

LANDMARK MEWS COMMUNITY ASSOCIATION MINUTES

Board Meeting April 12, 2006

The April LMCA Board Meeting was called to order at 7:30 p.m. by Board President Lou Wagner at his home. Members present: Simon Bennett, Suzann Evinger, Carole Trimble, Don Washington and Bruce Wood. Officers/Committee Members present: Roger Casalengo and Marty McDonald. Other homeowners present: Chris Dale, Christina Duffy, Bill Evans, Brenda Johnson, Karen Kovach and Robert Ridgely.

1. Property Manager Report

President Lou Wagner opened the meeting by asking Roger Casalengo to deliver the property manager report first because Roger had said he needed to leave the meeting early. The report focused on recommended maintenance and landscaping projects for this year. (*Please see report filed with the minutes.*)

Roger began with a discussion of an Integrated Plant Management proposal for Landmark Mews that would treat and try to save diseased and/or insect infested trees. Roger explained that oak, juniper, hawthorne and dogwood trees at Landmarks Mews are suffering from an infestation of wood boring insects. He believes that at least 15 trees are infested. He said that he had received bids for this project from three different companies; Pine Ridge estimated the cost at \$9,000 and the response from Tyson's Tree was that the company could not match the price of the lowest bidder – Care of Trees, a company recommended by Tim Foster – that submitted a proposal estimated at \$3,050. The proposal was for five visits for assessment and treatment at \$610 per visit. The Care of Trees' proposal does not guarantee that the trees can be saved, although the company believes that if treatment begins promptly, the chances are good that the trees can be saved, according to Roger.

Lou asked Roger to check with Overlook to see if trees at that community are being treated as well. He said that if the trees at that community are infested as well, the insects could spread back to trees Landmark Mews after treatment if the neighboring trees are not treated as well. He asked Roger to report on the matter at the May board meeting.

The discussion then moved to maintenance and replacement of trees along Stevenson Avenue. Roger estimated the cost of removal of 14 dead trees at \$100 plus a \$40 tip to AAA trash haulers to remove the trees. He estimated replacement costs at a \$45 wholesale versus \$60 retail price plus mulch at \$37 and delivery charges at \$65. The total cost of the project is estimated at \$872 with Roger planting the new trees. In comparison, Roger said the project would cost \$3,000 to \$4,000 if a landscape company was retained.

Roger recommended again planting arborvitae trees in the area because they are supposed to be the most drought resistant trees. However, because a number of trees died in 2005 because of drought conditions, Roger recommended that the LMCA irrigation system be extended by boring under Stevenson Avenue and installing three zones of bubblers to water 95 trees planted in that area. He estimated the total cost of the project at \$9,000.

Board members queried what had changed from the prior month's board meeting when Roger recommended deferral for one year of a decision on installing an irrigation system in that area. His recommendation followed discussion by the Board of a proposal presented by Tim and Anne Foster to purchase water meters from Fairfax County at a cost of \$6,000. Roger explained that what he had meant to recommend at the March meeting was that the board defer action on this proposal until he had an opportunity to collect more information.

The Board then engaged in an animated discussion about this proposal. Lou noted that even if the cost of Roger's irrigation proposal was amortized over 10 years, it would not pay for itself in that time. He also noted that Roger's proposal did not include ongoing maintenance and repair costs for the system. Don Washington asked whether it was legal to invest LMCA funds in an infrastructure project for land not owned by the community and whether there were any legal restrictions to installing privately owned infrastructure on public land. Carole Trimble asked a series of questions about other potential costs, regulatory requirements and legal liabilities that could be incurred in undertaking such a project. Bruce Wood pointed out that a previous Board had made the commitment to undertake responsibility for maintaining this area, that around \$40,000 already has been invested in planting trees along Stevenson Avenue, that having trees line that street adds to the ambience of Landmark Mews and that it is not fair to ask that the property manager always be available to water the trees by hand as he did last summer. Roger said that it takes eight hours for him to water the area and made the point that not all homeowners on the opposite side of the street would allow him to draw water from their outside faucets on a regular basis in order to irrigate the trees. He also wondered who would be responsible for watering the area if he were no longer around. Several Board members called attention to other landscaping projects within Landmark Mews proper that also need attention, including the area between Brampton Court and Overlook, the walkway from Landmark Mews Drive to Chaucer View Circle and the new walkway on Masefield Court.

Lou said that the issue was too controversial for a decision to be reached at this meeting. He asked Roger to investigate the projected maintenance and repair costs of the irrigation system he was proposing. Following a motion by Don that was seconded by Carole and passed unanimously, Lou directed Bruce to check with legal counsel as to whether it is legal to spend homeowner association funds for a project that would install infrastructure on land not owned by the association. He also said that the Board would need to look again at the previous proposal presented by the Fosters to pay for installation of Fairfax County water meters along Stevenson Avenue in reconsidering this issue.

Following this discussion, the Board reviewed Roger's recommendations for infrastructure projects based on the findings and recommendations of the recently completed reserve study.

For 2006, the study recommended resurfacing the footpath on the berm at an estimated cost of \$5,300 and replacing street signs at an estimated cost of \$1,000. Roger recommended that the footpath be replaced with something more permanent and that money not be spent to replace the street signs since this is an aesthetic issue only. Currently, there is a mix of blue and green street signs in the community because Fairfax County stopped replacing the original green ones with new blue ones when the county ran out of money for the project.

Discussion then focused on one particular recommendation in the reserve study for a project to be undertaken in 2007 – repair and replacement of 1,500 square feet of sidewalk at an estimated cost of \$11,250. Don mentioned that there is one especially bad trip hazard on Masefield Court and queried whether it was worthwhile to proceed with having portions of the sidewalks repaired this year. Lou directed Roger to walk the sidewalks of the community, identify trip hazards and obtain proposals for their repair. He said that safety hazards should not wait a year before being addressed.

Bruce asked if there was Board consensus to address repair and/or replacement of the berm footpath simultaneously with the sidewalks. After acknowledgement of the consensus, Lou directed Roger to have proposals ready for the next Board meeting, including the option of extending the footpath in new directions, especially down from Chaucer View Circle to the existing pathway.

On a list of other maintenance and repair projects that Roger presented to the Board, he said he would come back to the next meeting with projected costs. These projects include stripping and repainting wrought iron fencing on the retaining walls and repairing street light fixtures.

Board action on the maintenance, repair and landscaping projects proposed by Roger was as follows.

- Acceptance of a proposal from Care of Trees to treat scale and bore infestation of trees on common property at a total cost of \$3,050. Approved unanimously following a motion by Bruce with a second by Simon.
- Replacement of trees along Stevenson Avenue at an estimated cost of \$872 – Approved unanimously following a motion by Bruce with a second by Lou.
- Irrigation of Stevenson Avenue – Deferred pending presentation of more information.
- Replacement of plants on Manchester Way at an estimated cost of \$96 – Approved unanimously following a motion by Bruce with a second by Lou.
- Correct long-standing drainage problem behind 6309 Manchester Way at an estimated no-bid cost of \$3,740 – Approved unanimously following a motion by Bruce with a second by Simon. (The homeowner will be assuming responsibility for \$580 of the cost of the project with LMCA paying the balance of \$3,160.
- Conduct repairs to the Landmark Mews irrigation system (*Please see repair list filed with minutes.*) – Approved unanimously following a motion by Bruce with a second by Lou.

2. Minutes

Minutes of the March 8, 2006, meeting were approved unanimously on a motion by Bruce that was seconded by Simon Bennett.

3. Financial Report – See report filed with minutes.

Bruce moved to approve the financial report as presented. Don seconded the motion. It was passed unanimously. Treasurer Marty McDonald also distributed copies of the 2005 audit report to Board members. (*Please see report filed with the Treasurer's report.*) were the following.

Discussion then turned to the recently completed reserve study. The consensus of the Board was that FEA, the engineering firm retained to conduct the study, had done an excellent job. Lou said he intended to send a thank you letter to the representatives of the firm who prepared the report and attended the February Board meeting to answer questions from Board members. Carole offered to draft the letter. Marty said that he would update a briefing he had prepared about the study for posting on the web site. Lou praised Marty for the outstanding job he had done in identifying a firm to conduct the study and managing the project.

4. Covenants Committee Report

Lou announced that resolution in differences of the two reports produced by the specially appointed Board committee and the special Covenants Committee Process Review Committee was still pending. He said that he wants to get the members of the newly appointed Covenants Committee involved in the matter and that he, Bruce and Don would meet with the committee to brief the members on this project.

Lou also appointed a special committee to review the reserve study and determine whether there are infrastructure items in the community that are not currently included in the repair and maintenance schedule covered in report that should be. Committee members are Bruce, Roger, Marty and Robert Ridgely, a new member of the Covenants Committee.

5. Old Business

Lou reviewed the Zoning Committee report submitted by Annie Foster. (*See report filed with the minutes.*) He said that the Landmark Mall redevelopment remains on hold because of owner uncertainty about the project. Although reports have been received that the BJ club intends to resubmit an application to install gas pumps on its site, no application currently is pending, according to Lou. There was then some discussion as to where LMCA would and should oppose the installation of the pumps if the application is filed. Bruce said the association opposed the issue in the past because of increased traffic implications. Lou said the matter would have to be discussed prior to any future action regarding the matter.

Lou asked Carole to meet with Brenda Johnson to discuss record maintenance issues and proposals to revamp record keeping procedures on behalf of LMCA since Brenda is considering serving as secretary after Carole resigns.

Bruce made a motion to approve the reserve study report prepared by FEA. Simon seconded the motion. It was approved unanimously.

6. Homeowner Questions

When Lou asked if any homeowners present had any questions or comments, Chris Dale asked that at future meetings copies of documents to be discussed be provided to all people present, not just Board members. She made the point that at the February meeting when the reserve study was discussed, homeowners present had difficulty following the discussion because they had no copies of the report. Lou responded that it was sometimes difficult to make extra copies of

lengthy reports such as the reserve study, but that perhaps it would be possible to post such documents on the web site in advance of the meetings during which they would be discussed so that homeowners would have an opportunity to review the documents in advance and/or print their own copies.

Bill Evans announced a change in the Board meeting schedule for the year. The July meeting will be held at the home of Brenda Johnson, not his as previously planned.

Christina Duffy said that she had queried lawyers she knew regarding the Board's consideration of proposals to invest LMCA funds in infrastructure for land not owned by the community and received an opinion that such an expenditure could be considered a misuse of homeowner association funds. Lou responded that a case might be made that such an improvement was a necessity, but concurred that a formal legal review of the issue was necessary, particularly when large amounts of money are in question.

7. Executive Session

The Board went into Executive Session at 8:55 p.m. and reconvened in open session at 9:15 p.m.

Don moved to adjourn the meeting. Simon seconded the motion and the Board voted unanimously to adjourn.

Respectfully submitted,

Carole Trimble
LMCA Secretary