



1. Mr. David West convened the Tabb Lakes Homes Association monthly Board of Directors (BOD) meeting at 7 pm, April 7, 2009 in the Tabb Library meeting room, Yorktown, VA.

Personnel in attendance were:

President: Dave West

Vice President: Ron Maddox

Secretary: Ellis Sharadin

Architectural Review Committee: Jennifer Wong

Lake Maintenance Committee: Dan and Sylvia Harrington

Cox & Lee Management Company: Rob Cox

2. Mr. West opened with a request for any comments on minutes of the March BOD meeting. None were entertained. The BOD approved the minutes from December on a voice vote.

3. There were no homeowners present to discuss individual issues. Dave West discussed at length the upcoming court hearing on 24 April in the case of Fukawa vs Tabb Lakes Homes Assn. Mrs. Fukawa of Bridgewood Drive has sued the Association in an attempt to recover the cost of removing concrete footings from the easement area in front of her home, which was the former site of the Tabb Lakes entrance sign installed by the developers. Our position remains that the Association had nothing to do with the sign erection or removal, and that any incidental costs of removing the footings are an issue between the homeowner and the developers. In addition, the Fukawas were aware of the presence of the footings in the front yard when they purchased the house, and their acceptance of the home as-is from the previous owners is proof of their acceptance of any financial liability in removal of such. The Association lawyer will maintain this as the Board's position and also ask the judge for an award of legal fees if we prevail. Based on our lawyer's comments, Mr. West is convinced the Association will prevail in the matter. Former BOD members Jim Magnotta and Art Johnston may be present to act as witnesses, since they were present when Mrs. Fukawa first demanded the BOD assume liability a few years ago.

4. **Treasurer's Report:** Mr. Rossi, Treasurer could not be present for the meeting. Mr. West handed out copies of the treasurer's report, dated 4/05/09. Total expenses for March rose to \$25,509, mainly due to the annual set-aside for the Lakes Contingency Fund. This is not an operating expense per se, but a simple transfer of budgeted funds to the lakes capital investment fund mandated by the state. A miscellaneous charge of \$16.50 was for reimbursement of a member over-payment of dues. The Treasurer must also pay out approximately \$916 per quarter for estimated taxes. Further details on the budget are available to any interested homeowners by contacting any BOD member for a copy of the treasurer's report. Mr. Rossi also reported a 97% compliance rate for Annual Dues Assessments; we will not see reimbursement from the foreclosed home at 910 Tabb Lakes Dr. until the home is sold by the bank.



5. Committee Reports:

- a. Architectural Review – Jennifer Wong reported two ARC request approved: 126 Leslie Lane to re-site a fenceline, and 202 Tiger Run to replace an existing deck. She agreed to draft a letter for Mr. West to the homeowners on Tabb Lakes Drive who still need to remove their fenceposts from the front yard. Mrs. Wong also presented a request from Mr. Cowden at 304 Tabb Lakes Drive, who wishes to shore up his ditch, extend his fence to the neighbor’s porch and also expand his driveway parking. In discussion that followed, she stated no opposition to the first two requests, but Mr. Cowden was reluctant to pave the additional area and wants to use red rock gravel. He has asked to address the BOD at our next meeting and we will hear his arguments; however, informal BOD policy continues to oppose the use of loose stone in driveways due to the propensity to migrate to the main roadway as well as the grass, where it becomes a hazard if picked up and thrown by a lawn mower. In addition, we have published articles in the Newsletter, encouraging homeowners to eliminate loose stone areas at the ends of the driveway and use either concrete or tarmac to match the remaining hard surface.
- b. Grounds Maintenance – no chairman. Mr. West reported that former BOD member Art Johnston, with the help of others, used his power washing equipment to remove mold and stains from the brickwork at the Magruder entrance.
- c. Lakes Management – Mr. Harrington reported that VLM has a new address, and Mr. West will redirect the copy of our signed contract to it.
- d. Neighborhood Watch – Christel was not present to report on Watch activities.
- e. Newsletter Editor and Website – no report.
- f. Stormwater and CERT – no report.
- g. Welcoming Committee – No report.
- h. Activities Committee -- no report / no chair. BOD has designated 9 May for the annual neighborhood garage sale.

6. Old Business -

- a. 102 Shallow Lagoon carport concern: the BOD agreed we will hold the owner, Mr. Phaup, to his promise to modify the building to hide the carport feature. There remains a problem with proximity to the fenceline, but this is an issue for York County to work out.
- b. The BOD picked up again on the issue of split-rail fencing extending beyond the front plane of some homes in the community. As a result of previous deliberations, the BOD will not permit split-rail fencing. However, in the interest of a good-neighbor policy, the BOD will direct



Tabb Lakes Homes Association

P.O. Box 8088, Yorktown, VA 23693

homeowners with existing split-rail fences to remove them completely when either they sell the home, or the fence comes in need of repair. Mr. Sharadin promised to complete work on a draft letter to affected homeowners, to be approved by Dave West and Ron Maddox. BOD members also pledged to personally view the list of questionable fences provided by Cox & Lee Property Management, and decide which homes will be selected for enforcement action.

7. **Cox & Lee Property Management Report** –Rob Cox handed out the current list of inspection discrepancies and noted that CLM was restarting inspections this month. Mr. Sharadin asked Mr. Cox to include some properties on Richard Run which have backyard sheds that do not match the color/materials of the homes. Mr. Cox also reiterated the new email address for all future matters referred to Cox & Lee: coxleemgt@gmail.com Also, the program for enforcement of chimney caps, moldy siding, and roofing repairs will restart 1 June.

8. **New Business:**

- a. All members were reminded to canvass for new BOD members to replace the posts vacated by Chad Busdeker and Christel Doucette. Mr. Sharadin suggested the BOD try to “think outside the box” and possibly provide financial incentives for BOD service, such as a discount on annual dues, which would apply to any new BOD members and not the present ones. No firm decision was made on this suggestion but members agreed there was merit in possibly establishing an incentive program.
- b. Mr. West will check with owners at 101 Tabb Lakes Drive to see if they require any reimbursement for use of water and electricity during the entrance wall steam-cleaning.
- c. The next BOD meetings are tentatively scheduled for 14 May and 11 June, 7-9PM. Mr. Sharadin will schedule the meeting room with the Tabb Library. Mr. Sharadin had to cancel out of the Library Board Meeting recently and will instead write a letter to the Library Board, asking them to reconsider scheduling provisions which have made it difficult to maintain a predictable Board of Directors meeting schedule at the Tabb Library.

9. The Board of Directors meeting adjourned at 9:00 pm.

Respectfully submitted by: Ellis Sharadin, Secretary, as of 5/10/09.

3 Enclosures: Treasurer’s Report as of 4/05/09. (Note: a copy of this report is freely available to Tabb Lakes homeowners upon request to any member of the Board.)
Cox & Lee Covenants Compliance Report
ARC Request, 3/30/09 from 304 Tabb Lakes Dr.