

Silver Cup Home Owners Association Special Meeting  
September 12, 2006

**CALL TO ORDER:**

At 1907 the meeting was called to order. The board members present were:

Randy Anderson  
Eric Treworgy  
Nancy Baggott  
Steve Toske  
Liz Cloutier

**Verify Quorum:** ARMI verified that the Quorum exceeded the needed amount. Mr. Treworgy verified which homeowners had submitted a vote.

**Prior Meeting Minutes Approved:**

**Explanation of Necessity for Special Meeting:** This meeting has been called by a request of 25% of the homeowners in Silver Cup to permit the Board to review with the homeowners a request by a homeowner to have the section on Swimming Pools in the Association's Architectural Guidelines amended.

**Opened the floor to discussion regarding pools only:**

A homeowner stated that he was not against pools at all but he was concerned about drainage of chlorinated pools especially large ones that hold a lot of water. He was concerned that the water will go through his backyard and others that live downstream. He mentioned that it will kill grass. He took exception to wording "only". He also pointed out that sentence 1 conflicts with sentence 2 & 3.

A homeowner recommended that language be added to require Fauquier County requirements regarding fencing.

A homeowner asked a question about the meaning of 4' deep or height. He mentioned that the form already requires you have to follow county regulations.

A homeowner mentioned that there should be a requirement for covering the pools.

**RESULTS OF VOTE:**

No's: 20 (do not change guidelines)  
Yes's: as written in the Acres suggestion: 14  
2' deep: 13  
3' deep: 2  
4' deep: 3

Randy: The board will take all input under consideration. The results appear that the homeowners want a change to the guidelines regarding pools.

A homeowner asked whether a 2/3 vote is needed.

Randy answered that 2/3 vote is not required and reminded all that we signed up to the covenants and we need to be consistent with decisions.

### **OPEN FLOOR - TO OTHER COMMENTS SUBMITTED BY HOMEOWNERS REGARDING POSSIBLE CHANGES TO ASSOCIATION'S ARCHITECTURAL GUIDELINES:**

A homeowner stated that we do need guidelines and we should work together as neighbors to have a set of guidelines. He referenced Paragraph 55-513 and Article 9 of the By Laws. He also mentioned that we need to vote and amend covenants to add restrictions for private property.

Eric Treworgy stated that the Board intends to have an HOA lawyer look at our documents.

A homeowner added that people paid a lot for these homes and were not going to ruin their properties.

A homeowner asked a question regarding disapproval of "improvements".

An ARC member reported that there have been 2 or 3 disapprovals since she was in the position.

A homeowner mentioned that she is concerned about approval required if you change your mind about landscaping once the package was submitted and approved. She stated that we should change the covenants.

A homeowner stated that we need a common sense approach.

A homeowner mentioned that he thought the covenants gave that ACC the "common sense." We could trust the ACC.

Randy stated that the ACC should be able to approve/disapprove based on its own merit.

A homeowner clarified that the Board trusts the ACC to approve/disapprove based on community interest. Rather than getting bogged down in details, we should leave broad with Board back up. He also stated that we should avoid personal attacks and appreciates the Board members.

A homeowner stated that the guidelines are guidelines and shouldn't be treated as rules. They shouldn't be things that homeowners are judged against. They should be used as guides to put plans together and to help. Not to restrict or penalize.

A homeowner believes that the guidelines need to be struck. He believes that pools are in the covenants and should be changed there. Maybe we should look at the covenants every 3 years or so. He also stated that the guidelines should further expand not restrict.

A homeowner made a general statement that he couldn't believe a pool takes this much time and effort to reach agreement. He can't believe this issue has taken so much time.

A homeowner believes that people have blown the issue out of proportion. She also said that the steps in the process take time and the Board does need to consider homeowner complaints.

Trey confirmed that new landscaping beds need approval but changing within the existing bed doesn't.

A homeowner mentioned that the county will not respond to HOA guideline issues unless there is a complaint.

Trey confirmed that the county only has a compliant driven enforcement.

Nancy stated that one thing that came out of this situation is that the process is not as clear as it should be.

A homeowner believes that fines should be for extreme issues such as safety or health to real property. He wants to discuss more about these. There needs to be a level of reasonableness.

Nancy Baggott motioned to adjourn.

Randy second the motion

Motion carried.