

LANDMARK MEWS COMMUNITY ASSOCIATION MINUTES

Board Meeting February 8, 2006

The February LMCA Board Meeting was called to order at 7:30 p.m. by Board President Lou Wagner at the home of Bruce Wood. Members present: Simon Bennett, Suzann Evinger, Dan Ferezan, Carole Trimble, Don Washington and Bruce Wood. Officers/Committee Members present: Marty McDonald and Adrian Polk. Other homeowners present: Lea Abrams, Chris Dale, Bill Evans and Tim Foster.

1. Minutes

Minutes of the January 11, 2006, meeting were approved unanimously on a motion by Simon Bennett that was seconded by Dan Ferezan.

2. Financial Report – See report filed with minutes.

Among the items reported by Treasurer Marty McDonald were the following.

- He met with the LMCA auditor on February 1 and gave him a letter of instruction with guidance for accounting for unrestricted reserves when he audits the books for 2005.
- The membership in the Community Association Institute is up for renewal. The annual fee of \$260 covers memberships for three representatives; Marty has listed Lou Wagner, Bruce Wood and himself as LMCA representatives. More memberships can be obtained for additional fees.
- Two more responses to the letter requesting homeowners who are renting their properties to provide copies of the rental agreements to the Board as required by the bylaws have been received. Both rental agreements include a paragraph requiring renters to abide by LMCA covenants. Only two responses are outstanding; one pertains to a property managed by a realtor who also is a property manager. The Board directed Marty to contact the manager to obtain a copy of the lease.
- A \$25 check received from a homeowner in exchange for tree trimming services rendered by Roger Casalengo caused an error in Marty's financial records because there was not a way to properly account for the funds.

Marty also recommended that the Board give him authority to sell all the reserve funds now invested in U.S. Treasury bonds through Vanguard funds and transfer the money into certificates of deposit. According to Marty, the Vanguard funds are declining in value even though the number of shares are increasing. The Board then discussed the merits of maintaining funds in liquid accounts, such as those provided by Vanguard, versus restricted investments such as CDs. Simon suggested that the Board might consider moving the funds into the Vanguard Prime Money Market, thereby retaining the flexibility of liquid investments while protecting the value of the investment. The Board asked Marty to explore more investment options and report back.

3. Property Manager Report

In Roger's absence, Lou reviewed the property manager's report that included the following items.

- Tyson's Tree has completed stump removal for all trees that were removed.
- VDOT removed a downed tree from Stevenson Avenue.
- A report on a meeting between homeowner Brenda Johnson and Pine Ridge Landscaping regarding the question of whether trees in Landmark Mews are at risk through over-mulching is pending.

At the conclusion of the property manager's report, homeowner Leah Abrams raised a complaint. She claimed that her back gate had been damaged by a Pine Ridge worker yielding a weed whacker. According to Leah, she is not able to open the gate because the wood is so damaged. She is asking that LMCA pay for repairing the damage to the gate or obtain Pine Ridge's agreement to pay for it. Lou said he would ask Roger to follow-up.

4. Covenants Committee Report

The Covenants Committee discussion was led by Don Washington's presentation of the Board committee report of its review of the special Covenants Committee Process Review Committee report. Don said the Board committee had met, reviewed the Process Review Committee's report line-by-line and distilled the recommendations into six key decision points, presented on a six-page presentation prepared by Dan Ferezan. (Please see presentation filed with the minutes.) Don summarized the decision points as follows.

- Clarifying the Covenants Committee role, as defined by the by-laws, as an administrator of the community's Architectural Guidelines versus the enforcement role reserved for the Board.
- Educating the community about the Covenants Committee role.
- Retaining a third party expert to advise the community about updating Architectural Guidelines and soliciting community input regarding those revisions.
- Separating maintenance issues from covenants compliance issues, particularly in regard to letters required for homeowner information packets provided to buyers.
- Creating Standard Operating Procedures for the Covenants Committee.
- Creating "snapshot" records of every property in Landmark Mews to establish a historical record about the physical changes to that property and the record of interaction with the Covenants Committee.

Don also said that the Board committee disagreed with a recommendation of the Process Review Committee that the Board consider compensating members of the Covenants Committee. He said that serving on the committee should remain a volunteer activity and that if circumstances reached a point where it was necessary to compensate committee members in order to enlist people to serve, then the Board should consider retaining a full-time property manager who could assume those responsibilities among others.

At the conclusion of Don's presentation, Tim Foster said he was representing the Process Review Committee because the committee chair, Paul Edgell, was unable to be present at the meeting. Tim indicated that there were areas of disagreement between the recommendations of

the Process Review Committee and the Board committee that needed to be resolved. Lou directed the two committees to get together, resolve differences and come back to the Board with a final report and recommendations.

Adrian Polk then asked for clarification regarding the difference between maintenance and covenants compliance issues. Dan explained that a dormer in bad condition is a maintenance issue; installation of a third window in the front of a house is covenants violation. Adrian quoted the section of the Architectural Standards that require all homeowners to maintain their property in good condition. Dan responded that the issue remained one of maintenance. Adrian asked if there ever would be a point at which a maintenance issue crossed the line to become a standards violation and Dan said that it was possible; this was an issue to be clarified in the Standard Operating Procedures.

The Board then discussed who would draft the Standard Operating Procedures. Simon suggested that past Covenants Committee chairs and members be recruited to undertake the task.

5. Engineering Reserve Study

Marty updated the Board on the status of the engineering reserve study. He said he had contacted the other companies that had submitted proposals, thanked them for their input and told them that the Board had selected FEA for the project.

He reported that he had discovered that FEA has 40 engineers on staff and has a federal government contract for conducting reserve studies at national parks. The visual inspection conducted by the FEA engineer was completed January 31, during which the engineer discovered an infrastructure item that had never been reviewed in previous studies – a wrought iron fence along the retaining wall between Landmark Mews and Overlook. According to Marty, the engineer will report that Landmark Mews' infrastructure is generally in good shape. In particular, the engineer believes that the asphalt should last another five years is another good coat of sealant is applied to the streets. The problem areas are the sidewalks and curbs and the street lights.

A draft report of the engineer's findings was due to be delivered in mid-February. Marty said he would distribute copies to all Board members.

He asked if the Board wanted to have the engineer present at the next Board meeting to respond to questions about the report, informing the Board that the cost of the engineer's time is \$125 per hour. Lou requested that Board members provide Marty with any questions they have in advance of the March meeting so that Marty could pass them to the engineer and she could come prepared to respond. That process, according to Lou, would make most efficient use of the engineer's time.

6. New Business

Lou reported that he had received a letter from Fairfax County about trees in the buffer zone between Landmark Mews and Overlook. The county recommended that the health of the trees be monitored periodically by an arborist.

7. Executive Session

The Board went into Executive Session at 9:10 p.m. and reconvened in open session at 9:40 p.m. Bruce moved that the Board accept the finding of an arborist retained by LMCA that a tree about which a homeowner had expressed concern was healthy and therefore should not be cut down, but that an exposed root of that tree be girdled. Simon seconded the motion. It was passed unanimously.

Dan moved to adjourn the meeting at 9:41 p.m. Simon seconded the motion and the Board voted to adjourn.

Respectfully submitted,

Carole Trimble
LMCA Secretary