

## **RCHCA Meeting Minutes 2-27-14**

### **Election of Officers**

John Robinson called the meeting to order and introduced the election of the new slate of RCHCA officers: President Jim Pekar; Vice President: Hill Carter; Secretary: Jill Gallagher; Treasurer: Maria Marzullo. Robinson will continue on the board as RCHCA president ex officio, working on legal and government issues. Former Vice President Sam Statland made a motion to accept the slate, and the officers were elected.

There was a motion for incoming officers to be officers of the RCHCA Covenants Board. The motion passed.

### **Treasurer's Report**

RCHCA Treasurer Maria Marzullo said the association's available funds totaled \$20,800. To date, RCHCA has received dues from approximately 132 homes, amounting to \$5,310. There were few expenses in 2013, including funding the Mother's Day and Halloween picnics and newsletter printing.

The account set up to fund litigation to preserve Rock Creek Hills Park currently has a \$3,600 balance.

There is an outstanding bill from the attorney for \$6,750, with more bills expected in order to fund the oral arguments for the appeal. The meeting moved to accept the Treasurer's report.

### **Secretary's Report from 10-2-13**

Previous RCHCA Treasurer read the minutes taken from the last RCHCA meeting on Oct. 2, 2013, which were accepted by the membership.

### **New President**

Jim Pekar introduced himself as a 15-year resident of the neighborhood and laid out a list of Association priorities, including helping the board identify neighbors to increase neighborhood safety, start the Village program to help neighbors aging in place, social events like the Mother's Day and Halloween picnics. He reiterated the need for neighbors to contribute and pay dues to help support these quality of life issues.

Pekar also noted the Association's continuing campaign to defend the central green space in our community, the RCH Park, because the neighborhood association has voted repeatedly to see that through.

### **Covenants**

John Robinson spoke about the Association's covenants, which help establish conditions on properties in the neighborhood in order to maintain the development's character. It is the covenants' intent that major construction projects, including fences and retaining walls (anything that requires a building permit), receive Association approval before commencing. Over the years, problems over fences, etc. have been resolved amicably; but, the Covenants board has the legal authority to issue an injunction against a property owner if they have not received the proper approvals. In the past, the Covenants Board has exercised its rights and shut down in-home businesses, for instance.

Neighbors noted that home owners have entered into a commitment to honor the Covenants when they purchase a house in the neighborhood, and that there is an obligation on the part of the Covenants board to exercise its authority.

It was recommended that the Board should have the right to enforce Covenants by first addressing the problem at hand in a polite manner and if that doesn't work, then take more difficult action. Past president suggested that residents talk to their neighbor first about any problems or issues before coming to the board for assistance.

Many new neighbors are unaware of the Covenants because they don't receive this information from their realtor or the county. It was proposed that a welcome committee should send these communications to new neighbors. One possible remedy would be to contact real estate agents to be sure they are aware of the restrictions. A flyer explaining the Covenants will be included in the newsletter prior to the next RCHCA meeting.

### **Litigation Update**

John Robinson and Sandra Van Bochove presented an update on the Association's litigation/appeal. They outlined the main issues of the case: Standing, Land Use (the county hasn't claimed that it doesn't need the land as a park), reclaim provision, and County Executive approval (The County Executive can't impose a land transfer; only the county council has the authority to impose land use and zoning issues). A more detailed explanation can be found in the RCHCA February 2014 Electronic Newsletter at [www.rchca.org](http://www.rchca.org).

Oral arguments before a three-judge panel are scheduled for March 5 in Annapolis. A decision is expected within three to five months. If the neighborhood prevails and the case is appealed, it will go to the Court of Appeals (State Supreme Court), where you have to petition to have the case heard. If the neighborhood loses, it would file a notice with the Court of Appeals. The groundwork is already done to move forward in this venue.

John Robinson pointed out that the neighborhood's counsel has won on this level against powerful county interests.

A new neighbor commented that he was unaware of the proposed school construction at the park before he purchased his house, explaining that the park was one reason that he was attracted to the neighborhood.

An urgent request for litigation donations was put forward, as the neighborhood needs to raise \$10-\$12,000 to finish this phase of the case.

### **Village Movement**

Fifi Chase is trying to get the Village Movement off the ground and asked that anyone interested in participating to please fill out her survey and return it to her at 9629 Old Spring Road. As she pointed out, if the neighborhood had a resource like this, some of the problems discussed at this meeting might be more easily remedied.