

SHHA BOARD OF DIRECTOR'S MEETING

Braddock District Conference Room
May 11th, 2017 - 7:30 pm

Kevin Martin -	President	Pete Seigman	-	VP
Linda Wirth -	Secretary	Kent Ford	-	At-Large
Ray Antosh -	BDR			

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

II. APPROVAL OF MINUTES

Minutes for the February and March 2017 Meeting are approved and posted. The April meeting was cancelled.

III. OPEN FORUM FOR HOMEOWNERS – Homeowners present – Jim Davis, Ray Antosh, Lin Zhan, Fang Ju, Quoe-AnVo, Zina Shafer, Lov King, Edward Jaret, John Priviteria, Rita Davis, Jack Kitaeff, Katherine Olson, Henry Fleming

1. Jack Kitaeff at 9020 Fort Craig Dr., detailed how he has responded to violation letter from the Board concerning multiple complaints from his neighbors of large pets that are leaving large amounts of dung in his back yard. The dung piles have created a noxious smell for his neighbors. Mr. Kitaeff stated that he has contracted with 2 poop scooping companies. One comes Monday, Tuesday, Wednesday, Thursday and another comes on Friday, Saturday, and Sunday. The Board considers the issue resolved as long as he continues this practice. However, the Board reserves the right to re-inspect the property.
2. Ed Jarett requested an extension for correcting his violation and explained the necessity for it. After listening to his reasons, the Board granted an extension until Oct. 31, 2017.

IV. PROPERTY MANAGEMENT REPORT

A. Metropolis report at end of Minutes

V. TREASURER'S REPORT – David Masterman was absent so Kevin went over his report, outlined below.

A. Dues status

- a. 2017 Annual Assessment is \$140.00
- b. Annual dues were due from all homeowners on February 1st
- c. ~20 homeowners have not yet paid their 2017 dues (in full or in part)
- d. Second Notices for dues (now 30 days past due) prepared, reviewed by attorney, and sent out
- e. Propose that remaining homeowners receive a "Final Notice" to be sent on June 1st (90 days past due) stating that account will be sent to collections and incur fees if not paid by June 30th. The Board unanimously voted for doing this.
- f. Two new homeowners asked if they were among the overdue owners. Kevin took their addresses and will check on their status and tell them if they owe.

VI. COMMITTEE REPORTS

A. ACC – Jack Hanly, Todd Karr, Kim Pedersen – Kevin explained what that this committee investigates ARCs and makes recommendations to the Board. Jim Davis volunteered to be on this committee

- a. Dona Thewes resigned from the committee

B. WELCOMING – Ashley Brid – Ashley contacts new homeowners when Linda gives her names and addresses

C. NEIGHBORHOOD WATCH – *vacant*

D. GROUNDS – *vacant*

E. WEBMASTER – Kevin Martin

F. BRADDOCK DISTRICT REPRESENTATIVE – Ray Antosh – Ray attended the March, April, and May meetings but nothing of significance was done.

G. Yahoo Group - Pete Seigman

VII. OLD BUSINESS

A. Long Term Un-Resolved Violation(s) Status:

a. 9091 Blue Jug Landing

- i. Property was sold as a foreclosure in January.
- ii. It was numerous years behind on dues, and had several un-answered violations
- iii. Attorneys are working to see if excess funds will be disbursed to cover past due assessments and fees.
- iv. A 34-page document containing detailed photos of all violating conditions on the property and provided to the new owner at their foreclosure closing.
- v. Attorneys included on foreclosure correspondence, resale documents, and dues statements provided to title company
- vi. Kevin hasn't gotten any response from the new owner and the property is up for sale again.

B. Audits

- a. The SHHA Board of Director received a DRAFT 2012 Audit report for review on January 30th. We will complete our review of the report, finalize it with the auditors, and then make the report available to homeowners who request it.
- b. 2013 – 2015 audits are in work
- c. We will request a 2016 audit once 2013-2015 are completed.

C. Stream restoration project – Fairfax County is doing this. Pete explained who will be impacted by this work. He said the County will be looking for volunteers to save native plants that will be uprooted by the project.

a. Received the following from Braddock District Supervisor / Project Coordinator:

I am pleased to inform you that I have been able to secure a commitment for construction funding for the Pohick Creek Tributary at Queen Victoria Court stream restoration. As you are aware, the Pohick Creek tributary stream that flows parallel to Queen Victoria Court and Parliament Drive (under Lake Braddock Drive) is seriously eroded and the trails have been impacted. The project will soon go out for bid and the expectation is that construction will begin in approximately six months. Project Manager Sajan Pokharel from the Stormwater Planning Division will be contacting you to coordinate a rescue of native plants from the project area. He will also schedule a "Pardon the Dust" meeting with the community to review the project and answer any questions.

Here is the timeline on this. First it has to go through pre-qualification process and it is expected to take about 4-6 weeks. Then the project can be bid out. With all this our construction folks will take anywhere from 4 to 6 months to get the contractor out for the construction. Once a construction date is set, I will be doing a "Pardon our Dust" meeting to let community know that the project is about to start.

D. 9089 and 9091 Blue Jug Landing

- a. Shared asphalt driveway is reaching end of life. Grass growing through many cracks.
- b. Per Article VII, Section 3 b, replacement is the joint responsibility of the owners who access their properties via that driveway.
- c. Homeowners at 9089 Blue Jug are willing to work with the other homeowner to make the repair.
- d. 9091 Blue Jug was recently sold as a foreclosure. The driveway was documented in provided resale documents. Kevin hasn't been able to get a response from the new owner.
- e. As part of ongoing restoration at 9091, it appears that they have resurfaced ONLY the portion of the shared drive immediately in front of their garage doors. Kevin has done a re-inspection. They have done some resurfacing of part of the driveway but not enough. SHHA will continue to monitor and schedule a Hearing if necessary

E. Ray Antosh Finance Questions – Kevin gave Ray a copy of SHHA's responses to all his questions and went over them at the meeting.

- a. Questions submitted to the Board in February which required research and consultation with management company.
- b. Responses provided to Ray (tonight at meeting) and included in minutes
- c. Ray has submitted additional questions via e-mail
- d. Pete suggested we write down Ray's suggestions and discuss them. There was a discussion of the meaning of "operating account". SHHA has a number of "operating accounts". The Board will review and respond to Ray's latest question about operating accounts.

F. Mr. Stephens of Ft. Craig submitted an amended ARC for a balcony. After reviewing the ARC the Board unanimously approved.

VIII. NEW BUSINESS

A. The Outdoor Man

- a. Submitted an invoice for monthly mowing / maintenance services, JL tree consults, and cutting up two fallen trees
- b. Cost was \$1980; invoice sent to Metropolis for Payment

B. The Outdoor Man

- a. Submitted an invoice for annual plantings, mulching, and fertilizing at entrances
- b. Cost was \$1500; invoice sent to Metropolis for Payment

C. The Outdoor Man

- a. Submitted an invoice from JL Tree service for falling, cutting up a large, uprooted poplar on the common area
- b. Cost was \$2500; invoice sent to Metropolis for Payment

D. The Outdoor Man

- a. Submitted an invoice from JL Tree service for grinding the stump of a tree removed at the Rolling Road entrance
- b. Cost was \$100; invoice sent to Metropolis for Payment

E. The Outdoor Man

- a. Submitted an invoice from JL Tree service for removing fallen tree pieces and dead tree on common area at 5612 Fort Corloran
- b. Cost was \$1200; invoice sent to Metropolis for Payment

F. SHHA domain name expiration

- a. Received notice that domain would expire on May 1st
- b. Kevin renewed the domain at a cost of \$13.95; requests reimbursement
- c. The Board unanimously approved reimbursement.

G. Verizon e-mails

- a. Board e-mailed all homeowners with Verizon e-mail addresses on file with us to request updated e-mail if they were changing e-mail address / provider
- b. Response to notices sent out from Verizon with various options for e-mail subscribers
- c. This generated a good response from the homeowners

H. 8900 Lake Braddock Drive

- a. Contacted the Board to ask if we were aware / involved in ongoing utility work on Rolling Road next to her home, and in her front yard.
- b. She felt that the conditions were unsafe, and had been for an extended period
- c. Board responded that we are not involved, and recommended that she forward her concerns to the utility company(ides).
- d. Kent asked about getting the road repaired. He will follow up on this matter.

I. 9112 Parliament Drive

- a. Board received a complaint regarding a “pop-up trailer” in the driveway
- b. Board observed the situation and sent a violation letter requesting that the trailer be moved and not stored in public view
- c. This violation has been remedied.

J. Mount Lookout Court

- a. Homeowner complained that trash and recycle bins, are often left in the culs-de-sac well past Wednesday pick-ups
- b. Also, that there is a pile of tree debris left by an unknown neighbor

- c. Informed homeowner that we will keep an eye out for bins and send violation letters as needed
- d. Requested that homeowner call for “special pick-up” of branches, as Fairfax County requires the requesting homeowner / address request the pick-up, and we have no way of knowing who left the debris
- e. County did pick up brush

K. 9011 Home Guard Drive

- a. Notified the Board of a med sized tree down behind their home from the common area
- b. BOD requested the Outdoor Man investigate and resolve
- c. Dealt with earlier under invoices

L. 5612 Fort Corloran Drive

- a. Notified the Board of a med sized tree down in their rear yard from the common area
- b. BOD requested the Outdoor Man investigate and resolve
- c. Received a complaint via e-mail from a neighbor that JL Tree Service “accessed my [their] property” without permission to perform this tree removal
- d. Complaint was forwarded to The Outdoor Man and requested that he communicate access rules to his crews and sub-contractors

M. 9019 Parliament Drive

- a. Submitted an ARC request for new windows, siding, shutters, gutter, front door with style and color changes
- b. Kent inspected and recommended, the Board approved.

N. 5589 Marshall House Court

- a. Submitted an ARC request to modify a non-compliant fence that was constructed without an ARC request.
- b. New ARC request was still not compliant with Covenants
- c. Request was electronically reviewed and denied.
- d. SHHA asked for a new, complaint ARC within 30 days. No response so SHHA will ask lawyers to send a letter.

O. 9005 Parliament Drive

- a. Submitted an ARC request for new white vinyl windows in a prairie style grid
- b. Concerns expressed regarding the grid style relative to the home and community. Did not receive any "yes" votes before 60-day deadline.
- c. Request was denied.
- d. Asked to submit a new ARC

P. 5617 Mount Burnside Way

- a. Submitted an ARC request to paint trim, shutters, garage door - new colors
- b. Request was electronically reviewed and approved.

Q. 9005 Fort Craig Drive

- a. Submitted an ARC request to replace an existing, non-compliant fence with a new compliant fence
- b. Required for re-sale, per Policy Resolution #4
- c. Request was electronically reviewed and approved.

R. 9108 Home Guard Drive

- a. Requested expedited review of a new roof with architectural shingles
- b. A tree pierced his roof and emergency repairs were needed
- c. Request was electronically reviewed and approved.

S. 5613 Fort Corloran Drive

- a. Submitted an ARC request to modify an existing, non-compliant fence
- b. Required for re-sale, per Policy Resolution #4
- c. Request was electronically reviewed and approved.

T. 5624 Point Roundtop Court

- a. Submitted an ARC request for new concrete walkway and block retaining wall
- b. Request was electronically reviewed and approved.

U. 9011 Home Guard Drive

- a. Submitted an ARC request for new brown vinyl windows
- b. Request was electronically reviewed and approved.

V. 5637Fort Corloran Drive

- a. Submitted an ARC request to deepen stone porch, add new patio and walkway
- b. Request was electronically reviewed and approved.

W. 5413 Mount Greenwich Court

- a. Submitted an ARC request for a new picket fence that was fully compliant.
- b. Request was electronically reviewed and approved.

X. 9122 Lake Braddock Drive

- a. Submitted an ARC request to replace current EOL fence with compliant picket fence
- b. Request was electronically reviewed and approved.

Y. 9025 Fort Craig Drive

- a. Submitted an ARC request for a rear balcony / patio
- b. Request was electronically reviewed and approved.
- c. A modified plan for the balcony was unanimously approved

Z. 5611 Mount Burnside Way

- a. Submitted an ARC request for a new roof with a change of shingle color and style
- b. Request was electronically reviewed and approved.

AA. Reimbursement

- a. Kevin requested reimbursement for a new drum, cartridge and paper for the printer he uses for SHHA printing. Paper was \$41.99, drum was \$194.55 and cartridge was \$452 for total of \$689.40.
- b. BOD unanimously approved reimbursement

BB. Resale Packets

- | | | |
|-------------------------------|---------------------|-------------|
| a. 9004 Grovers Theater Court | Delivered 9/16/2016 | \$275 Due * |
| b. 5620 Fort Corloran Drive | Delivered 3/20/2017 | \$325 Due |
| c. 5613 Fort Corloran Drive | Delivered 4/2/2017 | \$275 Due |
| d. 9110 Parliament Drive | Delivered 4/10/2017 | \$275 Due |
| e. 9018 Home Guard Drive | Delivered 4/2/2017 | \$275 Due |
| f. 5606 General Banks Court | Delivered 4/10/2017 | \$275 PAID |
| g. 9101 Blue Jug Landing | Requested 5/9/2017 | \$275 PAID |
| h. 9085 Blue Jug Landing | Requested 5/2/2017 | |
| i. 5423 Mount Lookout Court | Requested 5/6/2017 | |
| j. 9013 Parliament Drive | Requested 5/9/2017 | |

* Amount due has been added as an assessment to the owner's account

** Account is with Chadwick for collections

CC. 9015 Fort Craig Drive

- a. Homeowner Jim Davis submitted a proposal to the Board asking about the possibility of modifying SHHA fence rules
- b. Kevin reviewed the request with SHHA counsel
- c. In summary:
 - i. We should support Jim's efforts to make a modification to the Covenants
 - ii. We should NOT do so at the expense of all the hard work, documented successes, and jeopardy to our efforts that would be caused by "suspending enforcement".
 - iii. We could consider drafting and sending out (once again) a reminder of PR#4 - possibly in conjunction with a proxy for the "newly proposed" rules.

DD. 9015 Fort Craig

- a. Jim Davis wanted his Hearing for a replacement of a section of a non-compliant fence held during the meeting. He read a statement that expressed his position and his opposition to the fence restrictions.
- b. After listening to his exposition, the Board explained Policy Resolution # 4 which demonstrates that he is not being treated any differently than other homeowners. The Board discussed with Jim the facts of his case which were the basis of a compromise suggested by the Board:
 - i. A Board member, being unaware that his fence was non-compliant, gave him the wrong advice, telling him that if he replaced it exactly as it was there wouldn't be any need for an ARC.
 - ii. Also, only part of the fence was replaced, which had fallen into disrepair. The remained of the fence was still serviceable.
- c. A motion based on these facts was made. The Board will ask the lawyers to draw up a contract which recognizes that the fence is non-compliant and that Mr. Davis will replace it with a compliant fence when the entire fence is replaced or when he sells his house (per Policy Resolution #4).
- d. The Board unanimously approved this motion and Mr. Davis will be getting the contract from the lawyers. Mr. Davis agreed to receive the contract and review it.
- e. Mr. Davis asked the Board to pay for time with SHHA's lawyers to remove a comma in the CCRs that could drastically alter the interpretation of the number of homeowners needed to change the CCRs. A motion to this effect was made and failed by a vote of 2 to 1. Two Board members were against changing a CCR based on a technicality – especially on an issue that has been so hotly discussed over the last few years. They

felt that to do so would be disingenuous to the homeowners who want the rules to remain unchanged.

IX. DATES FOR UPCOMING MEETINGS

All meetings are held in the Braddock District Conference Room at Kings Park Library with a 7:30pm start time, unless otherwise noted below:

14	June
13	July
10	August
14	September
12	October
09	November
07	December (2017 Annual Meeting of Members)

X. ADJOURNMENT - The meeting was adjourned at 9:40.

XII. SCHEDULED HEARINGS

A. 5441 Flint Tavern Place

- a. Roof is damaged, and has significant staining and lichen growth.
- b. Homeowner did not show up.

B. 9015 Fort Craig Drive

- a. Newly constructed fencing is not compliant with the Restrictive Covenants due to height (top rail is >42") and wire fencing installed. The fence was installed without an Architectural Request.
- b. Hearing held in meeting at homeowner's request, and agreement for resolution was reached.

C. 9020 Fort Craig Drive

- a. Rear yard contains large amounts of pet excrement and is a nuisance condition to multiple neighbors.
- b. Fairfax County sent a "Notice of Nuisance Condition" letter
- c. Resolved during meeting.

XI. EXECUTIVE SESSION

- A.** None.

SIGNAL HILL HOMES ASSOCIATION
METREGISTER
MAY 2017

Action Items

ANNUAL DUES NOTICE — 120079

The first notices for 2017 were mailed out to the homeowners. Per discussion, Metropolis forwarded out the second notice. **Please advise which accounts the Board wishes to turn over to the attorney for collections.**

We will notify you of next step following May meeting on 5/11

FENCE CONCERN - 5592 BHC — 150927

At the February 2017 meeting, Metropolis mentioned that the fence was down near 5592 Blake House Court. This was being investigated at the March meeting. **Has the Board come to a conclusion?**

Per e-mail sent:

From: Kevin Martin <kevin.martin@shha-burke.org>
Date: Wed, Mar 8, 2017 at 8:39 PM
Subject: Re: March 2017 Report
To: Metropolis Condo Mgmt
Cc: 225 Board <info@shha-burke.org>

Update regarding 5592 Blake House Court fence, per e-mail from Kent Ford (Member at Large):

Kent ford investigated this. He did not see any fences in disrepair. The house behind 5592 Blake House Ct has a split rail fence, with wire on the fence, I guess to keep in a dog. That fence has some rails down. It should be noted that 5592 Blake House Ct is on the boundary of our association. The house behind them is in a separate homeowners group and we would not have jurisdiction. I recommend we consider the matter resolved.

Please contact the complainant and provide them with the above information.

RESERVE CONTRIBUTION — 136151

Metropolis received financial questions regarding the reserves and general income from Mr. Masterson and responded to the same. **Please advise if the Board wishes for any transfer of funds to the Reserve Account.**

We will notify you if / when we want any funds transferred between accounts.

VIOLATION LETTER RESPONSE - 8936 BHP — 280260

The homeowner of 8936 Bald Hill Place responded to the Board's violation request. **Has the Board responded to their email?**

Yes. We have responded to the homeowner who requested an extension to complete repairs.

Information Items

AUDIT — 143024

Metropolis and the Board of Directors continue to work with Turner and Liens regarding the outstanding audits for the Association. Currently Mr. Kerr is working on the 2013 FYE audits - the 2012 draft audit was forwarded to the Board. The Board has authorized a onetime charge of \$120 regarding outstanding reserve bank statements. Mr. Kerr has forwarded a request for the bank statements from CD 3836 and 3807.

In the interim, Metropolis has worked with Frank Hadjuk and Associates to complete the current year taxes.

Please keep us informed of progress or requests. We need to get audits current through 2016 as soon as possible.

BRADDOCK DISTRICT COUNCIL REGISTRATION — 136210

Metropolis filled out and returned the Braddock District Council form.

Thank you.

LEGAL — 281167

Redacted – legal matter.

Questions about SHHA Finances from the 2016 Annual Meeting minutes

Submitted by Ray Antosh. SHHA / Metropolis responses are in **Bold Black**.

Following Section III, paragraph letters from the minutes of the 2016 Annual Meeting:

- A. According to the Treasurer report, the Contingency Fund is in laddered CD's (3 x 12,000 + 8,800= \$44,800). That does not equal \$75,000 as stated in the SHHA Finances letter included in our 2016 Annual Minutes Packet. There is a \$30,200 discrepancy – explain please? Does this mean a new CD is in the process of being purchased?

Reference attached spreadsheet. The Contingency Funds are represented by accounts Ref # 2 – 7. As of 2/28/2017 these represented a total of \$78,964.20. There is no discrepancy. You failed to account for all of the accounts.

There is currently no additional CD being purchased. Based on current checking account balance, we could consider purchasing a new CD, but we would not want all of the board controlled funds to be tied up in CDs.

- B. What are Liquid funds? SHHA has \$1001. This term has not been used before. Is it petty cash in a SHHA checking account somewhere that a Board member can get to quickly or what is it? Where does it appear in the SHHA books? Is it part of the \$26,848 SHHA has forecast to have left over from the 2016 budget?

Metropolis response:

Liquid funds are those which are readily available. CD's must be 'broken' to pull money out, and this often comes with a charge. Liquid funds are typically those in Reserve / Contingency Accounts (saving accounts), Money Markets, etc. Petty cash refers to monies which are normally held by a site office or manager which are used for day to day items. The Operating Account (checking account) is used to pay the monthly bills such as landscaping, insurance, etc.

The liquid funds are the summation of the monies within the Operating Account and the Reserve Account (not CD's)

- C. The actual money spent in 2014 and 2015 were not provided to the homeowners to see when the 2017 proposed budget was provided for the annual meeting. The 2014 and 2015 actuals were known, readily available and are currently being audited. 2014 and 2015 amounts expended are not based on historical expenditures but should be facts. To say they were “an estimate of unknown future expenses based on historical expenditures” is to suspend all reality. What is the reason for not including what the SHHA

spent in 2014 and 2015 in the 2017 Proposed Budget so the homeowners could see how their money was spent?

The DRAFT budget was prepared by Metropolis, and reviewed by the Board. We do not know why they chose to include 2014 and 2015 Budget numbers instead of actuals.

The actual numbers WERE provided by Metropolis as a hand-out at the annual meeting, along with the proposed 2017 budget.

- D. There were many examples of Contingency Funds being used. If that's the case, then the contingency fund amounts would not have 3 with \$12,000 each and 1 with \$8,800 since they are in CD form and you would take a loss if you withdrew money prior to maturity. The Contingency Fund has NEVER been used to pay for any of the examples cited. These examples should have been indicated as being paid out of the yearly operating expenses. In every case except possibly one, the Association had money left over at the end of the year. The extra money was placed in the Replacement Reserves. What is the Replacement Reserves and what account is it in?

Once again, you neglected to account for all of the contingency accounts (Ref # 2-7). We have not, so far, had to draw from the Contingency CDs.

- E. Finally, this is from my unanswered response to the Board of Directors found in my email at the end of the 2017 Annual Meeting Minutes: In the 2017 Comparison Sheet provided at the annual meeting, \$26,848 was projected as income for 2016. Why then was the increased assessment of \$30 per household necessary – can you explain. The increase of \$30 x 493 homes = \$14,790 and by subtracting that from the projected \$26,848 incomes leaves the SHHA with a profit of \$12,058, more than it has ever before. What is SHHA planning on doing with the \$26,848 unspent this year? In future years when there is a large amount of capital coming back to the SHHA what is planned for that additional money? Will the SHHA suspend an assessment for a year?

The Board of Directors felt that, in reviewing 2015, that rising expenses for items (such as tree removal, insurance increase, mailings due to inspections, legal fees etc.) necessitated the increase. There is also always the concern that a different make-up of the Board of Directors will not be as proactive: as you know the Board currently has an arrangement with the Management Company where we, the Board, complete the Resale Packages (income generated), we (not the management agent) do the periodic and resale inspections, and other cost saving measures. Between the current needs and possible future needs (maintaining / upgrading signs, additional plantings and common area tree removal) the Board felt it was prudent to increase the Annual assessment.

Due to the increased Quorum requirements needed to raise dues, the Board decided to do a larger than typical increase once, rather than multiple, smaller increases over 3-5 years. Any unspent monies each year remain in the Operating Account, or are added to one of the available contingency accounts (savings, or CD purchase). The size of these accounts has been - and will continue to be – part of the analysis for any future dues increases. It is the recommendation of our

management company (and generally a best practice) to maintain contingency funds of at least 100 – 150% annual expenses.

There are no plans to suspend assessments.

I believe the SHHA homeowners need these questions answered so they understand where their hard-earned money goes. I trust the answers will be included in the Board of Directors meeting minutes.

Rest assured that the SHHA homeowners' money – including the Board of Directors – is diligently tracked and accounted for by the management company, the treasurer, and routine audits (in progress).