

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

March 5, 2008

Proposed Minutes of the Meeting

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

**HEARINGS AND APPEALS**

Lot 444 had an opportunity for a hearing on a trash violation but was not in attendance. Lot 394 was present for a hearing on a trash violation. The owner explained that the trash that was attached to the letter was not the name of his tenant. Lot 331 and 394 had an opportunity for a hearing on architectural violations but were not in attendance.

**COMMUNITY FORUM**

Mr. Lou Tobat, the Committee Chair for Planning and Development, informed everyone that the Army and VDOT have agreed to build the parkway between now and 2011. He explained that eventually parts of Rolling Road will be four lanes wide. He also said that some elements of the Defense Mapping Agency will be moving to Ft. Belvoir.

A resident asked the Board to remind his neighbor that on Kitchener there are designated trash pick up spots and that trash should not be left on the sidewalk where it can end up being missed and blowing into neighbor's yards. Director Nagel noted that there is no policy about where to place trash and that some streets do not place trash in designated areas. All residents should be using recycling bins for recyclables.

A resident informed the Board that the reminder on the use of trash cans should include secure plastic bags.

**APPROVAL OF MINUTES**

Director Nolan made a motion to accept the minutes of the February 6, 2008, Board of Directors meeting. Director Oxendine seconded the motion. Vote: 4 yes.

**OLD BUSINESS**

**EMAIL VOTES THAT OCCURRED SINCE LAST MEETING**

Probable cause vote that an architectural violation exists for Lot 290. 7 votes, all 'Yes'.

**FINANCE**

Brenda Conway, our Financial Manager, was able to perform an analysis on Koger's 2006 reports similar to what she did for 2005 and gave her findings to the auditor. She spoke to him last week and expects him to finalize and unqualify the draft 2006 audit by the end of this week. After it is finalized, she will need to restate the December 2007, and January and February 2008 financial statements. She only expects to make some changes to the balance sheet, not the income statement. Her estimate at this point is a discrepancy of \$4,400 for 2006.

**ARCHITECTURAL CONTROL**

Due to illness, Director Nagel is still working on the changes to the Architectural Standards to address concerns about the definition of 'good repair'. She stated she is working on making colors available to residents who would like recommendations on colors and styles to assist in the Exterior Project Request process. She would provide this information but note that no one is obligated to use those colors.

A letter was sent to NCA's attorney for advice on how to proceed on three properties that have architectural violations and been fined the maximum allowed. Director Nagel asked to get a copy of the response when it comes in.

**GENERAL**

The CM (Community Manager) finally has gotten a response from the Verizon FIOS engineer. He stated that a line could probably be run from a pole on Rolling Road and brought to the office/pool building. He stated this could probably be done in about a week. Secretary Catherine noted that he had done some research on a satellite dish for internet access at the office at a cost of \$80 per month and \$368 in installation fees. If Verizon doesn't bring a line to the office, this option could be considered.

Secretary Catherine mentioned that two teenage girls in our neighborhood are going to the State Basketball tournament. He felt this community should provide a basketball court for NCA youths. This discussion was tabled until the next meeting when President Boyd could provide more information on the topic.

## **STREETS and MAINTENANCE**

At the request of a resident, the CM contacted VDOT regarding the condition of Delong Drive. She has put in a request for patching. The CM also contacted our Supervisor's office to find out if Delong is scheduled for resurfacing since Northumberland just had been done. The response from VDOT was that Delong is not on their 2008 schedule and the 2009 schedule will be determined this summer.

Moline Place – GJB Engineering was able to provide an update on the September bids to reconstruct Moline Place. Of the five that bid in September, only one did not confirm their bid for this Spring. The Board discussed the two options that were bid on, option one being for part of Moline and option two being all of Moline. Of the four bids that were received, a Board member had previously expressed his concerns about one of the companies. This company happened to be the low bidder. The second lowest bid was only \$1,000 more than the lowest bid. Director Nagel made a motion to accept the option two bid from Tibbs to completely repair Moline Place at a cost of \$238,000. Director Oxendine seconded the motion. Vote: 4 yes.

## **NEW BUSINESS**

### **FINANCE**

Write-offs. Due to two property foreclosures, the attorney has stated that NCA will be unable to recover \$1,280.24 in pre-foreclosure debt (assessments and legal fees). Director Nagel asked about the legal costs to pursue these collections. The letters from the attorney stated it would cost NCA significant dollars to pursue. Director Nagel asked that the Board be given a cumulative total approved as new write-offs occur. Director Nagel made a motion to write-off \$1,280.24 as a loss to the Association. Director Oxendine seconded the motion. Vote: 4 yes.

The Board received an email requesting a waiver of the \$15 late fee for a late assessment payment. This resident has moved and stated she had called Summit and informed them of the new address. Director Oxendine made a motion to decline the waiver of a \$15 late fee. Director Nolan seconded the motion. Vote: 4 yes.

### **COMMON GROUNDS**

The CM attended a meeting at NCA's general counsel's office to address community questions and issues on common ground trees, i.e., who is responsible when they fall. One major point

expressed by the attorney's was that all communities should get annual inspections of all trees by a licensed arborists to protect themselves from litigation. The CM contacted NCA's common grounds contractor and asked about the cost feasibility of such a survey. The contractor responded that a survey of that magnitude would cost about \$4, 000 to \$5,000. However, he offered to have an arborist do an annual inspection at no cost as long as the tree work was given to them. Director Oxendine made a motion to have Blade Runners' Arborist perform an annual inspection of NCA's common ground trees at no cost for the inspection. Director Nolan seconded the motion. Vote: 4 yes.

Director Oxendine asked about the status of the signs that were approved for the ball field and common grounds. The signs have been ordered. Director Oxendine also asked why the soccer goals were locked to the fence. The CM explained that in the past when the goals were left out, a lot of teams considered it an open invitation to use the field without being residents of the community. The goals are heavy and it was recommended that one goal be attached to the front fence and the other to the back fence. Additionally, it was noted that the goals do not have nets. The CM recommended that there is a budget line for Youth Activities and that the purchase of nets could be considered. Director Oxendine would look into the costs.

### **GENERAL**

2008 annual elections – The CM mentioned that with the four members elected last year and three members elected in 2006, there is no election of officers at this year's annual meeting. Previous to 2004, there were elections every year. After some research it was found that in 2004 one Board member resigned and when the annual elections occurred, instead of appointing one member to complete the term for two more years that open position was included on the ballot and voted on with a three year term. The Board discussed some options to remedy the situation including having an election adding two new Board members to make it a nine member board. They also discussed having one member volunteer to change their term to expire in 2008. Most agreed that to fix the situation there needs to be a Special Meeting called and considered holding it prior to the annual meeting. It was agreed that this discussion would be tabled until next month when more Board members were in attendance and could express their opinions.

## **COMMON GROUNDS, continued....**

Clean up Day – The CM mentioned that every year NCA holds a community clean up day and that we would need someone willing to coordinate the event. The CM would order the trash truck but the person responsible would hand out bags, donuts, water, area assignments and take care of any flyers in the community. The Board suggested that we solicit a volunteer in the next newsletter. Clean up Day is usually held around Earth day, April 22<sup>nd</sup>.

Easter Egg Hunt will be run by the CM this year on Saturday March 15<sup>th</sup> at 1:00 pm. No one stepped forward to run the event.

NCA Community Yard sale will be Saturday, May 17<sup>th</sup>, rain date is the 18<sup>th</sup>. The CM will coordinate the annual NCA Yard Sale. People are already calling and inquiring as to when it will be. Information will be put in the newsletter.

Website – Director Nagel shared information she received from our website coordinator on the feasibility of setting up residents on email distribution lists of NCA announcements and eventually the NCA newsletter. To start Director Nagel will get notices put on the website and in the newsletter about collecting email addresses.

At 8:50 pm, Director Nagel made a motion to adjourn to Executive Session to discuss hearings. Director Oxendine seconded the motion. Vote: 4 yes

## **EXECUTIVE SESSION**

At 9:00 pm, Director Nagle made a motion to leave Executive Session and return to Open Session to vote on the appeals. Director Oxendine seconded the motion. Vote: 4 yes.

## **OPEN SESSION**

Regarding Lot 489, Director Nagel made a motion to not assess the owner for the trash violation because of the lack of evidence. Director Oxendine seconded the motion. Vote: 4 yes.

Regarding Lot 444, this owner has paid the \$50 assessment and the Board is satisfied with the response.

Regarding Lot 331, Director Nagel made a motion to assess the owner \$10 a day until the architectural violation is corrected, starting March 21, 2008. Director Oxendine seconded the motion. Vote: 4 yes.

Regarding Lot 394, Director Nagel made a motion to assess the owner \$10 a day until the architectural violation is corrected, starting March 21, 2008. Director Oxendine seconded the motion. Vote: 4 yes.

Regarding Lot 392, 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 467, 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. It was noted that their letter should include a statement regarding what the Board feels the resident needs to do to fix the violation.

Regarding Lot 350, 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 566, Director Oxendine made a motion that probable cause exists and these residents should have a hearing on their architectural violation. Director Nagel seconded the motion. Vote: 4 yes.

Director Oxendine made a motion to adjourn the meeting at 9:26 pm. Director Nagel seconded the motion. Vote: 4 yes.

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