

Minutes  
12 July 2022  
Foxvale Farm Homeowners' Association  
HOA Board Meeting

| HOA Board Members | Present? |
|-------------------|----------|
| Tom Hixon         | Y        |
| Dolly Whelan      | Y        |
| Ann Kainec        | Y        |
| Linda Koppier     | Y        |
| Jordan Sembower   | Y        |
| Randy Long        | Y        |
| Kathy Allen       |          |
| Scott Hertling    |          |
| Megan Stinson     | Y        |
| Others            |          |
| Dave Clark (ACC)  | Y        |

Agenda:

- Approval of the Board minutes from the: May10 meeting, May 31 special meeting, Annual Meeting, and June12 Board Meeting
- Treasurer's Report
- Common Area Maintenance Report
- Architectural Control Committee Report
- Trash Survey status Report
- Other?

Discussion:

- The meeting was called to order at 7:07 pm.
- The minutes were approved for the following May and June meetings:
  - May 10 HOA Board meeting
  - May 31 Special HOA Board meeting
  - June 14 Homeowners' Association meeting
  - June 14 HOA Board meeting
- Treasurer's Report
  - Ms. Kainec sent the Treasurer's Report to the board members prior to the meeting.
  - Ms. Kainec is working with the bank to reconcile the difference between the amount deposited for the annual HOA dues and the amount shown on the bank statement. One discrepancy was found and rectified but did not account for the full difference.

- The full amount of legal fees incurred to date is reflected in the Treasurer's Report. It is doubtful that legal fees incurred due to the latest architectural violation will be recouped. However, there is now a path that can be followed in the future such cases that can preserve the HOA's architectural controls.
- Sullivan Landscaping has not sent the latest bill for mowing.
- The grass has not grown back enough to recoup the deposit held by Fairfax County for the pond upgrade. The grass should grow back sufficiently this fall. The HOA hopes to recoup the deposit then after an inspection by County.
- Common Area Maintenance Report
  - Trees:
    - There are two dead trees, one on McMillen Court and another behind a home on Riva Ridge Drive. Mr. Long has requested an estimate to remove those trees.
    - There are downed limbs from previous thunderstorms. Mr. Long will connect with Mr. Sullivan this week to discuss removing those and also the cost for extending the fence along Springvale Road to include 915 McMillen Court.
  - A neighborhood Fall Cleanup needs to be scheduled, possibly October 15<sup>th</sup>, 22<sup>nd</sup>, or 29<sup>th</sup>. Mr. Long will coordinate the date with Sullivan Landscaping.
  - Ms. Whelan asked if there are any Boy Scouts that could handle replacing and painting the top parts for the fence.
- Architectural Control Committee (ACC) Report
  - Prior to the meeting, the ACC provided the HOA Board a draft "Door Styles - Architectural Control Committee/Board Review & Enforcement Policy" and a list of neighborhood doors that are currently not in compliance with the Architectural Control Guidelines.
  - Mr. Hixon reviewed the history for the doors on the non-compliant list. In several cases, the homeowner did not apply for approval for the replacement door prior to the door's installation.
  - Mr. Clark noted that the dates for when the doors were installed by the respective homeowners, without ACC or HOA Board action, will be important to determine which doors will be "grandfathered".
  - Mr. Hixon noted that the Architectural Control Guidelines are developed by the ACC but approved by the HOA Board. The ACC does not have the authority to approve doors not in compliance with the guidelines. Mr. Hixon, based on input from the HOA's legal authority, proposed that if a door is "grandfathered", it should only be for the duration of current ownership of the home.

- Section M of the guidelines was first published in 2005. The ACC is working on an update for Section M with additional acceptable doors and will submit the update when ready to the HOA Board for approval. It was also recommended that the ACC include the dates that door styles are acceptable.
- Mr. Clark proposed that “grandfathered” is to honor when the ACC approved a door for the homeowner and that doors not approved may be temporarily allowed under certain conditions. When unacceptable doors are replaced, the new doors should be in compliance with the Architectural Control Guidelines. Non-compliance violations should be remedied when the door is replaced or when the house is sold.
- Ms. Koppier and Ms. Kainec recommended that a decision tree or flow chart be prepared to show the decision logic for determining compliance and determining the actions required of homeowners when their front doors are non-compliant.
- Mr. Hixon requested that the ACC send the HOA Board an update to the list of doors currently not in compliance with recommendations for which doors to “grandfather” and which to exempt from compliance temporarily. In addition, Mr. Hixon also requested that if the ACC would like “to grandfather” a home’s non-compliant door, that they instead either include the door style in the list of acceptable doors or set a date or condition under which the home’s door will be changed to be compliant. This approach will minimize exceptions allowed to the guidelines over the long term. Regardless, any exceptions made and accompanying restrictions will need to be documented for HOA records.
- Trash Survey Status Report
  - Republic responded to Mr. Sembower and will submit a bid for servicing the neighborhood. It was noted that there is a variation in rates charged by the various trash services in the neighborhood.
  - Mr. Sembower will update the Trash Survey with Republic’s proposed rates when received.
  - There will be a hidden website to administer the Trash Survey within the Foxvale Farm website. There will be request sent to the community for a submittal by each home to submit to the survey.
  - It was noted that 2/3 of the neighborhood is required before the covenants can be changed and be binding for the HOA to manage a neighborhood-wide service contract and include that annual cost in the HOA dues. The HOA board can only increase the dues up to 10% without a special vote. Including the trash service in the HOA dues will exceed that amount and therefore require a special vote.

- Ms. Kainec asked if the minutes should be up-leveled. The minutes could be up-leveled to only include what decisions were made and actions to be taken. Ms. Koppier will take this recommendation under advisement.
- The motion to adjourn was unanimously accepted and the meeting was adjourned at 8:15 PM. The next scheduled meeting of the Board is September 13, 2022 at 7:00 PM at the Great Falls Library.