



1. Mr. David West convened the Tabb Lakes Homes Association monthly Board of Directors (BOD) meeting at 7 pm, May 12, 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, and Bob Spell

Welcoming Committee: Donna Clifton

Treasurer: Charles Rossi

Website Manager: Clint Flanagan

Cox & Lee Management Company: Rob Cox

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

3. **Homeowner Issues:**

a. Mr. Jesse Cowden, Tabb Lakes Dr., responded to a BOD hearing request over his plans to gravel his driveway. BOD members discussed the reasons for preferring the homeowner use concrete or tarmac when resurfacing driveways, as loose stones present an unsightly mess on roadways and become a hazard when they migrate to grassy areas and get picked up by lawn mowers. However, Mr. Cowden explained his driveway was originally made of only stones, and was the only one in the neighborhood built this way, whereas most homes had concrete or tarmac with a stone transition area between the driveway and the roadway. Mr. Cowden was previously cited by Cox-Lee Management for grass growing up through the stones, so he raked up all the stones and killed off the grass before readying the driveway for a new course of stone. In short, he was restoring his driveway to its original condition, rather than expanding it, which would have bound him to follow the 2000 Rules requiring hard surface. As a result, the BOD voted to accept his ARC application to redo the driveway in stones. Mr. Cowden was reminded, however, of his responsibility to keep loose stones out of the road and use care keeping them off the grass and away from mower blades.

b. Mr. Greg Moxley, Tabb Lakes Dr., failed to show for the meeting, despite being sent an Association letter on 7 May, requesting his presence to discuss ongoing home exterior modifications that have not been properly coordinated through the Architectural Review Committee. He will be issued a second citation letter. During discussion of the case, BOD members were concerned by Mr. Moxley's willingness to circumvent the ARC process, despite his running a home repair and alteration company, and former involvement in the Association. BOD members agreed that Mr. Moxley would no longer be permitted to advertise for free in the quarterly newsletter, and he will be notified that the decision will stand until he addresses the Board in person. Additional penalties will be discussed if he refuses to address the Board. The BOD and ARC are particularly concerned over Mr. Moxley using materials on the front of the



house which are of different color and appearance than the rest of the siding, which is clearly prohibited in the Covenants.

4. **Treasurer's Report:** Mr. Rossi reported there are still 6 homes with unpaid 2009 dues, of which one home is in foreclosure. Only 2 delinquent homeowners signed for their certified letters and none have responded to the Association notices to date. As a result, Mr. Rossi will send the homeowners and the realtor handling the foreclosure a second certified mail notice, advising them liens will be placed on their homes for failure to pay their dues as required by the Covenants. On the Treasurer's report, Mr. Rossi included \$42.56 in expenses for issuing letters to delinquent homeowner assessments, and an \$ 8.⁰⁰ bank charge which Mr. Rossi still plans to investigate. On a voice vote, the BOD agreed unanimously to authorize Mr. Rossi to convert two bank CDs, (one for the Lakes Fund, the other for Operations) to tax-free municipal bond funds as they mature in the near future. This will benefit the Association by reducing our taxable income for next year, while still being easily accessible if needed for emergencies. A copy of the Treasurer's Report is available to any Tabb Lakes homeowner, upon formal request to any BOD member, as it will not be made available publicly on the website for security reasons.

5. **Committee Reports:**

a. Architectural Review – Jennifer Wong reported three routine ARC activities, in addition to the discussion above about Mr. Moxley's unauthorized exterior remodeling:

- (1) 100 Tiger Paw Path – approved garage addition, based on BOD approvals last week.
- (2) 106 Heath Place – residents intend to replace gravel areas with pavement on driveway extension project.
- (3) 302 Heath Place – York County approved the Schull's corrections to their fence, and homeowners indicated they will stain to match the rest of the fence prior to selling the home.

b. Grounds Maintenance and Activities Committee – no chairmen.

c. Lakes Management – Bob Spell reported the compressor was fixed on Lake 2; bill was approximately \$700. Also the algaecide treatment of the lakes does not appear to be working well in several areas; VLM will re-treat as needed. The VLM report for April is attached to these minutes.

d. Neighborhood Watch – Christel Doucette was not present to report on Watch activities.

e. Newsletter Editor and Website – Shirley Flanagan reminds all members that articles for the next quarterly newsletter are due 15 June, the Monday after the next BOD mtg. Clint Flanagan reported some editing of the website. He also promised to look into setting up a restricted area of the website, requiring a sign-in by BOD members, to review photos and discussions of home maintenance violations. This will assist the BOD in giving guidance to Cox-Lee Management in matters of issuing citations.



f. Stormwater and CERT – Lou Lafrenaye not present, but he sent all BOD members copies of his report via email.

g. Welcoming Committee – Donna Clifton will visit new owners at 216 Tiger Run. Mr. Sharadin advised her to expect new occupants at 414 Bridgewood due to move-out of the Soper family to Poquoson. Donna anticipates a number of military-related summer moves to bring an influx of new homeowners and rental occupants this summer. Please keep her advised if you note any new neighbors arriving on your street.

h. Activities Committee -- no report / no chair. The neighborhood yard sale is next weekend.

6. **Old Business** -

- a. 102 Shallow Lagoon carport concern: the BOD previously agreed we will hold the owner, Mr. Phaup, to his promise to modify the building to hide the carport feature. Dave West still needs to pen a letter to the owner, informing him formally of our decision. ACTION: Dave West.
- b. BOD members still need to complete their individual surveys of homes with questionable fencing. Mr. Sharadin in arrears on a draft letter to affected homeowners, to be approved by Dave West and Ron Maddox. ACTION: all current BOD members.
- c. Fukawa lawsuit against Tabb Lakes: Dave West reviewed status of the case and what transpired at the latest hearing. Despite losing the action, Mrs. Fukawa has chosen to appeal the ruling and continue trying to make the Association pay for her yardwork. Our legal costs to date are \$3200, which the judge was unwilling to force Mrs. Fukawa to restore to the community due to her financial situation. Mr. West will chronicle these efforts in the next newsletter with an article about the lawsuit. To date, it has cost each homeowner in Tabb Lakes approximately \$7.00 in legal costs to defend. Our association lawyer believes we can demand reimbursement if Mrs. Fukawa loses her appeal as expected.

7. **Cox & Lee Property Management Report** –Rob Cox handed out the current list of inspection discrepancies and noted CLM would soon begin issuing citations for stained roofs and rusted chimney caps. Mr. Sharadin reminded Mr. Cox to inspect some properties on Richard Run which have backyard sheds that do not match the color/materials of the homes. Mr. Cox expressed concern about the large numbers of citations which might have to be sent out all at once after 1 June. After much discussion, the BOD agreed to divide the neighborhood into three sections, based on age of the neighborhood. June inspections and citations will address homes between Rte 134 entrance and Jonathan Junction. July cycle will expand to include rest of Tabb Lakes Dr and all homes east of Lake 2. August cycle will take in remainder of homes, primarily along Bridgewood Dr and west of Lake 2, ie. the final section of Tabb Lakes constructed in 1991. The BOD reasoned that the oldest sections are in the worst condition in general, and we should start with those areas first.



8. **New Business:**

- a. All members were reminded to canvass for new BOD members to replace the posts summarily vacated by Chad Busdeker and Christel Doucette. The shortage of 2 BOD members makes it impossible to have a quorum if one is absent, and it not only increases the demands on just a few people, but causes the BOD to become less-representative of the neighborhood. This needs to be addressed widely in the next Newsletter.
- b. Mr. Sharadin showed pictures of work he recently had done on his chimney cap by a local company called Black Goose Chimney Sweeps. Mr. Sharadin paid out \$970 for the job, but the cost is balanced out by use of Stainless Steel materials, which should be a permanent fix for the chimney cap and never grow unsightly in future. Black Goose is offering homeowners a 10% discount off repairs, as well as free chimney and dryer vent inspections. They have been put in contact with Shirley Flanagan to put an advert in our next newsletter. Mr. Sharadin offered to pen a newsletter article presenting some of the offers from local contractors, that homeowners may wish to make use of in correcting rusted chimney caps.
- c. Next meeting will be at Poquoson Public Library on 11 June, same time. The July meeting has been scheduled for Thursday, 9 July at the Tabb Public Library.

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

Respectfully submitted by: Ellis Sharadin, Secretary, as of 5/19/09.

5 Enclosures: VLM lakes maintenance report for April 2009
Cox & Lee Covenants Compliance Report
Black Goose Chimney Sweep offer for chimney cap repairs
CERT/Stormwater Committee Report for May
Copy of Citation Letter to Greg Moxley, Tabb Lakes Dr.

Not attached for public viewing: 5/10/09 Treasurer's Report