

BEACON HILL COMMUNITY ASSOCIATION

ADMINISTRATIVE RESOLUTION No. A23-01

Design Review Committee Terms of Reference

WHEREAS, it is in the best interest of the homeowners and the Beacon Hill Community Association (BHCA) to have a Design Review Committee to assist in reviewing and deciding upon architectural change requests, and

WHEREAS, Article 4, Section 4.1 of the Bylaws states, “The business and affairs of the Association shall be managed by the Board of Directors;” and

WHEREAS, Article 10 of the Bylaws states, “The Board of Directors may appoint such committees as it deems appropriate in carrying out its purposes;” and

WHEREAS, the Board of Directors deems it desirable to establish a committee of homeowners to advise the Board of Directors, in a reasonable and productive manner, on issues affecting the modification, alterations, and design change request plan elements with respect to their impact on the aesthetic quality of Beacon Hill community.

NOW THEREFORE, be it resolved that a Design Review Committee shall be established, and that the following Terms of Reference for this committee be adopted and implemented herewith:

A. RESPONSIBILITIES

The primary responsibility of the Design Review Committee is to advise and provide assistance to the Board of Directors, in a reasonable and productive manner, by reviewing and deciding upon change requests, in the realm of the Associations’ architectural scheme. In accomplishing this goal, and ensuring compliance with Article 7 Design Review and Architectural Control of the Declaration of Covenants, Conditions, Easements and Restrictions, the Board of Directors shall delegate to the committee the following tasks and may from time to time include other Ad Hoc responsibilities:

1. All Committee members shall become completely familiar with the Associations’ architectural guidelines.
2. All Committee members administer all homeowner applications based on current HOA covenants and bylaws without bias or malice.
3. The DRC shall administer all HOA member applications via a voting process. In the case of a tie decision, the issue will be submitted to the Board of Directors for resolution.
4. Committee members shall review and approve all plans for modification and alterations and elements with respect to their impact on the aesthetic quality of

the area whether submitted by residents, Boards, or the Board of Directors.

5. Committee members shall bring serious issues to the attention of the Board of Directors for further consultation.
6. Periodically review DRC document guideline standards for adequacy and updates. Present any proposed changes of the architectural guidelines to the Board of Directors for review and approval.

B. FUNDING

Association funding of the Committee activities, if any, shall be determined annually by the Board of Directors in conjunction with the annual budget. The Committee may also raise funds through fundraising events or by charging a fee for participation in specific events provided that all such fundraising events or fees are approved in advance by the Board of Directors.

C. ELIGIBILITY

Committee candidates and members need not be Members of the Association or representatives of Members, and may, but need not include architects, engineers or similar professionals, whose compensation, if any, shall be established from time to time by the Board of Directors.

Contractors paid by the Association may not be an active member of this committee. If Committee candidates and members are Members of the Association, they shall be property owners in good standing. Property owners are identified as owners recorded on the deed filed in Loudoun County. Good standing shall be defined as the absence of any liens, privilege penalty, assessment delinquency, architectural or covenants violation, or pending legal action with the Beacon Hill Community Association. A member shall not serve on more than one committee at a time. There shall not be more than one member of a household serving on the same committee at the same time.

D. APPOINTMENT AND TERMS

The Committee will consist of not less than three (3) nor more than five (5) voting members. If the Design Rules Committee has less than three (3) active members, the Board of Directors may vote to appoint an Association member in good standing to become an active and voting member of the committee effective immediately. Available voting committee seats will be advertised at least thirty days prior to appointment. Recruitment of candidates may be done through posting on the community website, announcement at the Annual Meeting, or by any other means deemed appropriate by the Board. The Board of Directors will strive to ensure that members from varying locations within the association are represented on its committees.

Interested homeowners must submit a completed application for appointment to the Community Manager.

All committee members who are members of the Association shall serve on a voluntary basis. No officer or member shall benefit or profit at any time for his or her services to the Association. All committee members shall keep in mind they have volunteered to serve in the best interest of the

entire community.

The Board of Directors will announce committee appointments each year at the Annual Meeting for terms beginning in January of the following year. The Board of Directors may make additional appointments throughout the year if vacancies occur.

E. **REMOVAL**

The Board of Directors may remove any committee member, including the chairperson, at any time. The committee may make recommendations to the Board of Directors regarding the removal of committee members.

A committee member may be removed, upon written notice from the committee chairperson, for failure to attend three consecutive committee meetings without notice or explanation.

F. **ELECTION OF OFFICERS**

In January of each year, members of the committee may make recommendations to the Board of Directors for the appointment of a chairperson. Other officers of the committee may be elected by the committee membership. The committee shall elect a Secretary who shall be responsible for recording accurate minutes of the committee's meetings and submitting them to the Board in a timely manner, for inclusion in the monthly Board meeting package. Minutes shall include a record of the date, time and place of each meeting. Minutes shall also include a record of committee member attendance and all votes of the committee. The committee shall also elect a Treasurer who shall keep an accounting of all income and expenses relating to the activities of the committee, and provide a full report to the Board of Directors via the Community Manager. The Treasurer shall maintain an activity fund account not to exceed the approved budget amount for use in purchasing items needed by the Committee. The offices of Secretary and Treasurer may be held by the same person.

The Chairperson, or his or her designee, shall be responsible for chairing meetings of the committee.

G. **MEETINGS**

All committee meetings shall be open to the membership. In order for the membership to be reasonably informed of committee meetings, the committee Chairperson shall ensure that all regular committee meeting dates of the committee are posted on the community website, and/or publicized through any other means of posting that the Board deems appropriate. If it is necessary for the committee to reschedule or cancel a meeting, the committee Chairperson shall notify the managing agent at the earliest possible time so that the membership can be reasonably notified. The committee Chairperson shall be responsible for contacting the members of the committee regarding rescheduled or canceled meetings.

The committee Chairperson shall designate a time period on each meeting agenda for resident input.

A majority of the members of the Committee must be present to convene a meeting or conduct formal voting procedures. A majority vote of members while a quorum is present shall constitute a decision of the committee. All voting shall be conducted in open session. Committee members must abstain from voting on all motions of paid contractors with whom they have a relationship (personal or familial). This is to avoid a potential conflict of interest for the oversight of the contractor's performance.

The Chairperson shall submit to the Board of Directors, via the Community Manager, a regular written report including, but not limited to:

1. A statement of how many meetings of the Committee have been held since the last report, a copy of the minutes for each meeting, a summary of the Committee actions, and the names of the members attending each meeting
2. Recommendations for specific action by the Board of Directors, including the estimated cost to implement each recommendation and the budget item to which such costs are recommended to be charged

H. **COMMUNICATIONS**

In the interest of ensuring strong communications between the Board of Directors and the committee, it is expected that the committee Chairperson, or his or her designee, will attend or submit a report for each regularly scheduled business meeting of the Board of Directors. The committee representative will present committee recommendations, update the Board on the status of pending committee tasks, request assistance from the Board, as needed, and answer any questions the Board may have regarding committee assignments.

The committee is expected to maintain regular communications with the Board Liaison designated by the Board of Directors, if any, and with the Managing Agent.

It is expected that the committee will provide accurate and timely information about its activities. It is the responsibility of the committee to ensure that this information is provided to the appropriate persons to be updated on a regular basis.

I. **SUB-COMMITTEES**

The committee may designate volunteer sub-committees to work on specific projects on behalf of, and at the direction of, the committee. Sub-committee volunteers are not voting members of the committee unless they have been appointed as such in accordance with Paragraphs C & D of this resolution. The sub-committee shall report directly to the Committee Chair or a designated Committee member. All activities coordinated under a sub-committee must be approved by the Board of Directors.

Approved by the Board of Directors: April 10, 2023