

4/6/2017

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Erin Collins

NRC Chairperson, 2017

Brandermill Community Association, Chairman of Board
3001 East Boundary Terrace
Midlothian, VA 23112

Re: April 2017 BCA Board meeting and Actions

Dear Chairman Davis,

I serve as Chairperson of the Neighborhood Residents' Council (NRC) for 2017 and recently sent the BCA Board two letters in that capacity. Today, I am writing to you as an individual as I have not shared this letter with my fellow NRC officers or asked for their feedback on the text contained herein. Thus, this communication (unlike my letters regarding pools and operations of the BCA) should be considered representative of only myself and not representative of the NRC or its officers.

Following the April 3rd, 2017 BCA Board meeting I received communication from BCA Board member Ann Hunt, who serves as the BCA liaison to the NRC. Ann communicated that following a discussion, the Board instructed her to deliver two messages to me:

- 1) That the Board wished for me to be more considerate in the timing of my letters.
- 2) That I should be advised that I and the NRC, as well as all committees, serve at the pleasure of the BCA Board.

This letter serves as receipt of those two points. I have had following conversations with other Board members corroborating that such a discussion occurred.

On the substance of the first point, it is not my intention to inconvenience the Board with the timing of letters. The pool letter contains long debated and public issues and shouldn't come as a surprise to anyone. I am looking forward to the forthcoming written response, as we are continuing to receive questions from the members.

For the second letter, I'd submit that we don't have a good avenue by which to converse with the Board. You'll note in my comments during member voice that I stated I was not going to address that letter at all, wishing to give the Board time to absorb and process the material therein. I didn't want to, nor would I think it proper, to put the Board on the spot in that way. I



also recognize the sensitive nature of the information of that letter which is why it has not been made public up to this point. While we take seriously the responsibility to communicate issues to the BCA without muting the topics, we recognize that on these particular issues it may be most productive to try to open a dialogue between NRC and the Board as opposed to having public discourse over it. If the Board has suggestions as to how we can best communicate in the future, I'm open to it.

Having said all of that, I'm deeply troubled over the message itself and that I was in any way the discussion of the Board without my knowledge or notice.

Please respond immediately with the minutes and recording of that discussion in regular session. If no such documentation exists, I am left to believe that this conversation took place in executive session after Director Hunt made such a motion to adjourn into executive session and association members were excused from the meeting.

If it occurred in executive session, I ask you to reply in writing citing your authority to have an executive session that included topics regarding me, or the NRC letters.

Virginia law states:

§ 55-510.1. C., Meetings of the board of directors. The board of directors or any subcommittee or other committee thereof may convene in executive session to consider personnel matters; consult with legal counsel; discuss and consider contracts, pending or probable litigation and matters involving violations of the declaration or rules and regulations adopted pursuant thereto for which a member, his family members, tenants, guests or other invitees are responsible; or discuss and consider the personal liability of members to the association, upon the affirmative vote in an open meeting to assemble in executive session.

As I am not personnel, no contracts, debt/liabilities or litigation are at issue with NRC, no covenant violations are pertinent to the NRC, and no legal counsel was present, I struggle to understand why I or the NRC were the subject of any discussion in executive session. Additionally, an instructed message of the Board through Director Hunt constitutes an act of the BCA Board. This direction to Director Hunt requires an affirmative vote in regularly convened session.

Legal formalities of the executive session aside, I find the second portion of the BCA Board's message both unprofessional and offensive. Given the context, a reasonable person can only interpret the message of serving at the Board's pleasure as an implicit threat both to me and to the other NRC officers.

As a good will gesture on my part, I am giving you and the BCA Board an opportunity to withdraw your "message" in writing toward a shared path of the betterment of Brandermill. If

NRC Chairperson, 2017

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you and the Board would like to propose a more healthy and productive communication path with the NRC, I'm happy to discuss it.

Sincerely,

Erin Collins

NRC Chairperson, 2017

Cc:

BCA Board of Directors

BCA Community Manager