

**2017 Hickory Farms Community Association Annual Meeting Proxy
For the Annual Meeting to Be Held October 10th at 8 PM
Green Acres Center - 4401 Sideburn Road**

Under the provisions of the Hickory Farms By-Laws, we need you in person at the Annual Meeting or your proxy in order to have a quorum at the Annual Meeting.

By email – Scan a completed and signed copy of this Proxy to Secretary at hfca@hickoryfarms.org

By Paper Proxy - Deliver or mail this signed paper proxy to Secretary, John Kitzmiller, at 4363 Harvester Farm Ln. by **Saturday, October 7th** or have it delivered to the Secretary in person at the Annual Meeting.

Choose One Proxy Option:

I. **Quorum Purposes Only Proxy:** Check Here _____. No votes cast on my behalf.

II. **Undirected Proxy:** I, _____, homeowner and member of the Hickory Farms Community Association (HFCA), appoint the Secretary of the HFCA, or (print their name) _____ to be my proxy with all of the powers I would have if I were present, and cast my vote on any matter which may arise during the HFCA Annual Meeting of the members to be held on October 10th, 2017, or any adjournment meeting thereof.

III. **Directed Proxy:** I vote for the following agenda issues at the Annual Meeting:

Elections of Board Members:

Bruce Bernhardt	For_____	Against_____	Abstain_____
Debbi Buchanan	For_____	Against_____	Abstain_____
Tom DeMott	For_____	Against_____	Abstain_____
Telah Jackson	For_____	Against_____	Abstain_____
John Kitzmiller	For_____	Against_____	Abstain_____
Kirk Randall	For_____	Against_____	Abstain_____
Brian Roethlisberger	For_____	Against_____	Abstain_____
Melissa Stark	For_____	Against_____	Abstain_____
Charles "Chuck" Stewart	For_____	Against_____	Abstain_____

Write In Candidate: _____

Write In Candidate: _____

Write In Candidate: _____

After extensive review, the Board of Directors concluded that significant maintenance for the Common Areas – which are showing their age - will be required in the coming years, along with other foreseeable expenses. There is a need for an increase in the 2018 Annual Assessment and at our annual meeting the Board of Directors will be going into further detail about these expenses.

Your Name (printed) _____

Signature _____

Street Address _____ Date _____

Note: Under the HFCA By-Laws, no person other than the Secretary may vote more than four proxies.

SPECIAL EDITION



OUR COMMUNITY NEWSLETTER | HICKORYFARMS.ORG | P.O. BOX 2239, FAIRFAX, VA 22031

CHECKLIST FOR HFCA ANNUAL MEETING

The Hickory Farms Community Association Annual Meeting is **next Tuesday, October 10, 2017, at 8:00 PM** at **Green Acres**, 4401 Sideburn Rd., Fairfax, VA 22030. Here's what to do:

- ☑ **Review the agenda** for the annual meeting. (PAGE 3)
- ☑ **Read the letter from HFCA President Bruce Bernhardt** outlining proposed changes to the community Deed and Declarations. (PAGE 5)
- ☑ **Review the proposed changes** to the Deed and Declarations. (PAGE 6)
- ☑ **Consider running** for an open position on the HFCA Board of Directors. (PAGE 7)
- ☑ **Review the proxy ballot** for items we'll be voting on. (YELLOW INSERT)
- ☑ **Review the minutes** from the 2016 annual meeting. (PAGE 9)
- ☑ **If you can't make it to the meeting, PLEASE submit the attached proxy ballot** either via email or delivery by October 8. (YELLOW INSERT)

HELP WANTED

Our webmaster is looking for great photos that show off the beauty and uniqueness of our neighborhood: local wildlife, different seasons, common grounds and trails, historical imagery, community events, and more. If you have any photos that fit the bill, please send to: webmaster@hickoryfarms.org.

HALLOWEEN PARTY

Please join us on Saturday, October 28, at 4:30 PM for Hickory Farms' Annual Halloween Parade & Party! An entrée will be provided by the HOA but PLEASE sign up to bring a dish to share! For more information and to RSVP, visit: <https://goo.gl/KFTPE3>

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HFCA ANNUAL MEETING

DATE: **Tuesday, October 10, 2017**

LOCATION: **Green Acres** (in cafeteria), 4401 Sideburn Rd., Fairfax, VA 22030

TIME: **8 - 10 PM**

PROPOSED AGENDA

- 1. Opening, Welcome and Introductions**
- 2. Quorum Verification**
- 3. Approve 2016 Annual Meeting Minutes**
- 4. 2017 Review:**
 - a. 2017 Property Inspection Results
 - b. Deed and Declaration Changes
 - c. Common Area Bamboo Eradication
 - d. Neighborhood Watch
- 5. 2018 Initiatives:**
 - a. 2018 Property Inspections
 - b. Deed and Declaration Changes
 - c. Common Area Strategic Plan
 - d. Common Area Encroachment Assessment
 - e. Insurance Assessment and Competitive Awards
- 6. Budget:**
 - a. 2017 Actuals vs. Estimate, and 2018 Estimate
 - b. 2018 Assessment Amount. Vote to affirm 2018 Assessment Amount
- 7. 2018 Board Elections**
- 8. Open Floor Discussion**
- 9. Volunteer Recognition**
- 10. Adjourn**

QUESTIONS? Email hfca@hickoryfarms.org



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☑ **Read the letter from HFCA President Bruce Bernhardt** outlining proposed changes to the community Deed and Declarations.

DEED AND DECLARATION **CHANGES**

PETITION SIGNING STARTS OCTOBER 10, 2017

BY BRUCE BERNHARDT, HFCA PRESIDENT | Starting at the Annual Meeting on Tuesday, October 10, the petitions to change our HFCA Deed and Declaration document will be available for signature.

We are seeking signatures from all 198 of our Hickory Farms property owners.

In order to be valid, 150 of our 198 property owners must sign the petition.

At last year's Annual Meeting there was a detailed presentation on the need for the changes. To summarize, recent court decision in Virginia now require Home Owner Association property documents to contain explicit authority to apply charges for non-compliance with Restrictive Covenants and/or Association Rules and Regulations.

Hickory Farms currently has provisions in our Rules and Regulations that were in force before the court decisions. We either need to

approve the Deed and Declaration changes or remove the enforcement provisions.

Our current Rules and Regulations are in compliance with the Virginia Property Owners Association Act (VPOAA) but can not be enforced without the Deed and Declaration changes being proposed in the petition.

Copies of the changes are included in this newsletter for your review (SEE PAG X).

If you have any questions regarding the changes, please send an email to **hfca@hickoryfarms.org** before the Annual Meeting or bring your questions to the meeting!

This is an issue that is important to keeping our community the attractive, highly valued neighborhood that we want to live in. **Please make every effort to attend the Annual Meeting on Tuesday, October 10, 2017.**

PROPOSED CHANGES ON BACK >>

HFCA ANNUAL **MEETING**

DATE: **Tuesday, October 10, 2017**

LOCATION: **Green Acres** (in cafeteria), 4401 Sideburn Rd., Fairfax, VA 22030

TIME: **8 - 10 PM**

**INSTRUMENT FOR OWNER AGREEMENT TO
AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF HICKORY FARMS COMMUNITY ASSOCIATION**

The undersigned Owner(s) of the Lot in HICKORY FARMS COMMUNITY ASSOCIATION listed below, hereby execute(s) this instrument to evidence his/her/their agreement to amend the DEED OF DEDICATION AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, of HICKORY FARMS COMMUNITY ASSOCIATION in the following manner:

First, to amend Article V, Section 1 by adding a new subsection (g), which states as follows: (A portion of the existing text follows in brackets for purposes of context; the new language is double-underlined)

[ARTICLE V - PROPERTY RIGHTS]

[Section 1. Owners' Easements of Enjoyment. Every member shall have a right and easement of enjoyment in and to the Common Area and such easement shall be appurtenant to and shall pass with the title to every assessed lot, subject to the following provisions:]

(g) the right of the Association to assess charges for rules violations in accordance with provisions of the Virginia Property Owners Association Act, as the same may be amended from time to time, or in accordance with any other provision of Virginia law that may authorize assessment of such charges, as is more fully described in Article VIII, Section 1 hereof.

Second, to amend Article VIII, Section 1 by adding a new subsection (g), which states as follows: (The new language is double-underlined)

Article VIII, Section 1:

Section 1. Enforcement. (a) The Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

(b) In addition, the Board of Directors shall have the authority to assess charges for violations of the Declaration or Bylaws of the Association and and/or of the Rules and Regulations adopted pursuant to authority given in those documents, in accordance with provisions of the Virginia Property Owners Association Act as the same may be amended from time to time, or in accordance with any other provision of Virginia law that may authorize assessment of such charges.

I/We agree to the adoption of these Amendments:

Signature of Owner	Date	Signature of Co-Owner (if any)	Date
Owner's Name Printed		Co-Owner's Name Printed (if any)	

Address of Home: _____

THE **HFCA** BOARD OF DIRECTORS NEEDS **YOU!**



The annual election of HFCA Board Members and Officers is coming up on October 10 at our HFCA annual meeting at Green Acres. All Board of Director and Officer positions are open for nomination and nominations will be accepted from the floor at our annual meeting.

We currently have vacancies for 2018 in the following key positions: President, Newsletter Editor, and Lead Social Chair.

Please consider volunteering in 2018 as a member of the Board of Directors in order to keep our unbroken chain of volunteers going into decade number five!

Do you want to get involved or learn more about open positions? Please reach out to Melissa Stark, our 2017 Nominations Committee Chairperson, at **melissa.hfca@gmail.com**.

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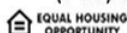
Ken Danger - Realtor

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Long Time Hickory Farms Resident

Linda Min - Realtor

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☒ **Review the minutes** from the 2016 annual meeting.

THESE ARE ABBREVIATED MEETING MINUTES. PLEASE REVIEW THE FULL MINUTES ONLINE AT HICKORYFARMS.ORG UNDER "MEETING MINUTES" ON THE LEFTHAND SIDE.

Hickory Farms Community Association (HFCA)

2016 Annual Meeting, Green Acres Community Center

October 18, 2016; 8:00 pm – 10:00 pm

Opening, Welcome and Introductions

Bruce Bernhardt welcomed the Members to the Annual Meeting and thanked them for attending. He introduced the members of the Board of Directors.

Quorum Verification

Forty two (42) Members of the Hickory Farms Community Association (HFCA) were present, with eighteen (18) Members represented via proxy. This provided a total of 60 Members represented, which provided the quorum required for the meeting.

Rules and Regulations

The Virginia Property Owners' Association Act (VPOAA) establishes legal requirements related to the authority of homeowner associations (HOAs). The VPOAA, as interpreted by District and Virginia Supreme Court decisions, establishes a requirement that the HOA's authority to act must be based on express language found in the legal documents that founded each HOA, specifically the Declaration. Based on the current assessment that the legal requirements and associated constraints established by the VPOAA and subsequent court rulings, HFCA appears to have three options:

1. Amend the Declaration, which would require written approval by 75% of the 198 Members (150 votes to amend).
2. Remove language authorizing monetary fines from the Rules and Regulations, since HFCA's founding documents, if left unchanged, provide no basis or authority for imposing them.
3. File civil lawsuits against Members to enforce compliance with the Declaration and Rules and Regulation. Implementing this option would mean that HFCA would have initial responsibility for the costs of litigation which would be recouped from the Member only if the HFCA prevails. Bruce noted that any Member may also initiate a lawsuit.

The HFCA Board recommends pursuing Options 1 and 2, with Option 2 as a contingency if Option 1 is unsuccessful.

An extensive discussion about various issues throughout the community has held. Concerns included lack of appropriate yard care (including edging of sidewalks and curbs), worn or broken shutters, mold on the side of homes, sidewalks requiring repair, etc.

After a discussion during which Members raised questions and key points, a motion to pursue Option 1 was made, seconded and approved.

*** * READ THE FULL MINUTES AT HICKORYFARMS.ORG * ***



SCENES FROM **BUNCO**

We have 12 regular players and meet the 3rd Thursday of the month at 7:00 PM.

But when someone can't make it, we need a substitute. For questions or to be added to the sub list, email Krissy at **krissylunsford@gmail.com**.



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Let me help you protect your family, your income and your future through comprehensive financial planning. Please contact my office if you would like more information about the products and services that we offer. **-Debbie Lewis (Your Hickory Farms Neighbor)**

Deborah L. Lewis, Financial Adviser, offering investment and advisory services through Eagle Strategies LLC, a Registered Investment Adviser. Registered Representative, offering securities through NYLIFE Securities LLC (member FINRA/SIPC), A Licensed Insurance Agency.

PLEASE JOIN US FOR HICKORY FARM'S HALLOWEEN PARADE AND PARTY

Saturday, October 28 at 4:30 PM

Parade, games, face painting and more!

Use the link below to find more details and to RSVP by **October 25th.** An entrée will be provided by the HOA but PLEASE sign up to bring a dish to share!

<https://goo.gl/KFTPE3>



ACC ACTIVITY

An update on the (many!) improvements to the neighborhood that have been submitted to the Architectural Control Committee (ACC) for review.

JUNE APPROVALS

- 4278 Country Squire: Wrap Trim; Replace Garage Door, Soffits
- 10000 Tumbleweed: Replace/install Shutters

JULY APPROVALS

- 10112 Spinning Wheel :Install Vinyl Bead-board/Soffit on Carport Ceiling
- 4358 Harvester Farm: Modification to Approved ACC Application: Install Metal Roof over Porch
- 10115 Spinning Wheel: Paint Siding, Shutters & Front Door
- 4377 Harvester Farm: Replace Front Door
- 10115 Spinning Wheel: Install Sliding Door & Deck
- 10119 Spinning Wheel: Replace Siding, Shutters, Gutters/Downspouts, Front & Storm Doors and Wrap Trim

AUGUST APPROVALS

- 10002 Cotton Farm: Replace Roof, Siding, Gutters, Front Door, Exterior Lighting
- 4279 Country Squire: Widen Front Walk, In-

stall Flagstone Cap on Existing Rear Walk, Add Additional Rear Flagstone Walk and Replace Rear Retaining Wall

- 4327 Still Meadow: Replace Front Door, Paint Door Trim, Paint Shutters
- 10005 Tumbleweed: Paint Shutters, Door and Door Trim
- 4371 Harvester Farm: Alter Fence Style/Color, Change Patio Materials/Size, Add Rear Patio Steps/Walk and Install Paver Perimeter Around Portion of Home
- 10011 Cotton Farm: Widen Driveway & Carport; Extend Front Door Stoop
- 4358 Harvester Farm: ACC Application Revision: Replace Vinyl Siding with Stone Veneer Under New Porch

SEPTEMBER APPROVALS

- 10012 Cotton Farm: Install Solar Panel Array
- 10014 Round Top: Replace Windows, Wrap Trim and Shadow boxes, Paint Rake Boards & Gable Vents
- 4377 Farm House: Install Fence
- 10002 Tumble Weed: Install New Garage

COMMUNITY CALENDAR

- **October 10:** HFCA Annual Meeting
- **October 19:** Bunco Night
- **October 28:** Halloween Parade & Party

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Visit **hickoryfarms.org**

Click "Hickory Farms Listserv" on left

Follow the instructions

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NEIGHBORHOOD WATCH SCHEDULE

Fri	Oct 6	Rick Loranger	Judy Loranger
Sat	Oct 7	Harry Herchert	Ginny Herchert
Fri	Oct 13	Will Lunsford	
Sat	Oct 14	John Kitzmiller	
Fri	Oct 20	Brian Roethlisberger	Rob Mikula
Sat	Oct 21	Wendy Chen	Tony Dong
Fri	Oct 27	David Tropiano	Sarah Tropiano
Sat	Oct 28	Pam Barrett	Tom Barrett
Fri	Nov 3	Jaime Gutierrez	Ed Wagner
Sat	Nov 4	Jim Marshall	Carol Marshall
Fri	Nov 10	Eric Maribojoc	Clarisa Dacanay
Sat	Nov 11	Pete Scala	Rose Scala
Fri	Nov. 17	David Cain	
Sat	Nov 18	George Rosenkranz	Bob Montgomery
Fri	Nov 24	Tom DeMott	Desiree DeMott
Sat	Nov 25	Bruce Bernhardt	Nancy Bernhardt
Fri	Dec 1	Debbi Buchanan	Michelle Bush
Sat	Dec 2	John Kitzmiller	
Fri	Dec 8	Ron Arnold	Charles Walters
Sat	Dec 9	Dave Dempster	Dawn Dempster
Fri	Dec 15	Susan Mulliner	Brenton Mulliner
Sat	Dec 16	David Froberg	Beverly Froberg
Fri	Dec 22	David Cain	
Sat	Dec 23	Will Lunsford	
Fri	Dec 29	John Coyne	Linda Coyne
Sat	Dec 30	Rick Loranger	Judy Loranger

We are starting a campaign to get 50 residents/teams on the roster so that we will only need to do our watch once every four months! Contact **Debbi Buchanan** at **703-307-7323** or **simplydebbi1@gmail.com** to be added to the roster.

COMMUNITY KUDOS

Big shout-out to **Pete Scala** for organizing another great neighborhood yard sale in September.

We had 16 houses participate this year (which is great, and brought the cost down to only \$6 each). The weather was beautiful, we had a lot of buyers come through (editor's note: our stuff was basically gone by 8 AM), and everyone seemed to have a good time.

Also thanks to the **folks who returned the yard sale signs** to Pete from Country Squire and from outside the neighborhood.

Also a tip of the hat to **Melissa Stark**, our common areas coordinator, for getting these new signs (see on the right) in the upper commons to alert people to the treatment being applied to the bamboo.



HFCA BOARD & VOLUNTEERS

MEMBERS & OFFICERS

President: **Bruce Bernhardt**

Vice President: **Chuck Stewart**

Secretary: **John Kitzmiller**

Common Areas: **Melissa Stark**

ACC: **Brian Roethlisberger**

Treasurer: **Tom Demott**

Assistant Treasurer: **Dante Gilmer**

At Large - Neighborhood Watch: **Debbi Buchanan**

At Large - Newsletter Editor: **Don Seymour**

At Large: **Kirk Randall**

At Large: **John Kitzmiller**

Webmaster: **Bryan Crabtree**

Community Yard Sale: **Pete Scala**

VALUED VOLUNTEERS

HFCA Email (Listserv): **Stefan Schwarz**

Social Committee: **Kendra Seymour**

Architectural Reviews (ACC): **Brian Roethlisberger** (Chair), **Debbi Buchanan**, **Keith Ferguson**, **Donna Garfield**, **Ed Kiechlin**, **Kirk Randall**, **Josef Gasimov**

Newsletter Delivery: **John Kitzmiller**, **Heather Webb**, **Dante Gilmer**, **Sondra Arnold**, **Ed Kiechlin**, **Claire & Sean Coleman**, **Debbi Buchanan**

EMAIL US

HFCA Board: hfca@hickoryfarms.org

Melissa: commonareas@hickoryfarms.org

Brian: acc@hickoryfarms.org

Don: newsletter@hickoryfarms.org

Bryan: webmaster@hickoryfarms.org



Thank you Bruce Bernhardt, Debbi Buchanan, Bryan Crabtree, Brian Roethlisberger, Kendra Seymour, & Melissa Stark for your newsletter contributions!