

**LAFAYETTE VILLAGE COMMUNITY ASSOCIATION  
BOARD OF DIRECTORS MEETING**

**Monday, September 14, 2009  
Mason District Government Center  
6507 Columbia Pike  
Annandale, Virginia 22042**

**7:00 p.m.**

**BOARD MEMBERS PRESENT:**

Joaquin Tremols	President
Jay Jarvis	Secretary
Michele Krahn	Member at Large
Sean Walsh	Treasurer

**BOARD MEMBER ABSENT:**

Kathie French	Vice President
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**OTHERS PRESENT:**

Mike Feuti	Recording Secretary, Minute-By-Minute
Andrea Guthridge	Property Manager, KPA

**I. CALL TO ORDER:**

Mr. Tremols called the meeting to order at 7:03 p.m.

**II. CITIZEN COMMENTS AND FEEDBACK:**

A citizen complained the agenda did not provide enough information as to what is taking place. He stated the community does not know what is going on at meetings and questioned the accuracy of the minutes. Mr. Tremols stated the agenda is posted to the web in advance and the minutes reflect the meetings accurately. Posting of the minutes lags because of the time it takes to approve minutes

Mr. Jarvis suggested adding action items to the agenda to which Mr. Tremols agreed.

A citizen questioned if the Board keeps track of violations and foreclosures. Mr. Tremols stated the Board does not always know of foreclosures ahead of time. Obvious foreclosures are noticed but it is impossible for the Board to be aware of all of them. Mr. Tremols stated that 21 homes in the community were sold last year of which 16 were foreclosures. The Association does not always know when a foreclosure occurs as it is a personal matter between the mortgage company and the homeowner/borrower.

Mr. Jarvis spoke of the same problem with ACC violations. If a house is empty they often cannot enforce violations. Mr. Walsh stated liens have been applied where possible. Banks will not take action on ACC violations. While the homes are in a state of foreclosure, the only way to address ACC violations is to spend the Association's money.

A resident asked if there was a list of violations and was told there is.

A resident stated that they have been working on a long-term effort with Delegate Watts to see if amendments to Virginia law are possible so Associations do not lose all money that is owed to them when there is a foreclosure and ACC violations have not been corrected or paid for. The Association has to pay for services such as grounds maintenance, trash removal, etc. When homeowners who cannot pay their mortgage do not pay their Association dues either, the Association has to bear the cost. Over that past 2 years LVCA has had to increase the amount not expected to be collected because of homes in foreclosure status.

There was a general discussion on how foreclosures work, including who owns the note and who actually owns the property.

A resident stated that regarding the work done on the streets, such as Yorktown Village Pass, areas that should have been patched were not. He does not believe the scheduled work will be good enough to last until the roads are rebuilt. He suggested the Board look into whether or not this use of funds is appropriate. Mr. Tremols stated that the citizen's complaint had been taken up with the contractor who said the additional areas were beyond the scope of work originally agreed upon. The contractor looked at pictures taken by a resident. Mr. Jarvis and Mr. Tremols said they would wait until the work is completed and then evaluate the situation, but that the contractor seemed to be doing the work that had been agreed upon... Mr. Walsh stated that the work that was done was necessary, as recommended by the Grounds Committee and approved by the Board. He is not convinced that patching and seal coating is not a good expenditure. One suggestion was to let the roads go and only patch the most egregious problems. Other residents had opposing views. Mr. Tremols stated that a one-year only warranty had been obtained on the current contractor's work, and other contractors who bid on the job had not offered any warranty at all.. Mr. Walsh stated that insurance may not pay if something happens and the streets were not maintained.

Ms. Krahn stated that the original engineering survey estimated that if no patch work was done prior to 2012 that repairs could cost as much as \$400,000.

The resident stated he will pursue the issue with the Grounds Committee.

An email from a homeowner was read about a fallen tree that has not been taken care of behind Mt. Airie.

Another email was read from a homeowner who had been reading minutes posted on the HOA website. He felt a resolution approved one month conflicted with a motion passed the

following month. He also requested the posted agenda include more details of what is expected to be.

Mr. Tremols requested information from the webmaster on the Association's web page visits and other reports from web traffic to help clarify interest in reading posted minutes and agendas.

### **III. APPROVAL OF MINUTES:**

**MOTION: Mr. Jarvis moved, Ms Krahn seconded, to accept the August 10, 2009 Board meeting minutes as amended. The motion passed unanimously (4-0-0).**

### **IV. MANAGEMENT COMPANY REPORT (KPA, Inc):**

Ms. Guthridge reviewed the Management Report as included in the Board packet.

VDOT hot lanes fall under eminent domain. The Association was offered \$23,000 for the land that will be taken. Legal Counsel will see if it is possible to get more but 1/3 of any additional money will go to Legal Counsel so it may not be worth it.

Mr. Jarvis said Penny' Gross's office claimed to have sent information concerning restricted parking along Lafayette Village Drive to Mr. Tremols but Mr. Tremols indicated that he never received it and wants to know what the next steps are. The appropriate recipient of such a package is the management company who should then bring the information to the Board. Mr. Tremols would like a copy of the package and Ms. Guthridge said she will provide it. This will be discussed with the person responsible on the Neighborhood Watch Committee.

Mr. Tremols would like the ACC annual inspections to be included in the Board packet. The September Board package only included violations occurring after the March annual inspections. This information has been requested several times, and both the ACC and the Board are disappointed that the management company has failed to provide it.

Ms. Guthridge stated that a resident wants more informative information on phone and email logs of citizen contact with the Management Company included in the Board packet. Ms. Guthridge will address this with the necessary people. The regular KPA representative, Diane Tschirhart, does not seem to be providing needed information. Ms. Guthridge indicated that she will be able to provide it.

**MOTION: Mr. Jarvis moved, Ms. Krahn seconded, to add Mary Coyle as a member to the ACC Committee. The motion passed unanimously (4-0-0).**

Mr. Tremols appointed Ms. Coyle as Chair of the ACC Committee.

Ms. Coyle discussed the ACC role in drafting rules concerning the exterior appearance of any residents in the community. It was explained that the ACC creates drafts and the Board has final approval.

7867 Trammell Court: When the tenants moved out of this property, they created a violation by spilling white paint on their sidewalk and Association sidewalk. Cinderblocks were left stacked on stairs as well and need to be remedied by owner. The management company agreed to send violation letters to the owner.

7804 Birds Nest Pass: the homeowner requested the Board grandfather in their shed (request can be found in packet). The request will be referred to the ACC Committee to make a recommendation to the Board.

7804 Ashley Glenn Road: The homeowner would like the Board to wave violation assessments. The matter will be taken up in Executive Session.

## **V. COMMITTEE REPORTS:**

ACC Committee: Most matters were covered in the Management Report. The violations spreadsheet and homeowner inquiry logs were reviewed. Phone and email logs were received and included in the Board Packet. The phone log was cut off when printed and needs to be sent electronically. The formatting of the phone log needs to be better. The electronic file will be sent to the new ACC Chair.

Grounds Committee: Mr. Jarvis provided photos for review.

The soil samples have been analyzed by Virginia Tech. The new analysis of soil indicates different types of soil. The garden area is being sampled for next year.

On September 8, 2009 a Dominion Virginia Power truck cleared a large area under the power lines. The Committee would like to pursue additional clearing by Dominion. They would also like new rules on what has to be trimmed on the sidewalk area.

A tree survey was done by Bladerunners for removal and replacement.

Butterfield and Birds Nest Pass have large erosion problems.

Homeowners are responsible for trimming trees. Bladerunners will trim over sidewalks. Additional clearing to base of trees requires that the homeowner be informed of the violation.

Planting additional trees along the Beltway was briefly discussed. It will cost \$5 million to plant all necessary new trees. There is grant money available for projects like this and it will be looked into.

Mr. Jarvis headed a brief discussion regarding renting parking spaces on common grounds. Vacant or delinquent homes should have spaces rented. Parking spaces are owned by the Association. It was asked how the towing company would know when a delinquent home is sold and spaces go to the new owner so the new owner would not be towed. The Board discussed pricing and length of the towing contract.

Administration of the program would probably end up costing more than revenue generated. Information will be included in the November newsletter. It was decided that if more than one person expressed interest in the same parking spot a lottery system would be used.

**MOTION: Mr. Jarvis moved, Mr. Walsh seconded, to approve a trial period for the rental of parking spaces affiliated with homes that have been vacant for over one (1) year to homeowners at a cost of \$35.00 per month. The motion passed (2-1-1).**

An idea to rent the land under the power lines on Association property to a nursery was discussed. Ms. Guthridge was asked to look into the legalities of this beginning with the easement. Mr. Walsh expressed concerns over tax issues because of the non profit status.

Bladerunners' contact is up this year. New contracts and proposals need to be reviewed and a recommendation will be made at the next meeting. The grounds maintenance budget will be presented to the Finance Committee at the next meeting.

It was clarified that mailboxes and lighting issues need to be addressed by the Grounds Committee even though they originally were with the ACC Committee.

A resident asked about trees with ribbons. They were informed that those trees are part of a proposal for trees to be removed.

Finance Committee: The Finance Committee will meet on September 24<sup>th</sup> at a location to be determined. A draft of the upcoming budget and quarterly assessments will be discussed. Mr. Jarvis inquired about the Finance Committee's satisfaction with information from Management. Mr. Walsh indicated that the information has been inadequate and there are still problems. He stated that he does not like KPA's overall handling of Association money.

Ms. Guthridge updated the Board on the Association's Wachovia account. The account is open. Mr. Jarvis stated that he is very disappointed that it took the Management Company 22 months to get the account open but ultimately the account is open.

Nominating Committee: Mr. Walsh said he would be sending feelers out for seats on the Board.

Neighborhood Watch Committee: The Neighborhood Watch Committee has been discussing video surveillance options but has not come to any conclusions. They will continue to discuss it at their next meeting.

Communications Committee: The next newsletter will be distributed on the first Saturday in October. Information is still needed from the Finance Committee on the budget and on the current state of finances for the Association for publication in the newsletter and possibly a lead article. The Annual Meeting will be held on October 19, 2009. The Committee is still working on selecting speakers. A citizen requested that previous Annual

Meeting minutes be posted on the website. The October Board meeting will be separate from the Annual Meeting and brief, following on the end of the Annual Meeting.

Mr. Tremols asked the Communications Committee Chair, Carl Iddings, about his progress in contacting local politicians to speak at the Annual Meeting in October. Mr. Iddings replied that he was fairly certain Del. Watts could attend, but he was still waiting for responses from other politicians. Mr. Tremols asked Mr. Iddings to file his final report on the topic soon so that the information could be included in the Annual Meeting Agenda before it was mailed out, if possible..

Pool and Recreation Committee: The pool will be closed on Labor Day next year. The Committee received no homeowner email or phone complaints about lifeguards, dirty pool, restrooms, rowdy teens, etc. There was a small issue with pool passes but it was easily resolved. The Chair for the Committee gave the Board the receipts for making pool passes that totaled about \$50. There will only be the standard annual contract and maintenance for budgeting purposes. The Chair does not want to receive the Board package in its entirety as it is expensive and she only needs the information on the pool.

A resident stated that pool passes were not checked toward end of year.

**VI. OLD BUSINESS:**

**VII. NEW BUSINESS:**

Ms. Guthridge is setting the schedule for new meetings.

**VIII. ACTION ITEM REVIEW:** Ms. Guthridge reviewed the action items:

- 1) Action items will be included in the Board agenda under Old Business
- 2) Ms. Guthridge will draft a follow up letter on foreclosure relief.
- 3) The fallen trees behind Mt. Airy need to be removed.
- 4) Track down the parking information package sent to Mr. Jarvis with forms and a map that was never received and make sure the Management Company knows which part of the community property is affected by HOT lanes.
- 5) The annual inspection will be included along with ACC violations in the ACC report with improved phone and email logs along with a "remarks and comments" section.
- 6) Report to Management Company that Mary Coyle was voted in as Chair of the ACC Committee
- 7) 7687 Trammell Court paint and cinderblocks violation will be addressed.

- 8) 7804 Birds Nest Pass shed to be grandfathered in even though it is higher than the fence. The ACC will review to see if it is a violation and if so, management will let the homeowner know the violation must be corrected.
- 9) Look into legalities surrounding renting areas under power lines.
- 10) Trial period for renting parking spaces.
- 11) Update on the status of two homes on pipe stem.
- 12) Look for past Annual Meeting minutes and make a meeting notice this week for the 2009 Annual Meeting.
- 13) Discontinue providing Board package to Pool Committee Chair.

**IX. EXECUTIVE SESSION:**

**MOTION: Mr. Jarvis moved, Ms. Krahn seconded, that the Board move into Executive Session. The motion passed unanimously (4-0-0).**

**X. ADJOURNMENT:**

**MOTION: Mr. Jarvis moved, Ms. Krahn seconded, to come out of Executive Session and rise and report that Management Company reported two home owners met with the Board requesting assistance. One was referred to the Association attorney. The other's appeal on her front yard improvement is allowed to go beyond November as approved by the ACC. The Board approved an extension until the end of May. The Board directed management company to notify HOA attorney to only file court leans once each year on a property that is over a year in arrears. On an appeal by letter to waive fees for ACC violations, the Board denied the appeal. The Management Company was asked to review 30 Day aging + as the numbers seem to be much higher than previous months.  
The motion passed unanimously (4-0-0).**

**MOTION: Mr. Jarvis moved, Ms. Krahn seconded to adjourn the regular session of the Board meeting at 10:05 p.m.**

Respectfully Submitted,

E.J.Jarvis II  
Secretary