



Chickahominy Oaks Neighborhood News



April 2008

<http://dvhoa.home.comcast.net>

Spring is here! Flowers are beginning to bloom and trees are showing their leaves. It's the time of year when we start to plan new projects and begin to enjoy the outdoors.

Yard of the Month

Starting in April, a Yard of the Month will be selected from among the homeowners in our neighborhood. So get those flowers blooming and watch for our first 2008 recipient !

Last year's winners for Yard of the Month were:

9445 Deer Stream Drive
9994 Doe Run Place
10044 Doe Run Place
9535 Fawn Park Lane
9355 Summer Oak Drive
9996 Sunny Oak Drive

So let's see who the Yard of the Month Recipients will be for 2008. Pull out that green thumb and let's start planting!

Annual Association Membership Meeting

The 2008 Annual Meeting of the Chickahominy Oaks Homeowners Association is scheduled for Thursday, May 8, starting at 7:00 PM. This year the meeting will be held at our pavilion on 9531 Fawn Park Lane. **All members are welcome and encouraged to attend.** The most important order of business will be to request nominations for, and election of, a new Board of Directors. We plan to provide food and drink as we did last year with a meeting for adults in order to conduct the business of the association. To assist us in ordering an appropriate quantity of food and beverages, please call Nancy Jacobs (569-6380) and leave a message with your name and the number of adult residents expected to attend. Please respond by 8:00 PM on Thursday, May 1st.

The expected agenda for this meeting will include:

- 1) An updated statement of our current status, including a reading of the last annual meeting minutes.
- 2) An updated Treasurer's report of financial status along with projected budget information.
- 3) Additional nominations for the Board of Directors and election. A secret ballot of those in attendance, in writing, will be cast. Actual ballots will be issued at the meeting. The vote will include ballots for proxies submitted from those who could not attend. **If you cannot attend the meeting, please complete a copy of the proxy attached and return to the Secretary at 9531 Fawn Park Lane, Mechanicsville, VA 23116.** The newly elected directors will subsequently elect officers at their earliest convenience.

Elected Officers include:

- President
- Vice President
- Secretary
- Treasurer
- Chair of Architectural Review Committee

Additional Committees: Social, Landscaping, Communications.

4) Adjournment of the Annual Meeting

If you are interested in serving on either the Board of Directors or on one of the committees, please contact Dan Horvath (730-1953).

We look forward to seeing all of our adult residents at our Annual Meeting on May 8th!

With this said, the following is a Special Note from Your Neighborhood Association Secretary -

Just *one thing*

Last newsletter, I laid out why we have a homeowner's association here in our community. To recap, regardless how each of us feels about the necessity of a homeowner's association, we're required to have one because the developers of our community promised our local county government that we would have a homeowner's association in exchange for approval to build our community. You may access the full text of this September 2007 newsletter article in the "documents" section of our community website at <http://dvhoa.home.comcast.net>.

This month, in preparation for our annual meeting at 7:00 PM on Thursday, May 8, 2008, I'm asking each of you to do *one thing*.

I'm not asking you to personally help with the maintenance and upkeep of our 14 plus acres of common area. Nor am I asking you to spend time researching and negotiating with landscaping, tree service, irrigation, legal, and accounting vendors for services and contracts that we need every year. I'm not even asking for assistance in tracking our dues or spending countless hours pursuing overdue accounts or resolving the various complaints and issues that arise in our community on a continual basis.

While I would welcome all community members who have time to lend their assistance, we've been making due with enough folks who've volunteered their time to ensure that things get done competently and without great expense to our community at large.

These folks that volunteer their own time, without pay, do so to the benefit of everyone in our community. We all benefit because we've been able to remain self managed and have maintained the same \$150 annual dues amount in the face of rising fuel,

material, and services costs. That's pretty remarkable when you consider how much the prices of basic goods and services have risen over the past 5 years.

So what am I asking for? I'm asking each of you to attend our annual meeting on May 8, 2008 in person or by proxy so that we may elect a new board of directors to continue serving everyone's interest in keeping costs low and meeting our homeowner's association requirements.

I know everyone's busy with jobs and family, it wasn't too long ago that I too was so busy with my young family and career that I didn't have the time to volunteer in our community. This doesn't make me feel guilty; I simply didn't have the time. Consequently, I know folks in our community struggling with jobs and families are in the same position now. I understand that, I've been there myself for many years. But thankfully, we've always had enough folks who've had time to volunteer and keep our community operating on a minimal budget.

And these volunteers will continue this effort, providing that enough of you do this *one thing* and make your presence known in person or by proxy at our "once a year" homeowner's meeting on May 8, 2008. This *one thing* will allow our community volunteers to continue working for everyone's benefit.

Proxy forms may be accessed and printed from our community website in the "documents" section at <http://dvhoa.home.comcast.net>.

John N. Tragesser
DVHOA Secretary

Chickahominy Oaks Community Yard Sale

On Saturday, May 17, 2008, from 8:00 AM to 12:00 PM, we're planning a community yard sale. Everyone who wishes to clean out their unwanted items can stage a "Garage Sale" in their driveway on that date. By pooling our efforts and having it all on one day, we're likely to attract more customers than having yard sales one at a time. John Tragesser has offered to organize this event and we'll post more information regarding this community yard sale on our community website at <http://dvhoa.home.comcast.net>. If you've got a question or idea about this yard sale, contact John Tragesser through the contacts page of our community website.

Welcome Our New Residents

Welcome to our neighborhood:

Christopher and Ashley Hession – 9935 Summer Oak Drive
Richard and Melissa Preble – 9991 Sunny Oak Drive
John and Donna Thomas – 9374 Summer Oak Drive

Attachment To Newsletter

Attached to this Newsletter is a letter from Roy Miller in response to an unauthorized expenditure in August 2007.

HOPE TO SEE YOU ALL AT THE ANNUAL MEETING – MAY 8TH

Prior to a recent Board of Director's vote to raise the fence height requirement for new residential pool applications, I telephoned our selected legal firm to ask, among other things, if this change to our Architectural Guidelines would adversely affect those community members with existing fences lower than the proposed height requirement as well as any other legal liabilities associated with this change to our bylaws.

Our legal firm was selected by the current Board of Directors last year based in part, on the ability for board members to call and ask questions free of charge. One of the legal firm's assistants returned my call and asked to see our guidelines and bylaws and requested that I email her my questions regarding this change to our guidelines.

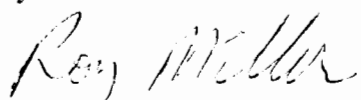
Unbeknownst to me and all other board members, the legal firm issued a bill in excess of \$1,600.00 for services rendered in providing written answers to my questions. Since I had been given no indication that my questions would result in such a charge, I was shocked and felt that we had been taken advantage of by this legal assistant representing this firm.

I contacted the firm to contest these charges and entered into a lengthy conversation with one of the partners regarding this incident. While I was able to negotiate a reduced fee under \$650.00 for these services, this left us unintentionally in conflict with our community bylaws which require a vote of the community members for any unanticipated expenditure in excess of \$250.00. Neither I, nor any of the board members intentionally authorized any such expenditure. Subsequently, a community vote was moot since the charge had already been levied, authorized or not.

Our association retains the services of attorneys for a variety of functions and while changes to our bylaws should always be investigated to avoid expensive liability to the community, it's unfortunate that this legal firm's billing practices aren't transparent enough to avoid excessive charges. In my opinion, this incident should weigh with the sitting Board of Directors when this legal firm's contract with our community is up for renewal later this year.

The purpose of this message is to inform our community members of this unanticipated charge and how it was incurred. We were able to pay this charge leaving the vast majority of our capital reserves intact negating the need for any special assessments or increases in homeowner association fees. As unintentional as this charge appears to be, and regardless of our ability to absorb such a charge, the board of directors felt it necessary for me to explain this incident to our community members so that we may all learn from this incident.

In consultation with Andrew Elmore, an experienced partner within our legal firm, he strongly suggested that we not make the fence change to our bylaws. A majority of the board members voted to make the change anyway. Our legal firm also recommended that we not pursue a fence issue lawsuit that was being discussed, as "the Association may be susceptible to a risk of not prevailing" and "Litigation costs for such a matter could range from \$1,500 to \$50,000 and beyond". This issue has been resolved in another manner.

A handwritten signature in cursive script, appearing to read "Roy Miller".

Deer Valley Homeowners Association

9531 Fawn Park Lane

Mechanicsville, Virginia 23116

I, _____, having
(homeowner's name – please print)
met the requirements to vote as a member in good standing of the Deer Valley
Homeowners' Association residing at
_____,
(address)
do hereby give my proxy vote to _____.
(name of proxy)

**I am of the understanding that I am giving my proxy permission to vote on
my behalf for the annual meeting on May 8, 2008 only.**

(homeowner's signature) (date)

Proxy forms submitted via mail must be received by May 7, 2008 at the
below address:

Secretary
9531 Fawn Park Lane
Mechanicsville, VA 23116

Proxies may also be submitted to the DVHOA secretary in person by your
designated representative prior to the Annual Homeowner's Association Meeting on
May 8, 2008.