221 Waterside Drive

Management received correspondence from 10211 Waterside Drive of rats coming into their yard and causing damage to property.

The homeowners had a pest control company come to the property who put out poison traps but stated that the rats are coming from the overgrown brush area outside the fence where they probably have a nest.

Management provided the Board with five (5) proposals ranging in price from \$750.00 to \$2,325.00 to remove the brush, and roots and restore the area to turf.

**MOTION:** (Aaron Skolnik/Holly Williams) Accept the proposal from John’s Labor Group for removal of the brush and roots and restore the area to turf, not to exceed \$1,250.00.

**Vote:** Motion Passed – Unanimous

9. 13512 Walnutwood Lane Drainage

Management reported that the homeowner of 13512 Walnutwood Lane has contacted them several times regarding perceived drainage problem to the rear of the property, with water entering their property from the common area. Upon inspection of the property it was noted that the rear patio had substantially settled toward the house. This matter was previously been brought to the Board in March 2019, at which time the Board requested that the owner check the free flow of water from the down spouts where they had been buried and the outlets were not evident.

Management provided a proposal from Ruppert Landscape to raise the grade to redirect the water and install sod in the amount of \$1,025.00. A previous proposal was submitted by John's Labor Group for regrading and sod in the amount of \$1,800.00 or less. Management has requested that John's Labor Group provide an update proposal.

The Board requested that John's Labor Group revisit the area and provide any additional information along with the updated proposal.

The Board tabled any action on this matter until the July Board Meeting.

10. Teakwood Circle Stormwater Management Pond Maintenance

Management provided the Board with a correction notice from the County regarding maintenance to the stormwater management pond near Teakwood Circle. Management provided the Board with proposals for the work:

<b>Contractor</b>	<b>Cost</b>
AW Landscape	\$4,800.00
D & A Dunlevy	\$5,800.00
Jophns Labor Group	\$3,500.00
Lawn Systems	\$2,500.00
Mainscapes	\$2,725.00
Ruppert Landscape	\$1,850.00

The Board noted that the scope of work from Ruppert Landscape did not include the detailed scope of work as the other contractors. The Board requested that Management ask Ruppert to include a more detailed scope of work and resubmit their proposal. The Board will then review the proposals and vote by email.

It was noted that these proposals do not include the signage required by the County.

11. Montgomery County Tree Plan

Management provided the Board with maps showing 59 tree locations for the pending tree application for CVS from the Montgomery County Department of Environmental Protection (MCDEP). The MCDEP has requested that the Board review the proposed plan and provide any questions or needed changes to the trees. Once the Board has approved the plan and communicated it to the community, the County will send the access agreement for signature and then schedule the tree planting.

Jim Ganz noted that Maple trees have shallow roots and might be good for planting by the walking/jogging paths and many of the trees drop fruit or burrs which might create

complaints from residents, and there were also no trees listed to be installed on Timber Oak Lane. Mr. Ganz requested that Board members email any questions or suggested changes to him by Friday, June 12<sup>th</sup>, so he can forward them onto Management.

12. Walnutwood Lane Electrical Tie Point

Management noted that Potomac Edison requested an updated easement agreement for a section of Walnutwood Lane to install a new tie point to decrease the time residents are out of service during power outages. Legal Counsel reviewed the document and provided edits.

**MOTION:** (Jim Ganz/Aaron Skolnik) Accept the easement agreement with Potomac Edison for right of way to install a new electrical tie point on Walnutwood Lane.

**Vote:** Motion Passed – Unanimous

13. Mixing Valve Replacement at Wanegarden Clubhouse

Management reported that the mixing valves attached to both hot water heaters at the Wanegarden Clubhouse are malfunctioning. The water heaters seem to be working properly. Management provided the Board with a proposal from Gaithersburg Plumbing to install the mixing valves and test the heaters for a cost of \$3,016.80.

**MOTION:** (Jim Ganz) Accept the proposal from Gaithersburg Plumbing to install the mixing valve and test the water heaters in the amount of \$3,016.80.

It was noted that RSV Pools should not engage a contractor without Board approval and the Board requested that Management remind RSV Pools of this fact.

**Jim Ganz withdrew his motion.**

The Board requested that Management provide the Board with other proposals for the work.

14. Underground Damaged Sewer Pipe

Management reported that a sewer pipe coming from a Villas at Willow Cove Condominium unit has broken and will require replacement. Due to the pipe being broken, tree roots had entered it causing sewage to back-up. Gaithersburg Plumbing was able to clear the roots and confirm the breakages. Management noted that the maintenance, repair, and replacement of the pipe within the boundaries of the condominium property is the responsibility of the condominium unit owner which the pipe services.

The complication arises when the pipe crosses the condominium boundary onto CVS common property. Due to a previous issue similar to the current event, the Association's Legal Counsel was contacted for their opinion of the Association's responsibility. Management suggested that a second opinion might be warranted, and the Board approved the authorization of Management to contact Lerch, Early, and Brewer for their opinion.

Management has not received the opinion from Lerch, Early, and Brewer.

The Board noted that a third (3<sup>rd</sup>) opinion may also be warranted if the opinion of Lerch, Early and Brewer is in disagreement with the Association's Legal Counsel.

**H. OLD BUSINESS**

1. Tot Lot Replacement

As the replacement of the tot lots has not moved forward in a timely manner, Holly Williams suggested that Management provide the Board with other proposals for replacing the tot lots.

**I. ADJOURN BOARD MEETING INTO CLOSED MEETING**

**MOTION:** (Jim Ganz/Aaron Skolnik) Adjourn the Board of Directors Meeting into Closed Meeting at 8:56 p.m.

**Vote:** Motion Passed – Unanimous

**J. RESULTS OF THE CLOSED MEETING**

The Board took action on a request for a payment plan and a request for a waiver of a return check fee.

**K. ADJOURNMENT OF THE CLOSED MEETING**

**MOTION:** (Jim Ganz/Aaron Skolnik) Adjourn the Closed Meeting at 9:05 p.m.

**Vote:** Motion Passed - Unanimous