

## **Rock Creek Hills Citizens' Association Minutes of the January 31, 2010 meeting**

After the potluck dinner, Joe Rosenberg, President, called the meeting to order.

### **Old Business:**

1. Minutes of the October 8, 2009 meeting.

**Motion:** To approve the minutes of the October 8, 2009 meeting.

**Vote:** Approved with no opposition

2. Joe Rosenberg presented the Treasurer's report on behalf of Karyl Kramer. (Please see the Financial Summary at the end of the minutes.)

There was discussion concerning the dues spent to verify that the covenants that had been transferred to Rock Creek Hills Covenants, Inc. were enforceable; and appropriate action to take regarding an unapproved fence constructed at 9604 Hillridge Drive.

- The RCHCA Board will not discuss the pending case further, during negotiations; under advice of council.
- There will be a full accounting of funds spent regarding the covenants enforcement.
- There was a question as to whether the RCHCA membership wanted the dues going to covenants enforcement.
- Before we spend additional funds there will be a vote open to all RCHCA members attending. Only members of RCHCA will be eligible to vote.

**Motion:** To approve the Treasurer's Report.

**Vote:** Approved with no opposition

### **Speaker – George Simms III from the State's Attorney Office for Montgomery County responded to RCHCA's letter concerning vehicle related theft.**

Mr. Simms provided several handouts. Among the handouts was a press release from the State's Attorney for Montgomery County titled "State's Attorney Announces Initiative to Target Thefts from Vehicles". The Press Release was dated January 29, 2010.

Other handouts included the directory for the Office of the State's Attorney for Montgomery County, and crime statistics for larcenies in Montgomery County.

### **New Business:**

1. Elections: The Nominating Committee (Marty Durbin, Keith Emery, and Vince DeCain) presented candidates for President (Joe Rosenberg) and Secretary (Mike Baker). They were unable to get firm commitments for candidates for the offices of Vice-President and Treasurer. The nominating committee solicited nominations from the floor, but there were none.

The RCHCA Constitution and Bylaws state, "In the event of vacancy in office, such vacancy shall be filled by the Executive Committee to complete the unexpired term." (Article VI, Section 4)

**Motion:** To accept the proposed slate of candidates Joe Rosenberg for RCHCA President, Mike Baker for RCHCA Secretary and vacancies in the office of Vice-President and Treasurer.

**Vote:** Approved with no opposition

**Note:** Ken Sanford has been appointed RCHCA Vice President by the Executive Committee. David Hall has been appointed RCHCA Treasurer by the Executive Committee.

**Rock Creek Hills Citizens' Association**  
**Minutes of the January 31, 2010 meeting**

2. A number of RCHCA residents arranged a Winterfest at the Coffield Center. The Winterfest will be an adults only gathering of Rock Creek Hills residents.

**Motion:** RCHCA contribute \$200 to the Winterfest

**Vote:** Approved with no opposition

3. Covenants – Vince DeCain

Vince provided a brief history of covenants, and the covenants that have been assigned to Rock Creek Hills Covenants, Inc. in particular. Some of the highlights of Vince's talk are:

- Covenants are private contracts between landholders and not associated with zoning.
- Enforcement rights come from the covenants themselves.
- The intent of covenants is to protect against depreciation of the land value.
- Rock Creek Hills Covenants, Inc. was created in 1958 by RCHCA. Covenants enforcement authority was passed to RCHCI by Southland/Continental Life.
- Officers of RCHCI are the same as RCHCA.
- An individual can initiate covenants action, since the covenants are a contract.
- Gotchas:
  - Most of the homes east of Stoneybrook Drive do not have covenants.
  - Some homes in east of Stoneybrook Drive belong to a Home Owners Association and have covenants assigned to the HOA.
  - Larchmont Hills has separate covenants.
  - Six to twelve additional homes do not have covenants enforceable by RCHCI.
- Vince also provided a brief outline of the approval process.

4. Rock Creek Hills Covenants, Inc.

**Motion:** The current Board of RCHCA becomes the Board of RCHCI along with any other members appointed to the RCHCA Board.

**Vote:** Approved with no opposition

5. Joe provided a brief update on the subject of Train Noise and a quiet zone at the Forest Glen Crossing. The current Secretary of Transportation passed on a negative recommendation regarding the quiet zone. Representative Van Hollen contacted the Secretary to see what changed to generate a negative recommendation.

6. Cell Towers – There was a discussion of the potential health effects of cell phone towers in light of the Cedar Lane Unitarian Church's decision not to install a cell phone tower. There was a show of hands to judge the interest in the topic. Three members expressed an interest in discussing the topic further.

## Adjournment

**Motion:** To adjourn

**Vote:** Approved

## The Financial Record from the Treasurers' Report is:

Previous Balance (October 1, 2009)	\$32,816.64
Receipts	\$2,770.00
Expenditures	\$4,870.49
Balance (January 31, 2010)	\$30,716.15