

Minutes
Board of Directors
GHI Regular Open Session
March 5, 2020

Board Members Present: Hess, Holland, James, Jones, Ready, Skolnik, Socrates and Watkins

Excused Absence: Brodd

Others in Attendance

Eldon Ralph, General Manager

Tom Sporney, Assistant General Manager

Joe Perry, Director of Finance

Stuart Caplan, Director of Technical Services

Joyce Campbell, Audit Committee Member

Carol Griffith, Audit Committee Member

Linda Curtis

Lauren & Andrew Shelly

Susan Smithers

Andrew Skelly

L. Susan Brown

Monica Johnson, Recording Secretary

President Skolnik called the meeting to order at 7:45 p.m.

1. Approval of Agenda

Motion: The Board of Directors does approve the agenda.

Moved: James

Seconded: Hess

Carried: 8-0

2. Announcement of an Executive Session Meeting held on March 5, 2020

GHI's Board of Directors held an Executive Session meeting March 5, 2020 in the Board Room of the Administration Building. Board members Chuck Hess, Stephen Holland, Ed James, Bill Jones, Sue Ready, Steve Skolnik, Anna Socrates, Tami Watkins and Audit Committee members Joyce Campbell, and Carol Griffith attended the meeting.

The following motion to call this meeting was made during a prior open meeting earlier this evening and approved by Board members Chuck Hess, Stephen Holland, Ed James, Bill Jones, Sue Ready, Steve Skolnik and Tami Watkins.

Motion: I move that the Board of Directors adjourn this open meeting for the purpose of conducting a closed meeting to discuss the following agenda items, as authorized by the pertinent sub-paragraphs of the Maryland Cooperative Housing Act § 5-6B-19 (e)(1).

Agenda item	Sub-paragraph of § 5-6B-19 (e)(1)
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a. Approve Minutes of Executive Session Meeting Held on February 6, 2020	(vii)
b. Member Financial Matters	(viii)
c. Member Complaint Matter	(iv)

The meeting began at 7:00 p.m. and adjourned at 7:12 p.m.

Authority for the above closed meeting was derived from the Maryland Cooperative Housing Corporation Act, § 5-6B-19 (e)(1)(iv).

3. Visitors and Members (Comment Period)

None.

4. Approval of Membership Applications

Motion: I move that the Board of Directors approve the following persons into the cooperative and membership be afforded them at the time of settlement:

- Aaron M. Mengel, Sole Owner;
- Destiny T. Shugrue, Sole Owner;
- Thomas S. McKenna, Sole Owner;
- Liam P. Macy, Sole Owner.

Moved: James

Seconded: Hess

Carried: 8-0

5. Committee and Homes Improvement Program Reports

Homes Improvement Program – Sporney reported that:

2020 Hip Cohort

5 unreturned surveys out of 287

31 unreturned proposals

Fee for Service contracts totaling \$145,000.00

Windows and Doors measurements will be finished Monday

Buildings Committee – James reported the hot water heaters for heat pump water heater project are being installed.

Storm Water Management Task Force – James reported the task force is proceeding with procedures for rain garden maintenance.

Integrated IT Task Force - Holland reported the task force met, had a two hour meeting with a property management company is in the process of testing software, and plans to have a report to the board in two weeks.

Succession Planning Task Force – Holland report the task force is still working on the report.

Security/Safety Task Force – Skolnik reported RFP’s for an access control system for the complex were tendered to contractors, received 3 bids.

6. For Action or Discussion

6a. Approve Minutes of Special Open Session Meeting held on February 6, 2020

Motion: I move that the Board of Directors approve the minutes of the Special Open Session Meeting that was held on February 6, 2020 as presented.

Moved: James

Seconded: Hess

Carried: 4-0-4

Abstained: Holland, Socrates, Skolnik, Watkins

6b. Approve Minutes of Regular Open Session Meeting held on February 6, 2020

Motion: I move that the Board of Directors approve the minutes of the Regular Open Session Meeting that was held on February 6, 2020 as presented.

Moved: James

Seconded: Hess

Carried: 4-0-4

Abstained: Holland, Socrates, Skolnik, Watkins

6c. Investment Committee 2019 Report

GHI’s Bylaws state that the Board shall report to the members annually on the status and performance of all investments. Attachment #4 is the 2019 Investment Performance Report that the Investment Committee prepared.

If the Board accepts the report, it will be included in the 2019-2020 Annual Report that the membership will receive prior to the annual meeting.

Motion: I move that the Board of Directors accept the 2019 investment performance report that the Investment Committee prepared and direct that it be included in the 2019-20 annual report to be distributed to the membership.

Moved: James

Seconded: Hess

Carried: 8-0

6d. Request from the Greenbelt MakerSpace Co-op to Use a GHI Rental Garage as a Tool Lending Library

On February 6, 2020, the Board deliberated a request (attachment #5a) from Ms. L. Susan Brown on behalf of the Greenbelt MakerSpace Co-op, to rent a garage for the purpose of establishing a Tool Lending Library. Ms. Brown currently rents a garage located at Parkway.

GHI's Parking Regulations state that garages are leased by GHI only to resident members and tenants and members may not sublet a garage. A breakdown of the usage of the rental garages at Parkway is as follows:

- Garages used for parking vehicles - 35
- Garages used for storage - 17
- Garages rented by Parkway tenants - 4

During the meeting on February 6th, the Board requested that 1) GHI's attorney insert liability protection language in the lease agreement, 2) that the garage be rented to Ms. Brown, acting as an agent for the Greenbelt MakerSpace Co-op, and 3) the reason for renting the garage be stated in the motion.

Motion: I move that the Board of Directors authorize the Manager to rent a garage at Parkway to Ms. L. Susan Brown (the member at 1-A Woodland Way) on behalf of the Greenbelt MakerSpace Co-op, for the purpose of utilizing the garage as a Tool Lending Library.

Moved: Holland

Seconded: James

Amended

Amendment: I move to amend the motion by appending the following sentence to the motion: "The priority for this usage is the same as a member's first garage for parking".

Moved: Jones

Seconded: James

Carried: 7-0-1

Abstained: Hess

Motion as Amended: I move that the Board of Directors authorize the Manager to rent a garage at Parkway to Ms. L. Susan Brown (the member at 1-A Woodland Way) on behalf of the Greenbelt MakerSpace Co-op, for the purpose of utilizing the garage as a Tool Lending Library. The priority for this usage is the same as a member's first garage for parking.

Moved: Holland

Seconded: James

Carried: 7-0-1

Abstained: Hess

6e. Legislative Update from the Legislative Government Affairs Committee

Aaron Marcavitch attended the meeting and updated the board on several bills.

The Legislative Government Affairs Committee wishes to inform the Board of Directors about the following Legislative Bills that will greatly impact GHI, if passed into law:

a. US House of Representatives Bill 5337: *Disaster Assistance Equity Act of 2019*

H.R. 5337 **seeks to** amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to enable common interest communities, condominiums, and housing cooperatives damaged by a major disaster, to access FEMA funds for repair or replacement of homes and common area elements. GHI's Board of Directors has already asked members to call or e-mail our congressional representative and ask him to co-sponsor and support this bill. The City of Greenbelt has written a letter to our congressional representative in support of the bill. The LGAC urges the Board of Directors to do likewise.

Attachment #6a is the draft of a letter that staff prepared for the Board's consideration. It is similar to one that GHI sent to congressional representative Hoyer in 2013, asking for his support in amending the Stafford Act.

Motion: I move that the Board of Directors authorize the Board President to sign a letter similar to the letter in attachment #6a to be sent to Greenbelt's Congressional Delegation requesting them to support US House of Representatives Bill 5337: Disaster Assistance Equity Act of 2019 or similar legislation.

Moved: Hess

Seconded: Holland

Carried: 8-0

b. Maryland Bill HB 592: Common Ownership Community Manager Licensing

House Bill 592 is a return of a bill from 2018's session. This bill would seek to create a Common Ownership Communities Community Manager Licensing program based on the certifications that the Community Association Institute already has developed. According to the General Manager, the last two managers met the CAI certification requirements and he assumes that future managers would also satisfy them.

The LGAC wishes to let the Board know that this bill may have a potential fiscal impact on the organization if the Manager is now required to take an additional test for a license. No amount has been set, but based on licensing for architects and engineers, it shouldn't be a heavy burden. While a nuisance that the legislature is asking GHI to follow new rules, based on discussion with the General Manager, the LGAC does not see a need to register a concern or complaint with the legislature at this time.

c. Maryland Bill HB 1628: Sales and Use Tax – Rate Reduction and Services

The Community Associations Institute (CAI) made GHI aware of this new bill that changes the sales tax laws (attachment #6b). House Bill 1628 seeks to raise money for education through an amended sales and use tax, whereby a *"Taxable Service"* would mean any activity engaged in for a buyer for consideration. If passed, this law would reduce the sales tax in Maryland from the current 6% to 5%, but would apply a 5% use tax to many of the services used by community associations across the state including legal services, landscaping, tree removal services, trash pickup, and a host of other services.

After a review of the bill, the LGAC is concerned about its potential impact to GHI. This would result in major additional costs to community associations if it were passed. This bill was introduced late in the process and there are some major groups opposing it – including CAI and the Realtors Association. The LGAC does not think it is likely to pass. Delegate Alonzo Washington is a sponsor, most likely because he is on the education committees.

Staff calculated that GHI's budget for all contracted services in 2020 is \$6.83 million. If a 5% sales tax on those services were in effect, it would have meant an additional \$341,000 to our 2020 budget.

CAI has drafted language (attachment #6c) which staff used to create a letter (attachment #6d) that should be sent to our State Delegates and the committee that is reviewing the bill.

No Action.

- d. Maryland Bills HB58, HB254 & SB386 Cooperative Housing Corporations, Condominiums, and Homeowners Associations - Reserve Studies

House Bill 58 (and corresponding bills HB 254 and SB386) is a return of the reserve study bill HB 900 that the Board of Directors opposed in 2019. In December 2019, the Board sent another letter to the Prince George's County Delegation registering our concerns and comments. This letter (attachment #6e) was sent prior to the State Legislative session. The LGAC is still concerned about this bill and asks the Board to send a letter, substantially like the one in attachment #6e, but this time directly to the Environment and Transportation Committee and again to our Delegation. The LGAC also asks that the Board authorize the General Manager to speak with Anne Healey who sits on the Housing Committee to ensure she sees the letter and understands our concerns.

Motion: I move that the Board of Directors authorize the Board President to sign a letter similar to the one in attachment #6e to be sent to Greenbelt's State Delegation and members of the Environment and Transportation Committee, stating GHI's opposition to Maryland bills HB58, HB 254 and SB386. Further, I move that the Board authorize the Manager to speak with Delegate Anne Healey to ensure that she receives the letter and understands GHI's concerns.

Moved: Hess

Seconded: James

Carried: 7-1

Opposed: Holland

- 6f. Proposal to Install a Gardenside Chain Link Fence Encompassing the Yards of 10-J & 10-K Laurel Hill, that Requires Exceptions to GHI Rules: §VII.B.1.a, and §VII.B.1.c

On January 13, 2020, staff received a Type III permit request (attachment #7) from Susan Smithers (member at 10-J Laurel Hill Rd.), and Andrew Skelly (member at 10-K Laurel Hill Rd.) who desire to install a chain link fence along the perimeter of their gardenside yards, thereby encompassing both yards.

This request requires exceptions to GHI Rules: **§VII.B.1.a** "Fence placement shall be setback... twenty-four (24) inches from parking areas or driveways", and **§VII.B.1.c** "Fences are allowed to enclose the gardenside yard, or the end side yard, or the combined gardenside and end side yards. No interior fences shall be permitted". It also requires consideration of GHI Rule **§VII.B.9** "Fence styles within the row should harmonize".

During the ARC meetings on February 12, 2020, the following points were discussed:

- The members at 10-J and 10-K Laurel Hill propose to install a chain link fence to encompass their gardenside yards (i.e. no fence along the shared yard line).

- There is an existing wooden fence that encloses the combined serviceside and end side yards at 10-J. The section of this fence that runs along the gardenside yard has a gate in it. This section will become an “interior fence”, if the proposed gardenside fence is installed. The members would like to keep this section of fence and gate in place to control the movements of their dogs, and to keep them separate from the crawlspace access and electric meters on the end side of 10-J.
- There is a chain link fence on the serviceside of 10-K, and a chain link fence along the shared yard line between 10-K and 10-L, on the gardenside.
- Other existing fences in the row are chain link.
- The members were strongly encouraged to select black as the color for the fence, not green.
- Because the members want to avoid an offset in the proposed fence due to the sewer access cover and being too close to the existing concrete swale, a portion of the proposed fence will be held further away than 24” from the parking area/driveway.
- The proposed fence plan, as submitted to the ARC, included a small section of fence to mark the shared yard line between 10-J and 10-K. The ARC is not comfortable with this segment of fence, as it will look out of place. The ARC noted that a fencepost, at this point in the proposed fence, will serve the same purpose.
- There are several existing fenced yards in GHI that combine two or more gardenside yards. There was little concern that this may create problems between future members.

The ARC recommended by a vote of 4-0-0 that the Board of Directors grant exceptions to GHI Rules §VII.B.1.a, §VII.B.1.c, and consider GHI Rule §VII.B.9, to permit the installation of the gardenside chain link fence at 10-J and 10-K Laurel Hill Road, as proposed; on condition that a fence post is installed in the proposed fence, in line with the shared yard line between 10-J and 10-K, to accommodate the future installation of a chain link fence, if one is so desired.

Reasons for the motion: (1) Existing site conditions make it difficult to adhere to the setback rule. (2) Existing section of wood fence and gate between the end side and gardenside of 10-J is short and will control pets and, (3) The majority of the existing fences in the building row are chain link.

Motion: I move that the Board of Directors grant exceptions to Member Handbook Rules §VII.B.1.a, and §VII.B.1.c, thereby allowing the members at 10-J and 10-K Laurel Hill Road to install a chain link fence along the perimeter of the gardenside yards as proposed; on condition that a fence post is installed in the proposed fence in line with the shared yard line between 10-J and 10-K, to accommodate the future installation of a chain link fence, if one is so desired.

Moved: Ready

Seconded: Holland

Carried: 8-0

6g. Review the ARC's Recommendation re: Revisions to Member Handbook Section VII: Fences

During the July 5, 2018 meeting, the Board of Directors accepted the YSTF's Final Report on GHI Yard Solutions for a 21st Century Garden City and directed the Architectural Review Committee (ARC) to review the report and propose possible changes to the GHI Member Handbook.

The Yard Solution Task Force's Final Report was based on the results of a voluntary member survey conducted during the first quarter of 2017. It identified the impact that yard features have on the overall quality, value, and appeal of the cooperative. Among the features addressed was fencing.

Attachment #8a is an excerpt from the YSTF's Final Report regarding fences. It highlights the following key points:

- Fencing of member yards was not permitted prior to the formation of Greenbelt Veterans Housing Associates (GHI's predecessor) in 1952.
- Planned communities typically require that fences be in appropriate preselected styles and materials. GHI is unusual in not doing so.
- Fencing in the community has an enormous impact on the overall beauty and cohesiveness of the GHI landscape and of Historic Greenbelt, including its attractiveness to potential home buyers.
- 59 survey responders complain of fencing types in GHI, many mentioning their desire for less chain link fences.

To address these points, the YSTF made the following suggestions:

- Require that new fencing be in a style chosen by the ARC. Members seeking new fencing in nonconforming styles or materials may apply for an exception to this rule.
- GHI continue its practice of removing fences at no cost to the member if no new fencing is installed within 2 years (currently 3 years) of the removal of the original fence.
- Remove VII.B.1.9: "Fence styles within the row should harmonize." (New rules would emphasize harmonious fencing throughout the community, not just in individual courts.)
- When existing chain link fencing is repainted, it must be painted black (with GHI providing the paint).

After considering the suggestions in the YSTF Final Report, and spending much time discussing the rules, the ARC voted 4-0-0 to recommend that the Board approve the proposed rule changes in Member Handbook Section VII: Fences as illustrated in attachments #8b and #8c. Attachment #8b is the original document with the changes that have been made while attachment #8c is the revised document after the changes were accepted.

Motion: I move that GHI's Board of Directors direct the Manager to submit Member Handbook Section V11: Fences with revisions that the Architectural Review Committee recommended, to the membership for review and comment over 30 days.

Moved: Hess

Seconded: Holland

Carried: 8-0

6h. Member Responses re: Installation of Light Fixtures in the Common Area Between 11 and 13 Courts Ridge Rd

In 2017, City of Greenbelt staff surveyed members who resided at 11 N-V Ridge Rd. and 13 A-H Ridge Rd. to determine their opinion for/against pathway lighting in the City Park between the Courts at 11 and 13 Ridge Rd. During a work session on July 22, 2019, City staff stated that this item was presented for consideration during the FY2019 Capital Projects Program during the budget process in 2017. At the time, the project was estimated at about \$19,450. The project was not funded given limited funding and the item will be reconsidered when considering the City's priorities for future funding. The City Council requested GHI to survey the interest of current members to have lights installed, because several years had passed since the initial survey was conducted.

On November 7, 2019, the Board authorized the Manager to send a letter and survey form (attachment # 9a) to members who reside in the Courts at 8 and 10 Southway, 14 and 16 Ridge Rd., 11N-V Ridge Rd. and 13A-H Ridge Rd., to ascertain their opinion in having the City of Greenbelt install lighting fixtures between the courts at 11 and 13 Ridge Rd. The survey form was identical to the one used by City staff in 2017.

Attachment #9b is a spreadsheet with member comments that were received.

No Action.

7. Items of Information

7a. Board 12 Month Action Plan and Committee Task List

7b. Monthly GHI and City Calendars

7c. President's Items

Skolnik solicited members for the Community Beautification Program Task Force; received an email from Tom Taylor re: to consider adopting "Zero Waste Policy"; the dam project is complete at Greenbelt Lake.

7d. Board Members' Items

Holland thanked the maintenance for a great job on his, plumbing issue.

7e. Audit Committee's Items

Carol Griffith mentioned that the committee will have a teleconference with the Auditors (Wagner CPA's) on Tuesday.

7f. Manager's Items

Eldon mentioned WSSC notified GHI that two trees need to be removed due to a water leak, and they will replace them; trees will be planted in the back of the boat yard: 41 will be planted by PEPCO, and GHI will plant 13 from the Tremendous Program; Staff held a seminar with the Realtors in the local area.

Motion: To adjourn.

Moved: Hess

Seconded: Holland

Carried: 8-0

The meeting adjourned at 9:17 p.m.

Ed James
Secretary