

Westmoreland Owners' Association
Board Meeting
MINUTES
February 12, 2015

Present: Marlene Armstrong, Will Ouzts, Mary Jane Robertson, Wayne Vick (by telephone), Audrey Word, Pierre Forget for Berkeley Realty

Meeting was called to order at 7:05 p.m.

Secretary's Report-Marlene Armstrong

- Agenda
There was discussion about the Agenda format proposed by Wayne. Wayne noted a suggestion made by Marlene via email (to ensure item for discussion of A/R from Homeowners) and Pierre suggested addition of a Homeowner's Forum item.
- Approval of Minutes of November 3, 2014
Marlene reported that though she had sent the minutes to previous board members for approval, she had not heard back, aside from a small correction suggested by Heidi Anderson, which was made. Pierre (who was present at the meeting) indicated he thought they were accurate.

Motion by Wayne to approve the minutes. Audrey 2nded. APPROVED.

Treasurer's Report – Will Ouzts

Will indicated that he and Wayne had not yet had the opportunity to meet with previous Treasurer Brian Hiestand to get up to speed.

Pierre Forget presented the Manager's Report, Balance Sheet as of 01/31/2015 and Income & Expense Statement for January 2015. He indicated that Finances were on track for the year, with very few receivables. Not all the Homeowner fees are in, but that is not unusual; it usually takes until February to receive them all. One homeowner is past due on fees and will be discussed later in Executive Session.

President's Report – Wayne Vick

- Complaints/Issues
 - Pennington Parking Issue
Wayne re-opened the discussion of whether parking violations in Section 3 were enforceable by the HOA. (RECAP: Pursuant to Russ Hill's comment at the Annual Meeting that he understood (from our attorney) that parking violations were unenforceable by the HOA once the roads were under VDOT control, Marlene asked whether it was prudent/acceptable for the Board to treat homeowners in the different sections (VDOT road/non-VDOT road) differently.)

Since then, Board members have shared some legal opinions/information from the Internet on this very issue ("Are parking regulations enforceable by HOAs?")

Marlene indicated that from her reading of the information, it seems to be a contract law and not municipal/state law issue. Homeowners agree to be bound by the rules of the HOA when they purchase property. Therefore the rules are enforceable anywhere in the neighborhood...VDOT oversight of the road is a “red herring”. Pierre Forget agreed.

It was decided to continue to enforce the rules as done in the past.

That being decided, the Board discussed how to proceed with the homeowner whose trailer parked on the cul-de-sac is a violation. (Pierre provided history: a hearing had been called but postponed by the owner of the trailer, and further postponed by the Board considering the above question.)

It was decided to re-schedule the hearing: the date was set for March 2 at 7 p.m.

There is some question as to whether it is actually *the homeowner's* trailer that sits on the cul-de-sac. Pierre was asked to try to confirm that the homeowner will be attending the hearing, as it is they that are to be held responsible.

- Pennington VDOT issue

This item pertains to following up with the developer to ensure the repair of Section 3 roads (particularly the drop inlets on Pennington Place) in order that oversight can be transferred to VDOT. Wayne Vick proposed that we discuss this under Active Business.

- Architectural Review Committee Requests

Marlene reported that there had been two proposals received by the ARC:

- Dennis Wells of 5509 Pennington requested approval of some deck repairs. Since the repairs were in the same style as the existing deck, they were approved. Indeed, since they were a repair and not an upgrade or addition, permission was probably not even required.
- Chris Hegeman of 5543 Pennington requested approval for a shed to house his riding lawnmower. His first proposal was for a shed that did not conform to the guidelines. He re-submitted with a conforming shed and was approved.

Of note is that this shed represents a 2nd shed on the property. The ARC did not feel it had a strong argument to disapprove of this 2nd outbuilding: there is nothing in the guidelines. Also, given that the properties on the Pennington cul-de-sac are completely open to the properties on Teal Road, everyone's back yards are completely visible. This is not an immediate problem as the ARC has wide discretion to reject proposals for “any reason” including aesthetics, but it is probably prudent to have some guidelines that the committee can refer to on the subject of multiple outbuildings.

Marlene proposed that the issue of Multiple Outbuildings be “put on the list” to be reviewed the next time bylaws are revised.

Active Business

- Role Transition (President/Treasurer)
Wayne and Will are planning to meet with previous Treasurer Brian Hiestand. Wayne is also hoping to gather information about past Board activities/decisions. It would be useful if Board Officers made a practice of keeping a binder of their activities to pass on to the next person in that role.
 - President's Letter
Wayne is still planning to distribute a "letter of introduction" from the new Board to the neighborhood. Pierre will draft.
- Committee Development
Wayne is preparing descriptions for the development of three committees:
 - Neighborhood Beautification (permanent)
 - Social / Communications (Permanent)
 - Infrastructure Research – Future Costs (Ad-Hoc)He is hoping to have these committee frameworks prepared by March for Board feedback. We would then solicit homeowners to serve, beginning with the President's Letter. Ideally there would be 1 Board member in each committee.

There was some discussion about whether "Infrastructure" was the best name for the committee that is to do research pertaining to the status of Section 3 (transfer to VDOT and maintenance of the BMP) and our relationship with the developer. The committee should not be confused with issues relating to maintenance of our capital assets / the Reserve Study coming up in 2016. It was decided that as long as the committee addresses the questions raised by the new Board in its organizational meeting (see attached email), the name was immaterial.

Board members asked questions about the Reserve Study. Pierre said he would email a copy of the Reserve Study prepared by Russ Hill.

Marlene reminded the Board that the WOA website and mailing list could also be used to solicit membership in these committees.

New Business

- Budget for Plantings
Audrey asked whether there was money in the budget for plantings. Pierre indicated that there is \$750 for extra landscaping needs, but that this amount includes the mulch needed for the playground. Audrey felt \$200 would be adequate.

Marlene moved that \$200 be approved for a spring planting in the neighborhood entrance garden. Will 2nded. APPROVED.
- Playground Bench
Marlene raised the question whether a bench might be installed in the playground. While a gazebo/bench combination had been rejected by homeowners several years back, it seemed to her that a simple bench might be an inexpensive solution to the need for seating for adults visiting the playground with their children.

Wayne suggested and it was agreed that this task would be under the purview of the new Beautification Committee.

(At this point, Wayne Vick left the meeting, as his cell phone battery was low. He asked Pierre to wrap up.)

- **Damage to Common Area from recent vehicle accident.**
Audrey referred to some damage to trees and lawn done when a homeowner's daughter drove off the road into the common area near 4960 Westmoreland . Audrey asked whether homeowners were not responsible for repairs. Pierre said they were but would need the homeowner's name to follow-up. Audrey will try to obtain the name.

Executive Session

Audrey moved and Will 2nded that we go into Executive Session to discuss delinquent accounts. APPROVED.

- Delinquent Accounts
Pierre reported that one homeowner was 90 days overdue on fees in the amount of \$275. As these homeowners have never been late before, he suggested we wait before proceeding with any action.

Adjournment

Meeting was adjourned at 8:25 p.m.

Respectfully submitted by Marlene Armstrong, Secretary, WOA.