

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

May 7, 2008

Approved Minutes of the Meeting

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

HEARINGS AND APPEALS

Lot 507 was in attendance for a hearing on a trash violation. The resident stated that she is a long time resident of the community and she did not put the trash out early. She felt the mailpersons do not put the mail in the right slots and the junk mail could have been put in someone else's box and then put in the trash. Another resident commented that there are often mail delivery substitutes that don't get the right mail in the right boxes.

Lot 383 was in attendance for a hearing on a trash violation. He stated that he made arrangements for American Disposal to pick up an appliance on a Thursday and put additional items out as well. When the trash company came, they informed him there would be an additional cost so he told them not to take it. He felt they should take everything.

Lots 349, 490 and 603 had an opportunity for a hearing on a trash violation but were not in attendance. Lot 264 provided a letter which would be read to the Board after Executive Session. Lot 338 had an opportunity for a hearing on a covenant violation but did not provide any comment.

COMMUNITY FORUM

A resident stated that they have problems with tent caterpillars and believes the community should take care of them. Vice President Al Roy stated that he had approved the caterpillars be sprayed and the Community Manager (CM) confirmed the work request had been passed to the grounds contractor.

A resident expressed concerns with the large bare spots throughout the common grounds. He stated that he has brought this concern to the Board before. The CM confirmed that seeding and aeration occurred in the Fall. Vice President Roy explained that there is a common grounds improvements budget of \$7,500 and that he has asked the grounds contractor to bring a 3 to 5 year plan to the Board for improving some problem areas but the budget doesn't allow for much. The CM

explained that even when spot seeding is done as part of an improvement project, the contractor doesn't water and the money could be wasted if someone doesn't water the area. The resident also mentioned that in the past that the Bradford Pears were thinned and if they are not they are susceptible to breakage. The CM stated that this subject came up two years ago and when she called the tree contractor he stated the trees had just been trimmed and that the trees were at their peak in age. He felt the community shouldn't spend more money on pruning but just replace them as needed.

Lou Talbot informed the Board that blasting has begun at Ft. Belvoir's Proving Grounds. He also informed the Board that transportation money has been pulled to widen Rolling Road between Fullerton and Delong. This alleviates, for now, concerns about the effect of widening the road on the NCA pool.

APPROVAL OF MINUTES

Director Nolan made a motion to accept the minutes of the April 2, 2008, Board of Directors meeting. Secretary Catherine seconded the motion. Vote: 6 yes.

PRESIDENT'S COMMENTS

President Boyd felt that Clean Up Day was a big success and thanked everyone who participated. He was very glad to see so many hard working kids and teenagers pitching in to clean up the community.

OLD BUSINESS

**EMAIL VOTES THAT OCCURRED SINCE
LAST MEETING**

An Arborist walked the common grounds looking for trees that may be a safety concern in our community. He provided a list and assigned priority levels to the tree work that he recommended be done. The Board voted to have all priority 1 trees removed at a cost of \$5,925. 7 votes, all 'Yes'.

The Board voted that probable cause exists and Lot 283 and 139 should go to hearing for their violations. 6 votes, all 'Yes'.

FINANCE

The CM spoke to the auditor today. He just has a couple more questions for the accountant and expects to have his final on the 2006 audit in the next week.

ARCHITECTURAL CONTROL

Director Nagel presented the Board with some changes to certain sections of the Architectural Standards that would help with ambiguities in the Standards. The recommended changes will be posted in the newsletter to give residents a chance to comment before the Board votes. The CM had some recommendations that President Boyd said could be presented at the next meeting.

A letter was sent to NCA's attorney asking for advice on how to proceed on three properties that have architectural violations and have been fined the maximum allowed. He responded that NCA has the option of legal demand and suit with costs ranging from \$300 to thousands. There was discussion about the importance of keeping the community's appearance up and enforcing the Architectural Standards. The three subject properties have already paid their \$900 fines. Vice President Roy made a motion to authorize the attorney to send the initial demand letter. Director Nagel seconded the motion. Vote 6 yes.

GENERAL

Internet - The office is FIOS capable and now the CM will make arrangements to have the line brought into the office.

Basketball – President Boyd stated the basketball court is in better condition than he thought. It just needs backboards and nets. He will look into the costs to present to the Board but labor will be done by himself and Secretary Catherine. The tennis courts have a large crack in them. Costs to have the tennis court repair range from \$10,000 to \$65,000 depending on the work. More information will be provided later.

2008 Annual Elections – With the four members elected last year and three members elected in 2006, there could possibly be 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. Although the option of holding a special meeting to change the terms of an existing Board member was considered, the Board agreed they would increase the Board to nine members which is allowed in the bylaws. The 2008 elections will be held to add two members.

STREETS and MAINTENANCE

Address and yellow curb painting was completed on Luce Court and the Newington Place section of the community.

When the Arborist reviewed the community trees for safety concerns, he did not look behind the single family homes. After looking at these properties, he had one tree he considered a Priority 1 that would cost \$975 to take down. Director Nagel made a motion to approve the removal of the one tree at a cost of \$975. Vice President Roy seconded the motion. Vote: 6 yes.

The NCA attorney has reviewed the contract for pavement restoration work on Moline and finds everything in good shape.

NEW BUSINESS

ARCHITECTURAL CONTROL

Director Nagel presented to the Board some procedures she would like documented and implemented for architectural inspections performed on properties requesting disclosure packets and for routine walk-through evaluations. The process outlined for inspecting properties for disclosure packets includes the CM performing the inspection but all inspections being presented to the Architectural Liaison prior to being returned to the accountant. The CM stated that she does not support the process. She stated that the reviews were done haphazardly in the past by Koger so when NCA started using Kim, Conway, the CM started performing all the inspections. The process now is that the Architectural Liaison to the Board is forwarded a copy after the information has been returned to the accountant. There was discussion about the time constraints on these inspections and the effect of a violation not being put in the inspection report. President Boyd said he would work on this separately with Director Nagel.

Director Nagel presented some sample colors of paint and roofs that she would like to place in a book to keep at the office. These sample colors would be pre-approved colors that could eliminate the need for residents to submit an Exterior Project Request Form. The book would be kept in the NCA office. The Board supported the book. More work still needed to be done before the book is complete.

FINANCE

Write-offs. Due to another property foreclosure, the attorney has stated that NCA will be unable to recover \$480.19 in pre-foreclosure debt (assessments and legal fees). In 2008, the Board has had to write off \$3,024.17 in uncollectible fees. It was mentioned that this needs to be addressed in the next budget. Secretary Catherine made a motion to write-off \$480.19 as a loss to the Association. Director Oxendine seconded the motion. Vote: 6 yes.

MAINTENANCE

As mentioned earlier in the meeting, Blade Runners has been tasked with preparing a three year plan for common grounds improvements. If the CM does not hear back from them in the next week, she will let Vice President Roy know.

The NCA office received a letter asking for a change to the parking space assignment on Luce Court. The CM stated she could have done something if the request had come in before the painting was complete. The Board agreed that the resident would need to complete the necessary forms and if she has someone willing to switch places with her, the cost would be at the resident's expense.

At 8:47 pm, Vice President Roy made a motion to adjourn to Executive Session to discuss hearings. Secretary Catherine seconded the motion. Vote: 6 yes.

EXECUTIVE SESSION

At 8:55 pm, Director Oxendine made a motion to leave Executive Session and return to Open Session to vote on the hearing appeals. Director Nolan seconded the motion. Vote: 6 yes.

OPEN SESSION

Regarding Lot 383, Director Nagel made a motion to waive any assessment for the trash violation. Director Oxendine seconded the motion. Vote: 6 yes.

Regarding Lot 507, Director Nagel made a motion to waive any assessment for the trash violation. Secretary Catherine seconded the motion. Vote: 6 yes.

Regarding Lot 264, the CM read the letter the owner of the property sent regarding the trash violation. Vice President Roy made a motion to assess the owner \$50 for the trash violation. Director Nagel seconded the motion. Vote: 6 yes.

Regarding Lot 349, Vice President Roy made a motion to assess the owner \$50 for the trash violation. Director Oxendine seconded the motion. Vote: 6 yes.

Regarding Lot 490, Secretary Catherine made a motion to assess the owner \$50 for the trash violation. Director Nolan seconded the motion. Vote: 6 yes.

Regarding Lot 603, Director Nagel made a motion to assess the owner \$50 for the trash violation. Director Oxendine seconded the motion. Vote: 6 yes.

Regarding Lot 338, Director Nagel made a motion to assess the owner \$10 a day until the architectural violation is corrected, starting May 16, 2008. Director Oxendine asked that the letter specifically state what needed to be done to correct this violation, remove the tomato cages and soil. Vice President Roy seconded the motion. Vote: 6 yes.

Regarding Lot 6, Director Oxendine made a motion that probable cause exists and this resident should have a hearing on their architectural violation. Vice President Roy seconded the motion. Vote: 6 yes.

Regarding Lot 449, Vice President Roy made a motion that probable cause exists and this resident should have a hearing on their architectural violation regarding the gutter. Director Nagel seconded the motion. Vote: 6 yes.

Regarding Lot 516, Vice President Roy made a motion that probable cause exists and this resident should have a hearing on their architectural violation regarding the retaining wall. Director Oxendine seconded the motion. Vote: 6 yes.

Regarding Lot 349, Director Nagel made a motion that probable cause exists and this resident should have a hearing on their architectural violation. Vice President Roy seconded the motion. Vote: 6 yes.

Vice President Roy made a motion to adjourn the meeting at 9:25 pm. Secretary Catherine seconded the motion. Vote: 6 yes.

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