

Huntington Forest Homeowner's Association

Board Meeting

January 14, 2016

Meeting called to order at 7:14 pm. Meeting held at Montessori School of Alexandria, 6300 Florence Ln.

Board Member Attendees:

Kerry McCabe, Steve Piper, Steve Danz, Kathy Spitzer, Grace Washburn (phone), Jess Schrum, Michael Tanner (phone 7:26 pm)

Homeowner Attendees:

Frank Donohoe, Bill Mendez, Debbie Clay-Mendez, Dan Manning, Dave Watson

Point of Order – Kerry McCabe asked all attendees if anyone was recording the meeting. All attendees indicated they were not.

Kerry McCabe established that a quorum is present

Homeowner Formal Complaints Received from Bill Mendez & Donna Clay-Mendez

- Bill Mendez provided a verbal summary of his formal complaint dated December 15, 2015.
 - The complaint alleges that the association is not in compliance with Virginia law (55-510.2, Virginia Property Owners Association Act) with regard to establishing free, reasonable, and effective communication among association members.
 - Complainant alleges that US Mail is not free or effective
 - Complainant alleges that house to house delivery is not reasonable or effective
 - Complainant alleges that HFHOA official distribution email list is limited to communications approved by the board.
 - Complainant asks for the HFHOA to comply with cited Virginia law by establishing a means of member communication that is free, reasonable and effective.
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- ❖ Steve Piper asked homeowner why they sent the complaint to the outgoing board and not the new board.
 - Homeowner replied that the question is not relevant and also that they would prefer immediate action prior to board elections and document changes.
 - ❖ Jess Schrum asked homeowners if they are alleging a violation of Virginia law.
 - Homeowner answered in the affirmative.
 - ❖ Jess Schrum stated that the HFHOA board has received input from multiple lawyers who have all agreed that the association's communications policy meets the requirements of the law.
 - ❖ Jess Schrum stated that when he was President, he sent homeowner communications via the HFHOA controlled email list if they were factually correct.
 - ❖ Steve Danz stated that a web based forum would require time and effort to maintain; moderation and maintenance issues and maintenance time would be high. A board-approved moderator would be required to review all posts daily. Policy would need to be drafted and approved that specifies who is allowed to log into the proposed portal.
 - ❖ Michael Tanner echoed Mr. Danz' concerns about moderation and maintenance issues.

- ❖ Kerry McCabe believes there are too many unknowns to jump right in. He believes there are likely higher costs (than the homeowner stated \$400-\$500) required for implementation & maintenance. Legal liability and other related issues to a community web based communications board are probably significant. Mr. McCabe also does not believe the association is in violation of Virginia law as members are provided a free phone directory and can use it for communications. Mr. McCabe is also concerned that under the homeowner's concept, the mandatory sending of messages on postings and changes would be equated to spamming by the association, which could adversely affect more official communication.
- ❖ Steve Piper noted that we currently must print and send via mail or hand delivery all communication that is currently emailed, if we do not have a homeowner's email address on file. He wondered whether we would also need to do this for a proposed member forum.
- Motion – Whereas we comply with Virginia law, we deny the complaint.
 - Steve Piper
 - Second – Kathy Spitzer
 - Aye – Grace Washburn, Michael Tanner, Steve Danz, Kathy Spitzer, Kerry McCabe, Steve Piper
 - Nay/Abstain – None
 - Motion carried unanimously – Complaint is denied.

Secretary's Report – presented by Steve Danz

- Motion to Approve minutes of the 12/15/2015 board meeting
 - Steve Danz
 - Second – Steve Piper
 - Carried Unanimously

Treasurer's Report – Presented by Steve Piper

- Motion to Approve Treasurer's Report
 - Steve Danz
 - Second – Kathy Spitzer
 - Aye – Steve Danz, Kathy Spitzer, Michael Tanner, Jess Schrum, Kerry McCabe, Steve Piper
 - Abstain – Grace Washburn
 - Motion Carried, Treasurer's Report approved.

President's Report – Presented by Kerry McCabe

- Kerry requested all reports and slides for Annual Meeting be sent to himself and Steve Piper.
- The Board should arrive at the Annual Meeting site at 6:30 to help setup.
- Motion to Approve payment for both November (postponed meeting) and January.
 - Kathy Spitzer
 - Second – Steve Danz
 - Carried Unanimously
- Motion to Approve President's Report
 - Steve Danz
 - Second – Steve Piper
 - Aye – Steve Danz, Kathy Spitzer, Jess Schrum, Michael Tanner, Kerry McCabe
 - Abstain – Grace Washburn

Committee Reports

ARC Report – presented by Kathy Spitzer

- Minutes were approved by ARC and sent to Board to approve posting on website
- Motion to approve posting to website
 - Steve Danz
 - Second Steve Piper
 - Carried Unanimously
- Three items considered at last ARC meeting with two approved and one disapproved.

Land Use – presented by Kerry McCabe

- Nothing new to report

Common Area – presented by Michael Tanner

- Nothing new to report

External Affairs – presented by Kerry McCabe

- Nothing new to report

Motion to Approve all Committee Reports

- Steve Piper
- Second – Kathy Spitzer
- Carried Unanimously

Old Business

- CAI Membership is still pending
 - Steve Danz reported that to sign up all nine board members as a member of CAI would cost \$590. As he was authorized only to spend \$200, he held off. The board agreed to hold off on this until the new board was seated. Likely outcome is that the President and Vice President are signed up for membership.

New Business

- Discussion of how to present the budget WRT legal/professional fees incurred by the board.

Open Forum

Kathy Spitzer said she met a neighbor from Candlelight Ct. who said he enjoyed walking through our neighborhood and said it was very nice.

Dave Watson, a retired CPA asked if the board had its charter lapse in 2001. Kerry McCabe answered in the affirmative with brief discussion on the details, to include that we re-registered with the SCC in 2008. Mr. McCabe stated that there is no legal issue with the minor difference in the names that are/were registered for the association.

Mr. Watson asked if the board initiated legal action against a homeowner. Mr. McCabe answered in the affirmative with brief discussion.

Motion to Adjourn – 8:57 pm

Steve Piper

Second – Danz

Carried Unanimously