

**NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING –
October 1, 2008
Approved Minutes of the Meeting**

Meeting started at 7:00 pm. President Kimberly Nagel presided. Board members in attendance included Vice President Chip Catherine, Treasurer Al Roy, Director Neil Oxendine, Director Dave Rundgren, Director Roseanne McLafferty and Director Rita Steele.

VOTE OF CONFIDENCE

Because elections were handled on an emergency basis, as a result of the resignation of John Nolan from the NCA Board of Directors, President Nagel asked the Board to confirm their confidence in her acceptance of the position as President and consequential election. Director Oxendine made a motion to confirm Kimberly Nagel as President of NCA. Vice President Catherine seconded the motion. Vote: 6 yes, 1 abstain.

PRESIDENT'S COMMENTS

President Nagel stated that she had three goals as being President. She wants to improve the appearance of the community, get more community involvement, and formalize Board and operating procedures. President Nagel expressed her concern with the tone of emails sent between Board members. As all Board members are volunteers, everyone should be treated with respect. President Nagel plans to develop a Code of Conduct that would be looked at by the general counsel. The policy would address disruptions at the Board meetings, inappropriate language and possible disciplinary actions to maintain control of the meetings.

APPROVAL OF MINUTES

Director McLafferty made a motion to accept the minutes of the August 21, 2008, Meeting for the Election of Officers. Director Steele seconded the motion. Vote: 7 yes.

Director Steele made a motion to accept the minutes of the September 3, 2008, Monthly Board Meeting. Vice President Catherine seconded the motion. Vote: 6 yes, 1 abstain.

Vice President Catherine made a motion to accept the minutes of the September 7, 2008, Meeting for the Election of Officers. Director Steele seconded the motion. Vote: 6 yes, 1 abstain.

HEARINGS AND APPEALS

President Nagel made a statement to the audience that anyone who was in attendance for a hearing would

be allowed a certain amount of time to address the Board. The Board would not make a decision on the hearing until after Executive Session. Anyone in attendance was welcome to stay for all or part of the meeting.

Lot 500, 555, 548 and 126 were scheduled for a hearing. No one was in attendance from these lots. Lot 549 was in attendance. He stated that his grass had gotten too long because of his increased work requirements as a police officer. He apologized and said it wouldn't happen again. A board member thanked him for attending.

COMMUNITY FORUM

Mr. Lou Tobat, Chairman of the Planning and Development Committee, stated that 6300 people were no longer being moved to Ft. Belvoir's Engineering Proving Grounds. This will have a positive impact on our area. The construction of the continuation of the Fairfax County Parkway is progressing quickly.

Stephanie Curb, a resident in the community, who works for the community office, introduced herself to the Board.

ELECTION OF OFFICER – SECRETARY

Currently there is a vacancy for Secretary on the Board. As no Board members were willing to fill this vacancy, Vice President Catherine offered to step down to fill the position of Secretary, vacating the Vice President slot, which he believed would be more readily filled. Director Rundgren stated he would fill the Vice President slot. Treasurer Roy made a motion to have Dave Rundgren serve as Vice President and Chip Catherine serve as Secretary of the Board of Directors. Director Oxendine seconded the motion.

REPORTS

**EMAIL VOTES THAT OCCURRED SINCE
LAST MEETING**

Vote to accept the 2006/2007 financial audit. Vote: 6 yes, 0 no.

Lot 61 had a Probable Cause vote for an architectural violation. Vote: 5 yes, 0 no.

Lot 51 had a Probable Cause Vote for an architectural violation. Vote: 4 yes, 0 no.

Lot 548 had a Probable Cause vote for an architectural violation. Vote: 6 yes, 0 no.

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FINANCE

Treasurer Roy informed the Board that the budget has taken precedent over the past month. Last month there was discussion about the deferred assessments in the monthly financial statements. This is money that is left over at the end of the year as net income. HOA's are supposed to be "break even", not profitable, and if it is not deferred or rolled into next year, NCA would be subjected to higher taxes.

NCA's financial management company uses RCB bank for the NCA checking account. This is a non-interest bearing account that has on average \$100,000 in balances each month. Treasurer Roy has looked into money markets that could be run in parallel with the checking account that have interest rates of 2.9 to 3.5%. There is a limit of six to eight transfers each month. The NCA Accountant has said she is not a signatory on the accounts and could not move the funds. Treasurer Roy stated that if FDIC increases the insurance level on deposit accounts, the high balances are not at risk.

President Nagel asked for a report on assessment delinquencies next month.

A Board member expressed concerns with how much of an increase is stated in the proposed 2009 budget that the Board reviewed. She said these are hard economic times and the Board should take that into consideration. There was lengthy discussion about specific line items in the budget including recreation, welcoming, painting and reserve planning. The Board would hold another separate Board meeting before October 15th to finalize the proposed budget to be presented to the community in the November newsletter. President Nagel will coordinate everyone's availability for that meeting.

A \$100,000 T-bill matures on 10/15/08. Treasurer made a motion to renew the T-bill for three years and reinvest the gains into a money market fund that meets the guidelines of the bylaws. Vice President Rundgren seconded the motion. Vote: 7 yes.

Secretary Catherine made a motion to write off \$1,119.31 in unrecoverable assessment debt. Director Oxendine seconded the motion. Vote: 7 yes.

ARCHITECTURAL CONTROL

Director Steele reported on the Architectural Control Committee. She has reviewed three Exterior Project Requests and eight complaints on architectural violations. Three letters were sent for architectural violations. Director Steele has some volunteers

willing to help review the community for architectural violations.

Director Steele reviewed with the Board her recommended changes to the Door Hanger Policy. After discussion about the policy, revised door hangers and the availability of someone to put door hangers out, it was stated that there was no need to change the Door Hanger policy for now.

MAINTENANCE

Pool – There was discussion about the 2009 contract with Dominion Aquatics which generated questions about including the \$940 per weekend expense in the budget for next year. Discussion included not just the contractor's expenses but the utility costs as well. The Community Manager (CM) will find out if the decision to open the pool for weekends before or after the regular season can be made on a week to week basis.

Common Grounds - \$7500 is budgeted to perform common grounds improvements. To date only \$200 has been spent. President Nagel recommends two items from the grounds contractor's proposal be approved, a landscaped bed on Matisse Way and turf renovation in multiple spots in the community for a total of \$7500. Treasurer Roy made a motion to implement these two projects. Director Steele seconded it. Vote: 7 yes. The CM was asked to confirm that the fall is a good time of year to start these projects.

Streets – Director Oxendine provided a status of the report from NCA's engineers. Before providing a plan for maintenance of all NCA streets, the engineers would need to do test hole excavation to ascertain the depth and composition of the streets. The engineers reports states the test holes throughout the community would cost between \$7,000 and \$12,000 (25 to 50 holes) depending on the number of excavations. Additionally there would be costs associated with the engineer's oversight of the project and repair/maintenance recommendation.

Tennis Courts – The CM provided the Board with a summary of the two quotes to repair the crack in the tennis courts. Prices range from \$64,820 to \$10,880. This repair would be paid from reserve funds. One quote is five months old and the other more current. Director Steele had an opportunity to thoroughly compare the two quotes and felt one contractor was a better offer than the other. Director Steele made a motion to accept Bishop's Tennis repair bid at \$14,840 with a three year warranty on the condition that two favorable references were

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obtained and that the quote has not changed since April. Secretary Catherine seconded the motion. Vote: 7 yes. The CM was also asked to find out how late into the season the repair could be done.

Trees – Treasurer Roy stated his pleasure with the crown reduction and limb removal on the tree on Brandeis. He agreed it was the right decision by the Board. The CM presented a quote to the Board to have a tree in the woods dropped. It is very large, dead and leaning over a community path. Director Steele made a motion to spend \$825 to have the tree dropped. Secretary Catherine seconded the motion. Vote: 7 yes.

COMMUNITY MANAGER

By request, the CM provided a detailed report to the Board of the number of emails, letters, phone calls and other actions, by subject, performed in the community office for September. All the CM's tasks from the previous meeting were addressed with their current status. A board member asked the purpose of the report. There was concern that the Board did not know what the Community Manager did with her time. Another Board member asked if she would be willing to work a full time schedule. The CM stated she will not. While the Board appreciated the extensive report, they agreed the amount of time to produce such a report was unnecessary and a quick highlight of major topics would suffice.

OLD BUSINESS

2009 Trash Contract Bids – The CM provided the Board with a summary of all bids received for the trash contract. AAA, Conserve Industries Inc, VHI and American Disposal (existing contractor) all submitted bids. Quotes ranged from \$10,000 per month to \$14,000 per month. Of the four, CSI provided the best value and similar service to NCA's existing service. The CM was asked to confirm Christmas tree pick up, tot lot garbage pick up and holiday pick up schedule. Treasurer Roy made a motion to accept CSI's proposal pending the positive outcome of the previous items. Director Oxendine seconded the motion. Vote: 7 yes.

President Nagel asked the CM to send a letter to American Disposal by October 3rd to meet the 90 day termination clause of the existing contract.

"Street Light on Lodge" A resident recommends getting the county to put a street light on Lodge Court across from Marconi. This request has been reviewed by a resident, John Nagel, with security lighting

experience and Secretary Catherine. They took meter readings and it is a very dark area. There are a lot of outstanding questions on this matter and more research is needed. John said a Dominion Power contact would be helpful. Someone asked if the County Board of Supervisors could help. The CM stated she had an email from the Supervisors regarding some grant money and would forward it to Secretary Catherine if it included use for lighting.

A list of Board responsibilities were presented to the Board. There was discussion about the open slots. Treasurer Roy stated he would keep the common grounds responsibilities.

Vice President Rundgren stated he would like to see a bilingual newsletter. The cost to add one two sided page to the newsletter is approximately \$50 per month. He hoped the translations could be done by volunteers.

NEW BUSINESS

Welcoming Committee – Director McLafferty stated she would continue to run the Welcoming Committee and it was agreed a small \$50 line should be added to the budget for next year.

Email Voting Procedures – President Nagel made modifications to the existing email voting procedures because they prohibited the President from voting. Previously the President only voted if there was a tie. The procedure would be amended so that the President voted and a tie was considered a failed motion and the issue could be put back on the next agenda. Treasurer Roy made a motion to accept the revisions. Director Steele seconded the motion. Vote: 7 yes.

Towing – Director McLafferty asked the Board to reconsider the existing towing policy. Director McLafferty made a motion that cars in their assigned parking spaces with expired tags not be towed. Treasurer Roy seconded the motion. There was discussion that the current policy gives residents plenty of time to renew tags and that residents will then put vehicles with expired tags in parking spaces and use up visitor spots for properly tagged vehicles. Vote: 2 yes, 5 no. Motion failed.

At 10:17 pm, Secretary Catherine made a motion to adjourn to Executive Session to discuss hearings. Director Steele seconded the motion. Vote: 7 yes. At 10:20 pm, Treasurer Roy made a motion to return to Open Session. Vice President Rundgren seconded the motion. Vote: 7 yes.

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Regarding Lot 500, Director McLafferty made a motion to waive any assessment for a trash violation. Treasurer Roy seconded the motion. Vote: 7 yes.

Regarding Lot 555, Treasurer Roy made a motion to assess the owner \$50 for the trash violation. Director Oxendine seconded the motion. Vote: 6 yes, 1 no.

Regarding Lot 548, Treasurer Roy made a motion to waive any assessment for a trash violation. Director Rundgren seconded the motion. Vote: 7 yes.

Regarding Lot 126, Director Oxendine made a motion that the probable cause was not warranted and therefore no assessment should be considered. Treasurer Roy seconded the motion. Vote 6 yes, 1 abstain.

Regarding Lot 549, Director Oxendine made a motion to assess the owner \$50 for the grass violation. Treasurer Roy seconded the motion. Vote: 6 yes, 1 no.

At 10:32 pm, a motion was made to adjourn to Executive Session to discuss personnel matters. Vote: 7 yes.

There was a motion to adjourn the meeting at 11 pm. Vote: 7 yes.

NEXT MEETING: Wednesday, November 5 at 7:00 p.m. - NCA Pool House. All NCA residents welcome.

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