



Carderock Springs Citizens Association

The meeting was called to order October 21st, 2007 at 7PM by President Uzzell.

Present Board Members: Christine Uzzell (acting President and Treasurer), Phil Rider, Noelle Lewis, Tom Hilton (acting Secretary).

President Uzzell introduced herself and thanked Malcolm Stevenson, the outgoing President, for His 10+ years of service.

Litigation update:

CSCA attorney Jack McCabe reported on the status of case regarding 8209 Stone Trail Drive (Mrs. Bogart and Kurtz). On May 15, 2007, just prior to the injunction hearing Mr. Bogart agreed to a settlement. The court dismissed the \$750K lawsuit against CSCA, Bogart and Kurtz amended their original plans to the satisfaction of the ARC, and withdrew the complaint that CSCA lacked the power to enforce its covenants. The substance of the settlement is on the CSCA website. The agreement included sending plans to the ARC, which the ARC approved May 26, 2007. To date the ARC has documented 11 violations of the settlement. CSCA complained to the plaintiff's attorney twice without response. Thus, CSCA made a motion to enforce settlement with the courts. A hearing is scheduled for November 26, 2007. Mr. McCabe opined that CSCA is in a strong position as the plaintiffs are now in contempt of court.

A number of questions were asked by the members. In sum, Mr. McCabe said we might get a ruling on the 26th. The courts may weigh that the improvements are complete, but that does not mitigate the contempt. They might argue that they did not understand the agreement they signed, but the evidence --- their plans, would undermine such a claim. Teardown is the only reasonable court ruling. Usually, the judge assigns a penalty until the party conforms.

Several members thanked Mr. McCabe for his fine support – seconded by Phil Rider

Minutes for the April biannual meeting we approved with the amendment that on page 3 – change B&K to names, motion approved with edit.

The Treasurer's Report was submitted showing a balance of \$29,311 with 356 dues-paying households participating.

Design Guidelines.

The president distributed the final guidelines to attending members. The will be distributed by the end of October for a membership vote. A synopsis of the background of the guidelines was provided by the ARC chair. The guidelines were motivated by desire to provide information useful to designers and architects in developing remodeling plans, and concerns that ARC process is not sufficiently



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open and clear. The process started 2 years ago. Consultants were hired to ensure that the history of past ARC actions conformed with the proposed guidelines. Lots of community feedback was received and considered. We now have open meetings monthly. Guidelines are to help new members and to advise architects and designers.

Board member Phil Rider added that the guidelines are only effective if the community voluntarily complies. "The spirit is all of us volunteering to adhere to OUR guidelines – or it will not work well." Mary Lou Shannon added that the ARC helps protect our community and property values. Ron Collins inquired about who was responsible to enforce the covenants. Malcolm Stevenson responded that our covenants lack enforcement provisions due to age of covenants. Every homeowner and the CSCA has the right to enforce. CSCA does not have authority to levy fines to enforce. Several members raised questions about new technology not conceivable in the covenants. Noelle Lewis reassured members that the ARC and the Board are open to new technology. A motion was passed to thank participants for helping develop the guidelines.

New Business

Dues raise – Phil Rider presented a proposed dues raise to \$50 in order to enable more improvements to the neighborhood. The increase in dues was approved unanimously by the attending members..

National Register of Historic Places. Mary Lou Shannon provided an update. Based on a 98-page study from U of MD a petition was submitted. CSCA is still waiting to hear from the State.

Next board meeting was scheduled for 7PM November 12.

The meeting was adjourned at 8:35.