

Clifton Crest HOA Annual Meeting
Zoom
January 23, 2023 7:00 pm

Call to Order:

The meeting was called to order by Richard Lessard at 7:00 pm. Richard appointed Community Manager, Ms. Ingrid Ketterman, of Capitol Property Management as Secretary for this meeting. Richard introduced the fellow members of the HOA Board of Directors, Claudia Escobar, Chetan Modi, Dr. Tushar Patel, and Uma Ram.

Notice of Quorum:

An annual meeting notice was sent by mail/email to all homeowners on December 19, 2022 and posted on the community website.

Attended:

Ingrid Ketterman of Capitol Property Management (CPM)
16 Proxies received.

President's Remarks:

Richard introduced himself. This has been a relatively quiet and ordinary year for the HOA with one giant exception. That exception of course is the Virginia Dept of Transportation's offer to acquire some HOA-owned land to facilitate the widening or Route 29, Lee Highway. I will try to briefly recap those events and bring everyone up-to date:

- a. About Feb 8, 2022, we received the Initial Offer Letter from VDOT offering to acquire the rights to certain parcels of land and pay the HOA \$115,010.
- b. Our Community Manager, Ingrid, advised us that this was a complex legal matter and beyond the normal practice of our usual attorney. Ingrid then recommended a specialized law firm, Rees Broome, PC to handle this matter.
- c. The HOA Board voted to approve this recommendation, and the firm Rees Broom, PC was engaged on Feb 23rd. Ursula Burgess is the attorney at that firm handling our case.
- d. After reviewing our case and the paperwork in detail, the attorney recommended that we hire an independent appraiser to appraise the fair market value of the land VDOT wished to acquire. On April 30th, we hired V. Lynn Kelsey to conduct this appraisal.
- e. In June we received V. Lynn Kelsey's appraisal. The appraised value was \$260,780, over \$145,00 more than VDOT's initial offer.
- f. The HOA Board then authorized our attorney to enter into negotiations with VDOT based on this higher appraisal value.
- g. In mid-August we received word that VDOT agreed to raise its offer by 35%, to \$155,811, about \$40K more than their initial offer.
- h. The HOA Board was presented with several course of action, some of which we were told would extend the negotiations quite a bit longer. The HOA Board elected to accept VDOT's new increased offer. We were advised at the time that doing so would move the process forward more quickly and that we would likely receive the funds by the end of the year.
- i. That projection proved not to be true and apparently the complexities of this matter have led to long and complicated discussions between our attorney and VDOT's attorneys.
- j. The latest event is than on January 15th, our attorney filed a petition with the Circuit Court of Fairfax, Virginia for a 'drawdown' of the initial VDOT offer amount of \$115,010. That money is apparently already on deposit with the

Court. We don't know how long it will take for the Court to act on that petition.

k. If my understanding is correct, getting this initial offer amount does not preclude us getting the additional \$40K in VDOT's revised offer, but that I expect will require a second petition to the Court or some other legal action.

l. We have tried to keep homeowner's apprised of the progress of this matter, first with a web posting in March, and alter with a letter mailed to all homeowners in June.

m. I would like to move ahead with the rest of the Agenda, but when we get to the New Business item on the Agenda, I'd like to discuss some proposed uses for this money once we get it. Also, when we get to the Open Discussion section, people can raise other questions. For now, does anyone have a specific question about what has taken place so far?

Approval of Minutes:

The 2022 minutes annual meeting were approved unanimously.

Reports from the Board of Directors:

a. Chetan or Claudia provided report on townhome area. Claudia shared concern with the trash in the area. Chetan shared that HLS hasn't been performing well the last 3 services. The leaves and debris are blown around and clogging the gutters.

b. Richard advised that the HOA ended 2022 with a variance of \$9K to cover legal expenses for the VDOT offer.

c. Virginia Law requires that the HOA do a study of it's financial reserves every five years, and that study will be due this year.

Election of Officers:

Claudia Escobar term expires in 2025. Richard, Uma, and Tushar's term expires in 2024. Chetan's term expires at this meeting. There is currently 1 available spot on the Board.

Tushar made a motion to elect Chetan Modi for a 3-year term, Richard seconded.

Old/New Business:

- Potential Uses of VDOT funds of the VDOT funds:
 1. Repave the townhome parking lot.
 2. Replace all of the mailboxes and mailbox posts for the single family homes. (We would need to verify that this is something the HOA would legally be allowed to do). If we can't do it, we could at least facilitate this for the homeowners in some manner.
 3. Place the remaining funds in reserve. This could presumably be done in such a way as to preclude the HOA from having to raise the assessment for a number of years.
 4. Richard advised residents to bring any enhancement requests to Ingrid. The Board can receive bids and decide on what options to move forward with.
- Tushar asked what is required when improvements are done without HOA approval.
- Solar Panels don't require HOA approval, however a county permit is required.
- Ram asked when the townhome parking lot is repaved to inform single family homeowners should they get a discount to repave their driveways.
- Claudia raised the grassy area is still an issue and eyesore. Ingrid mentioned concrete can be done at the same time a vendor to repave is on-site to reduce the cost.
- Margie asked if the Board will consider another spring clean-up.
- Mamin asked if the entrance sign can be cleaned up.

Open Discussion:

Adjournment:

The meeting was adjourned at 7:58 p.m.