



CARDINAL MANAGEMENT GROUP, INC.

FOX POINT HOMEOWNERS ASSOCIATION

OPEN SESSION

February 10, 2026



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FOX POINT HOMEOWNERS ASSOCIATION

BOARD OF DIRECTORS MEETING

February 10, 2026

7:00PM

Fox Point Clubhouse, 6120 Blackstone Blvd, Fredericksburg, VA 22407 & Zoom

Zoom Meeting:

Link: [https://zoom.us/meeting/register/Ch4SYs-WTP6onHqX5UMtCQ](https://zoom.us/join/https://zoom.us/meeting/register/Ch4SYs-WTP6onHqX5UMtCQ)

Phone: (301) 715-8592

Meeting ID: 933 8825 3491

Passcode: 435155

AGENDA

- I. Call to Order/Verification of Quorum/Roll Call

(Open Session)
- II. Review & Approval of Agenda
- III. Community Comments #1 (15 Minutes)
 - A. Resident Questions/Comments Related to Non-Agenda Items
(Recommended 3 minutes maximum per person)
- IV. Review & Approval of Draft Minutes – January 13, 2026 **TAB 1**
- V. Ratification of Online/Out-of-Cycle Vote(s) **TAB 2**
 - A. Reserve Fund Reinvestment Plan
- VI. Director & Committee Reports
 - A. Director Reports
 - B. Committee Reports
 - i. Architectural Review Committee (ARC)
 - ii. Capital Improvements Committee
 - iii. Social Committee
 - iv. Policy & Documents Committee
 - v. Elections Committee
 - vi. Finance Committee
 - vii. Pollinator Landscape Committee
 - viii. Welcome Committee
- VII. Management Report **TAB 3**
 - A. Financial Summary & Recommendations – January 2026
 - B. Action Item Report
- VIII. Unfinished Business **TAB 4**
 - A. Trespassing Authorization Town Hall
- IX. New Business **TAB 5**
 - A. Draft Proxy Use Policy
 - B. Draft Video Surveillance Policy
 - C. Association Authorized Signatories

X. Community Comments #2 (15 minutes)

A. Resident Questions/Comments Related to Open Session Items
(Recommended 3 minutes maximum per person)

(Executive Session)

XI. Convene Executive Session

XII. Owner Request **TAB 1**

XIII. Proposals **TAB 2**

A. Lighting Replacements

- i. Main Entrance Monument Wall
- ii. Clubhouse Parking Lot

XIV. Contracts

A. Spotsylvania County Utility Easement **TAB 3**

XV. Delinquency Report

XVI. Attorney Collections Report **TAB 4**

XVII. Violations Summary **TAB 5**

XVIII. ARC Report **TAB 6**

TAB 7

(Open Session)

XIX. Re-Convene Open Session

XX. Conduct Votes *(if needed, as discussed in Executive Session)*

XXI. Adjournment

Next Meeting: Tuesday, March 10, 2026 @ 7:00PM

Upcoming Meetings:

March 10, 2026

April 14, 2026

May 12, 2026

June 9, 2026

August 11, 2026

September 8, 2026

October 13, 2026

November 10, 2026

ANNUAL MEETING – Sunday, December 6, 2026 @ 2:00PM

FOX POINT HOMEOWNERS' ASSOCIATION

BOARD OF DIRECTORS MONTHLY MEETING

January 13, 2026

1. CALL TO ORDER / VERIFICATION OF QUORUM

- a. Board members present included Matt Ellia, Bootsie Howard, Betty Banks, Devon Kelly, Mark Fortune, Martin Westphal.
- b. CMG employees present were Laura Lino and Taylor Lee.
- c. There were 2 residents attending the meeting.

2. The Board Meeting was called to order and quorum verified at 7:00 pm.

3. REVIEW AND APPROVAL OF AGENDA

- a. Upon review, motion to approve the agenda of the Board of Directors for the January 13, 2026 meeting with the following changes, introduction of the new Portfolio Manager from Cardinal Management, was made by Mark Fortune, second by Betty Banks; motion passed.
- b. Introduction of Portfolio Manager Taylor Lee:
 - i. Mr. Lee has been with Cardinal Management for 14 years.
 - ii. He is local to the area and excited to work with Property Manager Lino, the Board, and the Community.

4. OPEN FORUM / COMMUNITY COMMENTS –

- a. Resident and Director Bootsie Howard thanked the Board and the community for their continued trust in his business Picture Perfect and for allowing him to serve the community.

5. REVIEW AND APPROVAL OF MINUTES

- a. Upon review, motion to approve the Official Draft of the November 12, 2025 BOD meeting minutes was made by Mark Fortune, second by Betty Banks; motion passed.

6. DIRECTOR / COMMITTEE REPORTS

- a. Open Action Items
- b. Online Votes
- c. Director Reports
 - i. **Secretary:** The Secretary reported that a new meeting minutes template for 2026 has been developed.
 - ii. **Treasurer:** The Treasurer reported that he and Finance Committee member Jason Congdon will coordinate with the property manager to obtain copies of all necessary Treasurer-related documents. Jason

Congdon was asked to remain on as Chair of the Finance Committee.

d. Committee Reports

i. Architectural Review Committee (ARC) – **NTR**

ii. Capital Improvements Committee (Chairs: Bootsie Howard & Mark Fortune)

1. Chair Bootsie Howard stated that the Committee will present a list of proposed capital improvements for 2026 after further discussion within the Committee.
2. Preliminary items mentioned included additional sand for the volleyball courts, lighting improvements, and potential tennis court replacement.
3. Chair Mark Fortune and member Martin Westphal indicated they would be available to address any questions or concerns related to the Capital Improvements Committee.

iii. Social Committee

1. Board Member Bootsie Howard reported that the Santa event was well attended.
2. The Committee requested consideration of a new tree for the 2026 season, noting that the existing tree lights are faulty and not functioning properly in several areas.

iv. Policy and Document Committee (PDC) (Chair: Devon Kelly)

1. The Chair reported that several policies are currently in draft form and require further committee review before being presented to the Board.
2. Mark Fortune indicated he would be available to address any questions or concerns related to the Policy and Document Committee

v. Elections Committee (Chair: Jason Congdon) – **NTR**

vi. Finance Committee

1. It was noted that the Reserve Study includes a line item for tennis court repavement in 2027. If the Board considers advancing this project, the financial implications will need to be reviewed.

vii. Pollinator Landscaping Committee (Chair: Devon Kelly) – **NTR**

viii. Welcome Committee (Chair: Betty Banks)

1. Property Manager Lino reported that Chair Betty Banks is working with Mrs. Lino to assemble welcome materials for new homeowners.
2. A draft welcome packet will be prepared for review by the Board and the community.

7. MANAGEMENT REPORT

- a. General Manager Lino presented the monthly Management Report to include the November 2024 and December 2024 Financials summary and recommendations, action item report, and work order report

- i. DISCUSSION:

1. Discussed the balance sheet and the variances of cost for major areas.

- a. At the closing of the month the Association had total cash & investments of \$570,476.46 this includes \$100,819.89 in the Association operating accounts, \$310,286.29 in a Money Market account with Capital One Bank and \$159,370.28 invested in a CD via FVC Bank, representing total Replacement Reserves in the amount of \$469,656.57.

- b. **Current Balance Summary:**

Balance Sheet:

The balance sheet reflects that Reserve & Replacement are fully supported by cash:

Total Cash & Investments:	\$	570,476.46
Less Liabilities:	\$	76,302.63
<u>Less Current Reserves:</u>	\$	<u>469,656.57</u>
	\$	24,517.26

Income Statement Report:

Year-to-Date Income:	\$	556,090.90
<u>Year-to-Date Expense:</u>	\$	<u>517,716.85</u>
Year-to-Date Net Income/Loss	\$	38,374.05

- c. **Assessment Receivable:** As of December 31, 2025, the Assessment Receivable was \$34,213.20. The Association has a delinquency rate of 6.41% (-1.1% since November 2025). Auditors have indicated the industry standard for assessment receivable is 5%.
- d. **Members Equity:** There is positive members' equity of \$29,124.33 or 5.45% (+/- 0.00% since November 2025). Auditors recommend the Association maintain excess equity at a level of 10%-20% or \$47,520-\$95,040.

2. Discussed the Action Item report which includes:

- a. **In Progress:**

- Pool Pump Room Leak Repair
- Independent Accountant Contract Renewal
- Trespass Authorization
- 2026 Picture Perfect Contracts

Main Entrance Floodlight Replacement
Clubhouse Parking Lot Light Fixture Replacements
Welcome Committee Kickoff
2026 Landscaping & Irrigation Contracts
Reserve Account Reinvestment
Clubhouse Area Grass Revitalization
Community Speed Study
2024 Finalized Audit

b. **Deferred/On Hold:**

Arborist Services
Revised Violation Letters
Irrigation System Rain Sensor Repairs
Tennis Court Caulking

c. **Completed:**

Baseball Field Parking Lot Painting & Resurfacing
2026 General Maintenance Contract
Bounce House Policy
2026 Budget
2025 Annual Meeting
2025 Board Election

- ii. **DISCUSSION:** The Finance Committee requested additional clarity regarding how certain expenses are reflected on the Profit and Loss (P&L) statement. The Committee has been working with the Property Manager to better account for debit card transactions related to office supplies. A discrepancy related to stormwater management expenses in the budget was also identified and is currently being tracked and reviewed.

8. UNFINISHED BUSINESS

a. **TOPIC: Welcome Committee Kickoff**

- i. **DISCUSSION:** The Committee Charter has been approved. Betty Banks reported that she is recruiting an additional member to join the Committee. Home sales have slowed during the winter months; however, Property Manager Lino will continue to forward information to the Committee as sales occur. The Property Manager has compiled a list of documents for inclusion in the Welcome Packet for new homeowners. The Committee also discussed potential welcome gifts, including ink pens and coffee mugs
- ii. **ACTION:** No action required.

b. **TOPIC: Trespassing Authorization**

- i. **DISCUSSION:** It was noted that a Request for Comment has not yet been distributed to the broader community, either through a written

submission process or a town hall meeting with a representative from the Sheriff's Office regarding the proposed approach to trespassing enforcement.

- ii. ACTION: Motion to hold a community Town Hall to discuss the trespassing initiative with a representative from the Spotsylvania Sherriff's Department, to communicate the Town Hall on appropriate forums, the application process, and the Board's understanding of what authority it will give police in the neighborhood was made by Mark Fortune, second by Betty Banks ; motion passed.

c. **TOPIC: Revised Amenities Rules & Regulations**

- i. DISCUSSION: Director Kelly reiterated concerns regarding the use of mixed qualitative and quantitative language when describing amenity hours, as well as inconsistencies in the pool guest policy language. It was suggested that a summary section outlining all amenities and variable access times be included for ease of reference.
- ii. ACTION: Motion to table further discussion until the impending Town Hall and any subsequent changes was made by Betty Banks, second by Mark Fortune ; motion passed.

d. **TOPIC: Reserve Fund Reinvestment**

- i. DISCUSSION: The Finance Committee provided a detailed overview of the current financial landscape and reviewed available options for reinvestment of reserve funds.
- ii. ACTION #1: Motion to cancel autorenewal of the FVC CD and to reinvest the maturity balance into a new investment CD was made by Mark Fortune, second by Betty Banks ; motion passed.
- iii. ACTION #2: Motion to have the Finance Committee provide the Board with a revised CD reinvestment plan within the next seven (7) days was made by Mark Fortune, second by Betty Banks ; motion passed.

e. **TOPIC: Community Speed Study**

- i. DISCUSSION: The Board reviewed the results of the community speed study, which indicated that the neighborhood does not meet the requirements for additional traffic signage. Historical context regarding the study and applicable standards was also discussed.
- ii. ACTION: Motion to publish the report and data on CINC and to send out a letter/ email blast to residents letting them know how to access the information, VDOTs decision, and the requirements behind that was made by Mark Fortune, second by Betty Banks ; motion passed.

9. NEW BUSINESS

a. **TOPIC: New Board Member Appointment**

- i. DISCUSSION: Homeowner Robin Coppock was provided the opportunity to introduce herself to the Board and speak regarding her interest in serving on the Board of Directors.
- ii. ACTION: Motion to approve Robin Coppock to the Board of Directors for FY 2026 was made by Mark Fortune, second by Betty Banks ; motion passed.

10. COMMUNITY COMMENTS (RELATED TO NEW BUSINESS)

- a. Resident and Director Kelly requested clarification regarding ownership of the white wooden street signs and suggested that the Board consider developing a plan for replacement or renovation during FY 2026.

11. EXECUTIVE SESSION

- a. Motion for the Board to go into Executive Session for the purposes of reviewing and discussing the following topics was made at 8:38 pm, by Mark Fortune second by Devon Kelly // motion passed:
 - i. Hearings related to property violations.
 - ii. Review the Delinquency Report.
 - iii. Review the Attorney's Collection Status Report.
 - iv. Discuss and consider proposed contracts.

- b. Motion to conclude Executive Session was made at 9:32 pm by Mark Fortune second by Betty Banks // motion passed.

12. OPEN SESSION

- a. During Executive Session, the Board discussed the following topics:
 - i. Personnel matters
 - ii. Contracts
 - iii. Matters involving violations of the Declaration or rules and regulations.
 - iv. Delinquency Report
 - v. Attorney's Collection Status Report

- b. The following Board Actions were taken based on discussions during the Executive Session:
 - i. Motion to have Property Manager Lino reach out to Highlights for additional lighting fixture options with a longer service life than the existing equipment by Mark Fortune, second by Betty Banks; motion passed.
 - ii. Motion to have Property Manager Lino reach out to the Highlights for additional lighting fixture options with a longer service life than the existing equipment was made by Mark Fortune, second by Betty Banks; motion passed.

- iii. Motion to have Property Manager Lino solicit additional proposals for Pool Pump Room Leak Repair services was made by Mark Fortune, second by Betty Banks; motion passed.
- iv. Motion to approve the Picture Perfect Proposals with the following amendments: add in the number of occurrence per year for storm water management, landscaping contracts, and cemetery maintenance was made by Mark Fortune, second by Betty Banks; 1 abstention, 6 in ayes, 0 nays, motion passed.

13. ADJOURNMENT

- a. Motion to adjourn the meeting at 9: 34 pm was made by Devon Kelly, second by Martin Westphal; motion passed.

Next Board Meeting February 10, 2026

To: Board of Directors

From: Laura Lino, General Manager

Date: February 10, 2026

RE: Online/Out-Of-Cycle Vote Ratification – Reserve Fund Reinvestment Plan

Summary:

Per direction given by the Board at their meeting on 1/13/2026, the Finance Committee submitted a revised plan for reinvestment of Association reserve funds. It was recommended that a reinvestment plan be approved in advance of the maturity date for the Association's current CD account with FVC Bank (2/6/2026).

The Finance Committee has since provided the revised plan, and the Board completed an out-of-cycle vote online as of 1/24/2026. A summary of the proposed reinvestment plan is as follows:

- Total Reserve Capital: \$469,000.00
- \$240,000.00 in a 10/11-month CD with Capital Bank at 4.00% APY
- \$100,000.00 in a 12-month CD with John Marshall Bank at 3.55% APY
- \$149,000.00 to remain in the Associations current Money Market account with Capital One

Motion: Secretary Devon Kelly made a motion to approve the Finance Committee's plan for reinvestment as submitted.

Second: Vice President Martin Westphal seconded the motion made by Devon Kelly.

Vote Outcome: Unanimous approval of the Finance Committee's plan for reinvestment as submitted.

Action Needed: *RATIFICATION*

Action Item Subject/Description	Start Date	Due Date	Status
<p>Pool Pump Room Leak Repair Milstead & Milstead have identified a minor leak involving one of the pipes in the pool pump room. The contractor has provided a proposal for the repair that was presented to the Board at their meeting on 1/13/2026. Following discussion at this meeting, the Board directed management to gather additional comparable quotes. The leak remains minor, and still does not pose an immediate threat to safety or property.</p>	01/08/2026	05/01/2026	In Progress
<p>Update Authorized Signers The current authorized signatories for Association bank accounts are in need of updating. Management will provide a recommendation for this at the Board meeting on 2/10/2026.</p>	02/05/2026	02/13/2026	In Progress
<p>Spotsylvania County Utility Easement Offer Spotsylvania County has provided the Association with an offer for allowing a utility easement through Fox Point property for the purpose of supporting their Leavell's Road Water Main Project. The Board was provided with all documentation on this offer in January 2026. The documentation and proposed deed have also been reviewed by the Association's legal counsel, who has provided several recommended revisions to the agreement. Management has been conferring with the contracted Civil Engineer on the project, and has advised that the Board will discuss at their meeting on 2/10/2026. Following this meeting, the attorney's recommended revisions will be provided to the engineer/County, along with any other questions or concerns that may come up during the meeting discussion.</p>	02/05/2026	02/28/2026	In Progress
<p>Tennis Court Caulking Board President Bootsie Howard has advised that there are some surface cracks at the tennis and pickleball courts that may need caulking or re-sealing. Mr. Howard engaged a contractor for this and a proposal was provided to management. After reviewing the proposal with Bootsie, it was determined that a better price could be found elsewhere, and Bootsie will continue his research. The intention is to have a plan executed for this project by spring of 2026.</p>	08/07/2025	06/30/2026	Deferred/On-Hold
<p>Independent Accountant Contract Renewal The current contract with the Association's independent CPA (performs audits and tax preparation) will expire upon finalization of the Association's 2024 tax filing and audit. The incumbent contractor, Daly, Hamad & Associates, has provided a new engagement letter with proposed costs for fiscal years 2025-2027, which was approved at the Board meeting on 10/14/2025. Management is waiting to receive the finalized 2024 audit before completing signing of the new contract, as well as discussion with the Board regarding concerns with the contractor's responsiveness.</p>	08/07/2025	02/20/2026	In Progress

Action Item Subject/Description	Start Date	Due Date	Status
<p>Trespass Authorization</p> <p>Following recent incidents of illegal activities in the clubhouse area, Spotsylvania County has provided information on their anti-trespassing initiative which provides the option for allowing local law enforcement to trespass individuals on private property. The documentation on this initiative provided by law enforcement was reviewed by legal counsel (who endorsed implementation) as well as the Association's insurance agent, both of which noted no concerns with implementation. Implementation of this was approved at the Board Meeting on 10/14/2025 however, following additional concerns presented by members not present at the October meeting, it was determined that further discussion and feedback from the community were needed. This was a topic of discussion on the agenda at the 2025 Annual Meeting, at which time the homeowners in attendance engaged in a productive discussion with the Board. this topic was discussed again at the Board meeting on 1/13/2026, at which time the Board discussed the need to provide further opportunities for community feedback, and directed management to confer with the Sherriff's Office to coordinate a Town Hall meeting for residents to attend. Major Myrick has advised he has open availability in the evenings, and will further defer to the Association for scheduling .</p>	10/09/2025	03/31/2026	In Progress
<p>Irrigation System Rain Sensor Repairs</p> <p>Following observation that the Association's landscaping irrigation system was running at unnecessary times, it was requested that Shenandoah Landscaping complete and inspection of the system's RainBird components. Following this, as well as adjustment to the system settings in an attempt to resolve the issue, it was discovered that there are (2) malfunctioning rain sensors in need of replacement. Shenandoah has provided a proposal for the repairs which was presented to the Board at their meeting on 10/14/2025. Per the discussion at this meeting, the Board has decided to table the proposal until spring of 2026 and has requested that management research potential outside contractors to take over all irrigation operations.</p>	10/09/2025	04/30/2026	Deferred/On-Hold
<p>2024 Audit</p> <p>The audit representation letter was signed and sent back to the auditor via email and certified mail. The auditor previously confirmed receipt of all requirements, but later informed management that a confirmation was still needed in order to access some final pieces of information needed regarding the Association 's CD account with FVC Bank. Following significant difficulties in responsiveness from the auditor, the needed confirmation was provided 1/13/2026. Management has since followed up with the auditor regarding the status of the final audit, and is still awaiting a response.</p>	01/08/2026	02/20/2026	In Progress
<p>Reserve Account Reinvestment</p> <p>In October 2025, Management provided the Board and Finance Committee with options for re-investment recommended by Cardinal Management. Management provided updated rates for these options at the Board meeting on 1/13/2026, at which time the Finance Committee also presented a proposed reinvestment plan, as requested by the Board. Following discussion at the 1/13 meeting, the Board requested some revisions to the plan, and concurrently made the decision not to renew the current CD with FVC Bank (matures 2/6/2026). The Finance Committee provided the requested plan revisions, and as of 1/24/2026, the Board has given unanimous approval for the reinvestment plan via online/out-of-cycle vote. The Association's Reserve Specialist with Cardinal Management has been provided with the approved plan and notified of the intent to terminate the maturing CD. As of 2/2/2026, Management has provided the Reserve Specialist with the required signed documentation to close out the maturing CD account, and implementation of the approved reinvestment plan is in progress.</p>	10/09/2025	02/28/2026	In Progress

Action Item Subject/Description	Start Date	Due Date	Status
<p>Arborist Services</p> <p>Shenandoah Landscaping has made some recommendations for tree trimming/removals relating to the recently approved turf renovation project. The proposal for these services was reviewed at the September 2025 Board meeting and tabled pending receipt of additional proposals. Angel Tree Service has provided a proposal for a reduced scope of work at the Board President's request, and Shenandoah has provided a quote for this reduced scope as well. A comparison of the (2) scopes as well as costs from both contractors was reviewed at the Board meeting on 10/14/2025 at which time the Board decided to table until spring of 2026.</p>	10/09/2025	04/30/2026	Deferred/On-Hold
<p>2026 Picture Perfect Contracts</p> <p>The Association's annual contracts with Picture Perfect for clubhouse cleaning services, SWM pond landscaping, and power washing will be expiring 12/21/2025. Picture Perfect has provided renewal proposals for each of these contracts which were approved by the Board at their meeting on 1/13/2026. The contracts are currently awaiting signature.</p>	10/10/2025	02/13/2026	In Progress
<p>Main Entrance Floodlight Replacement</p> <p>A portion of the in-ground floodlights installed at the main entrance monument wall are currently not functional. Highlights Services came onsite to inspect the current fixtures, and has provided a proposal recommending a replacement of all floodlights at the main entrance, as they are currently overdue for replacement. This proposal was presented to the Board at their meeting on 1/13/2026, and approval was tabled pending an additional inquiry to the contractor for potentially longer-lasting options. The contractor has since confirmed that the current product is the most efficient he is aware of for this particular lighting element and location.</p>	01/08/2026	02/20/2026	Pending Board Decision/Direction
<p>Clubhouse Parking Lot Light Fixture Replacements</p> <p>A portion of the pole lamps in the clubhouse parking lot are currently out or not functioning properly. Highlights Services came on site to inspect the lamps, and is recommending a full replacement of all light fixtures in the parking lot, as they are nearing the end of their useful life. Highlights provided a proposal for the replacement, which was presented to the Board at their meeting on 1/13/2026. Following discussion at this meeting, the Board elected to table approval pending an additional inquiry to the contractor regarding potentially longer-lasting options. Management has since had further discussion with the contractor, during which he confirmed that the current products are the most efficient he is aware of for this particular lighting element and location.</p>	01/08/2026	02/20/2026	Pending Board Decision/Direction
<p>Clubhouse Area Grass Revitalization</p> <p>Shenandoah Landscaping has completed soil a soil analysis in the clubhouse area and provided proposals for their recommendations to revitalize the grass to include lime treatment, tree trimming and turf renovation. The Board approved this proposal at their September 2025 meeting and as of 10/30/2025, the agreement has been signed and executed by both parties. As a reminder, the contractor expects that it will take approximately 1 year to see results following the treatment. In the meantime, options for tree trimming will also be explored to supplement the renovation efforts. Liming was completed mid-November 2025 in order to condition the soil for fertilization in the spring.</p>	06/05/2025	10/31/2027	In Progress
<p>Revised Violation Letters</p> <p>Management will be providing recommended re-writes for the courtesy and notice letters sent to homeowners for covenants violations. Given the current volume of other priorities, this has been deferred, and will be revisited before Q2 2026.</p>	08/07/2025	04/01/2026	Deferred/On-Hold

To: Board of Directors

From: Laura Lino, General Manager

Date: February 10, 2025

Re: Trespassing Authorization & Town Hall UPDATE

Summary:

At their meeting on 1/13/2026, the Board again discussed the Trespassing Authorization recommended by the Spotsylvania Sherriff's Office following repeat incidents of unauthorized activities in the clubhouse and amenities areas. Implementation of this initiative was approved by the Board in October 2025 however, the Board has since discussed the need for providing the community with opportunities to ask questions and provide feedback before it is executed.

At the 1/13 meeting, the Board directed Management to confer with the Sherriff's Office to coordinate a Town Hall meeting on the topic, where residents can attend, learn about the initiative, ask questions, and communicate any concerns with both the Board and local law enforcement.

Major Myrick of the Spotsylvania County Sherriff's Office has since advised that he is available for an evening event and otherwise has open availability. Once finalized, the date and time for this meeting will be broadcast to the community.

Action Needed: Determine date/time for the Town Hall meeting.

Management Recommendation: Identify (3) potential dates for which all Board members will be available to attend the meeting and pass along to the Sherriff's Office for final decision. It is recommended that the meeting be scheduled for 7:00PM and that it be held by the end of February.

To: Board of Directors
From: Laura Lino, General Manager
Date: February 10, 2025
Re: **Draft Proxy Use Policy**

Summary:

Board Secretary Devon Kelly has drafted and submitted a proposed policy governing the use, collection, and validation of proxies submitted by Association members for purposes of the Annual Meeting and Board Elections.

The proposed policy is included for review on the subsequent pages.

Action Needed: *VOTE NEEDED* to approve, deny, or table the proposed policy governing proxy use.

Management Recommendation: Will provide pending Board discussion.

FOX POINT HOMEOWNERS ASSOCIATION

PROXY USE POLICY

(Approved by the Board of Directors, [DATE])

1. Purpose and Authority

This Proxy Use Policy establishes procedures for the proper use, collection, and validation of proxies for Owner voting within the Fox Point Homeowners Association (“the Association”).

This Policy is adopted pursuant to:

- Section 2.7 of the Bylaws (permitting proxy voting),
- Section 3.4 of the Bylaws (governing proxy form and validity), and
- The Board’s general authority to adopt administrative policies necessary for Association governance.

This Policy **does not alter** voting rights and is intended to provide structure, consistency, and transparency for proxy use.

2. When Proxies May Be Used

Proxies may be used for any vote of the Owners permitted by the Bylaws or applicable law, including:

1. **Annual meetings**
2. **Special meetings**
3. **Election of Directors**
4. **Votes on amendments to the Bylaws**
5. **Approval of budgets (if required)**
6. **Any vote placed before the membership by the Board**

Proxies may be used **before or after** adoption of any future amendments that expand electronic voting or ballot methods.

3. Form of Proxy

A proxy shall:

1. Be **in writing**;
2. Identify the Owner(s) granting the proxy and the Lot address;
3. Specify the meeting or vote for which the proxy is granted;
4. Clearly indicate whether the proxy is:
 - **General** (grants the proxy-holder full discretion), or
 - **Directed** (Owner specifies how votes must be cast);
5. Be **signed and dated** by the Owner;
6. Identify the **designated proxy-holder** (any natural person, including another Owner or Board member);
7. State the method of return (mail, email, portal upload, in-person delivery).

The Association shall publish a **standardized Proxy Form** accessible on the HOA website and through the Property Manager.

No other form is required, but owners are encouraged to use the standardized version.

4. Submission and Deadlines

Proxies may be submitted by:

- Personal delivery
- Mail
- Scanned and emailed PDF
- Upload through the Association's electronic voting or document portal
- Other Board-approved digital methods

A proxy must be received by **5:00 PM the day before** the scheduled meeting or vote, unless a Board resolution sets a different deadline.

Late proxies will not be counted.

5. Verification Procedures

Upon receipt, the Property Manager or designated Board official shall:

1. Record the date and time received
2. Verify ownership and eligibility to vote
3. Confirm signature and date
4. Ensure no duplicate or superseding proxy exists

If multiple proxies are received from the same Lot, the **most recently dated** proxy shall control.

A proxy may be revoked by the Owner at any time before the vote by submitting a new proxy or appearing in person.

6. Use of Proxies During Vote Counting

During any meeting or vote:

- The Secretary or designee shall maintain a **proxy register** listing all proxies validated for the vote.
- Proxy votes shall be recorded in the tally as if the Owner were present.
- Directed proxies must be cast **as instructed**.
- General proxies may be cast at the discretion of the proxy-holder.

Proxy counts shall be included in quorum calculations.

7. Retention of Proxies

All proxies used in an Association vote shall be retained for **at least three (3) years** in accordance with the Association's record retention policy.

Electronic copies shall be preserved in the Association's official document management system.

8. Transparency and Homeowner Access

After any vote, homeowners may request access to:

- The proxy register (names and Lots only)
- Total number of proxies submitted
- Whether proxies were general or directed
- Aggregated vote counts

Individual directed proxy instructions shall remain confidential and will not be disclosed.

9. Prohibited Activities

The following are not permitted:

- Offering inducements in exchange for a proxy
- Collecting proxies deceptively
- Altering or modifying an Owner's completed proxy
- Submitting a proxy on behalf of an Owner without consent
- Using community email lists or Association platforms to solicit proxies unless authorized by the Board

Violations may lead to invalidation of proxies and other Board action.

10. Effective Date and Duration

This Policy is effective upon adoption by the Board and remains in effect unless amended or replaced by the Board or incorporated directly into the Bylaws.

The Board may refine deadlines or procedures by simple resolution.

To: Board of Directors

From: Laura Lino, General Manager

Date: February 10, 2025

Re: Draft Video Surveillance & Footage Access Policy

Summary:

Board Secretary Devon Kelly has drafted and submitted a proposed policy governing use and access of surveillance footage captured by the Association's security cameras.

The proposed policy is included for review on the subsequent pages.

Action Needed: *VOTE NEEDED* to approve, deny, or table the proposed policy governing proxy use.

Management Recommendation: Will provide pending Board discussion.

FOX POINT HOMEOWNERS ASSOCIATION

Video Surveillance & Footage Access Policy (Draft)

(Approved by the Board of Directors on: _____)

1. Purpose

The Fox Point Homeowners Association (“Association”) maintains video surveillance cameras in limited common areas for the sole purpose of **protecting Association property, enhancing community safety, and supporting the enforcement of Association governing documents.**

This policy establishes:

- How surveillance footage may be accessed and used
 - Who is authorized to review or handle footage
 - Privacy protections for residents and guests
 - Procedures for responding to incidents in a lawful, consistent, and non-discriminatory manner
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2. Scope

This policy applies to:

- All surveillance cameras owned or operated by the Association
- All Board members, the managing agent, contractors, and volunteers
- All footage or still images captured by Association cameras
- Any person requesting or receiving access to footage

This policy does **not** apply to privately owned security cameras installed by homeowners on their own property.

3. Surveillance Camera Practices

1. Cameras are placed only in **common areas** and **never in locations where residents have an expectation of privacy**, such as bathrooms, locker rooms, or inside homes.
 2. Cameras are used for **passive recording only**; the Association does not continuously monitor live footage.
 3. Footage is stored on the Association's designated system for a standard retention period of **30–60 days**, unless needed for an active investigation or preservation request.
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4. Authorized Access to Footage

4.1 Who May Access Footage

Access to footage is strictly limited to:

- The **Managing Agent**
- The **President**, only when expressly authorized through Board vote
- Another Board member designated **by Board vote**
- Law enforcement, pursuant to proper legal request

No single Board member, including the President, may independently retrieve, review, download, or distribute footage.

4.2 Conditions for Access

Footage may be accessed only when:

1. A **written incident report** has been filed with the managing agent or Board (e.g., vandalism, property damage, criminal activity).
2. The **Board votes** to authorize footage review for that specific incident.
3. Access is documented in a **Footage Access Log**, including:
 - Name of person accessing footage
 - Date and time
 - Reason for access

- Specific footage reviewed
- Any extracts or stills created

Routine, curiosity-based, or speculative review of footage is prohibited.

5. Handling and Storage of Footage

1. **Downloading footage or images to personal devices is prohibited.**
 2. All footage must remain within the Association's designated storage system or secure cloud platform.
 3. Still images or excerpts may be generated **only** when necessary for a Board-approved investigation.
 4. Any copies must be stored on **Association-controlled** systems with appropriate confidentiality protections.
 5. Unauthorized copying, sharing, or posting (including via email, text, social media, or cloud drives) is strictly prohibited and may constitute a breach of fiduciary duty.
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6. Special Protections for Minors

Given the sensitivity of images of children:

1. Footage involving minors may **not** be shared via email unless redacted or blurred unless required by law enforcement.
 2. Footage depicting minors **allegedly engaging in misconduct** may not be distributed beyond:
 - The managing agent
 - The Board members specifically authorized to review it
 - Law enforcement, if the conduct appears criminal or poses safety concerns
 3. The Association will not independently investigate alleged offenses by minors beyond documenting the behavior and referring concerns to law enforcement or parents/guardians when appropriate.
-

7. Use of Footage in Enforcement of Association Rules

1. Footage may be used to support enforcement actions only when:
 - The Association has **followed proper access procedures**; and
 - The incident is directly related to a violation of the governing documents.
 2. Homeowners subject to enforcement must be given:
 - Written notice of the alleged violation
 - The opportunity for due process under the governing documents
 3. Footage used in enforcement may be shown **only** during formal hearings and must not be shared with the general membership.
-

8. Reporting Incidents

Incidents should be reported through the **Managing Agent**, who will:

1. Document the report
2. Bring it to the Board for determination whether footage should be reviewed
3. Coordinate any access in accordance with this policy
4. Interface with law enforcement if needed

Board members should **not** conduct private investigations or confront individuals.

9. Confidentiality

All Board members and agents accessing footage must maintain strict confidentiality. Disclosure of footage or images without authorization is considered a violation of fiduciary duty and may result in disciplinary action, removal from committees or office, or referral to legal counsel.

10. Transparency and Member Communication

The Association will annually notify homeowners that:

- Cameras exist

- Purpose of surveillance
- General retention period
- How to report incidents

The notice will not include camera locations for security reasons.

11. Policy Review and Amendments

This policy will be reviewed annually by the Board and may be amended by majority vote. Revised versions will be distributed to all homeowners within 30 days of adoption.

To: Board of Directors

From: Laura Lino, General Manager

Date: February 10, 2025

Re: Association Authorized Signatories

Summary:

Cardinal Management has advised that the Association's authorized signers are outdated and has recommended updating as soon as possible. Authorized signers are able to sign checks, contracts, and legal documents on behalf of the Association, are also able to manage Association bank accounts, and are typically members of the current Board of Directors.

In order to update the Association's authorized signers, a Board vote is needed to designate and approve members for this role. It is recommended that the Board designate (3) members as authorized signers, ensuring coverage in case of emergency situations and/or member unavailability.

Action Needed: *VOTE NEEDED* to designate (3) Board Members to serve as authorized signers on behalf of the Association.

Management Recommendation:

Designate the following signers (in ranking order):

1 – Matt Ellia, Board President

2 – Martin Westphal, Board Vice President

3 – Mark Fortune, Board Treasurer