

SIGNAL HILL HOMES ASSOCIATION

SHHA BOARD OF DIRECTOR'S MEETING

Braddock District Conference Room
December 3, 2015 - 7:30 pm

Kevin Martin -	President	Pete Seigman	-	VP
Linda Wirth	Secretary	Ed Rahme	-	At-Large
Ray Antosh -	BDR			

I. CALL TO ORDER – Kevin called the meeting to order at 7:30

- A.** Kevin explained that attendance and number of proxies did not meet the quorum requirements to conduct the business on the agenda for the Annual Meeting of Members.

Knowing in advance – based on proxy count - that the Annual Meeting could not be held, Ben Colbert, SHHA's representative from our managing company, was not in attendance.

- B.** Kevin made a motion to adjourn the Annual Meeting of Members, and send out a continuance notice for the 2015 Annual Meeting of Members to be held on January 7th, 2016. Several homeowners requested that the Board review the topics on the Annual Meeting, and answer questions. The Board agreed to convene a Monthly Meeting of the Board of Directors for December 2015 to do this.
- C.** Kevin asked that any homeowners present who did not intend to attend the continuance in January complete a proxy statement for the continuance before leaving. The January continuance will require 148 members in person or by proxy.
- D.** Kevin's motion to adjourn and schedule a continuance of the 2015 Annual Meeting of Members for January 7th 2016 was seconded, and unanimously approved.
- E.** The Annual Meeting of Members was adjourned – pending a continuance on January 7th 2016 – at 7:38.
- F.** The December 2015 meeting of the SHHA Board of Directors was called to order at 7:40. The agenda for the deferred 2015 Annual Meeting of Members was used as a basis for this meeting.

II. ELECTIONS – Deferred to the Annual Meeting in January.

III. REVIEW BUDGET – FORECAST FOR 2015 – TREASURER, David Masterman – Questions on annual budget deferred to Annual Meeting, as neither the treasurer, nor the Management Company representative were present.

IV. OPEN FORUM FOR HOMEOWNERS

Ray Antosh asked several questions:

He asked for a list of properties that owe SHHA a total of \$9,020.00 for self-corrected violations

Kevin replied that we needed to consult with the attorney to ensure that providing this information would not violate homeowner privacy.

He asked when taxes were submitted.

Kevin replied that we do not pay taxes as a non-profit entity, but that there is an annual filing that is normally made by the accountant doing our audits. Since we are behind on audits – due to failure of contracted accountants to perform them – these filings have not been made since 2010 (our last completed audit). They will be made by the accountants performing 2011 – 2015 audits.

He asked about the status of past due audits.

SHHA is on its third contracted company to do our audits. None of the previous companies that were contracted completed the audits, and they were therefore not paid. Metropolis is currently engaging on behalf of SHHA with a new audit company.

Pete suggested that Kevin review the ongoing fence issues.

Kevin explained the Board's efforts in 2012 – 2014 to change the Restrictive Covenants regarding fences, the requirements to make the change (75% of all homeowners must agree), and the fact that after many months of mailings and door-to-door visits, there was not enough support in the community to change the Restrictive Covenants. Therefore, it is the duty of the Board to enforce the Restrictive Covenants as written.

A discussion followed concerning wire attached to (split rail) fences. The Restrictive Covenants state that fences "shall be of wood construction". The Board's interpretation of this is that wire is not wood and it is therefore its addition is not compliant with the Restrictive Covenants. Several homeowners disagreed with this interpretation, but it is the interpretation that the Board has consistently used for several years – both in adjudicating fence applications and / or violation and related enforcement proceedings. Some homeowners asked the board to consider consulting the attorneys as to whether other interpretations would be possible; the Board agreed to take this request into consideration.

Georgia Chakarlis complained about the roof of her house being replaced by SHHA under a court injunction because it was in violation of the Restrictive Covenants and asked the Board to explain / justify its actions. The Board responded:

She did not seek the required Board approval before changing the color of her roof.

She did not perform remediation actions to which she agreed at a hearing.

She ignored repeated attempts by the Board to contact her to resolve the violation.

She did not respond to notices that she was being sued for injunctive relief, nor did she appear or arrange for representation at her court date.

Given all of these facts, the Board was left with no choice but to follow through on remediation under the terms of the court injunction order in to remedy the violation and thereby enforce the Restrictive Covenants.

There was a general discussion of the difficulty of changing the Covenants and By-laws. Nan Ackermann described a previous attempt that was barely successful.

A homeowner asked if the Board can be more specific about violations when sending out violation letters. Kevin replied that it is often difficult to fully specify certain types of violations such as "Siding is moldy. Please power wash", and asked the homeowner if they had ever contacted the Board to request more detail or discuss the cited violations. The homeowner responded that they didn't think they should have to.

V. RECAP OF 2014

Kevin reviewed notable activities and actions of the board for the year 2014:

SHHA Board of Directors continued to use attorneys vs. fines (as mandated by VA Law) for Covenant enforcement

- Has been successful in gaining compliance in most cases
- In other cases, the court has granted injunctions for SHHA to “self-correct” violations

Bob Hicks asked why the Board goes to court over violations. Kevin explained that it is the duty of the Board to enforce the Restrictive Covenants, and that legal action is the only effective and legal method to enforce the Covenants in cases where homeowners are not willing to resolve the violations.

SHHA Board of Directors continues to perform pre-sale inspections and create / provide resale documents

- Resulted ~\$5500 in additional 2015 revenue

SHHA Board of Directors worked with homeowners to resolve 171 Restrictive Covenant violations in 2015

- Board of Directors performs all inspections
- Currently 49 violations identified / working to resolve
- Long term violations turned over to legal counsel for review and additional enforcement actions
 - o Very successful; all court cases resulted in award of legal fees and injunctive letter

SHHA Board of Directors reviewed 48 homeowner applications for architectural changes

Currently 39 homeowners owe for 1 or more years' dues

- All have been sent to attorney for collections
- Collection costs / attorney fees will be added to the accounts

SHHA Board of Directors completed cleaning, repainting, replanting of all entrance signs.

SHHA Board of Directors completed work on SHHA Rolling Road / Lake Braddock Entrance

- Compelled Verizon to remove / repair abandoned equipment
- Tree trimming / removal of dangerous, large leaning tree
- Plantings and landscaping
- Replacement lights

SHHA Board of Directors continued to work with Fairfax County on restoration of stream beds running through SHHA Common Areas

- Project is approved, but not fully funded by Fairfax County
- Will restore aesthetics, and reduce erosion – Ed described the project, which has a project cost of around 2 million. This is the next project to be done in the County.

SHHA Board of Directors addressed numerous downed trees in the Common Areas and onto owner lots

VI. Looking ahead:

Kevin stated that the community is privileged to have dedicated and active BOD members, and that he is thankful for the hard work and dedication of the Board members and committee chairs.

The SHHA Board of Directors will:

Work with homeowners and legal team to resolve existing / long standing violations

Continue to emphasize resolution of ARC violations and approval of homeowner improvements

- Single biggest impact to maintaining property values

Follow collections procedures used this year

- Very effective
- Involve legal team on multi-year delinquencies to protect the association’s interests

Continue to look for ways to improve communications and response time with homeowners

Foster more open / frequent interaction with homeowners

- E-mail, Facebook, NextDoor, etc.

VIII. REVIEW OF COMMITTEE CHAIRS AND OPENINGS

ACC	Jack Hanley
WELCOMING	Ashley Brid
GROUND	<i>vacant</i>
WEBMASTER	Kevin Martin
Yahoo Group	Pete Seigman

NEIGHBORHOOD WATCH – *vacant*

BRADDOCK DISTRICT REPRESENTATIVE – Ray Antosh

IX. DATES FOR UPCOMING MEETINGS:

2016 Meeting Dates

7	January	(2015 Annual Meeting of Members Continuance)
11	February	
17	March	
14	April	
12	May	
16	June	
14	July	
18	August	
8	September	
13	October	
10	November	
8	December	(Annual meeting of Members)

X. ADJOURNMENT – The December meeting of the Board of Directors was adjourned at 8:46.