

**NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING
January 2, 2008
Proposed Minutes of the Meeting**

Meeting started at 7:00 pm. Vice President Albert Roy presided. Board members in attendance included Director John Nolan, Director Kimberly Nagel, and Director Neil Oxendine. President Armand Boyd, Treasurer Dave Rundgren and Secretary Chip Catherine were not in attendance.

HEARINGS AND APPEALS

The Community Manager (CM) read the list of lots that had an opportunity for a hearing. For trash violations, Lot 83 was in attendance. They stated they left several messages that they no longer live in the house, they rent it out. Vice President Roy explained that as the owners they are still responsible for all violations on the property and they might consider assessing their tenant for the violation. Lot 330 and 375 were not present. For covenant violations, Lot 324 was not present. For architectural violations, Lot 59 and 305 were not in attendance. The owner of Lot 501 explained that his windows have been taken care of.

COMMUNITY FORUM

One resident suggested that the newsletter should include the time of the Board meetings with a reminder that they are open to all members to hear what the Board is discussing regarding the operation of our community. Vice President Roy thanked the resident for the suggestion and agreed this should be added to the newsletter.

PRESIDENT'S COMMENTS

In President Boyd's absence there were no comments.

APPROVAL OF MINUTES

Director Nolan made a motion to accept minutes of the November 7, 2007, Board of Directors meeting. Director Nagel seconded the motion. Vote: 4 yes.

OLD BUSINESS

EMAIL VOTES THAT OCCURRED SINCE LAST MEETING

November:

Pool Contract Vote to accept Dominion Aquatics. 6 votes, all 'Yes'.

December:

- 1A) 2008 Accounting Contract. 7 votes, all 'Yes' to accept 2008 costs of services.
- 1B) Coupon Books vs. Quarterly Invoices. 7 votes, all 'No' to coupon books.
- 2) Waive 7 assessment balances of \$15 or less. 7 votes, 1 'Yes', 6 'No'.
- 3) Live tree pick up by private hauler. 7 votes, all 'Yes'.
- 4) Give CM and Assistant Christmas bonuses out of available balances still in salary budget line. 7 votes, 1 'No', 6 'Yes'.

FINANCE

Draft 2006 Audit. A draft of the 2006 audit has been completed, but the auditor has written NCA a letter stating he has concerns. The CM informed the Board that these concerns are a continuation of the problems with Koger as our accountant. Brenda at Summit has contacted the auditor to make arrangements to address his concerns. The letter states that it might be necessary for NCA to reconstruct the books as done for the 2005 audit. The CM reminded the Board that in May of last year the Board approved funds for Brenda to do this reconstruction but she only did the 2005 portion. The CM was asked to email the Board with the amount approved and what was left.

As an update, the CM informed the Board that an insurance claim could not be filed until the 2006 audit is complete because the claim must be submitted in total. The Board asked the CM to find out if there are any time constraints for filing the claim.

POOL

The Board was asked if they had any questions on the revisions to the Pool Rules. The CM stated that the biggest changes from 2007 were the use of guest credits instead of issuing guest cards and the section regarding violations of Pool Rules. The guest credits would be maintained in a card file by the person(s) having guard desk duty at the pool. The Board will provide comments to each other before the February Board meeting so the rules can be voted on by then.

ARCHITECTURAL CONTROL

Director Nagel is still working on the Architectural Process.

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GENERAL

Vice President Roy stated that he was very disappointed there were no responses to the newsletter article for volunteers. Changes can't happen in the community without help. A resident stated we need to get people in the door. She only started coming because she had more free time. There is going to be a CALL TO ACTION article in the newsletter stating how many people have come forward to volunteer their time. Director Nagel discussed using the website and sending community emails. Director Nagel will contact the Website Manager to discuss it.

Leaf clean up occurred twice but mostly before all the leaves fell and Vice President Roy is disappointed with the response to getting our community rid of leaves. He will be contacting the contractor directly to express his concern.

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 will do some follow up on this issue.

STREETS

Signs - Previously a resident suggested putting 'No Soliciting' signs up in the community. The cost is approximately \$30 each. The CM recommended permanent 'No Pets' signs on the ball field. Director Oxendine made a motion to put 3 'No soliciting or Trespassing' signs and one 'No Pets' sign up in the community. Director Nolan seconded it. Vote: 3 (yes) – 1 (no). Director Nagel wanted to know what budget line the money would come from. The CM recommended Common Area Materials and Supplies.

Towing – The Board discussed the most recent email sent to the Board from a resident who was towed for an expired safety sticker. The concern of the Board is how residents are treated when they go to pick up their vehicle. The Board was asked how they want to go in this matter. Most residents want warnings, but NCA doesn't have the manpower and it could be risky if there are confrontations as have happened in the past. They discussed whether the policy needs to be changed or not. The CM was asked to look at the contract with Dominion to see if it can be cancelled and to contact other towing companies. It was suggested that Consumer Affairs could give us an idea of who had the least complaints.

Moline Place – The Board discussed where they were at in the process of deciding how to proceed with repairing Moline Place. The CM explained that NCA had received three bids but the question came up with

regard to using concrete instead of asphalt. After October it became too late to have any asphalt/road work done. Director Oxendine had spoken to the engineer at GJB Engineering who stated that concrete is more expensive, doesn't maintain well, would be expensive to fix if any areas had underground water breaks and doesn't look good over the years. Director Nagel made a motion to proceed with looking at bids for asphalt instead of concrete. Director Nolan seconded the motion. Vote: 4 yes. The CM will call GJB to inquire as to whether the bids are still good so the Board can vote at the February meeting.

NEW BUSINESS

FINANCE

The Board discussed the fact that NCA is spending more on late and delinquent letters than it receives in late fees. The CM explained that NCA spent \$1700 in the fourth quarter on late letters and delinquent letters. Late letters cost NCA \$10 each and delinquent letters \$15 each. NCA's late fee is only \$15. The Board asked the CM to find out if the cost of these letters is passed on to the attorneys for collection. They also asked for more information on the 6% interest quoted in the bylaws. Director Oxendine made a motion to increase the late fees from \$15 to \$25 beginning the 2nd quarter of 2008. Director Nolan seconded the motion. Vote: 4 yes

MAINTENANCE

The Board discussed the need for a maintenance plan to cover repair of sidewalks, curbs and community paths. The Board agreed the CM will discuss a maintenance plan with the NCA engineer to prioritize needed work in the community.

ARCHITECTURAL

The CM presented to the Board two situations where residents have not fixed architectural violations despite having been fined the maximum amount. The next step is to consider legal action. Director Nagel will review the files before pursuing.

A resident attended the meeting late for a trash violation hearing. She explained that her husband puts the trash out when he returns from work at 5:30 in the morning and believed there was a mistake. She also offered to the Board her availability to provide Spanish translation as needed in the community.

At 9:12 pm, Director Nagel made a motion to adjourn to Executive Session to discuss hearings. Director Nolan seconded the motion. Vote: 4 yes

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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.



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