

**Pickett's Reserve Homeowners Association
Board of Directors Meeting Minutes
May 28, 2020
Video Teleconference, Fairfax, VA**

BOARD MEMBERS PRESENT

Richard Cardinale	President
Tim Trainer	1 st Vice President
Adam Harris	2 nd Vice President
Karl Krumbholz	Treasurer

BOARD MEMBERS ABSENT

None

OTHERS PRESENT

None

CALL MEETING TO ORDER

In consideration of the Emergency Lockdown due to the corona virus, the Board unanimously decided to hold the May Board meeting via video teleconference. On Wednesday, April 22, 2020, the Virginia General Assembly passed two House budget bills, which included provisions added by the Governor authorizing Common Interest Community governing boards to meet 100% “virtually” (without the requirement of any director being physically present) during the period of a state emergency declared by the Governor, as long as certain requirements are met. House Bill 29 should become effective immediately, while House Bill 30 will go into effect on July 1, 2020. The meeting was announced via the Pickett’s Reserve web site. Treasurer Krumbholz arranged a Zoom Meeting. Each member was in his own home.

President Cardinale, noting presence of quorum, 4 of 4 Directors, called the meeting to order at 7:01 PM.

REVIEW/APPROVAL OF MINUTES

The Apr 30, 2020 Board Meeting minutes were emailed prior to the meeting for member review.

(M) Upon motion duly seconded and carried, the Board of Directors approved the Apr 30, 2020 Board Meeting minutes. 1st Vice President Trainer made the motion which was seconded by 2nd Vice President Harris. The motion passed (4-0-0).

COMMITTEE/OFFICER REPORTS

Financial

Pickett's Reserve Financial Position is Positive: The Pickett's Reserve Financial position continues to be very strong. If expenses continue at the current rate, expenditures will be well below budget at the end of CY20, further increasing Retained Earnings. As of April 30th, \$2,902 has been identified as expenses to be paid out of the Reserve Account. The Reserve Study identified \$31,790 for expenditures in 2020 plus \$4,950 reserve funds not expended in 2019 providing sufficient funds to address current and long term requirements. The Reserve Account plus strong retained earnings continues to give the HOA excellent financial flexibility.

- Checking Account balance: \$33,296
- Money Account No. 1 Balance: \$26,506
- Money Account No. 2 containing Reserves: \$90,468
- Total funds in Checking Account, Operating Money Market Account and Reserve Account: \$150,270

Expenses vs Budget: The HOA is under budget at the end of Apr by \$10,320. Budget by category follows, all under budget.

- Grounds and Maintenance: \$2,952
- Operations: \$1,033
- Administration: \$2,463
- Member Services: \$1,555
- Community Programs: \$900
- Operational Reserve: \$4,000

Retained Earnings: As of EOY 2019: \$26,871

Aging Summary: Three accounts had a past due balance at the end of the 1st Quarter; however, as of this meeting only three are outstanding.

2018 Audit: The Auditor requested additional documentation from Patriot; hence, the Audit is underway.

Grounds & Maintenance (G&M):

Parcel B: Betty's Azalea Ranch satisfactorily completed the Parcel B, North Gazebo and North Entrance landscape projects on May 27th providing significant improvement in these areas. Treasurer has authorized payment of remaining contract balance.

Retaining Wall East: Blade Runners (BR) will trim trees and remove debris behind retaining wall on the east side of Preservation Drive. Work scheduled to complete by end of May.

Proposed Work: Received following estimates from Ray Diaz:

- Replace loose/missing stones in retaining walls: \$250 per every 10 stones plus cost of replacement stones where original stone is missing. Homeowner survey has identified 20 stones that are loose or have fallen out, 9 stones that are missing and 5 broken stones plus mortar work. Committee will ask Ray to re-propose once survey completes on May 31st. Still awaiting response from 4 homeowners.
- Power Wash brick sidewalk pavers: \$650 for all 4 corners at an intersection. SKL/ORW and SHD/SKL corners appear most in need.
- Remove cracked mortar, clean all joints and re-mortar brick sidewalk pavers: \$975 to do all 4 corners at an intersection. SKL/ORW and SHD/SKL corners appear most in need.
- Remove all bricks (approximately 500), regrade, reinstall bricks and re-mortar: \$2,670 per corner (4 corners per intersection). 3524 side of SHD/SKL seems most in need.
- Repaint railings at steps on paths to Mantua: Awaiting estimate; expect less than \$400.

(A) ***The Board approved stone wall repairs, power washing, mortar repairs and railing painting projects for execution and deferred removal and replacement of all bricks at SHD/SKL intersection. 1st Vice President Trainer urged all Board members to review the current conditions of the proposed work.***

North Gazebo: G&M committee and Betty's Azalea Ranch landscape designer met with homeowner at 3449 PD regarding concerns with condition of common area at the north gazebo. A good discussion ensued where the following items were identified:

- Weed growth in retaining wall. Item already being addressed by BR.
- Loose/missing stones in retaining walls. Item already in work by G&M.
- 2 broken bricks in gazebo stairs need to be replaced: G&M will add to Ray Diaz work
- Tree on north side of gazebo is continually growing into home and causing damage. Frequent trimming by BRs and homeowner has led to damaged and unsightly condition. Landscape designer agrees that tree is ill-suited for location and recommends removal. Homeowner concurs. G&M concurs. With Board concurrence, G&M will work with BR's and necessary approvals from the city, if required.
- Plantings around the gazebo are unbalanced and, in some cases, poorly chosen for the location. Additionally, some original plantings have died off and not been replaced. Given approaching heat/dryness of summer the committee, homeowner and landscape designer agreed to defer redesign efforts to mid-summer to be ready to make necessary improvements in the fall timeframe. Recommend \$3,500 be earmarked for this project.

(A) ***Board agreed with remediation of the weeds in wall and repairing the loose or missing stones and bricks. Board concurred with removal of the dangerous tree and deferring the gazebo planting refresh to later in the summer.***

Tall Trees: The Board received a homeowner request to trim tree branches back that are growing over the retaining wall and fence on west side of Preservation Drive. Brush was cleared back to allow fence repairs in late 2017 and 2018 to facilitate railing repairs at cost of approximately \$700. This homeowner request is for trimming branches of taller trees, perhaps 60' high, growing over the wall toward their property. The Board noted the situation exists throughout the community in common areas, tree conservation areas, and other homeowners' properties; the

situation on Preservation Drive is not unique. The Board agreed to reply to the homeowner by email allowing them to trim any threatening limbs themselves but the HOA will not take on individual requests of this nature.

(A) *President Cardinale will draft a response to the homeowner (ECD: Jun 5)*

Architectural Review Committee (ARC)

ARC Meeting: The Board will seek more members and a new chairperson.

Deck Application EWP: The ARC had one suggestion and no objections. The homeowner has been advised of a concern with the railing form and color. The Board awaits their response.

Legal

Legal Expenses: Against an annual budget of \$4,895, the budget through May is \$2,040. \$375 has been billed and paid; the only expense is the retainer. The Annual Retainer is \$1,500

Social

Meet & Greet:

- Jun Canceled Covid-19 restrictions
- Jul 10 Canceled Covid-19 restrictions
- Aug 4 Canceled Covid-19 restrictions
- Sep 11 Canceled Covid-19 restrictions
- Oct 6 Hosts Paul & Jenny Sylvester “*National Night Out*”

OLD BUSINESS

Post Office Storm Water and Trash: The City sent a letter to the Pickett Road Post Office manager and the Fairfax Postmaster. The letter puts the Post Office on notice that this type of storm drainage/site plan violation is a misdemeanor and subject to the legal provisions for criminal proceedings if not remedied. Post Office programmed construction of a larger catch basin. City staff updated the Board, inspections of the system for maintenance are underway.

Private Storm Drainage: SWM Inspection completed Apr 29, system functioning as expected, no problems. Final report delivered to the HOA Board and Mantua Swim Club on May 13.

(A) *2nd Vice President Harris will contact the City Zoning Administrator for further discussion regarding the frequency of inspections. (ECD: Jun 25)*

SHD Storm Water Drainage: The easement repairs were completed as scheduled and approved for final payment. There will be a follow up regarding system repairs in the spring. President Cardinale contacted the homeowner and Rental Agent to be informed when start-up will occur.

(A) *President Cardinale will contact the homeowner after spring start up. (ECD: Jun 25)*

Four Homeowner Drainage-Health Situation: The HOA pointed out the potential health hazard to the four homeowners involved and suggested they come together to address the problem. The homeowners were given the advice from the Fairfax County Public Health Office for handling potential mosquito-health hazards.

NEW BUSINESS

Annual Meeting: Bylaws: Written notice by mailing a copy of such notice, postage prepaid, at least fifteen days but not more than sixty days before the meeting to each Member entitled to vote, addressed to the Member's address last appearing on the books of the Association, or supplied by such Member to the Association for the purpose of the notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting. If required, the Board agreed a VTC is a good solution for the Annual Meeting.

(A) *President Cardinale will contact CW to discuss the requirement for an Annual Meeting and if VTC meets the requirement. (ECD: Jun 25)*

Covenants or Declaration: The Proffered Conditions (Proffers) were issued July 2, 2001 and the Declaration of Covenants, Conditions and Restrictions (Covenants or Declaration) was made on October 22, 2002. The document is 18 years old and conditions have changed. Similar to the Bylaws, the Declaration has outdated and irrelevant conditions such as “The Association shall have two (2) classes of voting membership” and “the Class B member shall be the Declarant...” Also, there are restrictions in the HOA Guidelines that may be better – enforceable – in the Covenants such as Holiday Lighting. “Subject to the other limitations set forth in this Declaration, this Declaration may be amended by an instrument approved by not less than three-fourths (3/4) of the Members voting at a meeting of the Members.” The Board agreed to target March 2021 to introduce the proposed changes, give the Members a year for their inputs, and vote in March 2022 to modify the Declaration

(A) *President Cardinale will create a Word document of the current Covenants / Declaration and contact CW on the process for amendment. (ECD: Jun 25)*

Tree Removal: Homeowner on Schuerman House Drive requests removal of Oak Tree from front of house due to Oak tree allergy. The Board discussed the situation. Oak is the designated streetscape tree for Schuerman House Drive. The Board decided removing 1 Oak Tree, when we live with at least 77 Oak Trees in the community, and hundreds surrounding us, will not remedy an Oak Tree allergy. The simple remedy is stay inside when pollen counts are high. Keep windows shut. If going outside wear a baseball cap, and when coming in, rinse face, wash hands, and perhaps change clothes.

Real Estate Records: The City of Fairfax Real Estate records listed 8 parcels in Pickett's Reserve with Mr. Dennis Murphy as the owner. It likely came about when Mr. Murphy was the Board Secretary. As result of the recent Certified mail concerning the Special Public Meeting, that's being changed by the City now. Recommend the Board designate the current HOA

President as the “Owner” of the parcels and note the same in the “Officer’s Supplemental Duties” guideline in the next revision.

Glass Recycling: Fairfax County stopped collecting curbside glass for recycling purposes. If Fairfax City discontinues picking up glass in the recycling bins, would Pickett’s Reserve like to continue curbside glass recycling? A vendor proposed pickup and removal of glass recyclables from 89 Pickett’s Reserve units. They could also provide 18-gallon blue plastic recyclable bins for a one-time fee to all homes \$1,780. However, homeowners can provide their own containers for setting out glass for recycling. Any plastic bin or cardboard box may be used as a container to hold the glass recyclables. One glass recyclables service every month will be at the rate of \$260 per service. Twice monthly glass recyclables service will be at the rate of \$180 per service. The Board does not wish to participate in a separate glass collection contract if the City discontinues collecting glass as a recyclable.

COVID-19 Specific Rules: Our Legal Advisor recently suggested that boards formally adopt and publish any special COVID-specific rules and regulations, as this will assist with enforcement efforts. While their guidance was pointed primarily at pools and club houses, the Board agreed to a policy for the gazebos, neighborhood gatherings, and other common areas.

The community would normally be enjoying monthly social HOA Meet & Greets and individual homeowners’ use of the common areas and gazebos by this time in the season. However, this year, the HOA has some critically important factors to consider prior to organizing community socials and permitting use of common areas. Directors owe a fiduciary duty to their HOA and therefore must make decisions using their best business judgment given the best interests of the HOA. The Governor’s EO61 currently prohibits group activities and social gatherings of more than 10 persons. Besides the concerns for the safety, health and welfare of members and residents, there are also financial and liability considerations for the Board to weigh. Given various pandemic-related concerns, the governmental limits on usage, and difficulty of following the federal, state and local guidelines, the Board concluded that it is best to cancel HOA Meet & Greets and discourage homeowners’ use of HOA common areas and gazebos for most of the 2020 season

Independence Day Celebration Committee: We received a letter from The City of Fairfax thanking us for the 2019 donation of \$250. We received a second letter requesting a 2020 donation. Board action required. The City cancelled the event; no further action at this time.

NEXT MEETING

The next proposed Board Meeting is Thursday, Jun 25 (based on coronavirus advice) at Army-Navy Country Club (ANCC), 3315 Old Lee Highway, Fairfax, VA 22030. Begin at 7:00 pm.

ADJOURNMENT

(M) Upon motion duly seconded and carried, the Board of Directors adjourned the meeting at 8:19 PM. 1st Vice President Trainer made the motion which was seconded by Treasurer Krumbholz. Motion passed (4-0-0).