

**Oakton Mill Estates HOA
BOARD QUARTERLY MEETING – July 25, 2023, 7 pm
Oakton Library—In person**

In attendance: In person—Ed Hanlon, Andrea Woodhouse, Iman Elbakry, Rebecca Greene, Chris Lanks, Nick Butler, David Buss, Lucas Black, Rob Hallbach

Treasurer’s Report:

- Summary of HOA finances: We collected \$150 in late fees
- One assessment not paid.
- Legal expenses to date are over \$10,000, we should wrap up this project with the lawyers, Ed has been trying to limit those costs. Bill’s invoice was \$13,000.
- One member asked if we are charging enough for HOA dues? At January meeting we can see if we need to increase it.
- We have \$39,000 in reserve fund. Rob reports that we have not touched the reserve fund. Balance in operating fund is \$4000 for legal fees and landscaping.
- The homeowner with two lots pays one annual fee. According to the lawyer, the owner of the lots gets two votes and they are only charged one association fee. If we want to change that we need to make a separate amendment for that language.

New Business:

A. Retention Pond Issues: About four years ago, Bob Doyle and Christian Clifford went back and forth about the retention pond, noting it rises during a storm and the drains at the bottom get clogged regularly and then the water slowly goes down. The question is do we want to ask the county to clean those drains periodically more than they do now.

- Rob says the stormwater situation has gotten a lot better than it was. Christian always coordinated the retention pond landscaping. The Fairfax County Environmental Department put the fence up and added the large stones for erosion control. Once a quarter, the county checks the fence and the drains to see if they are clogged up and then drain them. Ed will look at the fence to see if it is clogged up. Ed will get the county contact information from Marcia Sherwin. The Board believes that Marcia had been in contact with the county after Christian left the Board.

B. HOA Leader Website--Ed raised the issue of whether we should continue paying \$100/year for HOA Leader Website, it auto-renewed in April, and is good for another year until April. The draft documents are in there. The site is a good resource for Ed. We may plan next March not to renew for another year.

C. Minutes--All of last year’s minutes are not posted on the website. Ed asked if there was a procedure in the by-laws for finalizing the minutes. Ed has a collection of final minutes. We will make a request to Rebecca Chanin to post on the website.

D. Social Committee--HOA Board members think it would be good for the social committee to meet again.

- E. Status of Shed and Garage Project**—The Board went through all of the shed/garage amendments, got unanimous agreement on what the plan was, recorded it in the county, and then the next step is for the amendment team to coordinate with the Board on future steps.
- On June 14, Ed emailed the Board the latest set of documents after coordinating with John and Rob. They went back and forth on different approaches: one package or two packages, and the history of how they were developed. On January 2, Ed forwarded the Board the draft language for the amendments, which was received from the HOA lawyer Bill Marr. The Board never discussed these draft amendments until the July 26 Board meeting. On June 14 they were sent out to the Board for review. After incorporating two sets of comments and updating the documents, they were resent to the Board on July 7.
 - The comment from Rob is that the proposed amendments to Article 7 of the Declaration of Covenants, Conditions and Restrictions for the Oakton Mill Estates Homeowners Association have added more restrictions. There are 14 proposed amendments and 8 of the 14 deal with Article 7. Articles 4 and 5 are for the shed and garage. Articles 6-11 strengthen the ARC. For Section 16 and 17, the amendments came out of the June 7 and August 31 meetings.
 - In the November 10 letter from Bill Marr, Bill recommended making 25 changes to the governing documents, due to changes in the law that are needed for the protection of the directors. Luke commented that if we are moving forward with the amendments, the laws have changed in 35 years and we need to update.
 - The Board discussed various changes to the draft amendments, and made wording changes to provide for a more appropriate, less restrictive proposed amendment package. A Board member noted that if we get too specific in the amendments then we're at risk of not including something we might want to. The Board discussed how the Board could adjust this issue as necessary.
 - The Board discussed whether Article 7 is too broad, and the Board is wondering if this is the business that the committee wants to be in, perhaps there is a happy medium that is not too prescriptive. A Board member asked why would it be in the homeowners best interests to vote to give up something, because if they think they are going to lose something they will say no, if our goal is to get this passed.
 - The Board discussed whether the amendments to the articles should define requirements for exterior features such as exterior colors of roof materials, garage door, material, siding material, driveway material, driveway layout, fences, and footprints of the home. A Board member suggested that we not try to define it in the amendments but rather, broader language should be included in the amendment. The Board noted it could then adopt such definitions and requirements as appropriate and change such requirements as appropriate through an adoption process.
 - Iman commented that people may be overwhelmed by all of this, and maybe we should start with sheds and garages with the amendments, then send out the survey as Step 1, and if they pass then call the Special Meeting just for sheds and garages. The Board discussed this issue, and agreed there should be a two-step voting process. The Board agreed that Step 1 would send the amendments associated only with sheds and garages, and two key amendments for specifically providing the Board authorities to adopt design standards for exterior modifications, and providing the ARC with authorities to review and approve such adjustments. The Special Meeting for Step 1 would occur on September 18. Step 2 would send the amendments for other than the shed and garage

topics, which include additional amendments associated with strengthening the ARC. Ed will make two packages with changes incorporated, noting we can wait on sending out the Step 2 materials until after the Step 1 Special Meeting has occurred. The Special Meeting for Step 2 would occur at the scheduled November 29 annual meeting. Ed noted he would update the Step 1 shed and garage package and re-send to the Board for their okay.

- Iman made a motion to approve the April 26th minutes, they are approved.
- We will do a Zoom meeting for the September 18 Special Meeting.
- Ed says that 84 lots get votes, he will be keeping track of that and will keep envelopes that come in, Chris and Iman are the overseers of that, they will look at the folders and will send an email after Ed has looked and it looks good.
- Ed will create a chart after the meeting, showing that we received a ballot for a particular lot.
- Board members can lobby neighbors but cannot be proxies for neighbors.

The meeting was adjourned at 9 pm

Respectfully Submitted,
Rebecca Greene, HOA Secretary