

BGHOA Board Meeting
May 11, 2023
Agenda

IN ATTENDANCE:

Board Officers: Pete Kauffman (Pres) Sam Bready (Treasurer)
Nancy Evans (Sec) Linda Detrick (At-Large)–via Phone
Nadine Moore (Asst.Treasurer)

Committee Chairs:

Architectural: Randy Conklin Finance: Bob Schafer Neighborhood Watch: Victor Evans

HOA Members and Guests: Leo Zevlas

Call to Order: Pete Kauffman 6:03 PM

Secretary's Report: Nancy Evans

- Review/approval of Minutes Motion: Dietrick/Second: Kauffman/unanimously approved

Treasurer's Report: Sam Bready

- YTD Financials for 2023: March and April financials available–"on track" for the year
- Annual Dues Collection Status: (N. Moore, treasurer) All dues collected
 - Establishment of online banking: procedures to be finalized as bookkeeper/treasurer/bank initiate process, assurance that status of account is always available
 - Motion: Dietrick/Second: Evans/unanimously approved

Committee Reports:

- Maintenance Committee - Pete Kauffman
 - Grass: seeded along Boxwoodgreen Drive
 - Tree trimming
 - will be referred to Water Company
 - Estimate (\$3,500) for reference, more estimates to be procured, money available in budget
 - Paving of Parking at Dock Area
 - Leo Zevlas: researched proposal–soil stabilization using geo cell grid(8'x24'--use 3 at \$140 each), plus stone (permeable)
 - Maintenance to procure specific estimates/quotes
 - Sign refreshed: Alan Dietrick
- Finance Committee - Bob Schafer
 - Has not met since last board meeting
 - Chair Bob Schafer commented on possible covenant changes as requested by the board
- ARC - Randy Conklin
 - Status of Active Projects
 - Pending Projects
 - Committee practices updates
 - Rewrite of Application Policy detailed to include more information: alternative energy products (solar)), exterior modifications, new form attached.

- Neighborhood Watch - Victor Evans: in process of confirming block captains for upcoming year (August to August), three of eight are confirmed
- Hospitality Committee - Denise Korynta (not in attendance)
 - Book Club: positive feedback from members
 - Monthly Breakfasts

Old Business:

- Approval of all interim actions - none
- A1-R1 Zoning Change Status - Bready
 - Approved, unanimously, Tuesday, May 9, at the Planning Commission meeting
 - Next action: vote at June 22 meeting of Franklin County Board of Supervisors
 - Homeowners are encouraged to attend.
- Policies
 - At the previous meeting, the board agreed to **separate Architectural Review from Community Standards**.
 - The Community Standards committee is in the process of being formed—mediation board for neighborhood issues that are not involving Architectural issues. Members would be the President, Vice President, Member-at-Large and two homeowners. Volunteers are being sought.
 - Bob Schaffer makes an argument that a change to the Covenants is not required.
 - This would facilitate creation of the CSC with a Policy.
 - Action: Review and approval of CSC Policy - See CSC Policy Draft 3/27/2023
 - **Attached**
 - Motion: Evans/Second: Dietrick/unanimously approved
 - Review and approval of **Storage Lot Policy**
 - The concrete subcategory is removed
 - **Attached**
 - Motion: Evans/Second: Dietrick/unanimously approved
 - Review and approval of **Covenant Enforcement Violations Penalties Policy** Draft 3/27/2023
 - **Attached**
 - Motion: Evans/Second: Dietrick/unanimously approved
 - Review and approval of **ARC Application** - changes to be provided by Randy
 - **Attached**
 - Motion: Dietrick/Second: Evans/unanimously approved
- Covenant Changes: These are being rewritten by the board to be presented and voted on at the August 19, 2023, Annual Meeting. A memorandum will be emailed to the neighborhood with the changes/updates for information and input. A finalized list was reviewed/discussed by the Board
- Electronic Records
 - All Active HOA records are being maintained on Google Docs/Google Drive

- Active records have now been moved.
- Policies and Official Documents have been moved.
- Documentation is being prepared on how to operate and maintain them for future Boards
- Training of our existing board members—directions are being developed
- Parking Space at Dock:addressed in Maintenance report
 - Alternatives are being investigated including:
 - Using Easy Pave grids or other options as an alternative to graveling
 - Providing space with grids on the other side of the roadway
 - Estimates to be provided
- Cleanup of Cul-de-Sac at end of Richards Way
 - This area is out of sight of the homeowner
 - A board member will contact the homeowner at a later date
 - This work could be done by Maintenance Committee
- Pruning of Trees - Bready
 - There is a need to prune trees along BGHOA property
 - Estimate is \$3500
- Dogs - action pending formation of the CSC.
- Special Committee – Smith Farm - Victor Evans update
 - Reba Dillon, Franklin County initiator of the project, will discuss the proposals and progress of the walking trail, Friday, May 12, at Kauffmans, at 9:30 AM.

New Business:

- HOA board member vacancies: two terms will be ending this August. Homeowners are elected onto the board for a three year term and then the board decides positions internally. If you are interested in running for a board position, please contact the secretary, Nancy Evans (boxwoodgreenhoa@gmail.com or cell phone: 571.264.8922).

Adjournment: 8:15 PM

- Motion: Dietrick/Second: Evans/unanimously approved

BOXWOOD GREEN HOMEOWNERS ASSOCIATION (BGHOA)
ARCHITECTURAL REVIEW COMMITTEE (ARC) APPLICATION

NAME(S) OF OWNER(S): _____

LOT # _____ STREET ADDRESS: _____

MAILING ADDRESS: _____

PHONE NUMBER(S): _____ E-MAIL: _____

By completing and submitting this form, owners confirm that they have read and understand the provisions of the current revisions of the “**AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BOXWOOD GREEN**” and the “**ARCHITECTURAL**

REVIEW COMMITTEE OPERATING PRACTICES.” Both documents are available on the community’s Web site: <http://boxwoodgreen.org/>. Samples of the language from these documents are included in this application for emphasis but are not a substitute for your reading and understanding all appropriate sections of the official documents.

Owners will ensure that all plans for new construction and/or additions or modifications to existing structures or property are in compliance with these documents and agree to be responsible for the actions of their contractor/builder. The ARC will normally act on requests in a two-week time frame.

As stated in the ARC Standards document, Paragraph 3, “The applicant should contact his or her immediate neighbors...to inform the neighbors of the applicant’s intentions... When the application together with pertinent plans, if appropriate, is submitted to the Committee, any differences of opinion among the immediately adjacent neighbors and the applicant should be mentioned.”

PROJECT: ___ HOME ___ DOCK ___ FENCE ___ LANDSCAPE ___ OTHER

EXTERIOR MODIFICATIONS:

As stated in the Covenants document, Section 2, “Landscaping plans shall be reasonable, unobtrusive, and in keeping with community standards” and “No alteration in the exterior appearance of any building, boat dock, or other structure shall be made without approval by the HOA.” Homeowners requesting solar installation must verify their contractor’s product and installation will comply with BGHOA Alternative Energy Policy (see BGHOA web site).

(Please attach pictures, scale drawings with dimensions, descriptions of materials and paint colors, etc., that give the ARC an understanding of the scope and location of your project in relation to your home.)

MODIFICATION(S) REQUESTED:

APPROXIMATE START DATE: _____

(PLANS MAY BE REQUIRED)

ADDITIONS TO AN EXISTING STRUCTURE AND INITIAL CONSTRUCTION

Section 2 of the Covenants specifies: “...building plans, specifications, exterior color or finish, plot plan showing the proposed location of such building, boat dock, or structure, drives and parking areas shall have been submitted to the HOA and approved in writing by the HOA...Plans shall be prepared by a person or firm regularly engaged in such work and must be included together with the application.”

_____ DATE _____

_____ DATE _____

(Revised 05/11/2023)

BOXWOOD GREEN HOMEOWNERS ASSOCIATION
STORAGE LOT USAGE RULES AND REGULATIONS POLICY

Purpose of policy: This policy is put forth to clarify the rules of usage, maintenance responsibilities and problem resolution for the common storage lot located off of Boxwood Green Drive.

The common storage lot is provided for the sole use of members of the Boxwood Green Homeowners Association (BWGHOA) and spaces therein cannot be assigned by any association member to any person or party not a member of the Association.

The lot is provided primarily for the storage of association members' property that if stored on their lot would be a violation of the Association's covenants. Such items would include: boats, PWC's and their trailers, utility trailers, motor homes, recreational trailers and the like. It is not intended for the storage of commercial equipment. There are only a limited number of spaces available to service the HOA, consequently, homeowners are limited to a maximum of two spaces subject to availability. The lower lot will be used primarily for PWC trailers and small utility trailers. The upper lot will have priority spaces with easy maneuvering access. Motor homes and recreational trailers will be parked along the fence separating the two lots. The remaining spaces will be assigned based on the size and type of equipment. Owners may store other equipment within their space in a neat and orderly manner. Other items such as waste building materials, yard debris, useless and not repairable equipment are not allowed.

The storage lot will be maintained by the Maintenance Committee or other entity as may be approved by the Association Board of Directors (Board). Maintenance will consist of controlling the growth of vegetation within the fence line of the lot, the maintenance of the fence itself, the space numbering signs and the sensor light at the entrance. In no way does the Maintenance Committee or the Board assume any responsibility whatsoever for the maintenance of items stored within the lot by association members.

Property left in the storage lot by a member who has moved or otherwise lost membership status in the Association must be removed on or before the date that membership status is lost. If, after that date, a reasonable attempt to contact the ex member has been made by the Maintenance Committee and/or the Board the property is not removed, the Board reserves the right to have the property removed and disposed of by whatever means it chooses. Costs for such removal will be the responsibility of the ex member.

Regulations for Gravel Storage Spaces

The Maintenance Committee will be responsible to assign spaces to homeowners. A sign is posted at the second gate entrance that explains the regulations pertaining to these spaces. The posted regulations are as follows:

- The storage lot is for the exclusive use of Boxwood Green property owners only.
- To obtain a key contact the chairman of the Maintenance Committee. He/she will provide you with a sign and a numbered sticker for your equipment. The sticker is to be affixed to the trailer hitch area.
- The numbered area between any two fence posts constitutes a single space.
- When you take a space the Maintenance Committee will place a sign on the fence with your name and record the space on the inventory list.
- Property stored in this lot is stored at your own risk. BGHOA does not assume any responsibility of any kind for property in the storage lots.
- If you vacate and no longer use a space, please notify the Maintenance Committee
- The area in the center is for temporary use only. Please leave enough room so that items stored along the fence can be easily accessed and notify the Maintenance Committee of what is being stored and for how long. This space should not be used for longer than thirty (30) days.
- Please help us keep the storage lot clean by maintaining the area around any space you are using.
- Report any problems with the gate/locks or grounds to the Maintenance Committee.

The construction of permanent or temporary structures of any kind will not be allowed.

Regulations for Concrete Pad Spaces

The two storage spaces located on the concrete pads are also for the exclusive use of Association members. These spaces were installed following negotiations between the developer and the HOA. Under the agreement approved by the Board in 2002, the concrete pads were installed at the developer's expense along with a second fenced-in area in the storage lot with additional gravel spaces for homeowners. When the developer left the community, these two spaces became available for use by association members.

To be fair and equitable to all association members desiring to use one, the two spaces will be allocated by lottery for a term of 3 years. The term will expire before the 3-year mark if the space holder moves or otherwise loses membership status in the Association.

The lottery for this space ended in 2022. This space will be used for assigned storage. .

Like those occupying the gravel spaces, those using the spaces on the concrete pads are responsible for maintenance of their area and for reporting problems with the gate/locks to the Maintenance Committee. Property stored on the concrete pads, including any covering installed there, is the sole responsibility of the space holder. BGHOA does not assume any responsibility of any kind for property placed there.

Board of Directors Approved: June 8, 2015

Changes Approved: May 11, 2023

BOXWOOD GREEN HOMEOWNERS ASSOCIATION
COMMUNITY STANDARDS POLICY

Community Standards Committee Policy

Committee Operating Practices

To all Boxwood Green property owners, friends and neighbors:

The Community Standards Committee (AR/CSC) is tasked with ensuring that the Boxwood Green community remains among the preeminent locations around Smith Mountain Lake in which living is enjoyable and a privilege for all its residents.

To that end, the Committee will continue to focus its efforts on fair and consistent applications of the Boxwood Green Covenants and By-Laws, which all residents have in their possession and with which they are obliged to conform.

While the Committee is charged with enforcement entitlements, its intent is not to become or assume the role of a police-like entity.

To the contrary, in order to guarantee fair and consistent applications of the community standards, the CSC is establishing the following Operating Practices:

1. All Committee decisions and/or recommendations to the Board of Directors will be based on the collective opinions of the Committee members.
2. Cases and information referred to the Community Standards Committee shall be kept confidential until resolved.
3. Third, the Committee will review the foregoing and make their decision or recommendation based on the Covenants and By-Laws. A test for reasonableness will be used on which to establish the Committee's finding:
 - a. All members of the Committee will be made aware of the violation and all members will have the opportunity to review all materials.
 - b. If the Committee should determine that the violation is not in conformance with the Covenants and By-Laws, the Chairman will contact the homeowner in order to explain the rationale. In this event, contact will be attempted first by telephone, secondly by email, and then by regular mail.

- c. The Committee will normally act on requests in a two-week time frame assuming all members are available. Two out of three members will constitute a quorum.
 - d. If an issue of alleged non-conformance by a resident is reported to the Committee, the matter will be reviewed. If the Committee determines that there is, in fact, an issue of non-conformity, the resident will be so notified using the methods specified earlier herein (3b).
 - i. Depending on the issue, the resident will have a reasonable amount of time, which will be specifically identified with the notification, to remedy the situation. Some issues could take longer than others to resolve.
 - ii. At the end of the specified remediation period, if the resident is still non-compliant, he or she will be informed that unless corrective action is taken at once, coordination will be accomplished with the HOA Board of Directors to put in motion proscribed penalty provisions including fines, if appropriate.
 - iii. In the event the Committee reaches a non-approval decision, the applicant has every right to appeal the determination to the Board of Directors.
 - e. Lastly, in those unusual cases where the committee determines that the issues associated with an application, or issues that are beyond the Committee's purview, rise to a level that commands the Home Owners Association Board of Directors' involvement, the matter will be accordingly referred for disposition.
4. In the event a property is sold, there is a requirement for the ARC Committee to inspect the property to ensure that there are no obvious non-conformance issues. Upon notification that the subject property is sold or is about to be (currently from the HOA Treasurer) a member or members of the Committee shall visually check the outside of the house to see that things are in conformance. A report shall promptly be made to the Treasurer so that the Committee's findings will be included in the packet of information the buyers receive from the HOA. In the event there is or are non-conformance issues the seller shall also be promptly informed of the Committee's findings.
 5. With respect to a neighbor or neighbors reporting an apparent violation, to include follow-ups on previous issues, this is the sequence that the Committee will follow:
 - a. A written report (prepared by the neighbor) of an infraction is received by the Committee.
 - b. The report is acknowledged in writing.
 - c. The nature of the report is reviewed by all Committee members.
 - d. If the report is deemed valid, the offending party is so advised and given 14 days to remedy the problem.
 - e. At the end of the 14-day period, at least two Committee members will inspect for compliance.
 - f. If the problem still exists, then the matter will be referred to the Board, along with copies of all correspondence, for their review and action.

6. Assuming there is relevant activity that has occurred in a given month, the CSC (Community Standards Committee) shall furnish a report to the Board containing an overview on the matters with which the Committee has dealt.

Revised by the board March 27, 2023

Approved by the board May 11, 2023

BOXWOOD GREEN HOMEOWNERS ASSOCIATION
COVENANT ENFORCEMENT VIOLATIONS PENALTIES POLICY

1. The Community Standards Committee or the Board of Directors and/or any other committee or person appointed by the Board will notify the member that the member is in violation of one or more of our duly recorded covenants. This notification may be oral but will be followed by a confirmation in writing. Every attempt will be made at this time to resolve the issue including, but not limited to, discussions on timing and method for resolution, schedule of payments, etc. This process is identical to the one that has been followed since the establishment of the HOA.
2. If, after these discussions, the member refuses to correct the violations in the mutually agreed upon manner and time, (or if no manner/time could be initially and mutually agreed to) the member will be notified that they have the right to be heard and, if they wish, to be represented by council in a hearing before the Community Standards Committee or Board of Directors. The notice of such a hearing, including the charges/sanctions to be imposed, shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the member at the address of record with the Association at least 14 days prior to the date of the hearing.
3. The Community Standards Committee or the Board of Directors at this meeting, regardless of whether the member/council attends or not, shall review the details of the situation and have the authority to assess the member an amount not to exceed fifty dollars (\$50) for a single offense, or ten dollars (\$10) per day for any offense of a continuing nature. The total

charges for any offense of a continuing nature shall not be assessed for a period exceeding ninety (90) days for a maximum of nine hundred dollars (\$900).

4. In the event that an assessment is made and not paid, the Board reserves the right to file a lien or lawsuit to recover the unpaid amount in accordance with its Collections Policy.

5. This policy in no way affects the Board's current right to impose a lien or file a lawsuit if those actions are seen as appropriate for the situ. (Note: Change from Proposal to Policy)

Revised by the board March 27, 2023

Approved by the board May 11, 2023