

RainTree Homeowner's Association Meeting

October 3, 2023

Agenda

- ✓ Call to Order
- ✓ President's Briefing
 - Who We Are
 - What We Have Done
 - Where Next?
- ✓ Financial Budget Report
- ✓ Open Forum
- ✓ Nomination of Officers
- ✓ Closing Remarks



We have a lot to discuss!

Please hold your comments until after the HOA
Annual Report Presentation

This is an open meeting. Any member may record
any portion of this meeting.



The Virginia Code Regarding the COVID Response

The General Assembly on April 22, 2020, overrode requirements in the Virginia Property Owners' Association Act Annual meetings that may either be postponed or conducted remotely. For now, they should be postponed until the health guidance suggests a lifting of the current restrictions on gatherings. If the community association is organized as a nonstock corporation, the failure to hold an annual meeting on the date specified in a community association's bylaws does not affect the validity of corporate action. See Va. Code Ann. § 13.1-838.

Next Slide ->

§ 13.1-838. Annual meeting (Still in Effect as of Today)

- A. A corporation shall hold a meeting of members annually at a time stated in or fixed in accordance with the bylaws.
- B. Except as otherwise determined by the board of directors acting pursuant to subsection C of § [13.1-844.2 \(verification of attendee identity\)](#), meetings of members may be held at such place, in or out of the Commonwealth, as may be provided in the bylaws or, where not inconsistent with the bylaws, in the notice of the meeting.
- C. The failure to hold an annual meeting at the time stated in or fixed in accordance with a corporation's bylaws does not affect the validity of any corporate action.

While These State Guidelines are Still in effect, we are following the ...

Federal Public Health Emergency (PHE) for COVID-19, declared under Section 319 of the Public Health Service (PHS) Act, to expire at the end of the day on May 11, 2023.

Virtual HOA Meetings

- ✓ The Amendment does not alter the notice requirements for such meetings. The Amendment requires the nonstock corporation to adopt reasonable procedures and guidelines consistent with the Amendment. Specifically, the Amendment requires the corporation to implement reasonable measures to (i) verify that each person participating remotely is a member or member's proxy, and (ii) provide members a reasonable opportunity to participate in the meeting and vote on the matters submitted to the owners.
- ✓ Electronic meetings are not without their potential downsides. Technological difficulties may make such meetings impractical. Cost may also be an issue in setting up and hosting virtual meetings. Additionally, associations may need to consider cost, availability, and accessibility issues regarding owners.
- ✓ *It is worth noting that the Amendment does not provide much guidance as to how to organize and implement virtual meetings.*
- ✓ If a member does not have the capability or desire to conduct business by electronic means an association is required, at its expense, to make available a reasonable alternative for such person to conduct business without the use of electronic means. This requirement could result in the necessity for some meetings to be in person.



Section 3.05 (By-Laws) Quorum

“...the presence at any meeting of members holding 50% of the voting rights of all classes of membership combined ... shall constitute a quorum.... If no quorum be had, a majority in voting power of those members present may adjourn the meeting from time to time and from place to place until a quorum may be had.”

If we have a Quorum – OK, if Not...

Should we proceed?

Meeting Attendance & Voting

Members are those who own lots or units within the association. This means that only those whose names appear on the unit or property title are invited to attend the annual meeting. Guests or renters may attend but are not allowed to speak or vote on behalf of the owner without a proxy from the owner previously submitted to the Secretary.

Code of Virginia § 13.1-847. Proxies.

A member or the member's agent or attorney-in-fact may appoint a proxy to vote or otherwise act for the member by signing an appointment form or by an electronic transmission.

Covenants, Section 3.02. Voting Rights.

“Any Member otherwise entitled to vote may cast his vote either in person or by proxy provided such proxy is duly approved in writing by an instrument subscribed by such Member or his authorized attorney and a copy thereof is delivered to the secretary of the meeting prior to the vote.”

MINUTES OF ANNUAL MEETING
NORTHSIDE REGIONAL LIBRARY
CHARLOTTESVILLE, VIRGINIA

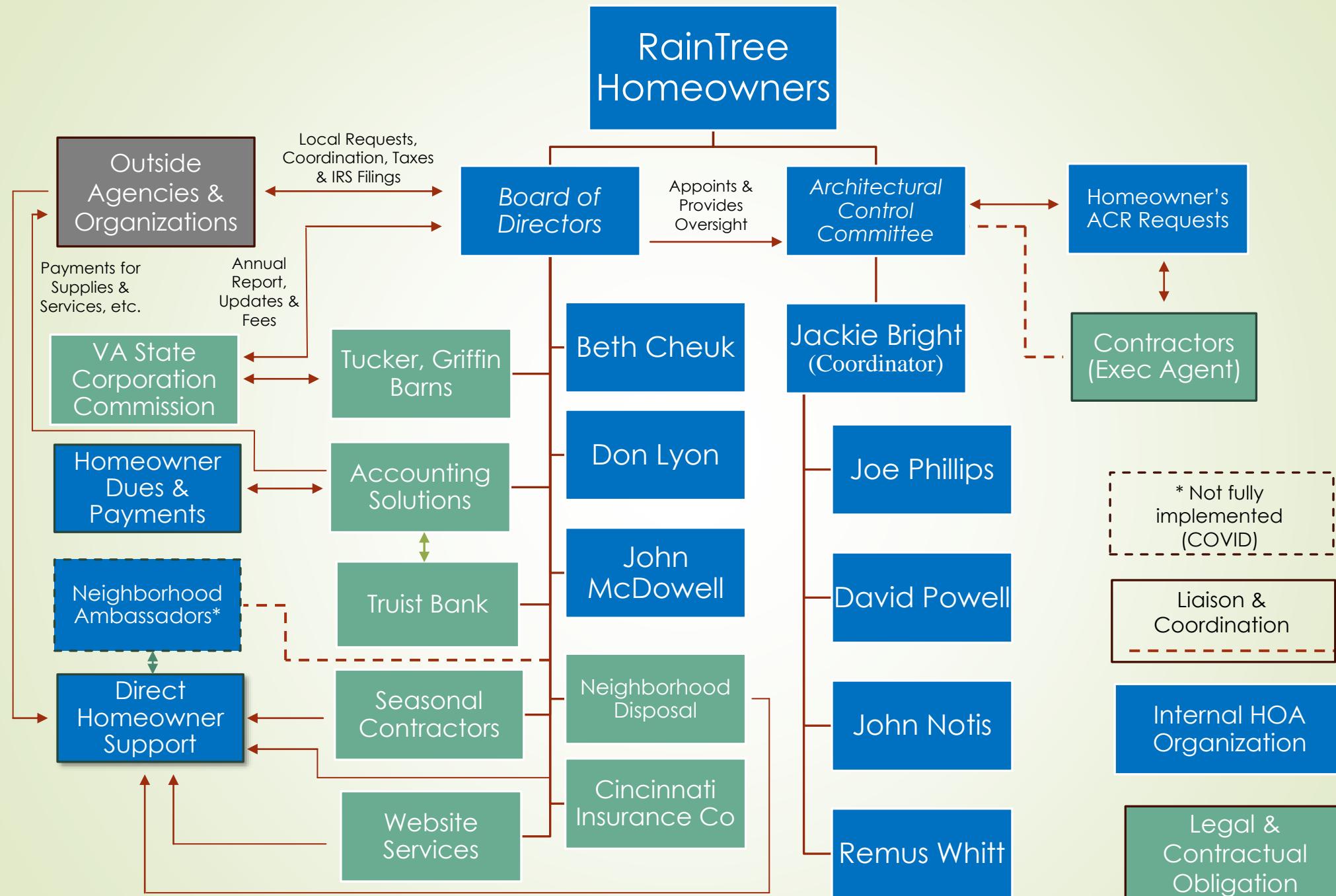
April 11, 2019
7:00 p.m. – 9:00 p.m.

- Call to Order. Don Lyon, President, RainTree Homeowners Association (RHOA), called the meeting to order at 7:00 p.m.
- Establishment of Quorum. Based on the number of homeowners eligible to vote, the president determined that a quorum did not exist and 53 of the 170 members were present.
- Proof of Notice for Annual Meeting. Karen McDowell of RHOA mailed notices to homeowners for the April 11, 2019, annual meeting on March 27, 2019.
- Reading of Minutes from Previous Annual Meetings: None
- The President's Briefing.
 - Previous HOA Accomplishments and current issues: The president listed numerous accomplishments and actions from the past and current issues, to include:
 - Enforcement of by-laws.
 - Architectural Review for homeowner improvements
 - County zoning restrictions and participation in review for adjacent property developments
 - Common area use and restrictions
 - Change to speed limits, establishment of traffic signals, development of adjacent local facilities and involvement in Route 29 and Hillsdale Drive improvements.
 - Common Area insurance coverage
 - Expedited snow removal for RainTree.
 - Past community information efforts
 - Property transfer process
 - Legal issues regarding By-Law restrictions and prohibitions
 - Issues and Concerns: The president commented on trash in common areas and non-payment of dues and recycling.
- Financial: Revenues for the previous year were \$38,322 versus expenses of \$38, 402 for a net loss of \$79. The loss is due to an unexpected trash service cost increase of \$672 for First Quarter 2019. Dues for 2019 are adjusted to balance the budget for the next year. Cash on hand as of March 1, 2019, was \$12,408.
- Current Issues
 - The county is developing new regulations regarding the establishment of businesses and B&B in local community areas.
 - Natural gas installation may be a potential option for homeowners.

RAINTREE HOMEOWNERS ASSOCIATION

- Property setbacks may change for local construction.
- As homeowners did not vote for a sufficient dues increase for recycling, this can only be accomplished by collecting past dues owed to the association.
 Reallocated to Common Area Maintenance
- New Business.

 - Treasurer Report. DELIQUENT ACCOUNTS
 - Everyone should know that trash collection is not free.
 - The majority of homeowners' dues are for trash collection service.
 - All homeowners receive annual bills.
 - Several of our residents (11%) are severely delinquent despite repeated written or verbal requests for payment. Unpaid dues are in excess of \$34,000.
 - Annual loss of revenue is \$4,940.
 - Collection of these fees would allow for \$12,400 annually for recycling services.
 - By unanimous accent, the association will enforce the following: By Lays Article VI Sec 6.01 (f)
“...the right to levy assessments as provided in Article VII of the aforesaid restrictions and to suspend the enjoyment of rights of any member of the Association for any period during which an assessment remains unpaid...”
 - Homeowners have four basic rights: The right to vote, the right to petition the board, the right to use the common areas and the right to Trash Collection services.
 - THE ASSOCIATION WILL NOTIFY DELIQUENT HOMEOWNERS AND TERMINATE THEIR TRASH COLLECTION SERVICE UNLESS THEY PAY PAST DUES OR MAKE ARRANGEMENTS FOR PRO-RATA PAYMENTS TO ELIMINATE THE DEBT.
 - Nominations for Board of Directors.
Don Lyon, John McDowell and Beth Cheuk were nominated and approved by acclamation to serve as directors for the next year.
 - Adjournment. Motion to adjourn was made, and approved at 8:50 p.m.



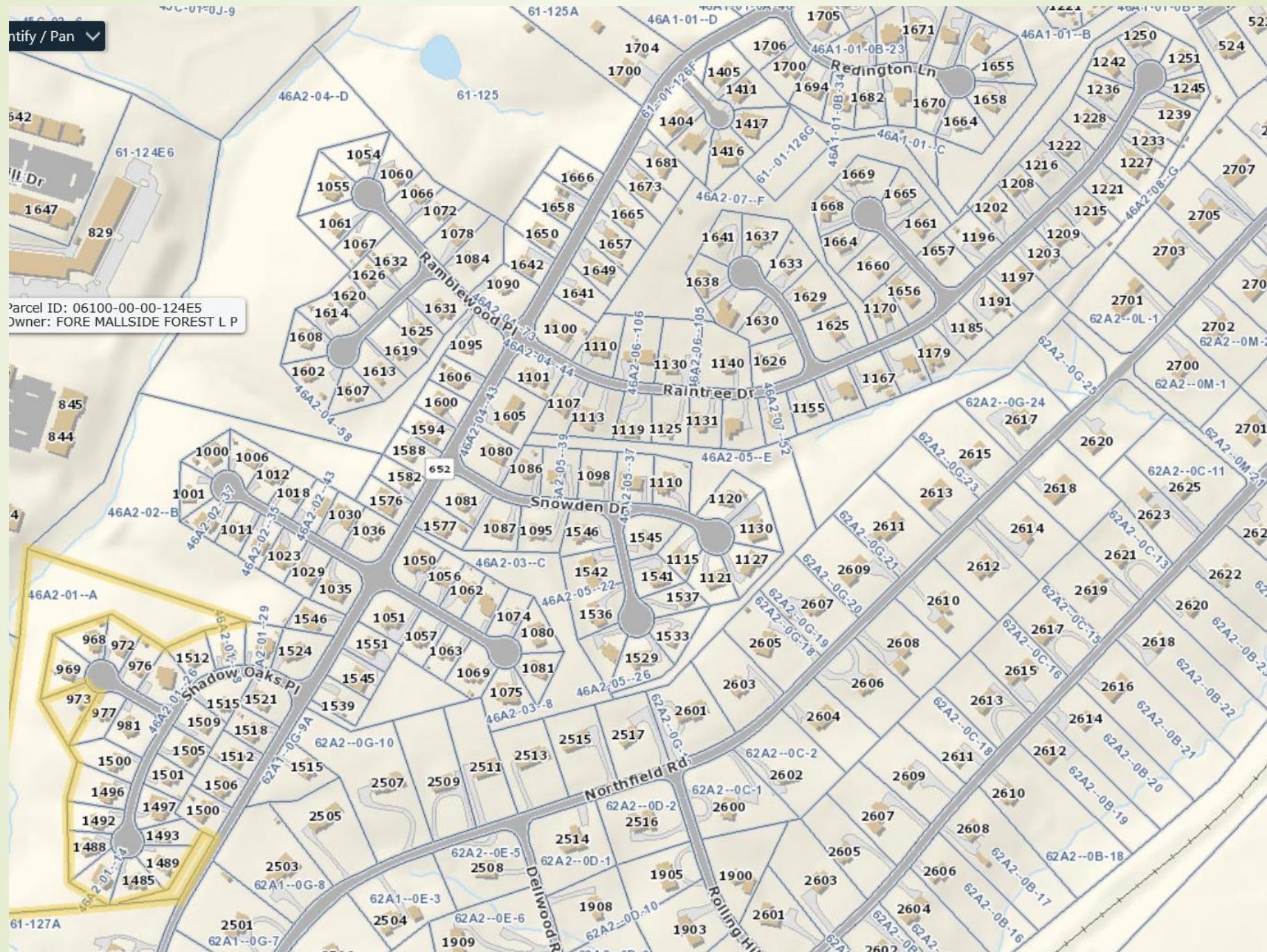
Hierarchy of HOA Documentation

1. Federal, State and Local Law**

(US & VA Code, VA Nonstock Corp Act, VA Property Owners Act & Albemarle County)

2. The HOA Plat/Map -> Establishes the Jurisdiction of the HOA
3. Declaration of Covenants, Conditions, Restrictions (CC&R's) -> Provides a roadmap. Describes the HOA's obligations and rights to its members and vice versa.
4. Articles of Incorporation** -> Creates the Association
5. By-Laws* -> Describes how a HOA should conduct business
6. Rules and Regulations -> Supplements CC&Rs and By-Laws
 - Architectural Guidelines*
 - Others as required

**Changes at the superior level of authority require *lesser authority changes (rolls down hill)



Management Initiatives

- ✓ Converted from Stock to non-Stock Corporation. Our attorney determined that no previous tax liabilities existed.
- ✓ Revised the By-Laws (Attorney Drafted/BOD Reviewed)
 - Language & References are Clearer
 - Removes all References/Power of the Developer
 - Eliminates 2/3 vote for more than 15% Dues Increase
 - Now Allows for Electronic/Remote Meetings
 - Eliminates “disconnects” in Governing Documents
 - Reduces quorum from 60% to 50 %.
- ✓ Revised Architectural Guidelines
 - More Detailed & Based on Historical Requests & Current Law.
 - Expanded the Size and Defined the Role of Architectural Control Committee
 - Formalized Process to Handle Requests. Info on Website
- NEW Official complaint process available for download on Website (**Previously Informal Conversation or E-Mail - Now Formally & Legally Required**).



Virginia HOA Complaint Process

§ 55-530 E of the Code of Virginia

Owners do not have the right to submit complaints to the Ombudsman unless and until they have first submitted a complaint to their association and either not received a response or received a Final Adverse Decision.

The Ombudsman's office cannot respond to complaints regarding violations of an association's declaration, bylaws, rules and regulations, architectural guidelines or any other internal document that governs an association. The Ombudsman Regulations can be found

at <https://law.lis.virginia.gov/admincode/title18/agency48/chapter70/>.

To the extent that the Complainant has knowledge of the law or regulation applicable to the Complaint, the Complainant shall provide that reference, as well as the requested action or resolution.

By now you have all received a copy of the following documents published & distributed

per Code of Virginia § 13.1-301.2. Adoption, change or repeal of bylaws; § 13.1-823. Bylaws; § 13.1-826. General powers; § 13.1-810. Notices and other communications; RainTree CC&R Section 5.01.

The Lots and Common Areas, that must be provided in writing.

- ✓ Articles of Incorporation
- ✓ By-Laws of the Association
- ✓ Architectural Guidelines

Articles of Incorporation

- ✓ To be a nonstock, nonprofit corporation
- ✓ “To provide for the management, maintenance, care and architectural control of the lots and common area of ... Raintree subdivision ... and to promote the health, safety and welfare of the residents....”

Commonwealth of Virginia



State Corporation Commission

CERTIFICATE OF GOOD STANDING

I Certify the Following from the Records of the Commission:

That Raintree of Albemarle Homeowner's Association, Incorporated is duly incorporated under the law of the Commonwealth of Virginia;

That the corporation was incorporated on August 13, 2021;

That the corporation's period of duration is perpetual; and

That the corporation is in existence and in good standing in the Commonwealth of Virginia as of the date set forth below.

Nothing more is hereby certified.

Signed and Sealed at Richmond on this Date:

July 24, 2023



A handwritten signature in black ink that reads "Bernard J. Logan".

Bernard J. Logan, Clerk of the Commission

Board of Directors

Virginia Property Owners' Association Act § 55.1-1800

As used in this chapter, unless the context requires a different meaning:

"Board of directors" means the executive body of a property owners' association or a committee that is exercising the **power of the executive body by resolution or bylaw**.

55.1-1819. Adoption and enforcement of rules

Except as otherwise provided in this chapter, **the board of directors shall have the power to establish, adopt, and enforce rules and regulations with respect to use of the common areas and with respect to such other areas of responsibility assigned to the association** by the declaration, except where expressly reserved* by the declaration to the members.

*No Trespass to effect repairs (Authorized by CC&Rs but not by VA state law w/o injunction)

Board Meetings

Most boards must hold at least one open meeting a year, often known as the “annual meeting.” (Exception per Va. Code Ann. § 13.1-838 previously mentioned). Sometimes, special board open meetings can be held more frequently to discuss pertinent association information, projects, and property improvements. An official board meeting is like a for profit corporation's annual stockholders meeting.

Virginia Property Owners' Association Act § 55.1-1816 (C). Meetings of the board of directors

The board of directors or any subcommittee or other committee of the board of directors may (i) convene in executive session to consider personnel matters; (ii) consult with legal counsel; (iii) discuss and consider contracts, pending or probable litigation, and matters involving violations of the declaration or rules and regulations...

Architectural Control Committee

Covenants, Conditions & Restrictions (CC&Rs)

Section 4.01. Committee Composition (Sep 1, 1983)

“The Architectural Control Committee, hereafter the Committee, will be composed of Robert M Hauser, Lorraine D. Runkle, and T. Blakey Hurt. When the Declarants have conveyed the entirety of their real property ownership in Raintree Subdivision, or at such earlier time as the Declarants in their sole discretion deem appropriate, the Association shall determine the membership of the Committee pursuant to its Articles and By-Laws.” The Owners, Developers, BOD & ACC were all the same people, which created issues during the transfer of responsibilities to the Association.

The ACC appeared to be AUTONOMOUS. It could establish whatever rules it wanted with no apparent oversight and NOT accountable to anyone including the Association Membership.*

The CC&Rs are much more restrictive, some of which now violate existing laws and were reduced in authority by what is now authorized in the revised By-Laws and Guidelines.

Especially Difficult to Change the Covenants: For example – 2/3 vote & Lender approval is required to modify the CC&Rs.

*Not Exactly True but Precipitated a Review of all Documents to conform with State Code and Current Law.

Revised Architectural Guideline Review

The Guidelines provide written clarity, reduces ambiguities or inconsistencies and is based on issues from the previous 30+ years as well as decisions from the past, changes to laws, and current events.

Reviewed/Revised & Commented on by:

- ✓ Three (3) members of the Board
- ✓ Two (2) members of the ACC
- ✓ Three (3) prospective members of the ACC
- ✓ Three (3) “disinterested and respected homeowners” not officially part of the Association who reviewed the full document.
- ✓ Casual comments with various homeowners on the street asking, “What do you think about this?”

Issues Now Allowed in the Architectural Guidelines

- NEW Solar Panels Authorized (Federal)
- NEW EV Charging Stations (Authorized Federal)
- ✓ Flags and Signs (Modified Federal)
- ✓ Home Businesses (State w/County Approval)
- NEW Consumer-Owned Antennas and Satellite Dishes (Federal)
- ✓ Home Stays (State w/County Approval)
- ✓ Restrictive Single-Family Definition (County)
- ✓ Easing of Other Issues Previously Prohibited (HOA)



ARCHITECTURAL CONTROL

The ACC was Never Dead, nor did the Board do away with it!

 We will mail an Annual Compliance Reminder of the Architectural Request Requirement to each homeowner

Section 7.01 (By-Laws): The Association through its Board of Directors shall regulate the external design, appearance, use, and location of the lots and improvements thereon....

(Architectural Guidelines Preface): The Board of Directors (BOD) acting through the Architectural Control Committee (ACC) hereby designated as the Board of Directors' Executive Agent for these matters, must approve any change to the exterior appearance of any house or lot before work is started.

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Amendment to the Architectural Guidelines of the RainTree of Albemarle Homeowner's Association

The intent of the guidelines is not to place an onerous task on the homeowners

The following modification is made to the
General Provisions:

Minor changes to the appearance or modification of the homeowner's property do not require that homeowners submit a complete HOA Architectural Change Request (ACR) Form. A simple e-mail request or written note is sufficient. If further information is needed or if a completed ACR form is required, the requester will be notified. In a simple request, e-mail approval or written note from the Board of Directors or Architectural Control Committee is all that is needed for approval and allows the homeowner to immediately commence the requested modification(s).

Do you want to live next to or across from these properties?



Example

Street Side Solar Panels



Corn Stalks in a Front Yard



Take a drive through nearby neighborhoods!

Our Commitment

We owe it to our homeowners to provide Clear, Concise & Understandable information to prospective and current homeowners, to reduce confusion and to stipulate the standards of the community.

As always, the Board of Directors and the Architectural Control Committee will continue to work with each homeowner regarding their request to integrate their proposed enhancements into our community. At the same time, the Association will uphold our obligations to fellow homeowners who have ascribed to the standards of our community and whose commitments have maintained and enhanced the value of our properties.

Board Actions without a Meeting

The General Assembly amended Va. Code § 13.1-865 in 2016 to greater facilitate “action without meeting of board of directors” of a nonstock corporation. Almost all Virginia HOAs are nonstock corporations.... Now, if the articles of incorporation so allow, a board can act by written consent in lieu of a meeting if accepted by a majority of the directors (or by a quorum if larger). The directors may indicate their consent by paper or electronic means.

Contracts

Section 10.04 (By-Laws): Contracts for Management and Maintenance Services. The Board of Directors may, in its discretion, arrange to have the maintenance and care-taking functions of the Association or any part thereof performed by a third party or parties pursuant to contract. (Written Consent)

New Contract Service Providers

- **Accounting Services** <https://www.accsoln.com/>

Accounting Solutions PLLC

- **Legal Services** <https://www.tgblaw.com/>

Tucker, Griffin Barnes, P.C.

- **Trash Removal** <https://www.neighborhooddisposalva.net/>

Neighborhood Disposal

- **Grounds Maintenance** (Situational, Form W9 Compliant)

Rivera Landscaping & Lawncare (434) 277-8338

Sandoval's Tree Service (434) 806-3780

Accounting Contract (Summary)

- ✓ Send invoices to each homeowner once a year and answer homeowner's questions.
- ✓ Provide full-service accounting services
- ✓ Send out disclosure packages to the seller
- ✓ For these all-inclusive services, our fees will be \$5,000 (including setup fees) for the first year and \$4,200 each for the next two years, billable quarterly. No other charges will be made that are not specified in this contract. (Renewal Aug 31, 2026)
- ✓ Maintain Bond and Insurance liability for services rendered.*
*§ 55.1-1827. Deposit of funds; fidelity bond.

Legal Services Contract

Client hires Attorney to act as Registered Agent on behalf of Client. The representation shall include acceptance of service of process, acceptance of correspondence from the Virginia State Corporation Commission, and the provision of the same by electronic mail to Client. Client understands that this Agreement does not cover any additional work which Client may request that is not specifically identified herein. Client acknowledges that it will pay any fees due to the SCC or any other entity and that Client will also file any necessary annual paperwork to maintain its entity as active with the SCC.

FEE: \$250.00 flat fee annually

SCOPE OF REPRESENTATION:

Client understands that this fee does not cover any additional work which client may request to be performed by the firm that is not specifically identified in this agreement.
(No Renewal Date)

Trash Service Contract

- **PICK UP RESIDENTIAL TRASH ON CURB ONCE A WEEK ON MONDAY.**
- EACH UNIT IS BASED ON 50 LBS. PER WEEK WITH 4.5 WEEKS IN A MONTH DIVIDED INTO PRICE PER TON CHARGES CURRENTLY AT \$50.00 A TON. ANNUAL FEE IS \$38,760
- PAYMENTS FOR SERVICE ARE REQUIRED BY THE 10TH OF EACH MONTH IN ADVANCE. THE PAYMENT IS DUE ON THE 1ST OF THE MONTH
- WE WILL PROVIDE A 96 GALLON CONTAINER TO EACH CUSTOMER
- NO HAZARDOUS MATERIALS OR TIRES. LARGE ITEM PICK-UPS CAN BE HAULED BY NEIGHBORHOOD DISPOSAL IF SCHEDULED BY TENANT & PAID BY TENANT.
- WE WILL TAKE BRUSH AND EXTRA TRASH*
- THIS CONTRACT WILL AUTOMATICALLY RENEW UNLESS CANCELLED BY CERTIFIED MAIL 90 DAYS BEFORE THE ENDING DATE OF THE CONTRACT. (Renewal Dec 31, 2024)

*GFL would not do this

Our Previous Trash Company's Quarterly Bill to a Westmoreland Resident

Page 1 of 1

GFL Environmental
26999 Central Park Blvd
Suite 200
Southfield MI 48076
P: (434) 977-3339

CUSTOMER #: KC19895
INVOICE #: KC0000334757
INVOICE DATE: 06/15/2023
TOTAL AMOUNT DUE: **\$112.32** (circled)
REF/PO #:

DUE DATE:
Due Upon Receipt

DATE	DESCRIPTION	REFERENCE	RATE	QTY	AMOUNT
6/15/23	TRASH STANDARD SERVICE Jul 01/23 - Sep 30/23		\$36.79	3.00	\$110.37
	SITE TOTAL (0000)				\$110.37
6/15/23	ADMIN FEE	SC107465			\$1.95
	SITE TOTAL				\$1.95

Notes: Noticing a change in your invoice? On Jan. 1, 2020, GFL Environmental purchased County Waste of Virginia, LLC. This is our new standard invoice template. There is no change to your service provider.

Due to increased costs, your next invoice may reflect a price increase.

To pay your invoice online, please visit us at: [www.gflenv.com/
pay-my-bill/](http://www.gflenv.com/pay-my-bill/)

CURRENT \$112.32	31 - 60 DAYS \$0.00	61 - 90 DAYS \$0.00	OVER 90 DAYS \$0.00	ACCOUNT TOTAL \$112.32	TOTAL INVOICE  \$112.32
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Printed on 06/15/2023

We have gone through Multiple Companies over the past 30 years

Additional Association Actions

- ✓ Sidewalks were replaced that were hazardous
- ✓ Storm water inlets were cleaned on Old Brook Road
- ✓ Raintree Drive Street Re-pavement. The other streets are in the queue (Re-paving of other streets estimated to resume in 2025)
- ✓ Surface water runoff problems from development in two areas were addressed
- ✓ Bi-annually coordinate with Dominion Power to have trees trimmed back from power lines along Old Brook Rd to reduce power outages
- ✓ Retention pond management taken over by the County (\$\$\$\$\$ Money Saved)



Association Actions (Continued)

- ✓ Common Area Tree Removal and Cleanup
- ✓ Potholes Repaired on Old Brook Rd
- ✓ Snowplows
- ✓ Red Dirt Development @ Hillbrook Ct
- ✓ Ting is available (Ting Repaired Damages they caused)
- ✓ Established, Published and Distributed New by-Laws and
Architectural Guidelines and Procedures to Reduce Confusion
- ✓ Created Website and Other Means of Information Exchange

Street, Water Runoff, Maintenance and Repairs



Common Areas

- ✓ Entrance Area to the Community
- ✓ Responsibility for RainTree Drive Detention Pond and others assumed by the county
- ✓ Open Areas between Phases
- ✓ Common Area Liability Insurance
- ✓ The Common Area is not for Trash Disposal
- **A fair percentage of the past recent cleanup cost was due to homeowners' dumping trash and debris in the common area**
- ✓ Golden Brick Road (To what level do we maintain the common area?)
- ✓ Tree Removal Priority: Imminent Threat to Life or Property



Common Area Maintenance



Current Information Option

Virginia Property Owner's Association Act § 55.1-1817. Distribution of information by members

"The board of directors shall establish a reasonable, effective, and free method, appropriate to the size and nature of the association, for lot owners to communicate among themselves and with the board of directors regarding any matter concerning the association."

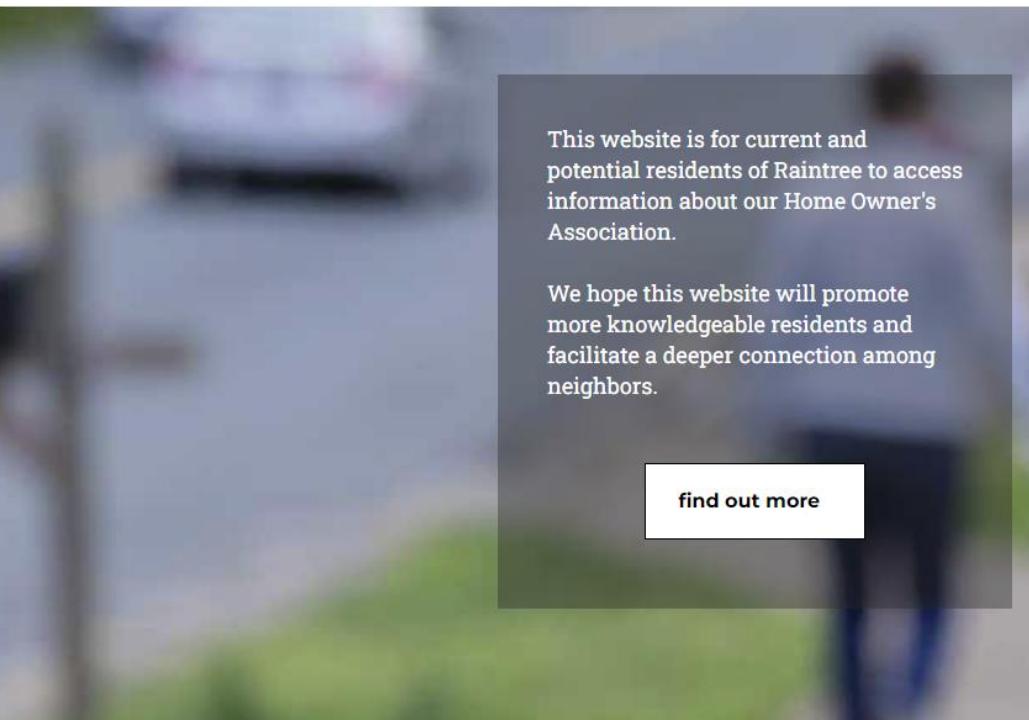
- RainTree Website
- Facebook Website
- Next Door Raintree
- Postal Options
- E-Mails to RainTreeHOA@Comcast.net



Welcome to the Raintree Homeowners Association website!

Our neighborhood is conveniently located in Charlottesville, VA, near US 29 North and Rio Road, with a ...

- 12 minute drive to downtown
- 11 minute drive to the University of Virginia
- 10 minute drive to the Charlottesville regional airport (CHO)
- Less than a 10 minute drive to Albemarle County schools



This website is for current and potential residents of Raintree to access information about our Home Owner's Association.

We hope this website will promote more knowledgeable residents and facilitate a deeper connection among neighbors.

[find out more](#)



Connect to Raintree Neighbors

Three ways residents of Raintree can connect with one another.

Find Out More

<https://www.raintreecville.org/>



Facebook Group



Nextdoor Raintree



Neighborhood Directory

join

join

submit

Facebook



Raintree HOA Charlottesville



+ Invite



Discussion

Featured

Rooms

Members

Events

Media

Files



...



Search Nextdoor



J

Raintree

Charlottesville, VA

258 neighbors

1 post this week



Raintree • 25 Jul •

Hi, can anyone recommend a plumber that has reasonable fees? I need to have a valve under my kitchen cabinet replaced asap. It is leaking. Thank you.



1



Like



12 Comments



Share



Raintree • 6 days ago •

I have a 14 year old grandson who is very interested in learning how to disassemble and repair iPhones. If you have an old iPhone, no matter the condition and would like to donate it to him, it would be greatly appreciated. Please contact me through private message.



2



Like



Comment

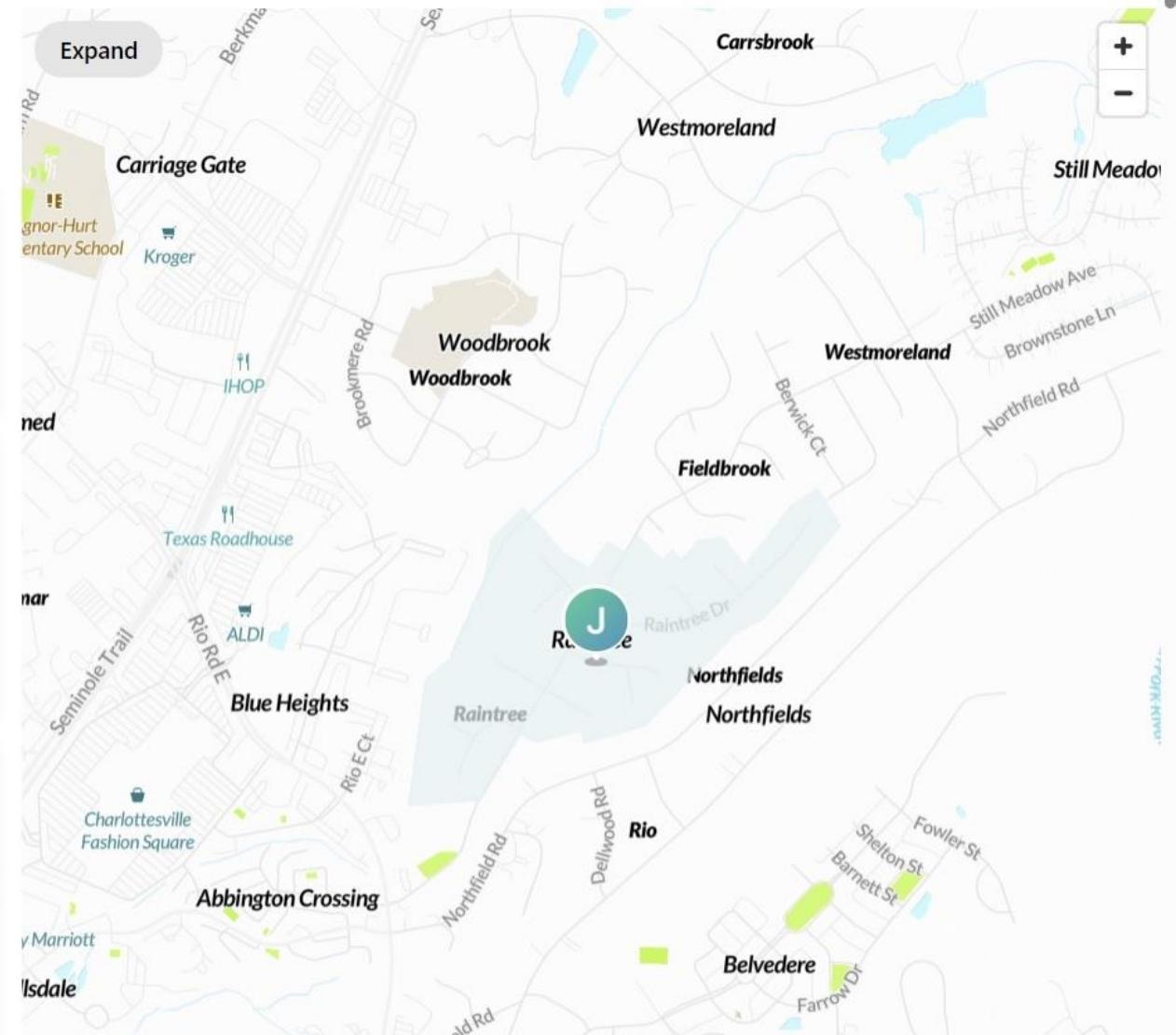


Share



Raintree • 13 Jul •

In Waynesboro today.





Raintree HOA Contact Information

Thanks for helping us update the contact information for the residents of Raintree Charlottesville HOA!

squirtle504@gmail.com [Switch account](#)

 Not shared

* Indicates required question

Name *

Your answer:

Mailing Address *

Your answer:

Email Address *

Your answer:

Telephone (optional)

Your answer:

Preferred method to receive information *

- US Mail
- Email (saves us time and postage)

Include your info in a printed directory? (Won't be published online) *

- Yes
- No

Comments

Your answer:

HOA/Agency Coordination



- ✓ Long Range Planning, Planning Commission, Zoning Meetings, Utility Companies & Supervisor Interface
- ✓ School Redistricting Committees

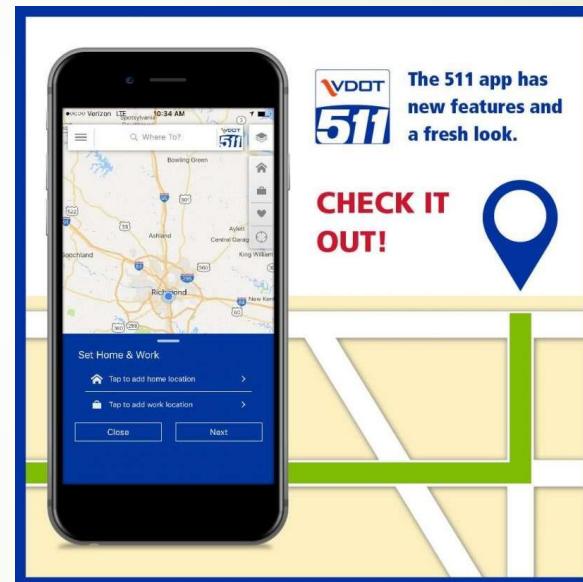
We are monitoring, but nothing yet to report regarding schools assigned to RainTree other than Woodbrook is moderately overcrowded, and the School Board is reviewing county issues.

- ✓ Parents should be active and go to: <https://www.k12albemarle.org/school-board>
- ✓ School Long-Range Planning Advisory Committee. Please contact Jennifer Johnston, Clerk of the School Board, at 434-972-4055 if interested in participating.
- ✓ VDOT/Other County Interface

VDOT Application

Check on weather/road conditions
and report street Issues

- ✓ App Store
- ✓ Enter VDOT in Search
- ✓ Select and install
 - ✓ VDOT 511 Traffic
- ✓ 1-800-357-7624
- ✓ <https://www.virginiadot.org/>
- ✓ <https://vdotplows.org/>



Route 29 Project: Most Items are Long Range between now & 2045

Descriptions are at https://cvillepedia.org/Rio_Road



Catalyst Projects: 0 to 5 Years

- A Library Plaza Phase #1
- B Berkmar Shared-Use Path (SUP)
- C Woodbrook Natural Area Design
- D Rio Road Streetscaping
- E Hillsdale Drive Extension & Realignment
- F Rio and Route 29 Commuter Bus Stop

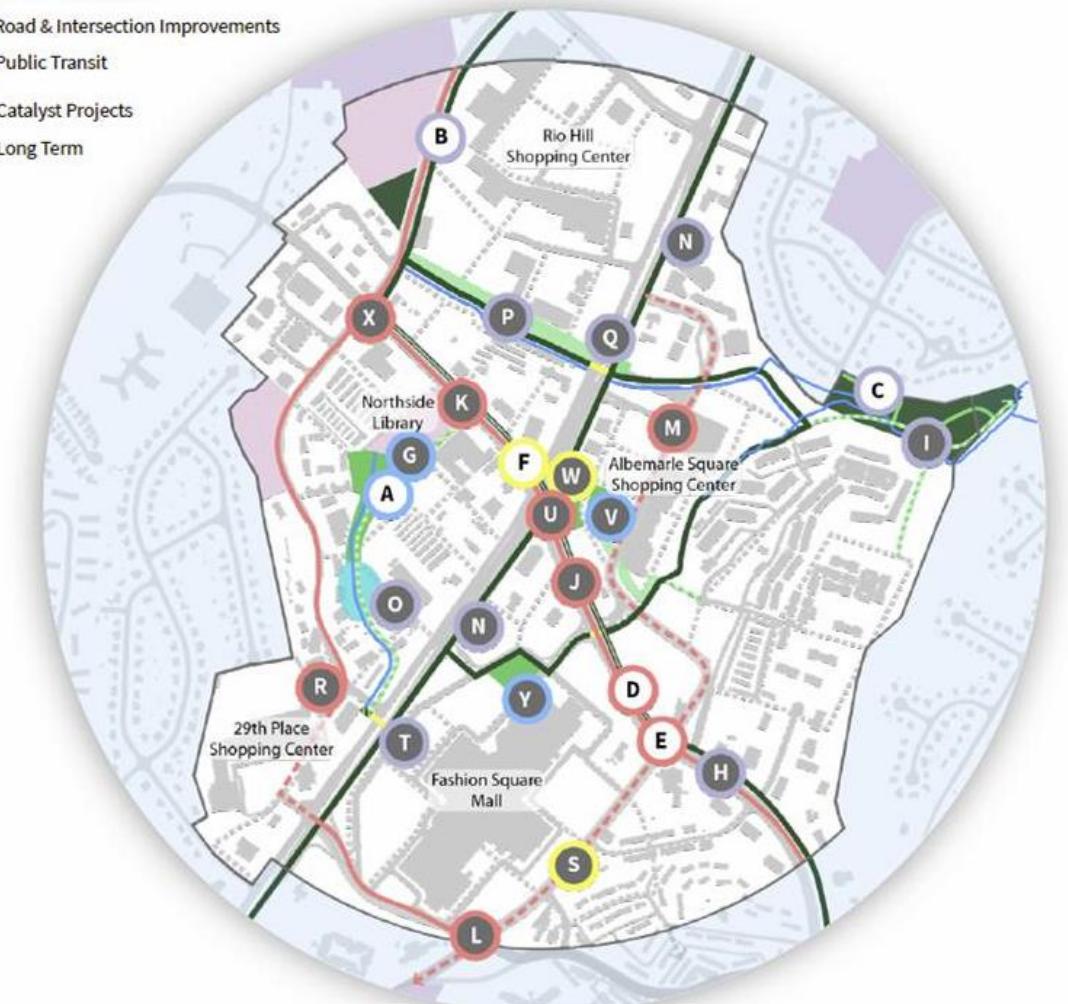
LEGEND

- Civic Spaces
- Trails, Paths, & Parks
- Road & Intersection Improvements
- Public Transit
- Catalyst Projects
- Long Term

Future Projects: 5+ Years

(Dependent on Buildout)

- G Library Plaza Phase #2
- H Rio Shared-Use Path/Bicycle Lane
- I Woodbrook Natural Area Construction
- J Rio Rd. Streetscaping Improvements Phase #2
- K Rio Rd. Streetscaping Improvements Phase #3
- L Hillsdale Dr. Extension & Realignment Phase #2
- M Hillsdale Dr. Extension & Realignment Phase #3
- N Route 29 Shared-Use Path
- O Floodable Park & Greenway
- P Linear Park & Stream Daylighting
- Q Route 29 Pedestrian Underpass
- R Berkmar Realignment
- S Circulator Bus
- T Bike/Ped Bridge at Berkmar
- U Dogbone Roundabout at Rio
- V Transit Plaza
- W Rio29 Transit Station
- X Berkmar/Rio Roundabout
- Y Fashion Square Plaza

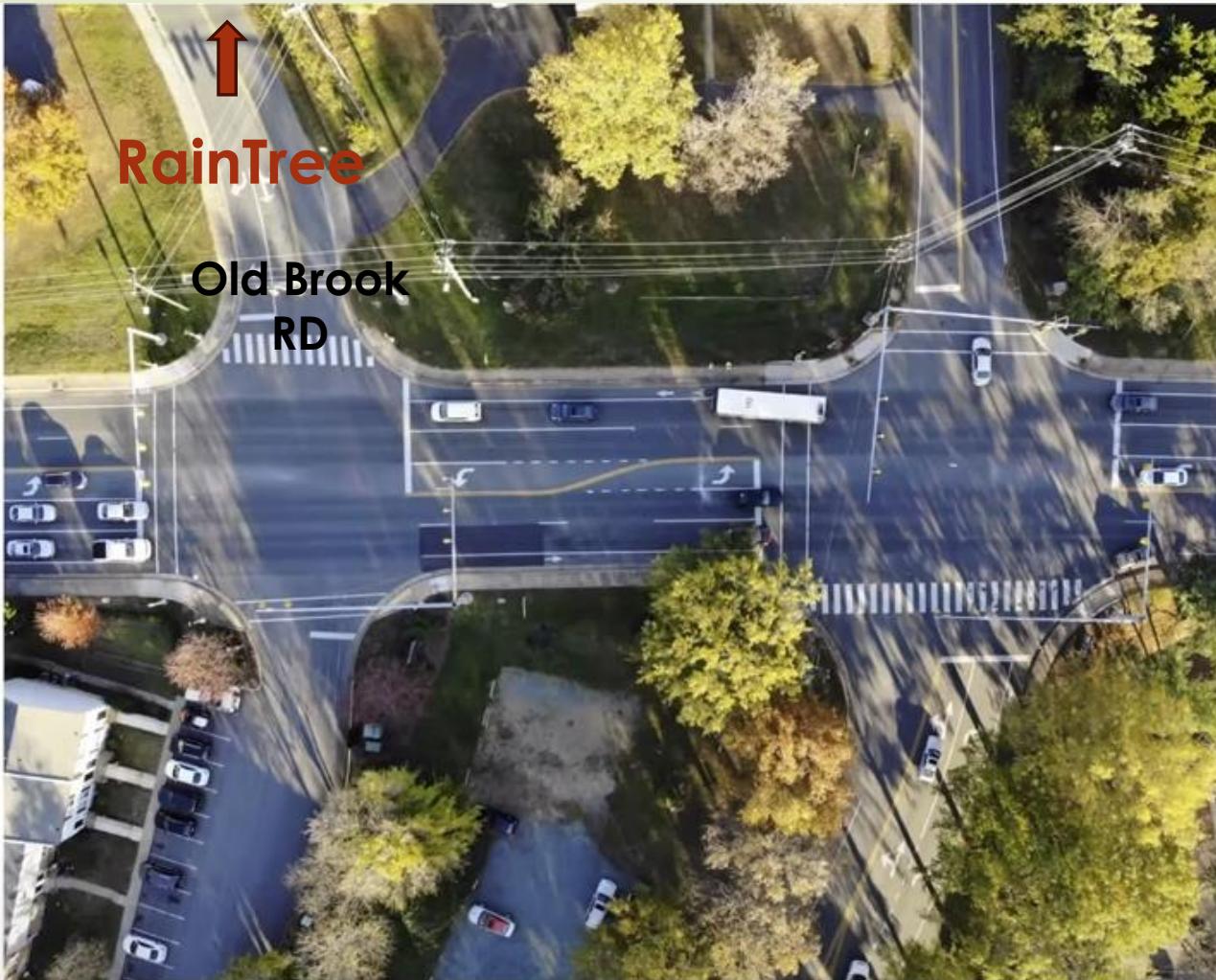


Fashion Square Mall

Fashion Square Mall

- ✓ Home Depot will open the store in 2025. The rest of Fashion Square Mall owned by Home Depot will remain intact as new leases have continued to be signed for retail spaces.
- ✓ The other portion of the mall is owned by Seminole Trail Management. Albemarle County is renovating a section of that site for a fleet maintenance facility and operations center for public safety vehicles.
 - Renovation of existing JC Penny's to provide non-emergency space for Albemarle County Fire and Police Departments.
 - Completion anticipated in late fall 2023.
 - Contact: FESinquiry@albemarle.org

Rio/Old Brook Road Intersection



Options for Intersection

THE HILLSDALE DRIVE, OLD BROOK ROAD, NORTHFIELD ROAD and Rio Road intersections experience more vehicular crashes than any other intersection along the corridor. Their proximity (220 feet apart) substantially deviates from any professional guidance for intersection spacing – and thus the condition will continue to be unsafe until a new strategy can be implemented.

These intersections are also the topographic high-point of the corridor, making the area a logical point of a gateway experience to include the visual cues that the roadway context is shifting from the Rio29 Small Area Plan to a less intense land use – particularly residential density.

For the purposes of this Corridor Study, three (3) alternatives have been explored which could rectify the safety and geometric challenges at this intersection.

1. Combine the intersections into a singular intersection;
2. Encourage some vehicles to choose a different route of travel;
3. Combine or reroute crossing roads to create two 3-way intersections.

In consideration of these alternatives, it is also suggested that County determine the viability of the Hillsdale Drive realignment suggested in the Rio29 Small Area Plan. This long-range planning concept should be held in tension with the alternatives considered here.

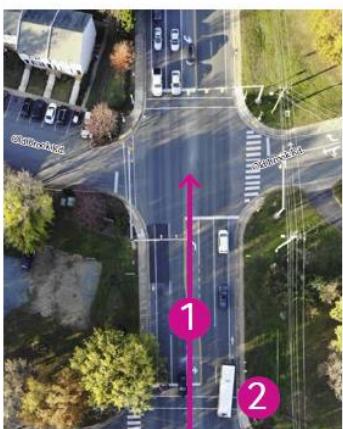
Given the long-range nature of the Hillsdale Drive realignment, this study will explore the three (3) alternatives listed above.

1 The proximity of these intersections effectively makes one large and congested intersection.

VDOT standards suggest these intersections be at least 1,050 feet apart. Currently they are 220 feet apart.

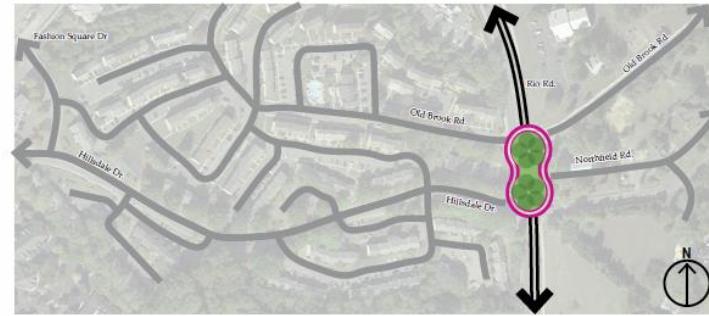
Inadequate spacing inherently means inadequate storage lengths for vehicles, as well as insufficient time to merge into the desired lane.

2 There is a high bus volume in this area, though lane widths are only 10 ft. Turning vehicles and buses often cross into the bicycle lane.



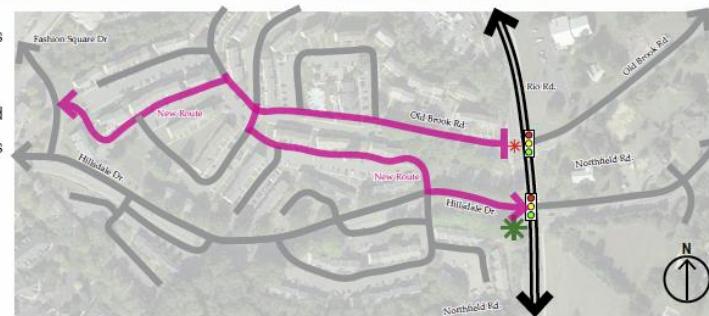
ALTERNATIVE 1: COMBINE THE INTERSECTIONS INTO A SINGULAR INTERSECTION

- All intersection movements remain full access
- All intersection movements are yield controlled
- Vehicle speeds are reduced and safety is increased
- Two intersections become a single intersection



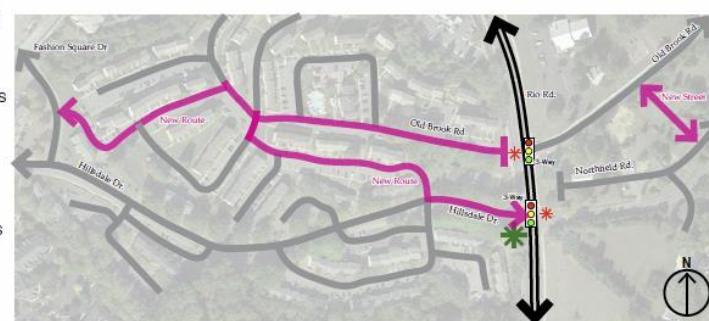
ALTERNATIVE 2: ENCOURAGE SOME VEHICLES TO CHOOSE A DIFFERENT ROUTE OF TRAVEL

- Full access for some intersection movements is reduced
- Vehicular volumes in intersection are reduced
- Pedestrians and cyclists are not specifically benefited by this improvement



ALTERNATIVE 3: COMBINE + REROUTE CROSSING ROADS TO CREATE TWO 3-WAY INTERSECTIONS

- One full intersection leg is removed from each intersection
- Two 3-way intersections are created
- A new street will be required to enable this solution
- Pedestrians and cyclists are not specifically benefited by this improvement



OPPORTUNITIES

- Promote context change

GENERAL FEEDBACK

- Positive response from VDOT

Rio/Old Brook Road Intersection



Supervisor Ned Gallaway of the Rio District (Dunlora Resident) was the lone vote against the Rio Point development.

ngallaway@albemarle.org

“As we approve the sidewalks and the access down to the Parkway, we’re only creating more pedestrian activity and that’s going to introduce a vehicular piece which is going to be really dangerous, so I think we need to get our heads around that sooner rather than later,” Gallaway said.

Gallaway said his endorsement of the plan did not mean that he supported the specific recommendations involved. He said there is a competing plan to reroute Hillsdale Drive that would take away the need for the bean-shaped roundabout.

“We know that that intersection is completely problematic and needs a solution, but it just may not be the solution that’s in the study so if we vote to approve the study, it doesn’t mean we’re necessarily voting to approve that project,” Gallaway said.

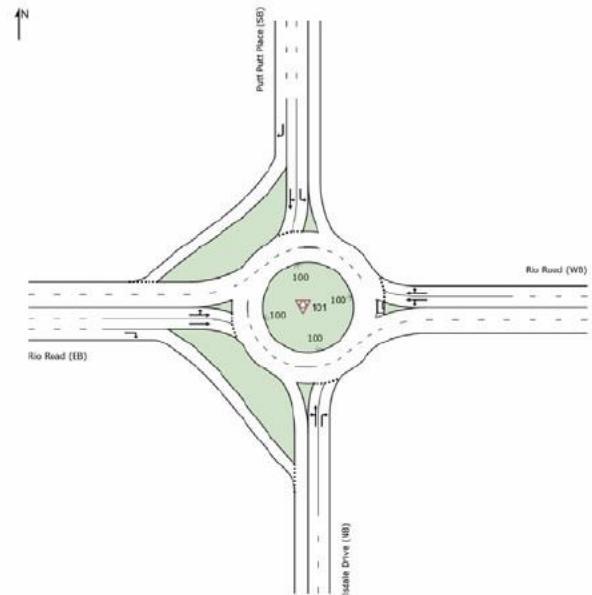
As for phase two, Gallaway said he would like to see more traffic calming to slow down the speed of traffic

A Northfield resident (retired police officer) submitted the following to VDOT in September 2023 to: <https://my.vdot.virginia.gov/#0>

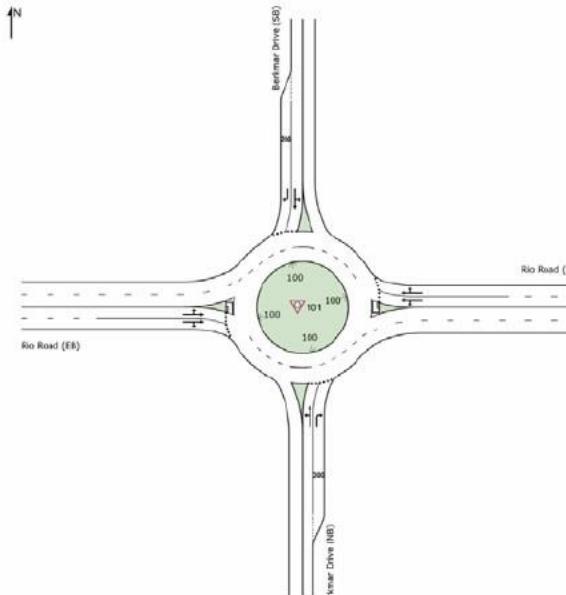
The Rio Road / Hillsdale Drive intersection in Albemarle County is dangerous. When trying to cross Rio Road to or from Hillsdale Drive, when the light turns green, drivers making a left turn frequently attempt to beat cross traffic through the intersection. It's become such a problem that those making a left turn, have started to get close to one another to block cross traffic by not yielding and traveling as a group, blocking the intersection. There needs to be signs posted stating: YIELD TO CROSS TRAFFIC WHEN MAKING A LEFT TURN. Additionally, traffic going in both directions on Rio Road frequently speed through the red light. There have been numerous times when my wife and I have barely avoided being hit by speeding vehicles running through the intersection when the light was red. Being retired law enforcement, I believe the only solution is traffic speed cameras that capture offending drivers and send tickets by mail. I reviewed accident data for that intersection going back to 2018. There were 13 injuries, 1 fatality and 12 property damage incidents from vehicle at that intersection

Proposed Roundabouts

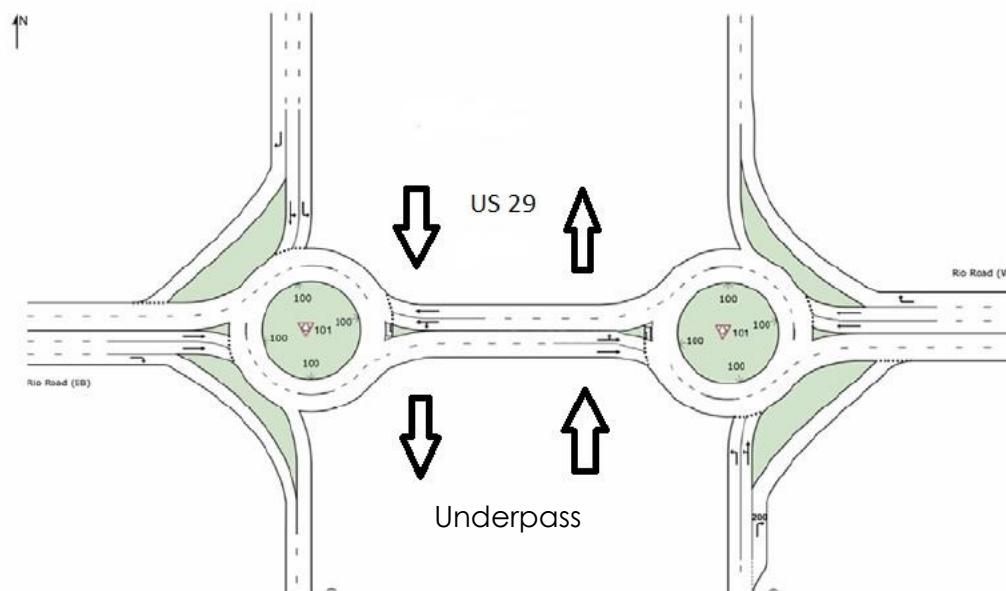
SKETCHES OF FUTURE BUILD CONDITIONS



RIO ROAD AT HILLSDALE DRIVE/PUTT PUTT PLACE

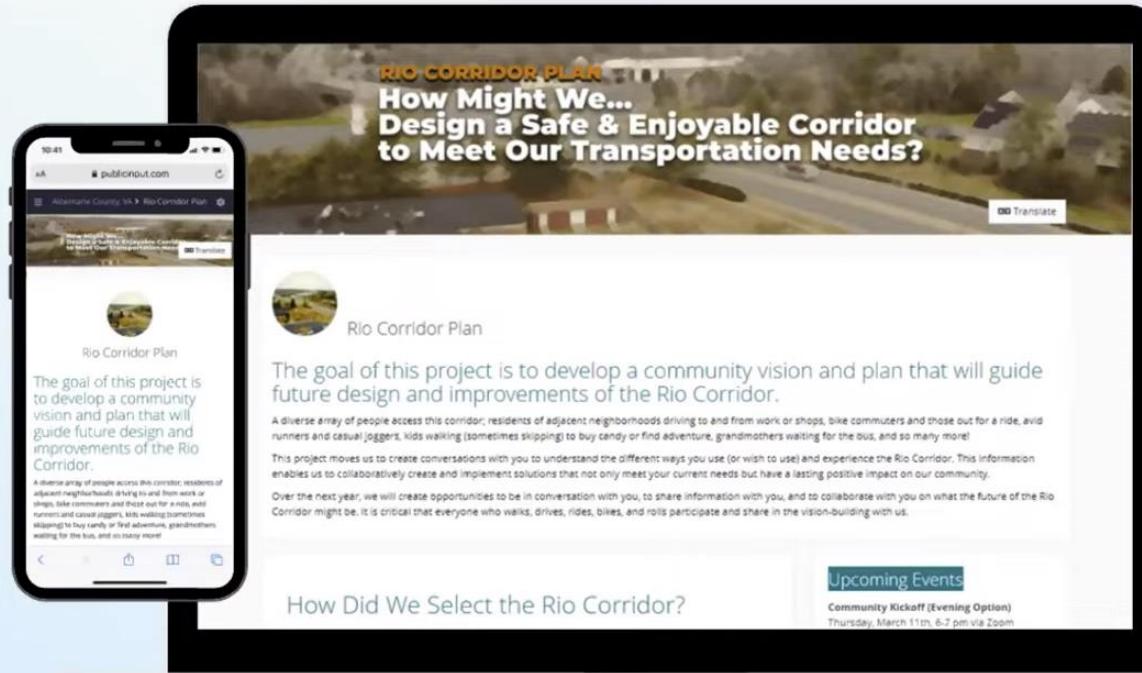


RIO ROAD AT BERKMAR DRIVE





Learn more about the Rio Corridor Plan and how you can get involved:



The image shows a smartphone displaying the website for the Rio Corridor Plan. The website has a banner at the top with the text "RIO CORRIDOR PLAN" and "How Might We... Design a Safe & Enjoyable Corridor to Meet Our Transportation Needs?". Below the banner is a circular profile picture and the text "Rio Corridor Plan". The main content area discusses the goal of the project, which is to develop a community vision and plan that will guide future design and improvements of the Rio Corridor. It mentions a diverse array of people who access the corridor, including residents of adjacent neighborhoods, workers, shoppers, tile consumers, and those out for a ride, as well as runners, joggers, kids walking (sometimes skipping) to buy candy or find adventure, grandmothers waiting for the bus, and so many more. The project aims to create conversations with the community to understand their needs and experiences. An "Upcoming Events" section lists a "Community Kickoff (Evening Option)" on Thursday, March 11th, 6-7 pm via Zoom.

PublicInput.com/RioCorridor

Past Initiatives & Continuing Coordination

- Continuing VDOT Expedited Snow Removal and road repair <https://vdotplows.org/>
- Monitoring Potential School Re-Districting
- Continued Superior Relations with County Government Agencies
- Old Brook Road Roundabout (Rio Corridor Plan)

<https://www.albemarle.org/government/community-development/planning-codes/rio-corridor-plan>



Development Initiatives

Natural Gas

The preliminary total cost to extend natural gas service to 150 houses in Raintree is \$856,005. The cost for the proposed natural gas lines is based on the routing for the Albemarle County Service Authority future water line project. Within Raintree there are several houses built on a slab, and some are rental properties. It has been found that both of those scenarios are not good candidates for future natural gas service, which leaves 105 houses to potentially connect to natural gas. Calculating the average usage, if 100% of those houses commits to switching to natural gas, it would result in \$171,380 of revenue. Therefore, a remaining cost difference of \$684,625 will be the responsibility of Raintree residents, per City Code.



Past Issues & Capital Improvement Plan

Issues From our Last Meeting: Now Concluded

- ~~B&Bs and Homeowner Businesses~~
- ~~Street Repairs~~
- ~~Detention Ponds~~
- ~~Common Area Easements (Sale of Land)~~
- ~~Water Run Offs~~
- ~~Natural Gas~~
- ~~Recycling~~



Exclusions

- Mailbox Replacement & Postal Re-location (USPS Issue)
- Common Area Grading
- Neighborhood Disputes
- Homeowner Police Complaints
- We will NOT conduct Intrusive Surveillance & Intensive CC&R & By-Laws Enforcement



HOA Annual Report

An annual report basically provides homeowners with a picture of the association's finances.
Annual reports should include the following:

- ✓ **A complete summary of the association's insurance coverage**
- ✓ **A statement of revenue and expenses**
- ~~Approved capital expenditures that exceed 2 percent of the current budget or \$5,000, whichever is greater, for the current fiscal year or next two fiscal years~~
- ✓ **The total reserve fund amount of the association as well as the components for which the reserve funds are intended and how much of the reserves are allocated for each component**
- ~~The status of any pending judgments or litigation of which the association is involved~~
- ✓ **The total outstanding dues of all units within a given period**

Insurance Coverage



RAINOFA-01

MALCORN

DATE (MM/DD/YYYY)
5/23/2023

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERNS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER		CONTACT Mary Alcorn	
Cincinnati Insurance Company Cincinnati Customer Care Center P.O. Box 145496 Cincinnati, OH 45250-5496		PHONE (A/C, No, Ext): (877) 687-1291	FAX (A/C, No): (513) 881-8114
		EMAIL ADDRESS: CincinnatiCerts@cinfinc.com	
		INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A: Cincinnati Insurance Company	10677
INSURED		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			ENP 0063324	3/19/2023	3/19/2026	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ex-occurrences)	\$ 500,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMPROP AGG	\$ 2,000,000
							OTHER:	\$
A	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			ENP 0063324	3/19/2023	3/19/2026	COMBINED SINGLE LIMIT (Ex-accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
							OTHER:	\$
	UMBRELLA LIAB EXCESS LIAB		OCCUR CLAIMS-MADE				EACH OCCURRENCE	\$
	DED	RETENTION \$					AGGREGATE	\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH)	<input type="checkbox"/>	N / A				E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

Property Transfers

- Disclosure Request Form
- Disclosure Packet
- Past Dues Payments Resolution
- Release from Title Company
- New owner Information Sheet

➤ Accounting Solutions PLLC Handles Requests

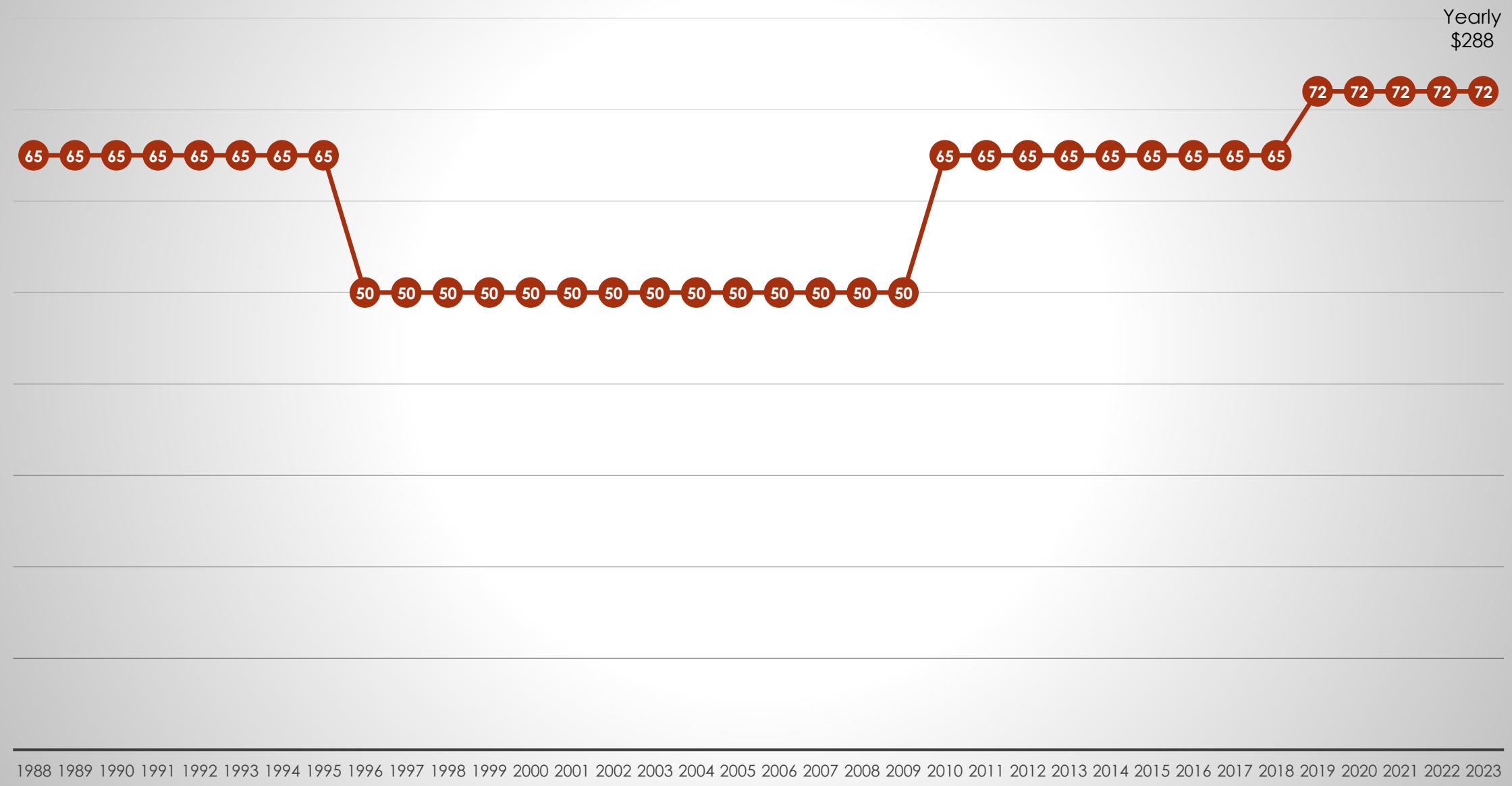
- The Fees for the disclosure packet are (Market Rate):
 - Electronic request submission, \$60 each
 - Paper request submission, \$100 each
 - Expeditious processing, \$50 each



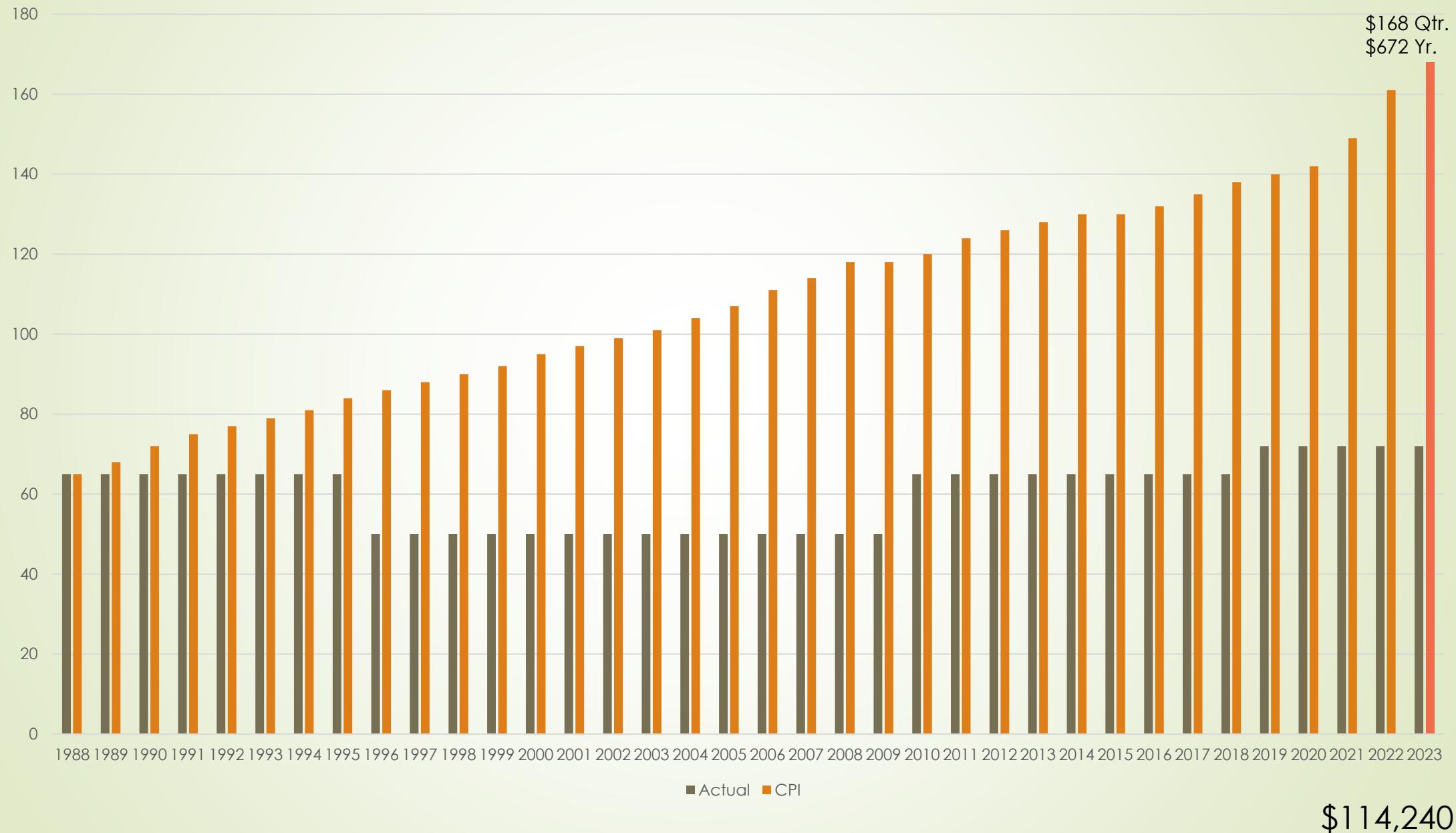
Virginia Community Association Management

There are roughly 8,725 homeowners' associations in Virginia, with about 740,735 homes in HOA communities. This equates to 1.98 million people living in homeowners' associations, which is around 23.2% of the state's population. On average HOA dues, homeowners in Virginia pay anywhere from \$600 to \$1,500 per year.

Quarterly Association Dues



Actual vs Potential CPI Dues Increase

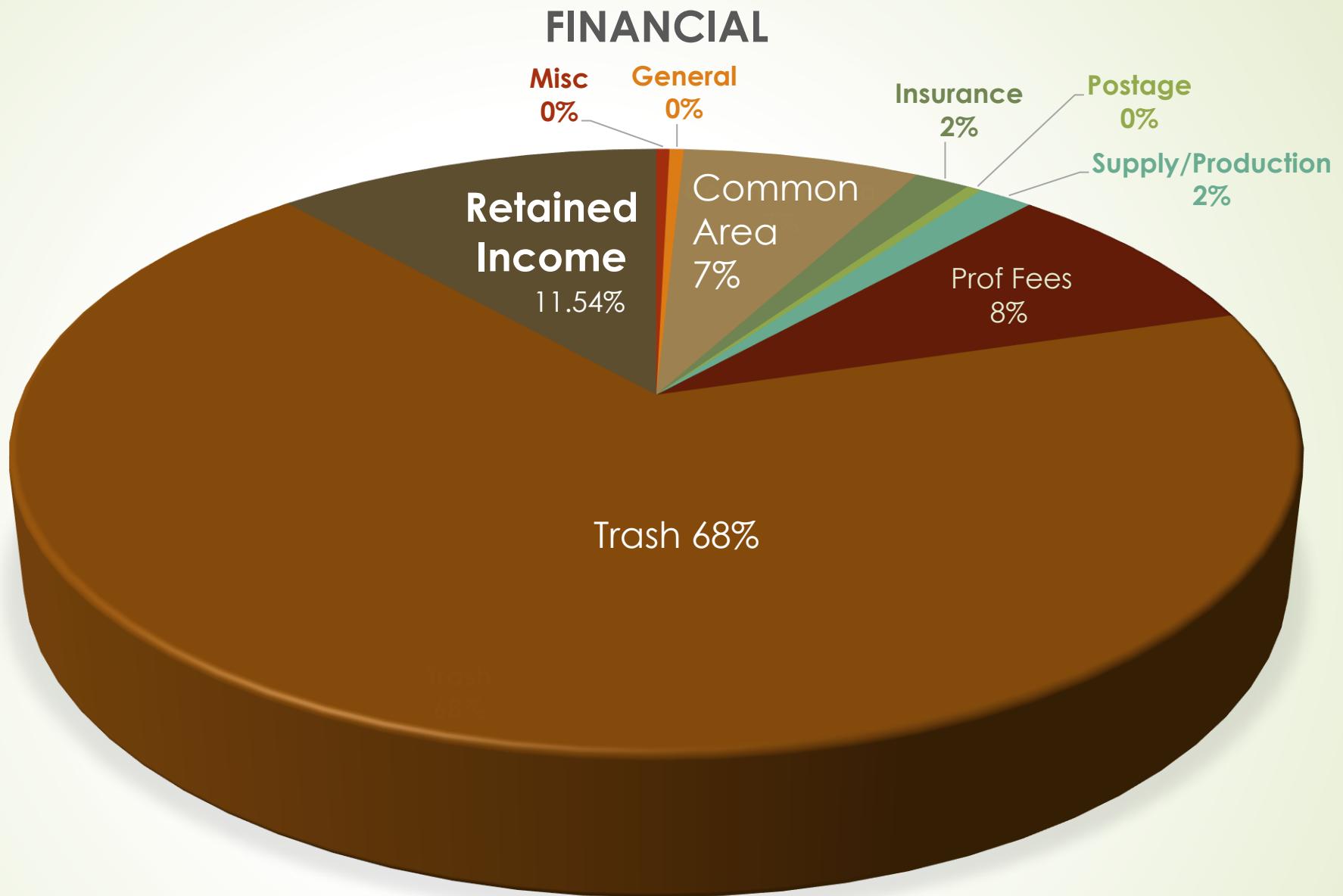


Financial: Annual Meeting 2019

Category	Credit	Debit
Income	38,323	
Bank Charges		68
Common Area Maint.		536
Insurance		810
Postage		390
Prof Fees		3,334
Trash		33,264
Total Expenses		38,402
Profit/Loss	-79	
Cash OH	12,408	

Financial: Mar 2019 – Aug 31, 2023

Category	Credit	Debit
Carry Forward	12,408	
Income (Last 4.5 Years)	249,035	
Misc. (All Other, Taxes, E-Bills, etc.)		985
General Retail		1,064
Common Area Maint.		17,722
Insurance		4,083
Postage		1,145
Supplies/Bindings/Reproduction		4,108
Prof Fees/Legal/Accounting		21,502
Trash		169,680
Total Income/Expenses	261,443	220,289
Profit/Loss (Retained Income)	28,746	
Cash OH	41,154	



0% denotes less than 1%

2024 Budget

Category	Credit	Debit/Balance
Projected Income (2024)	(\$72) 48,960	
Common Area Maint.		3,000
Insurance		850
Postage		510
Misc./Supplies/Retail/etc.		1000
Prof Fees Legal/Accounting		3,900
Trash		38,760
Total Expenses		48,020
Profit/Loss	940	
Expected Reserve Fund Dec '24	42,092	

Avg Prev Annual Expenses 48,953

Past Due Accounts

- Total Past due amount as of Sep 1, 2023: \$4,531 Prev \$34K, (12 individuals 7%)
- **NEW** *Number of members on payment plan: \$3,025 (3 individuals) - \$5/month fee (Waiver?)*
- Most homeowners' dues are for trash collection service
- All homeowners receive annual bills in arrears
- Severely delinquent accounts will have privileges suspended (trash collection)
Approved during Apr 2019 meeting
- **NEW** *2% per month delinquent fee over 60 days?*
- Frequency of collection (Letters/E-Mails/Past Visits)
- Warrant in Debt
- **NEW** Title Company restrictions on transfers of property
- An HOA can foreclose on a homeowner's house in Virginia for unpaid liens
- The Board attempts a measured approach in contacting homeowners



Information Not Available to Membership

Virginia Property Owners Act § 55.1-1815

- ❖ **Personnel matters relating to specific, identified persons or a person's medical records**
 - Contracts, leases, and other commercial transactions to purchase or provide goods or services, currently in or under negotiation.
 - Pending or probable litigation
 - Matters involving administrative or other formal proceedings before a government tribunal for enforcement
 - Communications with legal counsel
 - Disclosure of information in violation of law
 - Meeting minutes or other confidential records of an executive session of the board of directors
 - Documentation, compiled for consideration by the board in executive session
- ❖ **Individual lot owner or member files**

Questions/Discussion Regarding the HOA Annual Report?



Please Limit your Comments to Financial Matters!

Our Commitment to Our Fellow Homeowners

- ❑ Trash Picked Up on a Regular Schedule with a tolerance for additional items
- ❑ Common Areas Maintained so that they do not present a risk to residents
- ❑ Provide Sufficient Liability Insurance in the event of mishaps in the common areas
- ❑ Strongly Advocate to VDOT and the County for the Maintenance and the Repair of Streets, Pavements, Sewer & Water Drainage
- ❑ Common Sense Enforcement of Accepted Community Standards to Maintain the Value of Properties
- ❑ Respect for and not Violate, Harass, nor Nitpick a Property Owner's Right of Enjoyment of his/her Property
- ❑ Only Charge Dues that are Reasonably Expected to Attain our Stated Purpose
- ❑ Provide Sound Management, Legal Compliance and Financial Stewardship
- ❑ Work with Governmental & Utility/Commercial Agencies to establish positive relationships for the Betterment of the Community
- ❑ Be Aware, Be Receptive to, and Respond to Our Fellow Homeowner's Concerns

This Concludes Our Formal
Presentation



Your Turn... Open Discussion

Please identify yourself, where you live and follow
The 3-Minute Rule: Say Less to Get More

Please refer to your slide set handout if appropriate
to provide reference to your question.

Nominations & Volunteers

- ✓ Board of Directors Vacancy
- ✓ Architectural Control Committee
- ✓ Special Projects (Reserve Funds or Special Assessments?)
 - School Watch?
 - Community Picnic?
 - Long Range Plan?
- ✓ Sign up at the table



Previous Volunteers

Todd Bowman	1537 Surry Hill Court	Ambassador for Surry Hill Court
Brian Clark	1050 Hopkins Court	Ambassador for Hopkins Court
Linda T Clarry	1121 Snowden Dr	Ambassador for Snowden Drive
George Fisher	1657 Robin Hill Court	Ambassador for Robin Hill Court
Samuel & Kristin Jones	1493 Shadow Oaks Court	Ambassador for Shadow Oaks Court
Matthew Hersh	1625 Farmbrook Place	Ambassador for Farmbrook Place
Jing Hou	1551 Old Brook Road	Ambassador for Old Brook Road
Ann Lucas	1167 Raintree Drive	Ambassador for Raintree Drive
Jay MacMichael	1000 Wildmere Place	Ambassador for Wildmere Place
John Notis	1546 Surry Hill Court	Ambassador for Surry Hill Court
Jenn Oliver	1113 Raintree Drive	Ambassador for RainTree Drive
Joe Phillips	1074 Hopkins Court	Architectural Review Board
Ernest Pugh	973 Liberty Oaks Court	Ambassador for Liberty Oaks Court
Jackie Bright	1660 Robin Hill Court	Architectural Review Board
John S Wharton Jr.	1072 Ramblewood Place	Ambassador for Ramblewood Place
Miranda L. Woodson (Micucci)	977 Liberty Oaks Ct	Webmaster**

No longer RainTree Homeowners

RainTree Ballot (Select up to 3 persons)

For The Board of Directors

- Don Lyon (Current Board Member & President)*
- John McDowell (Previous ACC Coordinator, Current Board Member & VP)*
- John Notis (ACC Member & Neighborhood Ambassador)*
- Andrea Henry*
- Todd Koogler*
- Seth Berl*

Write IN

- _____
- _____
- _____

Check in with the Secretary to get a ballot. Initial next to your name and address in the vote column of the attendance/voter registration directory.

By-Laws: Section 5.02. Qualifications, Number, How Elected, and Term of Directors. Any person, whether a member of the Association or not, may be elected and serve as a Director of the Association.

*Resident of RainTree

ARE THERE ANY OTHER PERSONS WHO WISH TO FILE FOR ELECTION TO THE BOARD?