



**Foxhall Community Association**  
**Meeting of the Board of Directors**  
**January 8, 2025**  
**Zoom 7:00 p.m.**

**Board Members Present:**

Dave Fleming, President  
John McKinnon, Secretary  
Karen Dillon, Treasurer  
Carol Vannerson, Vice President

**Board Member Absent:**

At-Large Position vacant

**Foxhall Members in Attendance:**

Alan Vaughn, Assistant Treasurer  
Bob Pendle, ACC  
Krysten and Kelly Sherwood  
Doug Dyjak  
Roland Kouhsen  
Donna Bosshard

**Call to Order (Dave)**

Dave called the meeting to order at 7:02 p.m. via zoom.

**Standing Rules (Dave)**

*Foxhall HOA Board meeting standing rules:*

**MEMBERS OF THE BOARD ARE ASKED TO ADOPT THE FOLLOWING STANDING RULES FOR CONDUCT OF A FOXHALL HOA BOARD MEETING:**

1. *The meeting will be held on Zoom and the meeting will be recorded,*
2. *The president will be the chair of the meeting and will recognize members as necessary for participation in the meeting,*
3. *The first article of business will be adoption of the AGENDA. The tentative agenda will be prepared by the Secretary and finalized during adoption. Once the agenda is adopted it will be subject to amendment on motion of a member or as raised by the chair and approved by a majority vote.*
4. *Please respect others and speak one at a time*
5. *To speak you must be recognized by the Chair.*
6. *Each item on the agenda is limited to a maximum 10 minutes unless there is a motion to continue discussion which is approved by a majority.*
7. *Issues which are brought up to discuss and not specifically part of the agenda will be limited to a ten minute discussion*
8. *Discussion will move on to the next agenda item after the expiration of a time limit.*
9. *Non Board member participation*
  - a. *At the close of regular business each audience member may speak once for a maximum of two minutes.*
  - b. *During the Meeting the Chair may recognize a non-board member for participation on certain issues for which they are responsible to the HOA. For Example the chair may recognize the Trails committee chair for reporting on trail issues.*

*Carol moved to adopt these rules, Alan seconded, rules adopted unanimously.*

**Announce Recording of Meeting**

Alan announced that the meeting would be recorded through Zoom. No objections were heard.

**Agenda (Dave)**

*The agenda was adopted with the addition of an executive session item. Moved by Dave, seconded by Karen, passed unanimously.*

**Reading and Adoption of Minutes (John)**

*Motion: Dave moved to approve minutes of FCA Board Meeting as posted, dated December 12, 2024; seconded by Karen. Passed unanimously.*

**Verify members in attendance for minutes (John)**

Four board members, and six community members were in attendance.

### **Financial Update (Alan)**

Alan presented a summary of balances as of 12/31/2024.

Reserve Fund: \$52,942.73; Savings: \$24,934.23; Checking: \$25,689.53

Alan asked about the possibility to pay the first installment in the fence project from available surplus. The decision was to pay reserve expenses from the reserve account.

### **Bookkeeping Options (Dave/quest)**

The board is exploring options for sharing of bookkeeping and financial oversight. Kyrsten and Kelly (and his mother Brenda) do tax returns for several HOAs. They also do clean-ups of QuickBooks – an overview of the bookkeeping recordings. They could go back over the past few years to verify the status of our accounts. Also, they can advise us on our monthly reporting tools, specifically regarding the status of yearly budgets and budget items. The clean-up would take place first, by May if not earlier. Doing a tax return may cost \$200-400 (this typically includes a deadline extension). There is also the possibility of services related to reserve funding. They would not be responsible for dues management (collection and billing). They can provide orientation for new treasurers on QuickBooks and reporting. The invoice process is time consuming for the treasurer.

*Dave moved that Alan should file the tax return for this year. Seconded by Karen, passed unan.*

### **ACC report (Bob Pendle)**

Bob reminded members of the application process available through links on our website.

Bob named the members of the ACC committee (also listed on the website).

He summarized the following six examples of ACC actions:

1) May 2023, triggered by information & complaint by adjoining property owner, ACC sent a letter prohibiting family members from residing in a travel trailer behind the residence. Situation required subsequent visits, but was resolved.

2) April 2024, application for yard fencing around a house on Arrow Court, approved by ACC as fully in compliance with Covenants.

Note: for any applications for fencing along Foxhall trails the ACC now contacts Rob Armstrong to also consult with the property owner regarding siting the property line and any concerns about maintaining safe passage.

3) Spring 2024, barn application approved on property near Park #1. Had been some concern at the time whether a barn could be built before a house. The answer is "Now, yes." [Previously the County Code only permitted barns as an "Accessory to a home." The County Code had been changed in the past couple years to allow barns in rural areas even without a residence built -- and Foxhall has Rural 5 Zoning. Thus the property owner had already received a County permit for the construction. Plus, there are no relevant restrictions in the Foxhall Covenants. (Though our Covenants do restrict anyone from living in a barn.) In addition, precedent was set years ago in Foxhall with two separate lots in the same ownership.... with the house on one lot, barn on the other. (They've paid two separate dues for years).

Further, the 2024 property owner signed agreements with both the ACC and the Foxhall Board that the barn would not be used for a business.

4) June 2024, applicant applied for permission to remove an existing double car garage and replace with a larger garage, an office, a bathroom, and an exercise room. The new additions will be finished similar to the

existing house and meet all County requirements re setbacks, water, power, surface water, etc. Existing driveway suffices. The application meets the requirements of the Covenants and was approved. This project is ongoing.

5) June 2024, a potential buyer of a 5-acre, Foxhall, for-sale parcel with a driveway off Hawks Prairie Road (and a follow-up call from the buyer's realtor) asked whether the possible purchaser could tear down the existing barn on the back of the 5-acre property and replace it with a second home. After phone conversations and a detailed letter citing and quoting the Foxhall Covenants, the potential buyers understood that this would not be allowed.

Note: In previous calls we've received from potential buyers or real estate agents wanting assurance of ACC approval for changes a buyer would want to make on "for sale" property: We never offer an official ACC opinion to a potential purchaser. We have suggested that perhaps they could ask the existing property owner to submit it to the ACC as a proposal for review. However, the above question proposed something clearly not allowed by the Foxhall Covenants, so we did respond with information, though not a formal letter.

6) Dec. 2024. Property owner requested info on the application process and timing. He's interested building an additional garage on the property. The owner said he was not ready to proceed with an application yet, as he's still researching the size, location, and plans for the proposed garage (though it will go behind the house). We advised that the application would lead him through providing the ACC info on setbacks from property lines, whether the driveway would require an additional cut into a street, and general details on the garage materials and how the garage exterior is finished, etc.

The discussion then continued regarding the practices of the ACC.

The ACC meets when there is an application or an infraction of covenants.

An appeal procedure is referenced in the Bylaws as a power and duty of the FCA Board, though the covenants do not provide such a procedure or role by the Board.

If a resident does work subject to our covenants without receiving approval, and ACC is made aware, they may order work to stop or be corrected.

Bob proposed that the ACC forward a copy of application approvals to the board, which could then be part of the record in Board meeting minutes.

Bob stressed that the ACC has been successful at coming to agreements with homeowners.

The following information regarding the ACC was provided by Bob following this meeting and included here for context.

### **General Information on ACC Reviews**

1. The Architectural Control Committee (ACC) is an independent body established by the Foxhall Covenants, to assure that those Covenants are upheld by any and all building applications in Foxhall (i.e. fencing, exterior remodels, barn and house and garage construction, a large chicken house, etc.). During "Closing" of any purchase of Foxhall property, the Covenants are provided to and initialed by anyone purchasing such property. (The Covenants can be amended by vote of the Foxhall homeowners, but per the Covenants any change to the document requires an 80% approval of the 122 property owners -- that is 98 parcel owners -- an imposing task.)

2. ACC decisions adhere to the clear language of the Foxhall Covenants.

3. The Covenants set up how the ACC should operate and continue forth. The covenants specify that the ACC selects the replacement when we lose a member. If anyone is interested in this role, let an ACC member

know and we'll keep you in mind. We are committed to seeing that new members represent the breadth of our community (different Foxhall Divisions, etc.).

4. The "Request for ACC Approval" form and information is available on the Foxhall website (<https://www.foxhall98516.org/architectural-committee>). Any of the ACC members are happy to talk to anyone who has questions.

5. For any application for new fence construction along a Foxhall Trail, the ACC contacts a Trail Committee member for their expertise and OK.

6. In most cases, the ACC now acts on an application in 3-7 days (thanks to electronic communication). The Covenants provide that if the ACC hasn't acted in 30 days, the proposal is deemed approved. To our knowledge that has never happened, at least in modern times. Any ACC member can accept your application for ACC committee review, electronically or hardcopy.

7. Application for ACC review of house or barn plans (new construction or remodel that changes the footprint) must include the architectural or company drawings, either paper or electronically. (Consider multiple copies?)

### **Facilities Update (Karen)**

1. Forest Park gate locked on 12/22 due to another motorbike incident. Fortunately, no one was injured. Tire tracks in the trails showed where the bikes came from.

Karen put a sign on the gate on 12/15 that the gate would be locked on 1/5. The sign is still there. The combination lock is in place. The combination is available upon request.

2. Garbage can in Park 1 was stolen between Thanksgiving and Christmas. Karen called the company and a new can was delivered on 1/6. No cost for a new can.

3. Water at Front Entrance - Alan noticed an unusual amount of water used in the Nov-Dec billing. The dollar amount is small (< \$3) but it was 500 gallons. Karen turned off the water on 11/30. She stopped the watering earlier than that. Karen is now monitoring the meter to see if there's a leak.

4. For our April 24th membership meeting, Karen sent in the room reservation request to Heidi at the Fire Station and we are booked.

During the Park 2 fire, Karen asked the fire chief about a talk to the community about wildfire safety. He suggested that we do it at the fire station.

In the room reservation request, Karen asked if we could have that talk during our membership meeting. Heidi will talk with the Fire Chief about setting this up for us.

5. Olympic Fence Replacement. This has been the major activity.

Progress to date (as of 1/9 pm)

- Trail volunteers helped with bid specifications and assisted contractor with property line markers;
- all of the vegetation on the old wire and impeded the fence work has been removed
- all fence wire has been removed from the poles and the wire removed from the trail
- Many poles have been pulled up, and many have been removed from the trail
- All of the adjacent homeowners were contacted - either in person, or via email/text/calls.
- All have been supportive of our efforts.
- The owner with the aggressive dogs has kept them inside while we are working. One owner offered the use of his driveway for delivering and storing materials.
- All vegetation issues were readily resolved, including approval to cut down dead trunks of a tree (that had already dropped portions onto our trail)

- Karen sent messages to Ken Nelson requesting contact info, but I never heard back.
- There were several Trails Committee work parties to remove vegetation on or next to the fence.
- Jeff Buelow (who was approved to do the work) requested a \$5000 initial payment in order to buy posts/wire. (this was in his proposal). Alan wrote the check and I gave it to Jeff. This was our first withdrawal from the Reserve Fund.
- Notices about the work have been posted on our website, Foxhall Association and Foxhall Community Folks Facebook pages and on the Johnston Facebook page, stating that the Olympic Trail is closed 1/8-1/15.
- Signs have been posted on each end of Olympic Trail about the trail closure

#### 6. Retention Pond

- Karen checked it during the holidays after a big rain. All pipes, outlets were flowing without obstruction.
- Carolyn mentioned that there is quite a bit of mole activity near the retention pond. Discussion of whether to set traps in property open to the public (safety issue).

7. Discussion of pothole on 42<sup>nd</sup> Ct. The process would be for the Board to arrange for the repair and then bill the responsible members (as per the covenants). The secretary can give the membership advance warning of an extra assessment if such an expense is necessary.

8. Tree removal: lots of downed trees have been removed by our volunteers.

#### **Ongoing/Pending Business**

Dave inquired about facilities work that is upcoming. Mowing contracts are expiring.

#### **Executive Session**

The purpose was announced to discuss candidates for bookkeeping and financial review services. Remaining members were placed in waiting room for the duration of this session.

Dave reviewed the proposal in session.

#### **Resume Board Meeting**

*Dave moved that we allocate the \$2500 set aside for financial review to the Sherwood company for the purpose consulting on the state of our QuickBooks and recommendations for reporting and other practices. Seconded by Karen, passed unan.*

#### **Upcoming Meetings**

Board of Directors Meetings: Second Thursdays of each month

- February 13<sup>th</sup> Board Meeting
- March 13<sup>th</sup> Board Meeting
- April 10<sup>th</sup> Board Meeting
- April 24<sup>th</sup> Membership Meeting at Fire Station

#### **Member Comments**

None

#### **Adjournment**

Meeting adjourned at 9:22 p.m.

Minutes approved at Board of Directors Meeting on February 13<sup>th</sup>, 2025.