

**NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING**

February 6, 2008

Proposed Minutes of the Meeting

Meeting started at 7:02 pm. President Armand Boyd presided. Board members in attendance included Treasurer Dave Rundgren, Secretary Chip Catherine, Director John Nolan, Director Kimberly Nagel, and Director Neil Oxendine. Vice President Al Roy was not in attendance.

HEARINGS AND APPEALS

Lot 394 had an opportunity for a hearing on a trash violation but was not in attendance. Lot 129 had an opportunity for a hearing on an architectural violation but was not in attendance.

COMMUNITY FORUM

A resident asked the Board if they could contact the State about the condition of Delong Drive. She stated previous Boards had inquired and the State felt that the streets were not in very bad condition.

A resident asked about the medieval group that meets at the top of Northumberland and if they have permission to use our grounds. The land under the power lines is owned by Fairfax County Park Authority, not NCA. There were comments that trash was being left behind by this group but they had been approached about cleaning it up. This resident was also concerned about a property on Moline Place that is for sale but not in good condition. She was told that when a resale package is requested, the violations on the property will be noted.

A resident attended because of her concerns with the conditions on her street. She stated that a neighbor is putting trash out in open bags and then trash is ending up all over the ground. She also has a neighbor whose fence is falling down, gutters are pulling from the house, the back gate has fallen and the back yard is full of trash. Director Nagel said she would look into the architectural issues. The Board agreed that a reminder needs to be issued that trash must be placed in secure containers.

APPROVAL OF MINUTES

Secretary Catherine made a motion to accept the minutes of the January 2, 2007, Board of Directors meeting. Director Nolan seconded the motion. Vote: 6 yes.

PRESIDENT'S COMMENTS

President Boyd stated he was glad to see increased attendance at the Board meeting and that it was nice to see some new faces.

OLD BUSINESS

FINANCE

Brenda has not been able to get the auditor to commit to a meeting to discuss outstanding 2006 audit concerns but is working on it. The CM informed the Board that she found out that it is NCA's responsibility to file an insurance claim as soon as they are aware of a loss and then have 120 days to provide the final amount. A letter was sent to NCA's insurance company officially notifying them of a loss under the fidelity insurance policy. The letter stated that NCA is at a loss of \$7000 from the 2005 audit and the amount is unknown for 2006. The insurance company contact stated that he would grant an extension if the 2006 amount was not available at the end of 120 days.

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POOL

The Board discussed the draft of the 2008 pool rules. One Board member recommended three changes to the rules. One, replace the wording guest pass with guest credits everywhere except for the description of an Annual Guest Pass. Two, add 'first business day' to the section on when a security deposit would be returned. After additional discussion, the sentence 'NCA retains the option to conduct an inspection prior to the return of the security deposit' was added in this same section of the Pool Rules. Director Nagel made a motion to accept the 2008 pool rules with the above noted changes. Director Nolan seconded the motion. Vote: 6 yes.

ARCHITECTURAL CONTROL

Director Nagel is still working on the changes to the Architectural Standards to address concerns about the definition of 'good repair' and will be scheduling a time to discuss those changes with her volunteers before presenting to the Board.

Two properties have gone through the violations procedure, been fined and still have not fixed up their properties. Director Nagel was given copies of all letters from the files pertaining to these violations. Director Nagel felt that without pictures, NCA should go through the procedure again. The CM mentioned that the letters show that the procedures have been followed and that pictures are not required. After discussion, it was agreed that the letters would be sent to NCA's attorney for advice on how to proceed and if documentation was adequate to get the violations corrected.

GENERAL

The CM has had very little luck getting return calls from the engineers at Verizon to find out what it would cost to get FIOS in the community office. Vice President Roy had offered to follow up on this issue but was unable to attend this meeting to provide an update.

STREETS and MAINTENANCE

Towing – As part of an ongoing discussion on the issue of towing, President Boyd asked each of the Board members their opinion on the current NCA policy and the use of Dominion Towing. Everyone felt the policy was very lenient. One Board member even suggested shortening the grace period from 30 days to 7 days. It was agreed that no one likes getting towed and people probably get nasty with the tow

company when they pick up their vehicles. Some felt switching to a new company would be a good idea. The residents usually complain about the immediacy of towing as soon as the deadline is reached and the treatment they receive from the tow company. The CM provided some information on other local tow companies and their complaint records, 24 hour availability and locations of their lots. After much discussion it was agreed that NCA would not change tow companies at this time but would speak to them about how our residents are treated.

Moline Place – GJB Engineering was unable to provide an update on the September bids to reconstruct Moline Place. They did want the Board to know that this work could not start until the ground was dry, possibly May. When the updated bids are in they will immediately be sent to the Board.

Maintenance Plan for Community Sidewalks, Curbs and Paths – GJB Engineering was asked to provide a quote (\$6,650) to inspect all community sidewalks, curbs and paths and report with exhibits on all repairs needed with type and priority. Director Nagel made a motion to accept the contract. Director Oxendine seconded the motion. Vote: 6 yes.

NEW BUSINESS

FINANCE

The CM reviewed the year end financial statements with the Board. NCA currently has \$652,000 in reserve investment accounts. NCA ended the year with \$22,000 in net income. Some items on the income and expense statement that were highlighted for the Board included the fact \$17,000 in Legal Fee Reimbursements were unusually high. Late Fee Income, which is not budgeted for, was \$7,000 and is offset by Delinquency Processing, also not budgeted for, of \$7,000. The statement showed the pool contractor being paid \$300 more than they were contracted for. NCA was overcharged back in March and this was fixed. The largest variances were \$4,000 over budget in Trash Collection and \$6,000 over budget in Legal Expenses. The net income was discussed by the Board. The CM noted that the auditor recommends NCA's owner's equity be approximately 5% to 10% of annual assessments, which is \$23,000 to \$46,000. Current owner's equity is \$7,000. The Board asked the CM to find out if any of the income could be placed in the Street and Curb Reserves.

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Write-offs. Due to three property foreclosures, the attorney has stated that NCA will be unable to recover \$1,076.84 in pre-foreclosure debt (assessments and legal fees) without spending substantially more in attorney's fees. Secretary Catherine made a motion to write-off \$1,076.84 as a loss to the Association. Director Nolan seconded the motion. Vote: 6 yes.

MAINTENANCE

Two quotes were provided to the Board for pressure washing and painting addresses on street curbs and yellow lane painting on Luce, Matisse, Dampier, Red Ash, Eucalyptus, Rowanta, Godolphin, Cushing and Finlay. Director Nolan made a motion to accept ATS Services as the contractor at a cost of \$8,770.90. Director Nagel seconded the motion. Vote: 6 yes. The quotes were very close but ATS provided a two year guarantee.

GENERAL

The Board discussed the possibility of turning the tennis courts into one tennis court and one basketball court. The surface would have to be repaired anyhow due to the large cracks and moving the basketball court into the fenced area would prevent outside NCA use. President Boyd will discuss this further in an article in the newsletter.

At 9:15 pm, Director Nagel made a motion to adjourn to Executive Session to discuss hearings. Treasurer Rundgren seconded the motion. Vote: 6 yes

EXECUTIVE SESSION

At 9:25 pm Director Nagle made a motion to leave Executive Session and return to Open Session to vote on the appeals. Secretary Catherine seconded the motion. Vote: 6 yes.

OPEN SESSION

Regarding Lot 394, Secretary Rundgren made a motion to assess the owner \$50 for the trash violation. Director Nolan seconded the motion. Vote: 6 yes.

Regarding Lot 394, Director Oxendine made a motion that probable cause exists and these residents should have a hearing on their architectural violation. Treasurer Rundgren seconded the motion. Vote: 6 yes.

Regarding Lot 331, Secretary Catherine made a motion that probable cause exists and these residents should have a hearing on their architectural violation. Director Nagle seconded the motion. Vote: 6 yes.

Regarding Lot 129, Secretary Catherine made a motion to assess the owner \$10 a day until the architectural violation is corrected starting March 21, 2008. Director Nagel seconded the motion. Vote: 6 yes.

Secretary Catherine made a motion to adjourn the meeting at 9:30 pm. Director Nagel seconded the motion. Vote: 6 yes.

NEXT BOARD MEETING: March 5, 2008, 7:00 pm, Pool House, open to all NCA residents.

GROUP RATES FOR LAWN CARE?

Many of us pay a contractor to cut our grass. We might be able to get a better price with a package deal. If you are currently hiring someone to cut your grass, please email or call me with your contractor's name and phone number, and I will call and see what would be charged for a group rate.

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EXECUTIVE SESSION

At 9:14 Director Nolan made a motion to leave Executive Session and return to Open Session to vote on the appeals. Director Nagel seconded the motion. Vote: 4 yes.

OPEN SESSION

Regarding Lot 83, Director Nagel made a motion to assess the owner \$50 for the trash violation. Director Oxendine seconded the motion. Vote: 4 yes.

Regarding Lot 330, Director Oxendine made a motion to assess the owner \$50 for the trash violation. Director Nagel seconded the motion. Vote: 4 yes.

Regarding Lot 375, Director Oxendine made a motion to assess the owner \$50 for the trash violation. Director Nagel seconded the motion. Vote: 4 yes.

Regarding Lot 324, Director Nagel made a motion to assess the owner \$10 a day until the covenant violation is corrected starting January 18, 2008. Director Nolan seconded the motion. Vote: 4 yes.

Regarding Lot 59, Director Oxendine made a motion that the violation had been corrected and no assessment would be made. Director Nolan seconded the motion. Vote: 3 (yes), 1 (no). Motion carries.

Regarding Lot 305, Director Nagel made a motion to assess the owner \$10 a day until the architectural violation is corrected starting January 18, 2008. Director Nolan seconded the motion. Vote: (2) yes, 1 (no), 1 (abstain). Motion did not carry.

Regarding Lot 501, Director Oxendine made a motion that the violation had been corrected and no assessment would be made. Director Nagel seconded the motion. Vote: 4 yes.

Regarding Lot 129, Director Oxendine made a motion that probable cause exists and these residents should have a hearing on their architectural violation. Director Nolan seconded the motion. Vote: 4 yes.

Regarding Lot 138, the Board agreed to delay a probable cause vote on whether the shed had been completed and to look to see if there was instead a different violation that existed under Article 6, Section 16.

The CM asked the Board to review four lots that were sent letters assessing them \$10 day but different circumstances at each lot warranted a review.

Regarding Lot 6, some violations had been corrected but some had not. Director Nagel made a motion to assess Lot 6 the \$900 for not having

completed all the repairs. Director Nolan seconded the motion. Vote: 4 yes.

Regarding Lot 138, the violation had not been corrected by the deadline but was corrected by January 2, 2008. The community office was not called when the violation had been corrected. Director Nagel made a motion to assess the owner \$50 for the violation. Director Oxendine seconded the motion. Vote: 4 yes.

Regarding Lot 134, the violation has not been corrected. Director Oxendine made a motion to assess the owner the maximum \$900 for this violation. Director Nolan seconded the motion. Vote: 4 yes.

Regarding Lot 477, the violation still exists but because of the weather it is not possible for any work to be done to the yard. Director Nagel made a motion to assess the owner \$10 per from October 12, 2007 through November 16, 2007 and send a letter to the owner that the assessment will start up again April 1, 2008 if the violation continues after that date. Director Nolan seconded the motion. Vote 4 yes.

Director Nolan made a motion to adjourn the meeting at 9:59 pm. Director Oxendine seconded the motion. Vote: 7 yes.

NEXT BOARD MEETING: February 6, 2008, 7:00pm, Pool House, open to all NCA residents.

VOLUNTEER CALL TO ACTION (update as of 02/15/08)

As a follow up to the December issue's President Corner article, here is a status of volunteers for NCA Committees.

Architectural Control

Chair: 0 Volunteers: 1

Finance/ Audit

Chair: 0 Volunteers: 0

Maintenance—Common Grounds

Chair: 0 Volunteers: 0

Maintenance—Streets

Chair: 0 Volunteers: 0

Neighborhood Watch

Chair: 0 Volunteers: 0

Nominating

Chair: 0 Volunteers: 0

Planning and Development

Chair: 1 Volunteers: 0

Publicity (Newsletter and Website)

Chair: 0 Volunteers: 0

Recreation

Chair: 0 Volunteers: 0

Every Committee needs a Chairperson for the Committee to be active. If you have any interest in joining a Committee, please contact the community office or a Board member.