

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

January 7, 2009

Approved Minutes of the Meeting

At 7:00 pm the meeting was called to order. Vice President Dave Rundgren presided. Board members in attendance included Treasurer Chip Catherine, Director Rita Steele, Director John Peirce, and Director Roseanne McLafferty (after Community Forum).

VICE PRESIDENT'S COMMENTS

Vice President Rundgren stated that Kimberly Nagel has resigned from the Board of Directors. The Board will discuss the President and Secretary vacancies after Executive Session.

APPROVAL OF MINUTES

Director Steele asked if it were possible for the Board to review the minutes before they are published. The Community Manager explained that it should be possible but other factors that influence this would be when the minutes are finished being prepared, when the Secretary has an opportunity to review them and the deadline for completing the newsletter. Treasurer Catherine made a motion to accept the minutes of the December 3, 2008, Monthly Board Meeting. Director Steele seconded the motion. Vote 4 yes.

HEARINGS AND APPEALS

Lot 140, 88, 285 and 338 were scheduled for a hearing but not in attendance. A representative for Lot 244 was in attendance. He stated he was aware of the violations but thought they had all been addressed. He wants to be cooperative but needs clear guidance on the outstanding issue.

COMMUNITY FORUM

No one in the audience had any comments for the Board.

EMAIL VOTES THAT OCCURRED SINCE LAST MEETING

Spend remainder of tree budget line to remove a tree and stump behind 7757 Durer as recommended by the arborist's priority 2 list. Cost \$425. 6 yes votes. Vice President Rundgren asked when the tree would be removed. The job has been completed.

COMMITTEE/BUSINESS REPORTS

Community Manager's (CM) Report – January 7, 2008 (Discussion on the report is included in brackets)

OLD BUSINESS

- Discrimination case – Received letter from Fairfax County that there is no evidence to support complainant's allegations of discrimination. He has an option to file a civil action in State or Federal Court. [Vice President Rundgren asked how long he has to file a civil action. He has two years.]
- Architectural Violations lawsuits.
 - 1) one made effort – Letter to be drafted
 - 2) second made an effort – the board will review this property in Executive Session.
 - 3) third property - no change

- Trash contract signed.
- New person needed to assist with door tags. Advertised but no interest to date.
- NCA is defendant on a legal complaint. No update.
- Soliciting quotes to perform testing of lines for cracks, whitecoat and drain (Baker Act) replacement, concrete deck repair and deck drain blockage. See Pool Repairs on agenda.
- Washington Post has removed a paper box on NCA property at the corner of Rolling Road and Northumberland Road has been removed.
- Tennis court net sagging. Called installer. Still an O/S item but there is little tennis activity this time of year.
- Missing no parking sign on DeLong – No change.
- Continue to run articles in newsletter on leaves, dog poop and need for door hanger person.

Tasks from last meeting:

- Call pool contractor asking if pool is winterized and getting contract revised to include a date for winterization. Conversation with Paul on 12/19/08 confirmed the pool is winterized and he will prepare a letter as an addendum to contract to add date for winterizing pool (not received)
- Draft letter for nuisance complaints. Incomplete.
- Renew T-bill for one year if difference between one year rate and three year rate is less than 1%. Done - got one year rate of .47.

NEW BUSINESS

- General:
 - Disclosure inspection(s): 7802 Marconi, 8340 Moline, 8451 Kitchener
 - Got quotes for curb painting in 2009. See agenda.

- Resident Complaints/Issues
Outstanding:

Complaint came in over holidays about mess in a front yard and people working on their cars on Lemoyne. When I draft letter to address nuisance complaints this will be included. [Vice President Rundgren asked when the CM would get to this letter. She said she would have it drafted next week.]

Outstanding from prior month: (Need board policy or philosophy on handling these complaints) Kids playing in street. [It was agreed that NCA needs to run a block in the newsletter stating that the streets are not good places for children to play.]

Accounting/Finance Report

Treasurer Catherine reviewed the draft financial reports of the community as of 12/31/08. NCA has \$571,000 in assets with \$478,000 in reserves. The income and expense statement show a net income for the year of \$13,000. The final reports will be available in three weeks. This is a week longer than normal because of the year end process.

Architectural Committee Report

Director Steele stated she had nothing to report this month

Maintenance Report

There was nothing to report this month

Planning and Development Report

Lou was not available but there was some discussion about the progress of the parkway. One resident saw surveyors on Rolling Road.

Welcoming Report

Director McLafferty had nothing to report this month.

GENERAL BUSINESS - OLD

Streets - There was discussion on the quote to perform test holes on NCA streets. The purpose is to give the engineers more information to prepare a street maintenance plan. The original quote was \$6250 for 25 test holes. The Board was offered a holiday discount of \$1850 if this work was approved by January 9th. Vice President Rundgren made a motion to approve \$4400 for test holes, \$2500 for GJB's oversight of the project and \$5100 to prepare a detailed report which recommends repairs and associated costs over the next five years. Treasurer Catherine seconded the motion. There was lengthy discussion on this subject. This is a one time cost then the data would be part of the community's permanent records. It was agreed the motion to approve would include requesting the Performance Grade rate, compression test and need for a report of finding to the test hole proposal. Vote 5 yes.

Rules Violation Policy - The Board discussed the recommended revisions to the NCA Violations Procedures Policy that were provided by general counsel. Treasurer Catherine made a motion to accept the policy. Director Peirce seconded the motion. Vote 5 yes.

Pool – The CM has gotten three contractors to quote repairs at the pool including dual drains, whitecoat, tiles, pressure testing of lines and deck drain blockages. The most urgent repair is the requirement by the State of Virginia to change the main pool's single drain to a dual drain. A resident stated that putting too much money into the pool has been delayed because of concerns with the effect of widening Rolling Road. One contract provided a lump sum cost for all repairs and another provided itemized costs. The Board asked the CM to call references and get itemized costs for all work.

Money Market vs. Checking Account – Treasurer Catherine spoke to NCA's Financial Manager about keeping the money in a checking account or moving it to a money market. Deposit accounts are insured. NCA has one money market account with Schwab and the CM was asked to find out if it was insured. The CM explained that the previous Treasurer was looking at accounts for keeping excess operating account funds because the checking account is non-interest bearing. Average monthly balance is \$100,000. A resident expressed concern about moving money between accounts. The Board discussed using banks with better interest rates.

Reserve Study – Discussion has been tabled for another meeting.

Sidewalk, Curb, and Gutter and Asphalt Trail Report – Discussion has been tabled for another meeting.

Street Light on Lodge – Treasurer Catherine has contacted Dominion. NCA was assigned an engineer who in turn has assigned NCA a design engineer. More information will hopefully be available at the next meeting.

Board Responsibilities and Committees – This topic will be further discussed after Executive Session and the Board has an opportunity to discuss officer vacancies.

GENERAL BUSINESS - NEW

Pool Rules and Pool Registration Procedures – The 2009 Pool Rules were presented to the Board with only a few changes from last year. Mainly the changes included identifying how weather conditions would effect the closing and opening of the pool and specifying what may be worn into the pool. Director Steele made a motion to accept the 2009 Pool Rules. Treasurer Catherine seconded the motion. Director Peirce recommended removing the word ‘appropriate’ before swimwear and the Board agreed. Vote 5 yes.

The Board discussed the procedures for registering for pool passes. One member disagrees with the late processing fee and believes the registrations go out too early. The registrations go out with the March newsletter to provide enough time to complete the forms. The late processing fee is to prevent residents from waiting until the last minute before sending in their pool passes which is a burden on the community office. Treasurer Catherine made a motion to keep the pool pass registration procedures as they are with a late processing fee. Director Steele seconded it. Vote 4 yes, 1 no.

Street Painting – NCA has a \$7500 budget for painting curbs in NCA. The north side of the community was complete in 2008. The cost to paint the south side is \$16,000 and the CM presented the Board with several street options on where to use the \$7500 in 2009. Because this matter is not urgent, the vote was tabled until next month.

Parking – Director Steele and the Community Manager will be discussing and drafting a policy for blank parking spaces. Vice President Rundgren would like the Board to consider a policy for numbered spaces that could involve using stickers so that this benefit can be taken from residents that are delinquent in their assessments. He stated he would start an email discussion on this matter.

Consideration on a Delinquent Account – Moved to Executive Session.

Newsletter – Vice President Rundgren would like to see the newsletter translated in Spanish to reach more residents. The cost of the newsletter averages out to approximately \$25 per page and the minutes are usually five pages long. Another member felt there are too many other languages in this community to single out one language. The CM recommended running a notice in the newsletter that anyone in the community who was willing to translate the newsletter or minutes into their language of choice was welcome to do so and it would be posted on the NCA website. The Board agreed with this recommendation.

Director Steele would like to see the newsletter less dominated by the Board Minutes. She recommends a summary of the minutes since there is no requirement that the minutes be published. The minutes will still continue to be posted in full format on the NCA website. This was agreed to by the Board.

Trees on Brandeis – Director McLafferty was relaying that the residents on her street are very concerned with the trees that drop the sticker balls. These are all healthy trees. There was discussion about the fact that there are thirteen of these trees on Brandeis and the average cost to remove is about \$2,000. Additionally, the Board did not have enough funds in the budget to remove all the trees that the NCA arborist recommended be removed for health issues. The Board discussed this matter including raising the question of whether Fairfax County has rules about removing healthy trees.

Treasurer Catherine made a motion to adjourn to Executive Session to discuss hearings, an architectural violation lawsuit, and officer vacancies. Vice President Rundgren seconded the motion. Vote: 5 yes.

Director McLafferty was no longer in attendance at the meeting.

Treasurer Catherine made a motion to return to open session. Vice President Rundgren seconded the motion. Vote: 4 yes.

Regarding Lot 244, Treasurer Catherine made a motion to assess the owner \$10 a day up to 90 days starting in three weeks. Director Steele seconded the motion. Vote: 4 yes. Additional discussion continued with the owner's representative on what could be done to improve the appearance of the yard.

Regarding Lot 140, Director Peirce made a motion to assess the owner \$10 a day up to 90 days starting in three weeks. Treasurer Catherine seconded the motion. Vote: 4 yes.

Regarding Lot 285, Director Steele made a motion to assess the owner \$10 a day up to 90 days starting in three weeks. Vice President Rundgren seconded the motion. Vote: 4 yes.

Regarding Lot 338, Director Steele made a motion to assess the owner \$10 a day up to 90 days starting in three weeks. Director Peirce seconded the motion. Vote: 4 yes.

Regarding Lot 88, this property has been sold and goes to settlement January 15th. The violation has been noted in their disclosure packet. The Board will allow the new owner time to address this violation before pursuing the matter.

The Board received correspondence from NCA's attorney regarding a resident who was asking for waivers and special arrangements on the delinquent assessments. President Rundgren made a motion to deny any waivers or special arrangements. Treasurer Catherine seconded the motion. Vote 4 yes. The Board agreed that once a delinquency is with the collection attorney, the attorney should follow standard procedures and the Board cannot be expected to absorb attorney fees for delinquent residents.

Vice President Rundgren resigned from the Board officer position of Vice President. Treasurer Catherine made a motion to nominate Dave Rundgren as President. Director Steele seconded it. Vote: 4 yes.

Director Steele made a motion to nominate John Peirce as Vice President. President Rundgren seconded it. Vote: 4 yes.

President Rundgren made a motion to nominate Rita Steele as Secretary. Treasurer Catherine seconded it. Vote: 4 yes.

The Board discussed who would hold primary responsibility for certain aspects of the community. President Rundgren took Maintenance: Common Grounds, Trees and Paths and Neighborhood Watch. Vice President Peirce took Maintenance: Streets

Regarding Lot 28, Director Steele made a motion that this property no longer has an architectural violation of shutters being painted two different colors and stopping the lawsuit. Treasurer Catherine seconded the motion. Vote: 4 yes.

At 10:10 pm, Director Steele made a motion to adjourn. Treasurer Catherine seconded it. Vote: 4 yes.