

BARRISTER'S KEEPE (BK) HOMEOWNER'S ASSOCIATION (HOA), INC.

Minutes HOA Board Meeting

June 5, 2012

Woodson High School 9525 Main Street Fairfax, VA 22031

I. Opening of the meeting

The meeting was called to order at 7:05PM by the HOA President, Tom Burrell. Members present were Tom Burrell, David Herrington, Bob Petersen, Frank McGann and Gordy Schnabel.

II. Approval of the minutes from the March 13, 2012 Board Meeting

Gordy Schnabel made a motion to approve the minutes of the March 13, 2012 Board Meeting. Bob Petersen seconded the motion and the motion was unanimously approved.

III. Old Business

a) Standards for Lamps, Garage Doors and Siding

Tom Burrell prefaced the discussion by stating that the new standards were passed at the June 7, 2011 Board meeting, but the implementation would not take place until the Design Standards had been modified for the new standards.

b) The new standard for Siding must be carefully and clearly specified using the Siding guidelines established and approved at the June 7, 2011 Board meeting. Annie Patenaude, of the Covenants Committee, agreed and will work with the Committee to write the new standard's specifications.

c) The new standard for Outside Lamps was discussed at length. Questions centered around

- whether 3 years is too long of a time to wait to have all residents convert their lamps to the new standard;
- whether or not the door hardware should be black to match the proposed black lamps;
- how will compliance with the new standard be enforced;
- should the new standard lamps be installed all at once or over an extended period;
- whether or not to mandate that porch lamps in the rear of the homes should be standardized at this time along with the front lamps;
- concerns by the President regarding the legal process of enforcing the new standard, especially in a situation where the Board determines that it must take action to install the new standard lamps on homes where the owner refuses to do so;
- whether or not the Board should establish a procurement and installation contract in order to reduce the overall cost of compliance with the new

standard; (some residents requested that they be allowed in such a case to do their own installation and not be required to use the installation contract.)

- d) The consensus agreed upon by the Board for Outside Lamps is as follows:
- The new standard lamps will be black lamps in the style that was selected as the most popular black lamp in the Community Survey conducted in 2011;
 - A standard lamp, also in black, will be developed for the rear porch lamp;
 - The Board is leaning toward converting all homes at one time or over a shorter period of time than three years;
 - The door hardware (kick plates, handles, door knockers, etc.) will remain brass;
 - The Covenants Committee will develop lamp specifications in time for the September Annual HOA Meeting.
- e) On the matter of a new Garage Door Standard, the President noted the motion that was passed at the June 7, 2011 Board Meeting and noted that as in the case of the Siding and Outside Lamp standards, the documents had not yet been modified with the specification language for the new standard. He then asked all present for their input on the subject of Garage Doors with Windows as the new standard.
- A resident made the point that he believed that having the option of garage doors with and without windows would be in violation of the governing Design Standard of Visual Harmony. In his opinion the Visual Harmony requirement in the Design Standard is an important founding document for BK. He made the point that to make such a change should require at least a simple majority of the 40 owners in BK.
 - A resident rose to speak to the question and passed out a printed document containing a review of the new Standards and recommendations for external lights and garage doors. He expressed concern that the proposed new standard for the garage doors would violate the Visual Harmony mandate and have a potentially negative effect on the value of homes in the BK community. He referred to a similar situation in the Farrcroft Community where some owners wanted to have windows in their garage doors and the request was denied for all homes that face the roadway. He recommended that the Board disapprove optional windows in the garage door standard and approve a new standard for garage doors that would be the same in color and design as the current garage doors.
 - A member of the Ad Hoc Committee on the new standards noted that the new standard could not be the "same" as the current garage doors because the current garage doors are no longer manufactured.
 - A resident made the point that in his opinion windows in garage doors would not violate the Design Standards. He made the point that there are a number of different colors that are acceptable for painting the front doors yet this

doesn't violate the Design Standard of Visual Harmony. He stated that BK is not intended to be a "cookie cutter" neighborhood where all homes are to look the same;

- A resident asked the question about whether or not there would be a standard for window curtains if garage doors with windows is implemented as the new standard;
- It was stated that in the opinion of his realtor, the inclusion of windows on some garage doors would not have a negative effect on the perceived value of homes in the BK Community;
- Another resident stated that in the opinion of his realtor it would be wise to not make the change to garage doors with windows.
- A resident stated that while the current garage doors may not currently be available, there is a company that has parts and the expertise to repair the existing doors.
- A resident expressed concern that the community not embrace standards that are the cheapest options and that the community "set the bar higher" for itself when developing standards. In this way he felt the value of the Community would remain high;
- After considerable discussion, the President stated that he believed it would be best for the community to proceed with a standard for garage doors without windows. He requested that the Covenants Committee modify the Design Standards and the Community Reference Document as needed to reflect this standard.
- A member of the Ad Hoc Committee made the point that when new garage doors are ordered, hardware must be selected from a number of options. This need for a hardware standard must be taken into consideration when developing the specifications.

Motion on New Garage Door Standard:

Gordy Schnabel moved to amend the decision on the garage doors (that was passed at the June 7, 2011 Board Meeting). He moved that "the Board approve the recommendation of the Ad Hoc Committee that those individuals seeking to replace garage doors must replace them with similar garage doors to maintain the look (4 panels x 4 panels) and the color of the garage doors (as close as possible), but that the material may differ. (The option to install windows in the garage doors is eliminated.)" The motion was seconded by David Herrington. The motion was approved by a vote of four to one.

- f) The Reserve Study draft has been presented to the Board by PM+ Reserves. A reserve study of BK must be completed every 5 years, as required by Virginia law. BK has satisfied this legal requirement and will review the draft study and likely meet with PM+ Reserves before accepting a Final Draft of the study.

IV. New Business

- a) The President stated that in order to be able to enforce the standards of BK a clearly defined enforcement procedure must be in place and communicated to the residents.
 - A new “Governing Documents” section has been created on the BK website for easy reference by residents;
 - A baseline on non-compliant issues with homes will be established and reviewed as a first step in bringing the community into compliance;
 - It is intended that as a result of this baseline review process a “fix what you have to comply” emphasis will begin;
 - The President wants a process in place that the BK Board can go to court with in the event that this ever becomes necessary and he will providing a document to the community in the coming weeks that he believes will accomplish this;
 - The Covenants Committee plans to conduct a walk-around in the next 30-60 days.

- b) The President noted that there will be 4 open positions on the BK Board in September. He encouraged residents to consider becoming a Board member. Because there will be four positions open, it may be necessary to stagger the terms of the new Board members.

V. Reports of Committees

- a) Finance Committee
Bob Petersen reported that the HOA is in good shape financially. All bills have been paid.
- b) Covenants Committee
Annie Patenaude stated that there was nothing to report beyond the previous standards discussions.
- c) Communications Committee
Christine McGann requested that residents inform the Communications Committee of any changes to their phone numbers and/or email addresses.
- d) Grounds Committee
Debbie Fulbrook reported that work from CLS is compliant with the terms of our contract with a few items that are outstanding. Year to date the spring mulching, turf care and tree shrub care has been completed. In addition, the fountain was adjusted and now is properly seated and erect. The spring irrigation was turned on as well. Our seasonal flowers, albeit it a late planting, were completed Monday June 4th. Our contract identifies that 730 annuals are to be planted with each seasonal planting. I requested that Paul, from CLS, give me a total number of annuals that were planted last fall and this planting as well. I believe with the renovation of the front entrance that total number was not planted, but need to know how many were, so that a credit may be issued

towards the plants at the front island. In addition, the tree trimming along Pickett Rd needs to be completed and the potential settlement from DuPont for the Imprellis that damaged some trees is still unsettled. Imprellis is the broadleaf weed control chemical that was used and likely caused tree damage. Outstanding from 2011 is the possible renovation of the benches (they sag) the drainage on the west side of the fountain going into the street and the erosion that exists between the Fisher and McMenomy houses. Our current contract with CLS is scheduled thru December 2013.

- e) Social Committee
Barbara Petersen reported that there has been a tremendous community response to the proposed Yard Sale on June 30th.

VI. Other comments

- a) A resident reported that there have been several incidents of bikes and scooters of children have been left in the BK roadway overnight and she requested that something be done about this problem.
- c) A resident complained about cars parking in the BK Entrance area, and blocking access to the gate system control box.
- d) Complaints were made about some residents exiting the BK community through the "entrance" gate, creating a dangerous situation. Some residents believe that there is a need for One Way signs in the community and a sign at the gate to state that the entrance gate is not an exit gate.
- e) A resident noted that they believed the neighborhood needed some additional signs to indicate One-Way for our road as well as a sign posted to indicate clearly that the entrance gate is not to be used as an exit.
- f) A resident pointed out that there is damaged conduit at the entrance gate on the near the right hand pillar.

With no other business, Gordy Schnabel moved to adjourn the meeting at 8:33PM. This was seconded by David Herrington and unanimously approved.

Minutes prepared by: Frank McGann – Recorder of the Minutes, BK HOA