

Rock Creek Hills Citizens' Association
Minutes of the October 14, 2010 meeting

Joe Rosenberg, President, called the meeting to order.

Old Business:

1. Minutes of the January 31, 2010 meeting.
Motion: To approve the minutes of the May 13, 2010 meeting.
Vote: Approved with no opposition
2. David Hall presented the Treasurer's report.

Previous Balance	\$30,106.01
Change	-\$5,764.20
Balance (October 14, 2010)	\$24,341.81

Approximately 300 homes have paid their dues for 2010. About \$430 was received to maintain the landscaping in the traffic triangles.

Motion: To approve the Treasurer's Report
Vote: Approved with no opposition

3. Covenants Information – Joe Rosenberg read a joint statement from the Hatwell's and RCHCI. There is to be no further discussion of this covenants issue. RCHCA members have the right to see the agreement, but it will not be published. The joint statement is:

“Rock Creek Hills Covenants, Inc. and the Hatwells are pleased to announce that they have reached an amicable agreement regarding the fence at the back of the Hatwells' home at 9604 Hillridge Drive. Both parties believe that the agreement reflects the spirit of the community and is consistent with the intentions of the covenants. Per the agreement, the fence at the back of 9604 Hillridge Drive that lies adjacent to and runs almost parallel with East Bexhill Road will be moved so that the approximate center point of the fence (as identified by the current placement of the gate) will be approximately 16 feet back from its current location on the property line. Mature evergreens will be planted on the street side of the fence as soon as the weather is suitable to ensure such evergreens remain viable once planted.”

- RCHCI, its officers, and the Hatwells both agree that they will make no further public statements with regards to the fence, the parties' dispute, and/or this agreement other than the statement above.
- RCHCI agrees to waive any and all claims, or causes of action against the Hatwells or any future owners of 9604 Hillridge Drive with regards to the location and material of the fence, except that RCHCI may pursue a claim or cause of action seeking to enforce this agreement.
- The Hatwells agree to waive any and all claims, or causes of action against RCHCI or its officers and representatives with regards to the location and material of the fence, except for violating the written terms of this agreement. Such waiver, however, shall have no effect on any defense the Hatwells have regarding the location and material of the fence, and the Hatwells and/or their successors and assigns shall retain the right to assert any defense regarding the location and material of the fence against any party that pursues a claim against the Hatwells and/or their successors and assigns.
- Nothing contained in this Agreement shall be construed as an admission by either the Hatwells or RCHCI in any proceeding except a proceeding to enforce this agreement.
- Notwithstanding this Agreement, the parties agree that if a court renders a final decision:

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(1) determining that the covenants to which RCHCI contends the Property is subject are unenforceable; or

(2) interpreting those covenants in a manner that would allow other properties that RCHCI contends are subject to the same covenants to place a fence in a location closer to a property line than the fence at the back of the Property;

then this Agreement shall be null and void and the Hatwells may take such action as is consistent with such court decision. The foregoing provision regarding the potential for this Agreement to become null and void shall not be applicable in any court case or similar proceeding brought by the Hatwells to question the enforceability or interpretation of the covenants. Any such filing of a case by the Hatwells would be considered a violation of this Agreement.

4. Quiet Zone update – The quiet zone at the Forest Glen CSX crossing is to take effect on November 1, 2010. Trains are not to blow their horn at the crossing on a regular basis. The trains are allowed to blow their horn if there is a risk or a perceived risk.

New Business:

1. Nominating Committee – The Nominating Committee for Rock Creek Hills Officers for 2011 consists of Hill Carter, Kathy Ball, Suzanne Mintz, and Meg Baker. Anyone interested in serving as an officer or nominating someone as an officer should contact a member of the Nominating Committee.
2. The Halloween Parade will be on Sunday 10/31.
3. Winterfest – Last year there was a privately organized Winterfest for Rock Creek Hills adult residents.

Motion: Rock Creek Hills Citizens' Association should fund Winterfest with an estimated \$1200 to \$1300 per year. This amount should be adjusted for inflation, and should provide for the cost of the hall, a D.J., and food. RCHCA is not funding beverages and attendees should bring your own beverage.

Vote: Approved with no opposition

Speakers: Chief Darien Manley and Deputy Director Mike Riley of Maryland National Capitol Park Police, Montgomery County Division spoke regarding park maintenance and usage, and how these may affect Rock Creek Hills in particular.

Some highlights of the speech and questions and answers.

- When fully staffed, there are 97 officers. There are currently 74 officers.
- The Park Police target areas with known problems, based on both calls received and officer's observations. Information from the community is very crucial.
- Please call the Park Police if you see issues in the parks 301-949-3010. Definitely call the Park Police for any of the following:
 - After hours use, except for lighted recreation facilities and the Capitol Crescent Trail
 - Fireworks in the parks
 - Use of alcoholic beverages in the parks
 - Filming of others in the parks
 - Construction in the parks
 - Use of ATV's or motorized scooters in the parks

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- Burning odor
- Use of chainsaws or hammering
- Thefts from auto are a major issue. Try to leave your valuables at home. If you're going to leave valuables in your trunk, place them there before getting to the park.
- Crime in the parks is lower than in the surrounding neighborhoods.
- The fields can be used by anyone, if it hasn't been reserved for a permit holder. MNCPPC wants the parks and fields to be used.
- Dogs are to be on leashes in Montgomery County, unless they are in your own backyard or a dog park. The majority of the calls received by the Park Police are for dogs off leash.
- Manor Care is slated to become Park and Planning offices. MNCPPC hopes to get funding to restore Manor Care. The County is currently trying to maintain the facility.
- Kensington Cabin got the thumbs up to preserve it as a historical site today (October 14, 2010).
- Deer control is viewed as a safety issue. Last year 2000 deer/vehicle accidents were reported. There is a sharpshooter program, but not south of Randolph Road.
- Beech Drive is limited to vehicles weighing less than $\frac{3}{4}$ of a ton, and generally any vehicle with a business imprint is prohibited on Beech Drive. If you see a vehicle regularly violating the restrictions on Beech Drive, please report it to the Park Police.
- The MNCPPC Park Police have a volunteer program with an 8 week training program (1 or 2 days per week). For more information or to volunteer go to: www.parksvolunteers.org

Adjournment

Motion: To adjourn
Vote: Approved

The Financial Record from the Treasurers' Report is:

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Change	-\$5,764.20
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