

# COMMISSION ON COMMON OWNERSHIP COMMUNITIES

## Minutes of the Monthly Meeting Via Zoom Audio-Visual Conference Wednesday February 1, 2023

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:30 pm by Commission Chair Cheryl Walker due to technical difficulties. The Commission needed to resend a new zoom feed to the attendees.

**Commissioners present:** [08] ANDERSON, FREEMAN, HALL, HAYES, HOLMES, MEZEY, NERLINGER, SEEBOLD, SMITH, STEINBACH, ZMUDA and WALKER

**Commissioners absent:** COMMISSIONER MOORE (EXCUSED) and COMMISSIONER MURTHY

**Staff present** WALTER WILSON, ESQ. ASSOCIATE COUNTY ATTORNEY; Staff: MARK ANDERS, INVESTIGATOR, IFE FABAYO, INVESTIGATOR (presenting), NICOLETTE FAHS, OFFICE SERVICES COORDINATOR

**Guests:**

1. **Proof of Quorum:** There being 12 Commissioners present the meeting was called to order.
2. **Welcome and Introductions:** The Chair welcomed all in attendance. Commissioner Anderson requested that the Zoom link for all meetings should be added to the agenda before distribution.
3. **Approval of Agenda:** Commission Chair Walker asked if there was an objection to the February 2023 agenda. There were no objections, so the agenda was approved.
4. **Approval of Minutes:** Commissioner Anderson moved to approve the January 2023 meeting minutes. Commissioner Steinbach seconded. All voted in favor and the motion carried.
5. **Community Forum:** There were no questions from the audience during the open forum.
6. **Chairwoman's Report:** None
7. **Submission of disputes for Commission consideration: Jurisdiction – Ms. Fabayo** presented the cases to the Commission.

**#2022-085 Rajeiv Divakar v. Milestone HOA – Commissioner Smith** moved to **deny jurisdiction of the case/dismiss the case** and **Commissioner Anderson** seconded the motion. There was some discussion after which **the motion was carried by the Commission**, by unanimous consent.

**#2023-011, Eric Segura v. Quail Valley HOA – Commissioner Anderson** moved to **deny jurisdiction of the case/dismiss the case** and **Commissioner Holmes** seconded the motion. There was no discussion. **The motion was carried by the Commission**, by unanimous consent.

**#2023-030, Samuel Sales v. Camelback Village Condominium – Commissioner Freeman** moved to **deny jurisdiction of the case/dismiss the case** and **Commissioner Anderson** seconded the motion. There was some discussion after which **the motion to accept the case was carried by the Commission**, by

unanimous consent.

**#2023-003, Longmead Crossing CSA v. Amores, et al. – Commissioner Steinbach** moved to **accept jurisdiction of the default case** and **Commissioner Anderson** seconded the motion. There was no discussion. **The motion to accept the case was carried by the Commission**, by unanimous consent.

## **DECISIONS AND ORDERS ISSUED**

**None**

## **DECISIONS AND ORDERS ON APPEAL (in Circuit Court for Montgomery, MD)**

**No update.**

**8. County Attorney's Report:** The County Attorney is reviewing three Decisions and Order under review: (1) 2021-006, Naglee v. Tanterra HOA; (2) 2022-094, Longmead v. Ondiek; (3) 2022-074, Longmead v. Lentiro. The four new commissioners are now fully trained and can participate in the commission's activities.

**9. DHCA Staff Report:** No Report for this meeting.

**10. Vice Chair & Committee Reports:** The Vice Chair deferred to the Committees so they could present their reports.

- A. Education – The Committee Chair, Susan Nerlinger, presented the report, which was also in the meeting packet. The planned training at Quince Orchard High School was cancelled because of preparation issues. Committee Chair Nerlinger noted that there was a stalemate on trainers for the board training, so perhaps the Commission may want to entertain a different model for conducting Zoom trainings onwards. Chairwoman Walker proposed that the commission should consider conducting quarterly in-person trainings.
- B. Communications Committee – No report
- C. Legislative/Policies and Procedures – Commissioner Holmes volunteered to be the chair of this committee for another year. Vice-Chair Smith also volunteered to be a committee member and a co-chair of the committee. Commissioner Mashawn Hall will also join this committee.
- D. Nominating Committee – No report
- E. Gaithersburg Task Force- No report
- F. Budget and Information Technology – Ad-hoc No report

**11. UNFINISHED BUSINESS:** None.

**12. NEW BUSINESS:** **Commissioner Smith** moved to **table discussions on election guidance manual and hearing panels assignment until March 2023** and **Commissioner Zmuda** seconded the motion. The motion carried by unanimous consent.

Commission Chair Walker proposed that the commissioners consider the expansion of the commission's executive body. Discussions tabled until the next meeting in March.

**13. GOOD OF THE ORDER:** Chairwoman Walker reminded commissioners to submit their financial

disclosure statement, which is due in April.

**14. ADJOURNMENT:** Commissioner Smith moved to **adjourn the meeting** and Commissioner Holmes seconded the motion. All in favor. Meeting adjourned at 9:05 p.m.

**THE NEXT MONTHLY MEETING WILL BE ON MARCH 1, 2023**

**Zoom invitations have been sent**