



The Shadowword

Winter 2008

WINTER PRESIDENT'S LETTER

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www.shadowwoodcondos.com

As you know, Shadowwood's Annual Meeting of the Unit Owners is Monday, March 3rd, beginning at 7 PM, with refreshments and time to meet your neighbors, members of the leadership team and Armstrong Management Services on-site and support staff. The business meeting begins at 8 PM sharp and should conclude between 9:00 and 9:30 PM.

Two seats are available on the Shadowwood Board of Directors. Unit owners in good standing may run for these seats. Applications for those seats are posted on the SCA website and are available at the on-site office in the clubhouse.

Please see the annual meeting notice being separately delivered to you for additional materials, a proxy form and a list of accomplishments and achievements of the current leadership team. The accomplishments list is printed in this special edition *The Shadowword*.

Please note that this is a meeting of the SCA unit owners only. Tenants, although valued members of our community, are not unit owners and may not attend the meeting. As with last year, please bring identification as all unit owners must show proof of identification. Only recognized unit owners may attend.

This year, there is an unusual and contentious contingent of disgruntled unit owners who believe their concerns warrant overthrowing the current board of directors and replacing them with an unknown group with no announced agenda, platform or any other publicly shared information. Members of this group apparently meet in secret, do not share information with the community and have wildly distorted factual events to suit themselves.

This group has refused to meet or even communicate with the current leadership team and members of this group have incredibly and outrageously attempted to interpret the SCA governing documents and the law to suit their needs. ***Self-serving behavior is not compatible with any public office or SCA Board membership.*** We are shocked by this appalling, unprofessional and incredible behavior—it's utterly amazing that this small group of unit owners is calling for a return to chaos, little or no rule enforcement and abandoning procedures that this board has implemented based on loud calls for change from our community.

In short, ***this group wants you to pay*** for their actions, inactions, negligence, failures to act and rule violations from improper trash disposal, damaging the common elements, noise and behavior violations and failure to account for tenant behavior.

Please see letters in this special edition of *The Shadowword* for details on this group, the facts surrounding their own affairs and other matters that apparently and conveniently have not been disclosed. A former Board President, Mr. Lou Goddard, has written his own letter and offered to mediate between this group and the leadership team. I cannot imagine a more conciliatory action and yet this group has arrogantly ignored it and continues with its dubious actions and secret meetings.

The current Board of Directors strongly encourages you to do your due diligence on any member running for the board of directors, including any board member running for re-election, and to ask for all of the facts from any potential candidate including that person's agenda, motivation for serving and their financial standing within the community before you vote.

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President's Letter Continued

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If you cannot attend the meeting, please submit your proxy voting forms with your wishes clearly marked. Signed proxies should be dropped off at the clubhouse or given to any member of the leadership team. Your proxy must be signed, or it is invalid.

As a reminder, we must have at least 10 percent of the recognized unit owners present to conduct business, so your presence or proxy is vital!

Other news and updates:

To reduce costs, the Association is no longer mailing return envelopes with the monthly statements. This small change should save the association in excess of \$5,000 per year. Please be sure you are mailing your assessment payments to the address printed on the statement's return portion or paying in person at the AMS offices in Fairfax, VA. **DO NOT mail or deliver your payments to the SCA on-site office.**

The leadership team has identified two viable options for HVAC replacements. Both are all-electric heat-pump solutions that will give residents control over whether heating or cooling is operating in their units. Both systems will enable the Association to charge back all costs of HVAC operation to those who use it and both solutions will allow SCA to stop using extremely expensive (and market volatile) natural gas for heating.

The Association has eliminated preprinted stationery and uses its in-house equipment to print all letters and other branded communications. This act reduced our \$11,000 stationery budget to \$0 and we are now making much greater use of the internet, TV Channel and website. If any residents would like to participate in any of this effort, please contact the office or send me an email at president@shadowwoodcondos.com.

As many of you have requested, the Armstrong staff began the year with a complete property walk-through and inspection. Although Armstrong staff made some mistakes in the first inspection, the Board reversed all of those errors. Inspections will continue throughout the year as time and weather allow.

That being said, it's still very disappointing to see so many violations of our rules and regulations and it is a time-consuming and expensive burden for the association to mail letters reminding unit owners and residents to follow the rules. For those who do not follow the rules, many of these letters bear news of assessed administrative fees (including the postage charges) – that is, the Association is now assessing those who cause the association to bear extraordinary expenses to pay for those expenses. Unless assessed owners provide compelling evidence of an error made by the association, the board will not waive or reduce these fees.

For new residents, please note that the association provides in-unit pest control and leak repairs to leaking faucets and toilets. Please see the website or visit the office for more details.

As a reminder, landlords and owners may NOT transfer parking permits when occupancy changes. The association is aware of these changes and has directed the parking-management contractor to tow parked vehicles with transferred decals. The association will not, under any circumstances, refund ANY parking or towing charges.

Spring will be here soon and with it our resumed landscape renovation program. Reston Association approved the first phase of our rejuvenation program and the association again will be conducting a competition for the nicest balconies and patios. Get a head start and start planning now!

Tree trimming and removal is continuing this winter. Contractors, arborists and landscapers are reducing dangerous overgrowth and removing invasive species and other dead or declining plantings unfit for our community and those that prevent turf and other ornamental plantings from thriving. This is, of course, in direct response to calls from you, the community members, for landscape improvements. Funding for these projects was unanimously approved by both the Budget Committee and the Board of Directors.

With best regards,

Brian Olivia
President

SCA Calendar

February 16, 2008

Hearings Committee – 9:00 AM

Board Meeting – 10:00 AM

SCA Clubhouse

March 3, 2008

Annual Meeting – 7:00 PM

SCA Clubhouse

March 15, 2008

Hearings Committee – 9:00 AM

Board Meeting – 10:00 AM

SCA Clubhouse

OPEN LETTER TO THE COMMUNITY FROM THE BOARD

Serving on the Shadowood Board of Directors is far from glamorous. We volunteer our time and services and often have to make difficult or unpopular decisions. That is the nature of the job and we take our duties seriously. Unfortunately, there is a small but vocal minority within our community who are upset with various decisions made by the Board or, as is more often the case, the Hearings Committee. Unfortunately, and despite repeated calls to the community, only Shadowood Directors have recently volunteered to serve on this committee. It is also unfortunate that a small few, by their actions, discourage community participation and, as is generally the case, this small few also do not step up to serve.

When a member of our community complains to Shadowood that they have a bad neighbor, a neighbor who is not living up to his or her responsibilities as a Unit Owner, or when information otherwise comes to light that a Unit Owner is not living up to those responsibilities, the Board or the Hearings Committee is compelled by their duties to act. This community elected us to serve and to do that which we do.

Unfortunately, this small but vocal minority is attempting to rally support behind removing Brian Olivia, if not the entire board, from office. This minority will tell you how horrible the Board is and how we are like dictators or Nazis but please note that they will generally not tell you why they are upset with us. Even if they do state a reason why, our experience tells us that what is being said is usually not the complete picture. When the Hearings Committee meets to discuss matters, we strive to obtain information from all sides. You need full information in order to make a logical and rational decision. To help you with any decision you need to make, please note that among those neighbors upset at the Board or the Hearings Committee are those who:

- For approximately one month, had raw sewage leaking into the unit below. When it was not repaired, Shadowood took action, made the repair, and charged the unit owner for the costs. This owner is upset that YOU were not forced to pay for the repairs and damage caused by the owner's raw sewage.
- Unit Owners who have owed Shadowood considerable sums of money, including upwards of \$10,000, and are upset that Shadowood took action to collect these sums so that YOU bear as little cost of this burden as possible. Such actions have included suspending rights and privileges, as allowed by Virginia law and Shadowood's governing documents. Such rights and privileges include the ability to park on Shadowood property.
- Landlords whose tenants violated Shadowood's rules, often repeatedly, causing the landlord to incur costs instead of having YOU incur costs.
- Unit Owners upset that Shadowood cracked down on loud, obnoxious, or destructive behavior by their children or the children of their tenants.
- Unit Owners who violated Shadowood's rules and incurred costs for such violations, e.g., counterfeiting parking decals, allowing their dogs to defecate on the property and not cleaning it up, throwing their garbage on the ground, and many others that result in costs to Shadowood. Instead of making YOU pay for this, the Board made sure the Unit Owners responsible did so.
- Landlord's whose tenants have damaged or destroyed Shadowood property and who the Board made pay for such damage instead of making YOU pay for the damage.
- Unit Owners upset that they have been called to a hearing based on a complaint from one or more of their neighbors and are upset that we will not reveal who filed the complaint. If YOU ever filed a complaint, they are upset that the Board would not tell them it was you.
- Unit Owners upset that they have not been allowed access to YOUR personal Unit Owner file and YOUR personal information. This Board will keep your personal information private unless compelled to reveal it by law.

Has any member of this vocal minority ever told you why they are upset, other than some broad allegation about how we are all Nazis and dictators? Of course, if they want YOU to pay for THEIR actions, why would they ever give a real reason? Please ask this angry minority if they have suffered costs because of their actions that otherwise YOU would have paid for. If they get their way, who do you think will get to pay next time? Please ask these individuals what they have done for our community. What committees have they served on? Have they volunteered to serve on the Hearings Committee, especially if they are so upset at a decision of this Committee? Can they name any POSITIVE thing they have done for our community that helped make Shadowood a better place to live? What is the long-term plan and goal other than throwing people out of office? Who is going to step up and put in the incredible time and effort put in by Brian? Frankly, who can even do so? No one else on the Board, as we all work full-time jobs, is able to do so. Which one of these angry individuals is doing so now to prove they will do so in the future?

Every single member of the Board has disagreed with a position or vote taken by Brian, sometimes often so. It

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Open Letter from the Board

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is agreed by the rest of the Board, however, that Brian goes above and beyond for this community, including and especially when implementing decisions of the Board where Brian was in the minority vote. I challenge you to find another Board President who even begins to put in the time and effort put in by this man for our community or who has the institutional knowledge of a community like Brian has of our community. Frankly, it because he does so much and is so active that Brian is seen as a target for anger over Board or Committee decisions.

This Board has frequent disagreements but we try very hard to build consensus. Many Board decisions are not unanimous or are unanimous only when different sides compromise on a decision. With 450 Unit Owners, very few decisions will ever have unanimous community approval. That is just the nature of a condominium. Take a look at what this Board has

done. Look at the achievements and think of how they have benefited Shadowood and, as a consequence, benefited YOU. Please compare this Board with the Boards of other communities or compare our community with others. We welcome it. As you do so, think of what Shadowood would be like if this angry minority were to lead your community.

Serving on the Board is often a thankless job. Nevertheless, we cannot allow a small number of Unit Owners, especially those whose neighbors identified them as bad neighbors, to harm this community. This community voted us in and this community can vote us out but YOU should make YOUR decisions based on all of the facts and based on what is best for OUR community.

We hope that the actions of a small number of disgruntled individuals do not discourage you from participating in this great community. Thank you for your time and we look forward to seeing you at the Annual Meeting.

- Removed all incandescent lighting from 148 utility rooms
- Installed mechanical timers in 148 mechanical rooms
- Removed electric heaters from 148 mechanical rooms
- Completed and delivered all policy resolution updates
- Further reduced telecommunications costs with VoIP solutions
- Renegotiated several contracts at significant savings
- Completed island re-landscaping project
- Renegotiated cleaning / janitorial contract with more services (six days a week compared to five) for less money
- Increased police presence on the SCA property and continued partnership with Fairfax County Police with information sharing program.
- Significantly boosted SCA rule and regulation enforcement at the request of unit owners.
- Rented two SCA-owned units with no-cost property management services. Income to SCA of about \$40,000 per year.
- Further reduced unnecessary expenses and significantly increased reserve contributions
- Paid staff reduced from 10 (2004) to 4 (2007)
- Maintained water savings through no-cost contractor
- Completed management-agent transfer
- Managed EMS at no cost to SCA
- Negotiated with Dominion VA Power for significant rate reductions
- Began natural gas aggregation program for further natural gas savings
- Competitively bid all landscaping and cleaning contracts; converted to SCA-favored contract format
- Sold the SCA-owned van as an unneeded item : Savings @ \$5,000 per year.

2007 Board of Directors' Accomplishments

- Completed clubhouse and office space renovation – under budget
- Completed clubhouse code-compliance project bringing the SCA clubhouse up to code for the first time in 30 years
- Clubhouse ADA compliance project completed
- Rewired clubhouse removing dangerous wiring
- Improved clubhouse landscaping replacing it with crepe myrtles and perennials
- Repaired defectively installed and maintained smoke detectors in common element stairwells
- Terminated MSI/ADEC (sub-meter) contract after years of mismanagement and contract noncompliance
- Completed power washing all sidewalks and trash enclosures
- Renewed management contract at same price for 18 months – savings to the unit owners approaching \$50,000 per year compared with self-management
- Retained a CMCA-certified property / site manager for the first time in 10 years.
- Removed clubhouse gas heating system saving unit owners at least \$15,000 per year
- Continued with HVAC committee work program identifying two valid heat-pump options
- Negotiated no-cost submeter replacement service program
- Removed 150 electric heaters from the storage and utility rooms. Savings on electric bills to be realized in the upcoming months
- Locked in natural gas pricing for significant savings

OPEN LETTER TO THE COMMUNITY FROM FORMER BOARD PRESIDENT, LOU GODDARD

On Sunday 9 December, I received a flyer at my door from Mihai Alexei regarding anger against the current Board of Directors and specifically Brian Olivia, the current Board President. I was so angry after reading this that I threw it away as it contained a lot of misinformation. I subsequently received an anonymous letter at my door asking me to attend a meeting on 18 December suggesting I run for the Board. Since then, I have been approached several times on the common elements requesting my assistance with both sides of the adversarial groups. I have decided to offer my assistance to act as a mediator between the two groups. I can be reached via my e-mail address:

Lou_Goddard@yahoo.com.

My experience is that of a 30-year Shadowood resident with over 14 years of volunteer service to the community including serving on the Board of Directors in the 80's and 90's and serving on many committees. I also have been slapped with rules and regulation fines, late fees and interest, so I truly have had my feet in both camps.

I have personally witnessed instances in meetings where Mr. Olivia did not handle communication well with co-owners at meetings and I was even embarrassed. But at the same time I witnessed arrogant co-owners at Board and Annual meetings that have no idea what the words "effective communication" meant.

Let me address and correct some specific items that were included in Mr. Alexei's letter that got me so angry in the beginning. There are two sides on every coin and Mr. Alexei did a very poor job of disseminating information. I am only addressing items in his 9 December letter.

Rules & regulations, fees and fines, policy resolutions – Mr. Olivia did not set these up. They were in place way back in the 70's when the first Boards were in place. Every new Board has tweaked them and implemented new ones when necessary. You the co-owners elect the Board to run the business of the association and all these items are always discussed during open Board meetings which has always encourage input from the community during discussion. I used to write and

edit *The Shadowood* newsletter for many years updating all co-owners and tenants on these items. We still have *The Shadowood*, but also now have a web site and Shadowood TV channel to disseminate this information.

Waiver of late fees – Shadowood has an annual budget which assumes all co-owners will make their monthly assessments to fund budgeted items. Failure to make an assessment payment deprives all the other co-owners the ability to execute the budget, pay the Association's bills, accrue interest, fund reserves, etc. I personally had to pay late fees and interest last year when I fell behind due to the health expenses of my dad. I caught up, licked my wounds and moved on. My dad died this past August. What would the alternative be – to let the Association fall behind on its bills and financial responsibilities due to the actions of a few unit owners?

Raising condo fees – I do not attend monthly Board meetings due to my schedule, but even I knew why the monthly assessments were going up as I read the Board communication and it was discussed during the Budget Committee meetings. There is no reason to be uninformed. Shadowood has NEVER had a special assessment and I'd much rather pay an increased monthly assessment to pay for a new HVAC system then have to come up with thousands of dollars at one time. I live payday to payday like many of you and my most recent assessment was the highest it has ever been. Yes it hurts, but I'll adjust somehow.

Parking rules – my goodness, blaming the current Board for a policy implemented in the early 80's. Thank goodness we have a policy. We used to have one unit (for example) park 4, 5, and sometimes 6 vehicles on the property. So when my wife got home at 1am, she had to walk home sometimes a half mile in the middle of the night. There are 450 units and only 695 parking spots. Do the math. And yes – I have been towed 3 times and got very angry because the towing company did not see my sticker. Only once was my fault. And what's the big deal about towing the cars to Chantilly? It's a 15-minute drive and tell me how many towing storage lots are in Reston! Do you think every resident

would follow the parking rules if there was no chance of towing?

Non-resident board members – HOORAY for them. We used to have to beg and plead to have a non-resident co-owner run for the Board. We needed their insight from a different perspective to make the Board better. It definitely made for a better Board of Directors.

Association books and secret meetings – Contrary to the letter, Shadowood's books are available to co-owners – always have been and always will due to the law and Shadowood policy. There are certain items that are available only to the Board, which is why you elected them to represent you. This involves specific legal actions against co-owners and for HR/personnel issues. Liability does not allow dissemination of this information. The secret meetings are called "executive session" which can only be called to discuss these same two items. Again, this is why you voted in the Board members to represent you. Do you want your personal information including finances broadcast to the community? I don't – that's why the Board handles these sensitive matters during executive session.

I've addressed many of Mr. Alexei's issues without any knowledge of what caused all the anger. I'm sure he has some legitimate issues. You must also remember that there are 5 members of the Board. Only a majority can approve or pass on any current issue. Mr. Olivia cannot dictate anything. Even when I was President, I simply ran the meetings and made a lot of the motions based upon my research and data provided by the staff. If an item failed to pass, then we moved on but the entire Board then supported the group decision, regardless of how they voted. It's called democracy.

I hope I have proven I have some experience with homeowner association management as well as being on the wrong financial end of rules, regulations and towing. If you would like me to mediate any issue or provide an experienced opinion, please feel free to contact me.

Lou Goddard
Former SCA Board President



Shadowwood Condominium Association
11639 Stoneview Square
Reston, VA 20191-2952
www.shadowwoodcondos.com

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Board of Directors

Armstrong Management Team

President

Brian Olivia

Site Manager

Steve O'Bannon

office@shadowwoodcondos.com

Vice President

Rod Newhouse

Maintenance Engineer

Hernan Contreras

Director/Secretary

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Director/Assistant Secretary

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