

YORKSHIRE HOMEOWNERS' ASSOCIATION, INC
PO BOX 1736
WILLIAMSBURG, VA 23187

Minutes of the Board of Directors Meeting
October 2, 2010

The YHOA Board of Directors met at 7:30pm at the home of Edward Brandt, 1102 Helmsley Rd.
Present were:

Voting Members:

Ed Brandt, Pres.
Sharon Arbona, Vice Pres.
Bill Burdine, Treas.
Nikki Drake, Sect'y

Committee Members:

Jerry Hedgepeth, ACC Chm
Cherri Spellmeyer, Landscape Comm. Chm
Linda Allen, LC
Liz Hedgepeth, LC

YHO Members:

Bill Bryant
Richard DuChateau

Absent:

Leslie Coe, Board Member at Large

Treasurer's Report was given by Bill Burdine:

Expenses: To date we are under budget.

Income: All Members Annual Dues were collected in a timely fashion.

OLD BUSINESS:

1. **Landscape Committee:** As requested by the Board at the April meeting, the LC presented a "Community Property Policy" for review. It was discussed and approved by the Board. It will be presented at the January annual meeting for membership approval. Please review the attachment and be prepared to vote on it.
2. The **Luminary Proposal** which was sent to you with the minutes of the April Board meeting will be checked for current pricing and will be presented for discussion and membership vote at the annual meeting. Please let the secretary know if you need another copy.
3. **Walsingham Property**
Ed Brandt talked with the administration of Walsingham Academy relative to the possible need to have a **written** agreement (to reinforce our current verbal agreement) regarding our handling of the strip of land on the Yorkshire side of their property. He was assured that the verbal understanding is not, and will not be, problematic. They indicated that the prospect of obtaining a written document would require a complicated and unnecessary effort.

4. **The Proxy Document:** The template for Absentee Voting on officers and issues has been revised for clarity of understanding and use.

5. **COVENANTS:**

a. The DECLARATION OF RESTRICTIONS has been reviewed and no changes are suggested.

The Board and ACC, however, would like to bring to your attention ARTICLE V, SECTION 5.03. dealing with heights of walls and plantings. The height of 3 feet “between the street right-of-way and the front edge of any restriction residence” driveways and shrubs and any the view of pedestrians is important to ensure unobstructed line of sight for walkways, roads. We ask all of you to evaluate the current status of your other plantings and deal with anything that might obstruct and drivers.

b. **BY-LAWS:**

A review of the BY-LAWS (original and those on the Web Site) showed that ARTICLE V (CONTRACTS, LOANS, CHECKS AND DEPOSITS) was missing from the Web Site. It will be added without need for any other action taken by the Board or Membership.

c. In addition, the reference in ARTICLE IV number 7. to a “corporate seal” will be removed as no “seal” has ever existed.

No other changes are being made.

6. **INSURANCE POLICY:**

The Virginia Property Owners' Association Act requires that all associations have a Fidelity Bond or Insurance policy of \$10,00.00 minimum that covers any fraud or theft of funds by any Officer, Director or employee. The Board of Directors which met after the Annual Meeting in January 2008 (see “President's Report 2008” on the Web Site), felt the need to increase that coverage to a \$1,000,000. Our Insurance costs went from \$275 per year to \$780 per year. The current Board does not feel such protection is necessary and plans to reduce our coverage to the minimum as soon as the present policy expires. As soon as we have that information we will make the changes.

NEW BUSINESS:

1. **2006 Virginia Code § 55-512** - Contents of association disclosure packet

This Code relates to information that the owner of a property must provide to a potential buyer of his property. The documents required of an association by this law have been updated.

Attached you will find the information required as well as the updated “Reserve Study” This information will also be on our Web Site. The only document temporarily missing from the Web Site will be the “Community Property Policy” which the members will vote on at the January meeting.

2. Landscape Committee

A work plan for this fall was presented for the Board's approval including the purchase of 9 shrubs, fertilizer, mulch and some materials for erosion control. An additional expenditure of \$300 (over their budgeted allowance of \$400) was approved by the Board. Labor will be provided by the LC and any volunteers who wish to assist. If any members would like to donate their time, and or funds, to assist in the project they may contact Cherri Spellmeyer.

A community work day is scheduled for Saturday, November 6th. Time will be announced at a later date.

3. Election of Officers in 2011:

We will be voting on 2 Board positions and 2 ACC positions at the January meeting. If any homeowner is interested in serving in one of these positions, or would like to nominate an individual (with their permission of course) for one of these positions to be placed on the absentee ballot, please let one of the current officers know.

The meeting was adjourned at 9:30 pm

Respectfully submitted,

Nikki Drake, Sect'y

Enclosures/Attachments: 3

Code of VA 55-512

Reserve Study

Community Property Policy Proposal

**YORKSHIRE HOMEOWNERS' ASSOCIATION, INC
PO BOX 1736
WILLIAMSBURG, VA 23187**

3 OCT 2010

In accordance with Paragraph 55-512, CODE OF VIRGINIA Contents of association disclosure packet; other requirements - the following is provided:

- 1. The name of the Association: Yorkshire Homeowner's Association, Inc., is incorporated in the State of Virginia. The registered agent is the current Treasurer of the Association.**
- 2. There is no expenditure of funds currently approved by the Association or the Board of Directors which will require an assessment in future years.**
- 3. There are no assessments or mandatory charges or fees currently imposed by the association relative to the purchase, disposition or maintenance of the lot; or to the right to the use of the common areas.**
- 4. There is no other entity or facility to which the lot owner may be liable for fees or other charges.**
- 5. A copy of the current reserve study report is attached.**
- 6. A copy of the current budget is attached. A copy of the income and expenses for the last fiscal year is attached.**
- 7. There are no pending suits or unpaid judgments against the Association.**
- 8. The Association carries insurance covering liability for the common area. Homeowners are responsible for all insurance on private residences and property.**
- 9. There are no improvements or alterations to the common areas that are in violation of the law. Any violation of the law by individual homeowners is the responsibility of the homeowner to report.**
- 10. There is no restriction on signs on the individual's property when the lot is for sale.**
- 11. A "Community Property Policy" which will include the use of signs and flags on community property will be addressed and voted on at the annual meeting to be held in January, 2011.**
- 12. Copies of the current declaration, the Articles of Incorporation, the By-Laws and the Architectural Guidelines are attached.**
- 13. No notices of current or pending rule or architectural violations exist.**

Yorkshire Homeowner's Association, Inc

RESERVE STUDY

2 OCT 2010

In accordance with paragraph 55.514.1, Code Of Virginia, the Board of Directors of the YHA, Inc, has conducted a study to determine the necessity and amount of reserves required to repair, replace and restore the capital components owned by the Association.

The Association has 4 items that could be considered capital components: landscaping, entrance lighting, sprinkler system and the entrance sign.

The landscaping that belongs to the association is minimal. All expenses are under general maintenance, and no reserves are determined to be required.

The entrance lighting installed in 2009 is considered under general maintenance. No reserves are considered necessary.

The sprinkler system at the entrance to the development was installed in (about) 1990. The major expense was in the installation of the basic system. Replacement of sprinkler heads and the control box and any repairs are considered to be under the general heading of ongoing maintenance. No reserves are considered necessary.

The Yorkshire sign at the entrance to the development has an estimated life span of 100 yrs. As of 2010 it's estimated life expectancy is 80 years. The Association should consider establishing a reserve fund when the life expectancy falls below 50 years.

Community Property Policy (Proposed)

1. Yorkshire Neighborhood community property includes the median, on which the front entrance sign rests, as well as narrow strips of property on the left and right sides of the front entrance, bordering Jamestown Road. The strip of land between Yorkshire Road and the Walsingham Academy fence is voluntarily maintained by Yorkshire Homeowners' Association (YHOA) with permission from Walsingham. As such it will be respected as "community property".
2. Yorkshire neighbors may post signs on the Yorkshire Community Property for single day events (such as open house, yard sales, etc) but are expected to remove signs at completion of the event. Political signs should not be posted on community property. YHOA Board reserves the right to remove signs that do not comply with this policy.
3. Installation of plants or garden structures (e.g. stonework, artwork, etc.) on community property requires prior review and approval by the Yorkshire Landscape Committee.
4. Residents who walk pets on community property must by law remove and properly dispose of pet wastes and adhere to city leash laws.
5. When a homeowner or a group of homeowners desires to make use of the community property which is not covered by this policy, such usage will be permitted only upon written request to the YHOA Board, and upon written permission given in advance by the Board, in order that adequate consideration may be given to the rights of adjacent homeowners and the maintenance of Yorkshire property.
6. Notwithstanding any other provision or statement in this policy, it shall be an explicit condition of any permission for landscape alterations, new plantings on community property, or community entrance plantings that such alterations and plantings may be removed from community property at any time, without prior notice and with or without cause, by YHOA Board in its sole discretion. Such removal shall be without reimbursement or compensation to any party who may have provided or contributed to said alterations or plantings and without liability to any such party. Removal or correction of any violations on community property will be at the expense of the person violating. This provision shall be a condition of any permission to make landscape alterations and new plantings on community properties or to make community entrance plantings.
7. If community property is damaged, the cost of repairing such damage will be assessed by Board action against the offending resident, after opportunity for hearing.
8. Two large flags will be placed on the monument at the Community Entrance and on designated light poles on Yorkshire, Whitby Ct, and Helmsley on the following days: Memorial Day, July 4th weekend, Labor Day, Veteran's Day, President's Day, Flag Day, and September 11.

Submitted for review by Landscape Committee

Cherri Spellmeyer, Linda Allen, Liz Hedgepeth

YHA Board Approved for community vote at Annual Meeting January 2011

October 2, 2010