

# LANDMARK MEWS COMMUNITY ASSOCIATION MINUTES

Board Meeting May 8, 2006

The May LMCA Board Meeting was called to order at 7:30 p.m. by Board President Lou Wagner at the home of Simon Bennett. Members present: Simon Bennett, Suzann Evinger, Dan Ferezan, Carole Trimble, Don Washington and Bruce Wood. Officers/Committee Members present: Roger Casalengo and Marty McDonald. Other homeowners present: Nancy Bauer, Chris Dale, Cory Durant and Ann and Tim Foster.

## 1. Minutes

Minutes of the April 12, 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.

In response to a question by President Lou Wagner, Treasurer Marty McDonald explained that expenditures in Bucket #2 (Mandatory Supplies and Services) were at about 46 percent of budget for the year because of the reserve study. He said that the study had been budgeted to be paid for in July, but was completed and paid for earlier in the year. He anticipated that the budget for this expense bucket would be back on track by July.

Regarding financial investments, Marty said that the LMCA savings account would build up to about \$20,000 by July at the same time a \$20,000 certificate of deposit at Wachovia would be expiring. To reinvest the funds, he proposed purchasing a \$20,000 short-term certificate of deposit and another \$20,000 longer term (two to three years) certificate. He said he would make a recommendation at the June meeting of where the funds should be invested. For the year, Marty anticipated that total savings would amount to \$50,000.

Bruce Wood moved that the financial report be approved. Carole Trimble seconded the motion. It was passed unanimously.

## 3. Property Manager Report

Roger Casalengo began his report by telling the Board that homeowners adjacent to the Stevenson Avenue cul-de-sac are asking for replacement of five dead trees in that area. He said he would have a recommendation for action at the next Board meeting.

Roger then began a discussion of the problem posed by vandalism along Stevenson Avenue and possible actions that could be taken to alleviate the problem. He reported that he and Tim Foster had met with a representative of Fairfax County who visited Landmark Mews to assess the situation from a lighting perspective. According to Roger and Tim, the county has determined that the lighting along Stevenson Avenue is of very low wattage. The county now is exploring the possibility of investing up to \$2,000 in increasing the candlepower of lighting along the street. That would increase the illumination.

If the county is not able to follow through with the plan to increase the illumination along Stevenson Avenue, Tim and Roger are recommending that LMCA pay for installation of additional lighting along the street. According to Tim, a precedent for the action was set when the association paid for additional lighting to be installed at the Landmark Mews Drive cul-de-sac. He explained that the arrangement with Fairfax County is that if a private community pays for the installation of additional lighting on county-owned property, the county will then assume responsibility for paying the electric bill and maintaining the fixtures. Roger said he would apprise the Board when he received information from the county about whether a lighting upgrade was going to be undertaken.

Bruce suggested that the Board consider inviting someone from Fairfax County to a Board meeting to discuss security issues. He said that while improving the lighting situation was a good step, it was a passive solution to decreasing vandalism. He suggested that the community may need to request a more aggressive presence by Fairfax police. Lou said that the response from the police department in the past has been that this is a low crime area and therefore, not a top priority.

Roger reported that he had conducted a property tour with all the new members of the Covenants Committee. He said that the tour was a positive and helpful event for the committee members who are beginning spring inspections.

Regarding major infrastructure repairs, Roger said he had conducted a walk through of the community with contractor Bill Hines to mark all the potential trip hazards on community sidewalks. He said he had received two proposals for making the repairs and was awaiting a third. He anticipated that the cost of the repair was going to be about \$30,000. He told the Board that this repair project would be the initial phase of repairing and replacing community sidewalks. The second phase would be undertaken in two or three years.

Roger also presented a major infrastructure repair plan (*see plan filed with the minutes*) with a review of reserve funding expectations through 2011 and proposed projects to be undertaken annually. For 2006, in addition to the sidewalk repair project, Roger proposed street repairs to close cracks. He said Dominion Paving recommended that this work be undertaken, echoing an earlier recommendation by Bill Hines. Roger said that repairing alligator cracks in the streets now would be a safeguard against a future need to undertake extensive repairs that would require a four-inch mill-down of the pavement.

Dan Ferezan said that homeowners need to be updated on Board plans for major infrastructure repairs that are now anticipated to continue through 2011. He said that when dues were increased by \$25 per month, effective January 2004, homeowners were told the increase was adopted in order to fund a five-year infrastructure repair plan. He anticipated that some homeowners were expecting the dues increase to expire at the end of that time. Marty responded that there is no way that the dues are ever going to decrease. He said that by 2009, the additional \$25 per month is going to be needed to fund routine operational expenses. Lou asked Carole to check past records to determine whether the dues increase was adopted with a sunset expectation.

Roger said that when he received a third estimate for both the sidewalk repair project and the asphalt sealing, he would circulate the proposals for review. He anticipated that the asphalt sealing would cost about \$11,000. Simon asked if Roger could have the sidewalk repair project estimate expanded to include the cost of repair of another 46 blocks that have cracks to see if it is more cost effective to undertake those repairs while the trip hazards are resolved.

Dan asked whether the asphalt sealing could be undertaken as a regular maintenance item rather than as an expenditure from the major infrastructure repair fund. Lou said that it was very confusing trying to determine whether a maintenance item should be considered routine or covered through the special fund. He said the special committee he appointed at the April meeting that is chaired by Bruce would be attempting to sort out those questions.

Suzann Evinger asked whether the Covenants Committee will be examining driveways where the aprons have sunk and notifying homeowners that repairs will be needed. Roger responded that it is very difficult to determine the exact cause of a sunken driveway.

Lou asked Roger if he had solicited bids for replacing the asphalt walkway on the berm. Roger responded that he had not, that he would appreciate input from Board members as to with what the asphalt should be replaced. Tim suggested stamped concrete such as he had installed at his home. He said stamped concrete offered significant advantages over other materials because it is relatively maintenance free.

Lou initiated a conversation about the possibility of improving the land between Landmark Mews and Overlook along the backside of Brampton Court and Manchester Way. Board members and homeowners attending the meeting then engaged in an animated discussion of whether that land is a conservation zone, owned by Overlook or owned by LMCA homeowners. There was no clear resolution of the issue, although Roger pointed out that homeowners own the property to at least five feet out from their back fences. Roger said he would walk the area to see what could be done. He reminded the Board that Pulte had spent about \$50,000 in landscaping at least part of the area, but that many of the trees and other plantings had died from lack of water.

#### 4. Records Project

Lou next opened a discussion of the records project Carole undertook to streamline the Landmark Mews Book of Resolutions and Decisions, separating formal resolutions from routine Board Actions and creating separate lists of Board Actions organized by topic and by date. Lou said that a suggestion by Simon that the documents be reordered so that the most recent actions were at the beginning of the reports and the most dated at the end was probably not the best way to set up the documents. By adding new information at the end of reports, new pages can simply be added without requiring a reprint of the entire document, according to Lou.

Marty objected vehemently to the way the new documents had been crafted. He objected in particular to the fact that numbers for items in the Book of Resolutions had been eliminated. He proposed rejecting the new documents, returning to the prior method of tracking resolutions and decisions and adding updates to that record for 2005.

Lou asked the Board to compare the existing way of reporting resolutions and decisions with the new system Carole created to determine which method Board members preferred. He directed Marty to provide all Board members with a copy of the current homeowners' packet so they could see exactly how the Book of Resolutions and Decisions currently is presented. Lou asked Board members to be prepared to make a decision about the matter at the next Board meeting.

Dan moved that Carole be formally thanked for her work on the project. Bruce seconded the motion. It was passed unanimously.

## 5. Zoning Committee

Annie Foster distributed copies of a Zoning Committee report (*see report filed with the minutes*) that included background information on prior activity by LMCA regarding proposals by BJs to install gas pumps. She requested permission from the Board to accept an invitation from the Cameron Station homeowners' association to attend a special meeting scheduled to discuss an air quality issue about which that community is concerned. Apparently, an asphalt production facility near Cameron Station is causing concern among homeowners. The Board concurred that Annie accept the invitation for the purpose of learning more about the issue.

Regarding the discussion at the March meeting as to whether Overlook plans to treat trees in the conservation border area between the two communities for insect infestation, Annie suggested that Overlook not be contacted. She said it is unclear whether Overlook is aware that the community owns that area and it might be better not to raise the issue. Roger said that Care for Trees, the company treating LMCA trees, did not know whether the insects could travel from tree to tree. Additionally, he said that the LMCA trees being treated are not located near border areas with Overlook.

## 6. Parking Enforcement

Lou launched a discussion about parking enforcement within Landmark Mews by telling the Board that he had received complaints about inequitable enforcement of parking rules and that he believed those complaints to be valid. He said that parking enforcement must be equitable throughout the community with all cars tagged with parking violation notices unless there is a card in the window explaining why the car is parked in a visitors' parking area. Lou also said that a record of cars tagged should be kept so that punitive action, such as towing, could be taken after a set number of violations.

Cars parked along streets in fire lanes also should be tagged, Lou said. Bruce responded that parking in fire lines is a different problem. He said that a rule of four violations in a visitors' parking lot triggered towing, but that it was the responsibility of the homeowner to prevent cars from being parked along fire lanes. He suggested that homeowners be ticketed for fire lane parking violations.

Simon suggested that the Board be provided with a list of parking violations every month so that accurate records are maintained and appropriate action could be taken with persistent violators. Don Washington asked why there even were limits on the times when homeowners could park in

visitors' lots. Annie responded that the rules were adopted because homeowners were consistently parking in the lots, leaving little available space for guests of homeowners who were hosting parties.

Roger said that he thought the issue was being better managed than the discussion indicated. He said he had not had a car towed since 1992. He added that he never would have a resident's vehicle towed, that he preferred to resolve the problem in cooperation with the homeowner. He explained that he thought the current issue was the result of a new volunteer assuming parking monitoring responsibilities for the Bedlington Terrace visitors' lot. He assured the Board that he was working with the volunteer to ensure equitability in enforcement.

Lou directed that reminder notices about parking rules be posted on the web site and in the *Mews News*.

Simon suggested again that the Board consider adopting a monthly spreadsheet report that would track parking violations. Lou agreed that the report would provide a reliable record of action. Roger said he would refuse to complete the report because violation problems do not exist with the Manchester Way lot. Board members disagreed.

Returning to consideration of cars parked along fire lines, Roger pointed out that Fairfax police will ticket the cars if a report is received. Bruce said enforcement of that law is uneven. Annie pointed out that uneven enforcement might be the result of homeowners being reluctant to call in violators because police officers provide the violators with the name of the person who reported the offense.

Lou asked that Board members provide him about persistent violators of the parking rules. He said he would send them letters asking for compliance. Annie noted that the letter-writing technique achieved good results when Paul Edgel employed during his tenure as LMCA president.

Dan asked whether assessing fines for violations might work well as a deterrent. Lou was adamantly opposed to that proposal. Bruce said that he did not think the problem would be resolved until the Board adopted a financial deterrent such as a fine.

## 7. Architectural Standards

Lou reported that the Covenants Committee was working to resolve differences of the two reports produced by the specially appointed Board committee and the special Covenants Committee Process Review Committee. He also said the committee had determined that all home inspections would be conducted by two members working together as a way to achieve balance and improved consistency in inspection findings.

Homeowner Nancy Bauer asked if the Covenants Committee had the right to enter a homeowner's property as part of an inspection. Bruce said that the LMCA governing documents grant the Board the right to enter private property in order to enforce the covenants; the challenge is in determining when acting upon that right is appropriate. Annie said it was appropriate in

cases such as homeowners maintaining bird feeders or storing garbage on patios. Roger added that reports of standing water and rat sightings also merited private property inspections.

Lou cited the case of the Board taking action when a homeowner neglected to complete repairs to the rear of his home after years of warnings from the Covenants Committee and the Board. Marty suggested that the Board add a surcharge to the bill for the repairs to that property to cover the time incurred by the property manager to resolve the situation. Bruce said that discussion should be reserved for the Executive Session.

Lou directed that notices be published on the web site and in the Mews News to alert homeowners that spring inspections were beginning.

#### 8. Other Business

Carole asked about the status of Roger's proposal to extend the LMCA irrigation system to provide water for the strip of land on the other side of Stevenson Avenue at a total estimated cost of \$9,000. Lou said that further discussion of that proposal was being postponed pending the receipt of additional information.

#### 9. Executive Session

The Board went into Executive Session at 9:40 p.m. and reconvened in open session at 9:55 p.m. Simon moved to adjourn the meeting; Don seconded the motion and the Board voted unanimously to adjourn.

Respectfully submitted,

Carole Trimble  
LMCA Secretary