

Lake Forrest Community Association Annual Meeting, June 12, 2012

1. The meeting began at 7:32pm. Board members present: Bev Franklin, Wes Cox, Sam Packer, Chris Lograsso, Dan Kolcun, Dave Wilson, Al Brooks, Nancy Thompson, and Pete Misuinas. Absent: none.
2. Bev asked everyone to be sure and sign in and provide an email address if they have not done so. Bev then asked the board members to introduce themselves.
3. Bev asked those present to review the minutes and determine if any corrections were needed. It was moved, seconded, and passed to accept the minutes as written.
4. Old Business
 - a. Treasurer's report. Wes had copies of the budget available for review. Basically it is the same budget as last year with few changes. Bills normally come later in the summer so expenditures are on the low side at the moment.
 - i. The web site allocation needs adjustment as it is on the low side.
 - ii. Landscaping has been less than expected to date due to having a new contractor who charges less.
 - iii. Tree expenses have been low to date; so far only 10% of the estimate has been expended. This very much varies from year to year.
 - iv. Income has remained fairly steady. There are still some delinquent dues.
 - v. Due to lack of expenditure for trails maintenance, currently our CDs are quite large.
 - vi. Infrequent expenditures expected in the future are milky spore treatment and entrance sign repair/replacement. The question was raised on who makes the decision for milky spore application. It was last done in 2001, and the contractor at the time said it should be repeated in 10-15 years. As we are at the 11 year point, the board decided to wait. Wes noted non-lawn areas are not treated. It was noted the last time this was done, it followed a Japanese Beetle infestation. The question was asked about insurance. The association has liability and operator insurance, the cost of which has remained fairly steady.
 - b. Architecture Review Committee. Al reported he has received about 20 applications for exterior modifications; the yearly average is about 12. Some of the applications did not need to be submitted as they were for replacement or repair of existing items, such as windows. Al noted the web site has information on when an application is required. In the past applications were posted on the web site, but to preserve privacy, this is no longer done, as the requirement is only for the association to maintain them, not post them.

Regarding fences and sheds, it was noted our existing covenants do not allow detached sheds and restrict fences to 4 ½ feet in height; this was documented in our last year's minutes and in information sent to the homeowners in 2007. The board is trying to get all homeowners to follow the covenants, but our only viable opportunity for enforcement is to address the covenant violations at the time of sale. Our legal representation has stated we do not have grounds to force the removal of sheds or fences other than at the time of sale. One homeowner noted when he bought the house, he was told there were no violations. However, now that he is trying to sell the property, he has been informed his fence does not comply and has to be removed. He believes this is an unfair penalty for a homeowner who was earlier told he was in compliance. Al agreed this is an issue, but the current board is unable to go back and correct previous board actions. The homeowner stated it would be fairer to establish a requirement that replacement fences must meet the covenants. Another homeowner noted they have seen 3 six-foot fences go

in over the past year. One homeowner who lives on a hill had a 6 foot fence in the back. She submitted an application for a replacement fence but did not hear back. She then called Al and was told her fence was grandfathered and was okay. Her concern is this seems to be an action against those who are trying to improve their property. Al noted it can be an issue when different size fences are next to each other. There is also concern about a rainbow shed. The board is trying to resolve these issues. A renter asked about a shed under the deck. This is considered an attached structure, so it is not an issue.

The question was asked if the board position was no 6 foot fences. The reply was yes, this is correct.

There is a homeowner with 6 foot fences around her yard and none of them belong to her, yet her house is held responsible. (Note to board, we need to ensure this is not happening; we can't be stopping a homeowner from taking action due to neighbor fences not complying.)

Dave Wilson noted in the past there has been discussion about grandfathering, but the board has determined this is not a viable approach. The board is now trying to do what we can to bring all homes into compliance with the covenants. It was noted if there is joint ownership of a fence, the neighbors involved need to work out the solution. In order to alleviate immediate issues with ongoing home sales, it was suggested the board should set a future date beyond which replacement fences must comply with the covenants. The concern is regardless of the date, there are always going to be people who will have an issue with the requirement. In addition, this was clearly noted at last year's meeting and in the minutes. This is not a new requirement. The concern was expressed that if the association is going to become difficult, realtors may start avoiding the neighborhood, causing problems for everyone. The board understands, but the only viable opportunity for enforcement is to address the covenant violations at the time of sale. Once again, we understand there have been inconsistencies by previous boards, but the current board is now trying to enforce the covenants that have been in place since 1977.

At this point, Bev halted further discussion due to a concern we would not be able to finish the agenda. Discussion would resume when the Questions and Comments section of the agenda was reached.

c. Community Day report. Last year's event was well attended and went well. There will be another one in September, at the same location. It will be September 16, 2012 on Maritime Lane. The association provides food and drink for all attending.

5. New Business

a. Garage Sale. We did have a garage sale in May. One member noted she saw the sign but did not know what it meant. It would have helped to have more information and direction. It was agreed any additional neighborhood communication would be good.

b. Huntsman Dam. This project has been delayed. It was supposed to start this year but now is not likely to begin until next year.

c. Trails. The board is still trying to find someone to repair the trails, as there are several areas very much in need of fixing. The issue is our trails are narrow and many contractors do not have equipment to do them. So the search is continuing. A member indicated he knew of a couple of companies in the county who had narrow gage equipment. He will try to provide contact information.

d. Milling and paving of 7100, now 286. The parkway is now Route 286. The name was changed to allow the state access to more funding to do milling and paving on the route.

e. Election of Board Members. Terms for Bev Franklin, Dan Kolcun, and Dave Wilson are up. Bev and Dave have agreed to continue. Bev noted there is one person, Chip Cochran,

who has indicated an interest in being on the board. Bev opened the floor to nominations. In an attempt to promote interest, Pete Misuinas noted per the covenants, it is the board and only the board that sets association policy and guidelines. Community members have no direct say and can only guide the board by being a member. It was stated by one individual that it is expected the board would listen to the community. Pete noted he believed this is what the board is doing, but noted about the only input the board receives is on problems with sheds and fences, so in point of fact the action the board is now taking with respect to sheds and fences is what the board believes the community wants. This did not result in any additional nominations. It was moved, seconded, and passed to close nominations, and Bev, Dave, and Chip were elected to the board.

6. Questions and Comments from the Floor.

a. Curb numbers. When sidewalks were redone by the county, some curb numbers were lost. The association will replace them. Please contact us if you need new curb numbers. Chris Lograsso will walk the neighborhood and validate which numbers are needed.

b. If you have lamp post problems, please call Dominion Power.

c. One member asked how to find out who owns a given property. Our recommendation was to use the county assessment tax office. For tree issues on county property, the county arborist may be able to help.

d. One member stated she believes the “silent majority” is happy with no fences or detached sheds, and would like it to remain that way.

e. Al did reiterate members should contact the board with issues or concerns. The current covenants do go back to 1977. In response to a question, the board does expend funds for legal reviews and opinions. Al once again noted there have been mistakes made by previous boards, but the current board is trying to be consistent with the existing covenants.

f. A member noted on 11 April he received approval for a 6 foot fence only to be told now it is not allowed. He lives near the Giant and a smaller fence will not provide the protection needed. Giant paid for the original fence. Al noted the 6 foot fence was part of the original Giant/contractor plan and that is why they are larger. As a 6 foot fence was part of the original plan, it may remain 6 foot.

g. It was asked why the board was not notifying owners of violations to avoid surprises. The board indicated this was a good suggestion. For now, all information is available on the website for anyone to read.

h. It was again noted there should be a transition period that is communicated to everyone in order to avoid surprising a homeowner. It would hopefully avoid someone getting caught in the middle of a home sale. The Board needs to provide additional communication; the Board will discuss at the next meeting on a means to provide additional communications.

i. Another member noted his neighbor put up a shed that, as it turns out, is partially on his property. Al was familiar with this event and noted when the shed was going up; he personally walked up to the owner and told him to stop. The owner built it anyway. Al asked the member to give him information on the current situation and he would have our attorney look into it.

7. Due to the library closing, the meeting was then adjourned at 9 pm.