

Draft Agenda: Annual Meeting of the Wolf Trap Woods Homes Association—7 p.m., June 11, 2024

(A Non-Stock Corporation under the Laws of the Commonwealth of Virginia)

(7:00-7:05 p.m.) Call to Order (New Board President, Fred Cirillo)

- Introduce the Board; thank parting Board members
- Welcome new Committee Chair
- Present Agenda

(7:05-7:15) Introduce Guest Speaker, State Senator

Jennifer Boysko (Fred Cirillo)

- senatorboysko@senate.virginia.gov
- Remarks by Senator Boysko on Tysons Casino, etc.,

(7:15-7:25) Q & A

(7:25-7:35) Introduce Guest Speaker Ken Bigley, Superintendent, Wolf Trap National Park (Fred Cirillo)

- info@friendsofwolftrap.org
- Remarks by Ken Bigley
- Topics: Friends of Wolf Trap, etc.,

(7:35-7:45) Q & A

(7:45-7:50) Secretary to Confirm Quorum [need 113 homes to conduct official business] (New Secretary, John Dyer)

- Results of Voting

(7:50-8:10) Treasurer's Report (Ron Burr)

- Budget, Income, & Expenditures
- Auditor's report; delinquencies
- Form committee to identify use of VDOT \$
- Increase in Annual Assessment

(8:10-8:20) Q & A

(8:20-8:35) Committee Reports

- External Affairs Committee, Chair, Patrick Harkins
- Maintenance Committee, Chair, David Beaudreau (Fred Cirillo)

(8:35-8:45) President's Report (Fred Cirillo)

- Vision and Goals
- Million-dollar homes need full-service professional management support
- Covenant Compliance and Enforcement

(8:45-9:00) Q & A

(9:00) Adjourn

Vision and Goals of the Board of Directors

Our Vision is to preserve and enhance our treasured wooded area and its trails, ensuring they remain a sanctuary of natural beauty and a cornerstone of our property values and our residents' safety and quality of life.

- **Our Goals stem directly from the Covenants and By-Laws. Use Association resources to:**
 - **Promote the recreation, scenic enjoyment, health, safety, and welfare of residents.**
 - **Promote improvements, maintenance, use, and enjoyment of the Common Area.**
 - **Promote the harmony of external design and location in relation to surrounding structures and topography.**

Key Activities of the Board of Directors Since the Last Annual Meeting

- Continued to pursue VDOT payments to settle at higher amount—a multi-term Board effort. Initiated tax reduction efforts on VDOT \$ via homeowner approval, saving thousands for capital improvements.
- Based on homeowner concerns on potential effect on home values, executed, with their input, first test run of reforestation plan on a small area “damaged” by VDOT expansion. Evergreen, other trees planted to obscure view of new wall, roads. Serves as template for preserving woods for generations. (Den)
- In response to homeowner concerns about encroaching invasive species of bamboo, executed first test run targeting bamboo on Common Area directly behind multiple houses. The full extent of the locations of the invasive bamboo is unknown and needs investigation and strategic planning. (Den)
- Based on safety concerns raised by homeowners about stairs going from Glenridge Ct down into the Common Area, developed statement-of-Work, met contractors, received 2 of 3 contractor bids. (Woods)
- Investigating potential improvements to the entrances to the Woods and the Den after VDOT finished.
- Investigating options for dealing with the coyote issue on the Common Area and ways to relocate them.
- Published the first Wolf’s Howl since 2019.
- After years of investigation about hiring a full-service management company, Board requested legal options from Association’s law firm to increase annual assessments to pay for such services. One option law firm identified--using max CPI retroactively “without a vote of the membership,” (see slide 6) is what the Board selected to enlist professional management help ASAP. The law firm reviewed and made changes to the letter to homeowners announcing this option.
- Signed a contract with a full-service professional management company to assist the Board and Committees in addressing immediate, long-term Association needs, due in part to increased workloads and lack of volunteers. (over)

Benefits of a Full-Service Management Company over our Limited Service One

- Goal-- to dramatically improve the care, maintenance, and multi-year issues the Association is facing.
- Assisting Board, Committees with strategic planning, decision making, collecting, quickly addressing homeowner questions, concerns, and issues, policy implementation, and reporting, at monthly meetings, on monitoring resolutions to completion.
- Providing more accurate financial management.
- Providing Property Management of—routine, emergency maintenance, landscaping, repairs, and overseeing Common Area Planning for Bamboo eradication, reforestation, Common Area and Trail improvement.
- Providing Vendor Management: (1) Identifying a pool of contractors to provide support as needed; (2) developing Statements-of-Work for contracts; (3) soliciting bids, (4) rebidding existing contracts (e.g., lawn services) using extensive vendors list; (5) handling negotiations and contract management; (6) inspecting contractor onsite work to address contract specifications.
- Assisting Board, Committees in ensuring compliance with Covenants, By-Laws, county, state, federal laws.
- Eliminating need for pitting neighbor-against-neighbor to enforce Covenant violations. The full-service management company will be the intermediary.
- Organizing, managing Board, community meetings, events, and improving communication with homeowners.
- Maintaining a simplified Homeowner Association Website, to include individual homeowner portals for access to all documents and Board business (agendas, minutes, resolutions, requests for architectural changes, and other communications). Alleviates need for the Association to pay for an updated new Website.
- Digitizing records in hardcopy in a dozen or more boxes; almost certainly not in compliance with law, Covenants.
- Maintaining institutional knowledge; establishing continuity of operations and infrastructure for future Boards.
- Filling in the void created by the steady loss of volunteers needed to support a community of million-dollar homes.

Key Virginia Laws that Apply to Homeowner Associations & Property Owner Rights

1. Virginia Property Owners' Association Act (Title 55.1, Chapter 18):

1. **Description:** This primary statute governing homeowner associations in Virginia. Outlines powers, responsibilities of associations, rights, obligations of homeowners, and procedures for meetings, voting, and rule enforcement.
2. **Key Provisions:** Notification requirements for meetings, disclosure of association records, financial management, process for adopting and enforcing rules.

2. Virginia Nonstock Corporation Act (Title 13.1, Chapter 10):

1. **Description:** Many HOAs are organized as nonstock corporations; this act provides the legal framework for their formation, management, dissolution.
2. **Key Provisions:** Rules for incorporating nonstock corporations, governance structures, officer duties, and member rights.

3. Virginia Fair Housing Law (Title 36, Chapter 5.1):

1. **Description:** Prohibits discrimination in housing practices, including those by HOAs, based on race, color, religion, national origin, sex, elderliness, familial status, or disability.
2. **Key Provisions:** Enforcement of non-discriminatory practices, reasonable accommodations for disabilities, penalties violations.

4. Virginia Solar Rights Act (Section 67-701):

1. **Description:** Restricts HOAs from prohibiting or unreasonably restricting the installation of solar energy devices on property
2. **Key Provisions:** Guidelines for reasonable restrictions, such as those related to size, place, and manner of installation, without impeding the effectiveness of the solar devices.

5. Virginia Common Interest Community Ombudsman Regulations (Title 55.1, Chapter 23):

1. **Description:** This regulation establishes the Office of the Common Interest Community Ombudsman to assist homeowners and associations in resolving disputes.
2. **Key Provisions:** Procedures for filing complaints, the role of the Ombudsman in dispute resolution, and reporting requirements for associations.

6. Virginia Resale Disclosure Act (Title 55.1, Chapter 18, Sections 55.1-2308 and 55.1-2311):

1. **Description:** This act requires HOAs to provide a disclosure packet to prospective buyers containing essential information about the association and the property.
2. **Key Provisions:** Information on association fees, financial status, rules and regulations, and pending litigation must be disclosed before the sale of a property.

7. Virginia Open Meeting Law (Title 55.1, Chapter 18, Section 55.1-1816):

1. **Description:** This law mandates that HOA board meetings be open to association members, with certain exceptions.
2. **Key Provisions:** Requirements for advance notice of meetings, record-keeping of meeting minutes, and the conditions under which a board can hold closed sessions.

8. Virginia Assessment Collection Law (Title 55.1, Chapter 18, Section 55.1-1833):

1. **Description:** This law governs the collection of assessments by HOAs, ensuring they have the necessary funds to maintain and manage the community.
2. **Key Provisions:** Procedures for assessment collection, handling delinquent payments, and imposing liens on properties for unpaid assessments.

9. Virginia Property Owners' Association Disclosure Packet Notice (Title 55.1, Chapter 18, Section 55.1-1809):

1. **Description:** This law requires that HOAs provide a disclosure packet notice to prospective buyers, summarizing the association's governing documents and financial status.
2. **Key Provisions:** The notice must include information on assessments, fees, reserve studies, and any pending litigation affecting the association.

Extract from Email from Association's Rees Broome (RB) Law Firm Identifying an Innovative Option: Using Max CPI Retroactively "without a vote of the membership"

• **From:** Kristen L. Buck

Sent: Wednesday, March 20, 2024 8:48 PM

To: reburr@gmail.com

Cc: WTW Directors <wtwboard@gmail.com>

Subject: RE: Follow up on your meeting with Meni and Cirillo



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- Hi Ron,
- **First:**
 - In terms of the VDOT funds, yes, they need to be earmarked for capital projects in order to avoid tax liability. My question was whether the VDOT funds are allocated to reserve projects that you are already reserving for in the regular budget.
 - If the funds from VDOT will be used for a project that is already fully funded in your current reserve account or if the VDOT funds will put you over the amount your reserve study says you should have in your reserve fund, I was thinking that you could take the "excess" funds from the reserve account and move that to operating to pay for management in the time being. I wasn't talking about reallocating the VDOT funds to anything.
- **Second:**
 - Next, I suggested that we figure out what your actual maximum annual assessment should have been each year. That is because the Board can adopt up to the maximum each year **without a vote of the membership.** This means each subsequent year's assessments should have been calculated **based upon the maximum assessment that could have been imposed, not what the Board actually assessed in that year.** But the inflation calculator you provided is not how the documents require the assessments to be calculated.