

## LANDMARK MEWS COMMUNITY ASSOCIATION MINUTES

Board Meeting April 14, 2010

The March LMCA board Meeting was held on Wednesday, April 14, at the home of Delia Riso, 6269 Chaucer View Circle. Members Present: Loren Sciorba (President), Delia Riso (Vice President), Linda Carter, Bill Gaffney, Joel Kaplan, Bill Menzies and Dan Aminoff. Also present were Marty McDonald (Treasurer), Roger Casalengo (Property Manager), and Heather McGhee (Secretary). Homeowners present: Simon Bennett, Bill Evans, Estella Laguna, Norman Taylor.

Loren convened the meeting at 7:00 p.m.

The minutes of the March 10, 2010 meeting were approved.

### **Financial Report**

Marty started by stating that the audit is now complete and successful. He reported that one suggested change by the auditor was to adjust certain expenses from last year that came out of the restricted funds and move them to the maintenance budget. On account of this change, \$1,200 will now be returned to the restricted budget and \$1,200 removed from maintenance. All in all, Marty stated that it was a good audit. Loren asked whether the budget should be adjusted since the snow removal costs exceeded the amount budgeted for this year. Marty said that money was available in other areas that would remain unused and that we could make adjustments later in the year. Bill M. pointed out that the mandatory supplies and services budget seemed high and Marty explained that was because of the once a year tax payment that he had recently made.

Marty said that over the past year he had been having several problems with the computer he uses for LMCA business. He suggested that since his hard drive and printer were already owned by LMCA, he suggested the association purchase a laptop that he could use solely for business associated with LMCA. Another benefit to the purchase of a laptop would be that it could easily be passed on to future Treasurers. Marty added that he had done some research and came up with a few options and prices for computers, the cheapest of which was \$749 and the most expensive being a Dell at \$1,000. The benefit of the Dell, he went on to say, is that it included Quick Books software which is what he uses to handle LMCA's finances. Joel stated that he liked the idea of a laptop being dedicated only to LMCA business. Bill M. asked why Quick Books couldn't just be transferred to the new computer and Marty answered that he no longer had the CD with the software on it. Delia, agreed with Bill M. about the benefit of having all files on one computer, but said that she was not a fan of Dell products. Estella suggested getting a larger portable hard drive because it would be much cheaper than purchasing an entire computer. Another option suggested by Estella is to have all LMCA documents downloaded to a website and stored there. Marty said that the cost of a website would probably be about \$50 a year. Dan suggested Marty do more research on all options and report back at the May meeting.

Marty questioned whether he should be licensed by the state Common Interest Community Board (CICB), as recommended by counsel at the December board meeting. In order to be licensed, he must first take a test. He stated that he had discussed it with the Executive Director of CAI and she said that because LMCA is a privately run association she didn't believe it was

necessary for either Marty or Roger to be certified. Joel said that if it is not required, then neither Roger nor Marty should take the test. Loren explained that according to LMCA's lawyers, Marty is required by Virginia law to be certified and being that CAI is not LMCA's attorney he would prefer to stick with the lawyers' suggestion. Loren continued to say that his fear would be that if a complaint brought to the CICB, and Marty isn't licensed, it could make things worse. Marty asked if the lawyers' opinion was given in the context of hiring professional management services to replace the existing community management. Loren responded by saying that the opinion on whether the Treasurer needed to be licensed was given in response to the question of whether Marty's compensation and duties meet the requirements of the new law. He continued to say that he personally wants both Roger and Marty to continue to serve in their positions, and fears that if there comes a time that they no longer serve in their capacities, LMCA would have no choice but to convert into a professionally managed association. Marty then brought up the fact that up until 2007, he had the title of operations treasurer and a board member served as Treasurer. Marty suggested that reversion to this arrangement might exempt the position from the licensing requirement. Loren said that if the Operations Treasurer was considered to be an employee, and the Treasurer was an uncompensated position, then licensing may be unnecessary, but he would not support such a move until it was reviewed by counsel. Joel then said a volunteer for the Treasurer position would need to be identified first in order for this to even be a possibility. Bill M. then suggested that attorney fees that would be incurred to get the opinion on this move would be more expensive than the fee for just having Marty take the licensing test. Simon agreed. Joel continued by stating that if Marty is willing to take the test he should do so because it is most definitely the cheapest option. Marty agreed to take the test, but not until after he's had his shoulder surgery.

*Bill Menzies moved for the Treasurer, Marty, to take the test and get licensed. Joel Kaplan seconded the motion. Approved 7-0.*

Marty continued the financial report and brought up the \$1,200 a year fee for LMCA to carry workers compensation and reported that the auditor said it wasn't necessary for the association to carry that insurance. The cost of the insurance had recently been increased, but he did not know why. Loren explained that the workers compensation was first instated to cover the off-duty police officers who patrolled the neighborhood, but that the Board kept the insurance afterwards to cover the possibility of a contractor who is injured and claims employee status. He noted that LMCA counsel noted this as a best practice at the December meeting, and that they said they were defending another HOA on that very issue. Dan asked that Marty look into the increase in LMCA's premium and report back at the next meeting.

### **Social Committee**

Estella Laguna reported the results of the yard sale survey. There were 18 responses in total, with only one opposed to the yard sale, two in favor of having it outside the Landmark Mews wall, and the rest in favor. Estella explained that based on the results of the survey, it seemed that having a yard sale inside LMCA is no longer an issue for residents. Linda disagreed and said that she interpreted the results the mean that those who didn't respond were in opposition to the yard sale. Bill M. said that he believed the results said that those who didn't respond simply didn't care enough either way. Roger explained that the opposition to a possible yard sale in the past has been overwhelming. Loren then said that it really didn't matter because he went through the

bylaws and resolutions and didn't see any rule against a resident holding a yard sale. He continued by stating that the only thing that needed to be decided was whether the Board would sanction the yard sale and allow the Social Committee to organize it, or to do nothing and let homeowners have the sale on their own if they so choose. Linda stated her concern about parking during the yard sale and Loren said that it would be up to the homeowners to manage the parking situation. Marty and Simon both suggested having the yard sale outside of the Landmark Mews walls and Estella said the point is to have it within the neighborhood. Estella continued by informing everyone that the proposed time for the yard sale is early fall, on a Saturday morning between the hours of 7:30 a.m. to 1:00 p.m. Loren asked if they can make sure to monitor the parking and Estella said it would be nice if there were volunteers to assist with the parking issues. Joel Kaplan and Norman Taylor volunteered.

*Delia Riso moved that the Social Committee's yard sale proposal be passed as is with no modifications. Bill Gaffney seconded the motion. Approved 4-3.*

Estella continued by saying that thanks to research done by Dan, cheaper prices have been discovered for the sign boards discussed at previous meetings. Delia brought up the fact that there is still nowhere to store the signs and being that there are no volunteers to do so, they have decided to wait on purchasing the signs until after there is a place to store them. Estella reported on upcoming events including the gathering on Stevenson Avenue for Rolling Thunder, and the June 27th Outdoor Living community tour. Estella finished the report by stating that the Social Committee considered the Board's suggestion that they hold a function for singles in the neighborhood, but decided against it because such an event would not involve the entire community.

### **Landscape Report**

Estella began by directing everyone towards the report compiled by the committee. Roger stated that he agreed with all of the recommendations and that in fact most are already in the process of being taken care of. Estella reported that in addition to the items on the report there is also the issue of large tree branches needing to be removed and Roger agreed and said that he would look into it.

Simon brought up the issue of extending the wall on the berm and stated that being it's such a large expense the board would need to vote on it. Roger explained that there are a couple options in regards to the wall with various prices. Loren brought up the fact that expanding the wall would also serve to secure Landmark Mews.

Loren asked Roger about the progress of installing grates over the storm drains and Roger explained that he is running into some issues with Fairfax Water Authority. Linda suggested talking to the Chesapeake Bay Watershed since the grates will also prevent brush and trash from flowing into the drains.

### **Property Report**

Roger Casalengo reported that the irrigation system was now on. He also said that he was still attempting to get a response from VDOT in regards to Stevenson Avenue. Loren asked that he continue his effort and eventually we should get an answer. Roger continued by stating that the

tree trimming project, where residents pay for the cutting back of trees in their yards, is underway. This project takes place every other year. Roger then asked whether he should move forward with the small landscape projects that were previously approved and Loren answered that if its already been voted on and approved then he should proceed. Roger continued and said that the new Thuja Green Giant trees are in place and that Alfredo has completed the electrical work. Roger also said that he will look into the price to power wash the walls, sidewalks and paint and power wash the fence. Linda also suggested that some brick walkways are in need of more sand and Roger agreed. Bill M. explained how he recently went on a walk around with Roger and learned a great deal more about the community and Roger's work as Property Manager.

### **Other Business**

Roger brought up the fact that several residents are curious as to what is going on with the maintenance required after the covenants inspections. Loren said he will check in with Richard Fiske and get an update. It was also decided the next board meeting will take place on May 19 as opposed to May 12.

### **Executive Session**

As policy is not discussed in executive session, Loren closed discussion and the Board entered executive session.

*Bill G. moved to enter executive session. Delia seconded the motion. Approved 7-0*

At the conclusion of the executive session, the Board reconvened in public session, as required by the Property Owner's Association Act.

There being no further business, Loren moved that the meeting be adjourned, it was seconded by Bill G. and the meeting was adjourned at 9:05 p.m.

The Board's next meeting will be Wednesday May 19, at Loren Scieurba's home, 6309 Manchester Way, beginning at 7:00 p.m.

Respectfully submitted,

Heather McGhee  
Secretary, LMCA