

**Westmoreland Owners' Association**  
**Board Meeting**  
**MINUTES**  
**August 6, 2015**

**Present:** Marlene Armstrong, Will Ouzts, Wayne Vick , Audrey Word, Pierre Forget for Berkeley Realty, approximately 12 homeowners

Meeting was called to order at 7:02 p.m.

**Neighborhood Watch Presentation by Officer Jamie Lilley of the JCC Police Department**

Officer Lilley described Neighborhood Watch as a program to in which “neighbors look out for neighbors.” She emphasized the importance of getting to know one’s neighbors face-to-face. While there are numerous internet applications available, nothing replaces the knowledge and trust that can be created with real contact. She recommended the neighborhood participate in National Night Out, a community policing and awareness event held the first Tuesday of every August. JCC Police can offer a number of services to get people to come out, such as child ID or bicycle registration.

Neighborhood Watch can be as “organized” as the community wants it to be, with “block captains”, telephone trees and frequent meetings or simply a contact system to let people know 1) who to contact if there is an issue and 2) what’s going on in the neighborhood. Signage is available to indicate that the neighborhood is part of the program.

Officer Lilley provided information about several useful websites, such as VINELink, Nextdoor.com and the JCC Police website. She also handed out information on home security and Neighborhood Watch.

**Secretary’s Report-Marlene Armstrong**

- Approval of Minutes of May 7, 2015

*Motion by Wayne to approve the minutes. Will 2nded. APPROVED.*

**Treasurer’s Report – Will Ouzts**

- Will indicated we are approximately \$2500 short on dues at this time. Statements have been sent out.
- Repairs to the fence in the common area where a tree came down near 4992 Westmoreland cost more than anticipated and has put the Maintenance expense item over-budget.

## Committee Reports

- *Architectural Review Committee Requests – Marlene Armstrong*
  - Marlene reported that there had been three requests received by the ARC:
    - In March, 4964 Westmoreland’s request for repairs and minor extension to their deck was approved.
    - 4996 Westmoreland requested and received approval to build a fence around their back yard (April)
    - 4908 Westmoreland Requested and received approval to build a shed in their back yard (May).
  - Marlene also indicated that there had been some discussion at the Committee level about committee relevance. Frustration was expressed since there does not seem to be any repercussions for homeowners for non-compliance. Many homeowners overlook the requirement to request permission for changes to their lot. The Board does have wide-ranging powers to fine and to do maintenance as required to bring a lot into compliance, but so far has not chosen to do so. Hopefully the reminders recently sent out to the neighborhood vis-à-vis ARC Approval and other restrictions will help.
- *Social/Communications Committee – Wayne for Mary Jane Robertson*
  - Directory

Pierre is still collecting responses to the form sent out to homeowners to provide contact information to the Board and participate in a Neighborhood Directory. So far he has received 46 responses (on which 7 declined to provide their email addresses), which is an excellent response rate compared with other neighborhoods that he serves. Homeowner Jay Noffsinger suggested that in the future the form could be offered on-line.
  - Ice Cream Social

A tentative plan had been discussed to have an informal neighborhood event the Labor Day weekend. As invitations would be very short notice at this point, it was suggested we combine the Ice Cream Social with the planned Neighborhood Work Day to be held this fall.
- *Neighborhood Beautification – Audrey Word*
  - Audrey reported on several tasks that had been completed:
    - Purchase and installation of benches in the playground
    - Installation of a trash bin in the playground, to be removed by the landscapers when they do mowing
    - Laying of mulch in the playground (more required)
    - Placement of a “no soliciting” sign at the entrance to the neighborhood
  - Audrey requested approval to purchase a sign indicating that use of the playground was restricted to Westmoreland Owners and Guests Only. Cost would be approximately \$50.00. **So moved by Audrey. 2nded by Wayne. APPROVED.**

- A Neighborhood Work Day was set for the last weekend in September. Audrey/Pierre will see to having mulch delivered for the playground.
- *Common Area/Infrastructure – Wayne Vick*  
Wayne reported that he was organizing this committee, which is tasked with establishing the ownership status and condition of common area infrastructure (e.g. roads, BMP). We also need to determine what our legal options are with respect to forcing the developer to bring infrastructure up to county compliance. Wayne commented that early information suggests that repairs may be in the tens of thousands of dollars and that it may take a couple of years to sort this out. So far Dave Melpass has agreed to help with the research. Bev Noffsinger said she had some contacts in the civil engineering community and would pass them on to Wayne.

### **Homeowner Questions & Comments**

The Board received a number of comments raised by homeowners including:

- a suggestion to inform renters and routinely inform new residents about the trash program; and
- an inquiry as to whether anything could be done to curb the speeding and draw drivers' attention to the curve on the approach to Olde Towne Road (the Noffsinger's mailbox has been struck multiple times).

*The Board moved into an Executive Session and guest homeowners departed.*

### **HOA Violations – Wayne Vick**

- *Outstanding Violations*  
Wayne reported that three of the five violations being addressed in the last quarter were resolved: on-street parking on Upper Westmoreland, a boat being parked on a driveway and a refuse container left standing on a lawn. Two complaints are still being addressed (see below).
- *Commercial trailer parked on Pennington*  
This homeowner has been assessed the maximum fines allowable (\$10/day for 90 days). Alternate remedies were discussed. Pierre Forget recommended against towing the trailer as it might lead to liability issues. A court order could run into \$1000s of dollars in legal fees. Pierre commented that, in his experience, our existing counsel, Tarley Robinson, was not the most aggressive in these situations. He suggested we might try another, William Sleeth of LeClair Ryan. Given that the HOA might need to retain alternate counsel in the infrastructure issue against the developer anyways, the Board decided to give Mr. Sleeth a try.
- *Parking of multiple and commercial vehicles on Westmoreland*  
Though the homeowner appears to have moved these vehicles to his driveway and is no longer obstructing the cul-de-sac, Pierre suggested we retain the hearing date set for August 24<sup>th</sup>, as these parking issues are often intermittent. This would keep the issue "active" until we are certain it is completely resolved.

- *New Complaints*  
Underage Driving: The Board declined to discuss this issue as it is a police matter over which the HOA has no authority.

### **Contract Review – Wayne Vick**

- *Landscaping Contract*  
The existing contract is with Yardworks and runs year to year, expiring in March. It was suggested that we try to adjust the contract so that it runs Jan-Dec to coincide with the HOA's financial year. There is some concern that the landscaping tasks are not being completed with much thoroughness or consistency: tasks listed in the contract are being overlooked. The Neighborhood Beautification Committee will review the contract and make suggestions for amendments. Pierre suggested that we put out an RFP for the landscaping so that it is evident that the Board is doing its due diligence.
- *Berkeley Management*  
This contract is up for renewal in January 2016. Pierre commented that he would welcome feedback. Wayne asked the Board and Pierre to review the contract to see if it needed adjustments. To be discussed next meeting.

### **Planning / WOA 2015 Annual Meeting – Wayne Vick**

- It was agreed that it would be useful to have a regular date for the Annual Meeting: the first Tuesday every December. That puts the date this year at December 1, 2015. Pierre will see to booking the room at the Human Services Center on Olde Towne Road.
- Marlene will forward Wayne last year's Agenda.

### **New Business**

There was no new business.

### **Adjournment**

Meeting was adjourned at 9:45 p.m.

Respectfully submitted by Marlene Armstrong, Secretary, WOA.