

LANDMARK MEWS COMMUNITY ASSOCIATION MINUTES

Board Meeting November 9, 2005

The November 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: Virginia Addison, Simon Bennett, Suzann Evinger, Eve Holtzman and Bruce Wood. Officers/Committee Members present: Roger Casalengo, Dennis Flynn, Estella Laguna, Marty McDonald and Carole Trimble. Other homeowners present: Chris Dale and Bill Evans.

1. Minutes

Minutes of the October 13, 2005, meeting were approved unanimously on a motion by Virginia Addison that was seconded by Eve Holtzman. Minutes of the October 20, 2005, annual LMCA meeting were approved unanimously on a motion by Simon Bennett that was seconded by Bruce Wood.

2. Financial Report – See report filed with minutes.

Treasurer Marty McDonald projected that LMCA would end the year with a greater positive cash balance than previously anticipated. He attributed this development to the \$4,450 landscaping settlement received from Pulte and \$3,000 in unanticipated interest income. He predicted that the Board would be able to add \$20,000 to operating reserves at the end of the year.

Board members then discussed how to account for the expense of the wall repair. Marty said he would add a specific expense line for that project. Lou said that when the bill was paid, the cost should be deducted from “Bucket # 4,” a budget category covering major infrastructure repairs, reducing the funds accumulated in that special account by approximately \$46,000.

Board members accepted the financial report as presented.

3. Property Manager Report

Items addressed by Roger Casalengo during his property manager’s report included the following.

- Expiration of the contract with Pine Ridge landscaping in 2006.
- Holiday tips for AAA trash collectors. The Board concurred that the best way to manage this issue is to post notices on the web site and in the Mews News for how homeowners could present cash gifts and leave the matter to individual discretion.
- Shut down of the irrigation system with Fountainhead still responsible for blowing out the lines before the first frost of the season.
- Status of the wall repair project. Roger reported that he had walked the exterior wall and identified about five places that needed further work. He said the contractor had told him just to let the company know what remained to be done and workers would be sent to resolving remaining issues. Roger recommended that the Board authorize the treasurer to pay the

contractor's invoice without waiting for the repairs to be completed. After some discussion about whether it would be better to withhold at least a part of the payment until all the work was completed, the Board concurred that the contractor had a sterling reputation and most likely could be trusted to complete the remaining work regardless of the payment status. The Board then voted unanimously to authorize the treasurer to pay the invoice in full after a motion by Bruce that was seconded by Virginia.

4. Covenants Committee

Lou announced that there would be a short Executive Session of the Board at the conclusion of the regular meeting to discuss covenants issues involving two specific homeowners. He also said that the new volunteers to serve on the Covenants Committee were needed. He said that the two remaining members of the committee had agreed to continue serving until March if necessary, but did not want to be responsible for conducting the spring inspections.

Roger told the Board about an issue with one property along Stevenson Avenue where trees are pushing against the exterior wall and an area surrounding two large transformers was seriously overgrown. He said the matters had been discussed with the homeowner, but no action had been taken and it was not clear whether the area in question was part of the community's or the homeowner's property. The Board directed Roger to find the plat for the area and resolve the ownership issue. If the area is part of the homeowner's property, Bruce pointed out that the Board has the authority to order the trees removed and then bill the homeowner if the homeowner does not take action to resolve the problem. Lou said that the homeowner should be notified by letter that the trees must be removed and that, if that action was not taken, the Board was prepared to have the trees removed and bill the homeowner for the service. Roger said he had an estimate from Tyson's tree service of \$400 to remove the trees.

Roger said he currently was touring the property with Tyson's to get tree trimming estimates for all trees, both those owned by LMCA and by individual homeowners. The Board asked Roger to have the rates posted on the web site and in the Mews News so that individual homeowners could decide if they wanted to avail themselves of this service.

5. Election Procedures

Lou summarized the main provisions of a resolution drafted by Bruce to standardize LMCA election procedures starting in 2006. The resolution outlines a procedure for ensuring secret ballots, a process for tabulating the ballots and an appeals process in case of a disputed election. (See resolution filed with the minutes.) Bruce moved to pass the resolution; Simon and Suzann Evinger seconded the motion that was then passed unanimously. Simon thanked Bruce for his great work in drafting the resolution. Lou echoed that praise.

6. Election Results

Lou opened a discussion about whether the numerical results of the 2005 election for Board members should be announced. He said there were two different views in the community

regarding this issue and that, with the exception of the 2004 election, the numerical results historically had not been released.

Dennis Flynn, chairman of the 2005 Election Committee, said that the issue was not so much releasing the numerical results as not having told Board candidates in advance that those results would be announced. He said that such an announcement represented a major change from past practice and that candidates should have been warned in advance that the results would be announced. He explained that the concern over releasing the numerical results centered around an incident involving a prior Board candidate from several years ago who was upset about who in the community had access to information about the election.

Carole Trimble, a Board candidate, said she had fully expected the results to be released since they had been the prior year. Bruce said he had asked one other candidate if there was a concern over releasing numerical results and the response was negative. Simon noted that homeowners in Landmark Mews live in a democracy and expect all results to be revealed in a general election.

Bruce said that the role of the Election Committee chair is to protect the election process, not the candidates. He added that it is a basic part of the democratic process to reveal numerical results and that one purpose of the elections resolution just adopted by the Board was to ensure transparency of LMCA elections. He said that anyone who stepped forward as a candidate for the Board should assume that the results would be released.

Virginia suggested, that for politeness sake, the two Board candidates whose views were unknown on this issue be contacted to alert them that the numerical results of the election were going to be released to the community. Dennis said that someone from the Board should assume that responsibility. Virginia agreed to undertake that task.

Simon moved that 2005 candidates for Board membership be officially notified that numerical results of the election were going to be released and that those results be posted on the web site and in the Mews News. Suzann seconded the motion. It was passed unanimously.

7. Mulching Issue

Lou referenced documentation sent prior to the meeting to Board members concerning an issue raised by a homeowner about possible over-mulching of trees in the community. (See correspondence filed with the minutes.) He explained that homeowner Brenda Johnson believes that Pine Ridge is mulching incorrectly around trees, creating a situation that risks the health of trees in the community. According to Lou, Pine Ridge disputes that assumption and has agreed to meet with Brenda and inspect the specific trees about which she has concerns. Lou appointed Simon to accompany that tour of inspection. In response to a question from Bruce, Roger said there had been no unusual deaths of trees in the community in recent years. He also said that this is the third time Pine Ridge has been consulted on this issue in response to concerns raised by Brenda.

8. Engineering Study

The Board then discussed the best process for selecting a firm to conduct an assessment of LMCA infrastructure maintenance and repair needs to determine whether reserves are adequate to meet those needs. Virginia law requires that such a study be conducted every five years. LMCA is due for an updated study in 2006. Consideration was given to whether the best procedure would be to distribute a request for proposals (RFP) defining LMCA needs and expectations for the study or simply to respond to a questionnaire provided by solicited firms.

Simon explained that, after listening to the concerns of some Board members that a RFP might be too restrictive in defining the scope of work of such a study, he recast the document as “guidelines” for firms to be considered in preparing bids. He added that the new version of the guideline incorporated changes suggested by Dan Ferezan. He said the guidelines were based on the findings of the two previous engineering studies conducted at Landmark Mews and information obtained from GAPP. (See guidelines filed with the minutes.)

Marty said that he had contacted the five firms located the closest to Landmark Mews and that each of these companies preferred that LMCA respond to a questionnaire about the community’s infrastructure that the companies would provide rather than have the community issue a RFP. He said that issuing a RFP would lead to increased costs for conducting the study. Additionally, he said that the Community Association Institute (CAI) recommended that associations respond to questionnaires rather than issue RFPs when seeking bids for engineering studies.

Lou suggested that LMCA follow the CAI recommendation, but then compare the questionnaires received with the guidelines developed by Simon to ensure that all LMCA needs were covered. Bruce concurred with that recommended approach.

Simon maintained that issuing a RFP might reduce the cost of the study. He said he had reviewed the questionnaires obtained by Marty and that they included items that LMCA did not need. Marty responded that all of the firms he had contacted would work with LMCA to resolve issues like that. He added that one contractor had requested copies of the prior studies to use as a base point in crafting the 2006 analysis.

Marty requested that the Board assign responsibility to him for approaching contractors about conducting the 2006 study and that no committee be established to manage the process.

Bruce moved that Marty be authorized to contact engineering firms to solicit proposal questionnaires and project bids. Lou seconded the motion. It was passed unanimously.

9. Election of Officers

As required by LMCA bylaws, the Board acted to elect officers for 2006 – President, Vice President, Secretary and Treasurer.

Eve nominated Lou to serve as President. Bruce seconded the motion. Lou was elected unanimously.

Virginia nominated Bruce to serve as Vice President. Lou seconded the motion. Bruce was elected unanimously.

Bruce nominated Carole to serve as Secretary. Lou seconded the motion. Carole was elected unanimously.

Bruce nominated Marty to serve as Treasurer. Lou seconded the motion. Marty was elected unanimously.

10. New Business

Lou said that the Board members due to take office in January will be invited to participate in the December meeting. He also announced that he intends to distribute a sign-up sheet at that meeting asking for volunteers to host Board meetings. The December meeting will be held at the home of Bruce Wood and Estella Laguna.

Roger raised the issue of the Welcome Committee, noting that Noreen Kompanik had resigned from the committee and leaving Estella as the only committee member. Eve volunteered to serve on that committee. Carole said that Marilyn Nowak also was willing to be a committee member. Roger also offered to help with welcomes to new homeowners. Lou said that Estella already had enough community volunteer work to do with the web site and should not be serving on the Welcome Committee as well. He appointed Eve and Marilyn to be committee members. Marty is to notify Eve as soon as possible when new homeowners arrive. Estella said she had crafted a standard letter of welcome for new homeowners and generally added a gift of an adult beverage to a welcome bag.

11. Executive Session

The Board moved into Executive Session at approximately 9:00 p.m. and reconvened in open session at approximately 9:05 p.m.

Virginia moved to adjourn the meeting at approximately 9:06 p.m. Bruce seconded the motion.

Respectfully submitted,

Carole Trimble
LMCA Secretary