

NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – June 3, 2009
Minutes of the Meeting

At 7:02 pm the meeting was called to order by President Rundgren. Board members in attendance included Vice President Peirce, Treasurer Chip Catherine, Secretary Rita Steele, Director Liz Fernandez and Director Nestor Fernandez.

PRESIDENT'S COMMENTS

President Rundgren started the meeting by stating that Director Roseanne McLafferty has resigned from the Board. It has been a hectic year and he regrets losing another Board member. He thanked Liz and Nestor Fernandez for being on the Board. President Rundgren asked if anyone had a chance to enjoy the pool yet. It is looking very clean and clear. If anyone has suggestions for the newsletter, they should email Dave.

APPROVAL OF MINUTES

Treasurer Catherine made a motion to accept the minutes of the May 6, 2009, monthly Board Meeting. Vice President Peirce seconded the motion. Vote 6 yes.

HEARINGS AND APPEALS

Lot 441 was scheduled for a hearing for a trash violation. He stated he travels a lot but his neighbors will help him so that it doesn't happen again. He stated the trash was put out around 9 am Monday morning.

Lot 114 was scheduled for a hearing for an architectural violation. The resident stated the painting has been completed but was delayed due the contractors schedule and many rainy days.

Lot 526 and 471 were scheduled for a hearing but were not in attendance.

COMMUNITY FORUM

A resident stated that there is always trash being thrown out of cars on her street and wondered if there could be a Clean Up Day more than once a year, maybe at the end of the Summer. The resident stated that the tot lots look like they need mulch. The grounds crew is scheduled for adding tot lot mulch in July or August.

EMAIL VOTES THAT OCCURRED SINCE LAST MEETING

New Board member. 6 no votes, 1 abstain. President Rundgren explained that it is not a good time right now for this individual to be on the Board but perhaps in the future. Reimburse Assistant Community Mgr for car damage occurring during work related activities. Vote: 4 yes, 2 no. There was discussion that some email policies are written so that an email vote only passes if it is unanimous.

COMMITTEE/BUSINESS REPORTS

Accounting/Finance Report

Treasurer Catherine provided current financial figures from NCA's balance sheet as of 5/31/09. He informed the Board that the auditor has reviewed NCA's 2008 financials and a draft audit is part of the agenda. Federal and State income taxes were completed and have been signed.

Budget Committee

Director L Fernandez is Chairing the Budget Committee. She asked the CM to obtain a year to date general ledger from NCA's Financial Manager. Treasurer Catherine noted that Al Roy, a previous NCA Treasurer, would be very willing to participate on the committee. A resident asked if a draft budget will be ready by the annual meeting. It will.

Architectural Committee Report

Secretary Steele informed the Board that there has been a walk through of Brainerd, Durer and Jenner looking for architectural violations.

Maintenance Report

There is some concern about the condition of the tot lots and common area fixtures. Director N Fernandez asked about NCA's maintenance plan. It is based on the reserve study. There was discussion about weeds around the pool house and if our common grounds contractor came into the pool. The area in question has wood stored in it for benches. Treasurer Catherine suggested a shed be placed in the RV lot for NCA storage. There was additional discussion about hiring staff to handle common area maintenance.

Planning and Development Report

Lou Tobat reported there is significant progress on the FC parkway extension. The old EPG building off of Rolling Road was torn down and a vast area of trees has been cleared.

Tot Lots Report

The CM explained that for the next few months she does not have the time to address the Board's request for detailed costing to replace the tot lots in the community. A resident, Stephanie Curb, asked how she could help the community and was willing to tackle this project. Stephanie explained that she has called four companies of which only two returned her calls. She has brochures but no pricing information. She looked at the Moline tot lot which is missing a wheel but seems to be in good condition. She doesn't have a way of knowing what needs repair and what is acceptable. Stephanie and Treasurer Catherine will work together on these assessments. The CM stated that we have a file from the last time the tot lots were replaced 15 years ago at a cost of \$28,000. She will get this information to Stephanie. A resident recommended contacting the County to see if they would do an assessment. She asked if she could use the meeting room for her meetings with these contractors. It would be available during regular office hours. Director N Fernandez stated he could help reduce costs on the mulch and would provide information to Ms. Curb.

Community Manager Report

OLD BUSINESS

- *Tennis court has cracks. Will come out in May or June to repair.*
- *Missing no parking sign on Delong – Received sight line evaluation from VDOT. Sign is up.*
- *Recreation Fixtures: ongoing replacement of trash can for basketball, replacement of two tot lot benches, new wood on all other tot lot benches. Ball field bench wood replaced.*
- *Coordinate meeting with Board and engineer on Street report (see agenda)*
- *Waiting on a schedule to have Red Ash wall repaired.*

NEW BUSINESS

- *General*
 - *NCA Vehicle Tickets: N/A*
 - *Documents Signed: Auditor's proposal of services*
 - *Disclosure inspection(s): None*
 - *New Violation letters: TRASH (1), RULES (1), A letter to a resident requesting expenses only on a rules violation has been changed to a hearing that is scheduled for July meeting, ARCHITECTURAL (0).*
 - *POOL*
 - *Whitecoat completed and pool filled before the May 15th deadline*
 - *Electrical work in bath house complete. Additional work includes water cooler plug and exposed wires near fence plus other recommended items (see agenda)*
 - *19 pieces of pool furniture were restrapped and have been returned.*
 - *Extensive plumbing work on pool bathhouse done \$1500. One more leak to be fixed. Recommends a new water heater (see agenda)*
 - *178 of 263 picked up. Additional office hours this Saturday and Wednesday, June 17th to accommodate the other 85.*
 - *Complained to Dominion Aquatics about lack of supply of pool chemicals, cleaning supplies, posting Board, etc.*
 - *Interacting with second Pool Manager on pool policies and rules enforcement.*
 - *Curb painting started. Yellow curbs are done. Numbers and tic marks planned for Brainerd, LeMoyné, Marconi, Jenner and Gwynedd to be completed next week.*
 - *Trees – two dead, two situations where branches are too close to home and requested an inspection by the Arborist of a tree on Luce, one on Jenner and one on Gwynedd all close to curbs. Received confirmation that these three trees are dying and need to be removed. \$2300. Will replace with something small like Crepe Myrtles.*
 - *Auditor in and already completed audit (see agenda)*
 - *Rosemary's last day was May 28th. Two persons have expressed interest, only one seriously.*
 - *Income taxes are complete.*
- *Resident Complaints/Issues:*
 1. *Pool pass pick – Two very irate individuals complained about process of picking up at office. 179 of 263 picked up. Additional office hours this Saturday and Wednesday, June 17th to accommodate.*
 2. *Email from very concerned resident about County house on Kitchener. Tenants will remain in property while on the market.*
 3. *From last Board meeting complaint about Delong. Called VDOT and we are now on a schedule for the patching crew to come in and repair the bad areas.*
 4. *Some complaints about yards and repairs needed on homes were passed on to Architectural Committee.*

There was discussion about whether the CM went out for competitive bid on the dying trees. The CM explained that she did in the past but that Blade Runners always had such good prices that others stopped being interested in bidding. The CM noted that she has found working with them to be an exceptional experience. The CM was asked to keep track of the times when she felt that Blade Runners went 'above and beyond'. This led to discussion about the Community Office hours. One board member was surprised at the scheduled hours and believes the community office needs to have evening hours. There was discussion about this being something that the Assistant Community Manager could do. Between telephone and internet communications, residents rarely come in to the office, there isn't a need. It was noted there was only one person interested in the Assistant position and we have only advertised in the community newsletter. Another resident explained that when the Community Manager's job was advertised three years ago, there was very little interest then either.

Additional discussion about the pool included one Board member's experience that anyone who stated they didn't have their passes was allowed in anyhow and that not enough guards were sitting in the chairs. Additional discussion on the pool included whether NCA was given their six lifeguards outlined in the contract. The CM is to get clarification on this number of guards needed and available at our pool.

GENERAL BUSINESS - OLD

Pool – Palm pools, who has done all repair work on the pool this year, was asked to provide a quote to replace the filter system from a paper cartridge to a sand filter. Last month Vice President Peirce stated that he would like to see a more detailed quote that provides a breakdown of costs (materials vs. labor) He wanted to know if piping would need to be replaced, is it included, how long it would take to do the work, is there a warranty, life expectancy of equipment. The CM was unable to address this request this month. The topic was tabled and the CM was asked to email the Board when she does get some details.

Sidewalk, Curb and Gutter, and Asphalt Trail Report –They agreed on Sunday, June 7th, at 10 a.m. The CM was asked to make name badges for the Board in case residents questioned who they were.

Reserve Study – Tabled

Streets – Vice President Peirce will get everyone's availability to have a meeting with the engineer to discuss the Street Maintenance Report.

Architectural – Recommended revisions to four articles in the Architectural Standards (landscaping, holiday lights, lighting and sheds) were forwarded to the Board on Monday. Director L Fernandez felt there was a lot to review and suggested the Board be allowed more time.

It was suggested that the CM solicit agenda items two weeks before the next meeting then finalize the agenda and send out supporting documents one week in advance of the

meeting. Another perspective was presented that the Board doesn't have to vote on new items and can wait until next month to discuss lengthy documents.

Disclosure Packet fees and regulations – The Board was informed previously that a resident's account was charged when the disclosure packet fees were not paid to Summit Management at settlement as well as four other accounts. Director Liz Fernandez reviewed the five accounts in question. She stated that two of the owner's are now current on their account. Based on when the new law allowing missed charges to be applied to an owner's account went into effect, she felt owner's should not have been charged. She felt the disclosure fee should be removed from one account, refunded to another account and the CM should contact the collection attorney on a third account. It was determined the resident who brought this to the attention of the Board was responsible for the disclosure fee.

Disclosure packets can be a source of income and currently all fees go to Summit. It was asked what needed to be done to bring this responsibility back to the community office.

Private investigator – This topic was tabled until after Executive Session.

Architectural Standards on Black Streaks on Roofs – This topic had been tabled from August of 2008. It was agreed that the Standards do not need to be revised. There is no known cause at this time to determine what is causing the black streaks on the roofs, and black streaks alone will not be cited. However, roofs that are deteriorating and showing signs of curling, patching or bubbling shingles will be cited.

GENERAL BUSINESS - NEW

Pool hot water heater – After getting several plumbing issues in the pool bathhouse corrected, the plumber has highly recommended that NCA replace the bathhouse hot water heater. It is 16 years old. The quote is \$1450 for an 80 gallon heater. The CM is to get a second quote.

Social Activities – Director L Fernandez presented the Board with a suggestion to have a TGIF social at the pool during evening pool hours and serve beer, wine and soda with residents bringing a dish. The CM will contact our insurance carrier to determine if we have coverage under a host liquor liability clause or cost to add coverage if not in our policy. This topic will continue to be discussed by email.

Articles of Incorporation Amendments – Treasurer Catherine expressed concern with the Amendments to the Articles of Incorporation and how they contradict everyone's understanding of membership and voting rights. It was suggested that our attorney's should review the documents. Treasurer Catherine would like to explore some free services (i.e. college course work) first.

Grass Violations – The CM explained that there are properties with excessively high grass. If NCA were to follow the past procedures, it takes three months to bring a resident to a hearing for a violation. She recommends that tall grass be treated like trash violations. If the violation exists, the resident does not get a warning letter, just a hearing

letter. This was not allowed under the previous Rule Violation Policy but there is no prohibition in the current Rule Violation Policy. The Board agreed that tall grass needed to be addressed quicker. Treasurer Catherine made a motion to treat tall grass violations without a warning letter and proceed directly to a hearing. Director L Fernandez seconded the motion. Vote: 6 yes.

Landscaping Committee – Director N Fernandez asked if there was an existing landscaping committee. There is not. He would like to chair the committee. He would like to present new ideas. He believes the entrance signs need to be considered. He would also like to review the current grounds contract. Director N Fernandez will present a report for the landscaping committee at the next meeting.

Audit – The Board was given a copy of the draft audit report. Everyone should take the next month to review it and be prepared to vote on it if there are no concerns. Director L Fernandez asked what a Deferred Liability was. This question came up last year and the CM will forward the Auditors explanation to her.

Write off – The attorney is recommending the write off of pre-foreclosure debt on one property of \$1,241.95. The cost to pursue legal action could exceed the balance. President Rundgren made a motion to accept the write off. Treasurer Catherine seconded it. Vote: 6 yes.

At 9:50 p.m. Director L Fernandez made a motion to adjourn to Executive Session to discuss hearings, a probable cause for a hearing on architectural violations, the attorney's recommendation of a private investigator, and a new Board member. Vice President Peirce seconded the motion. Vote: 6 yes.

Public session reopened at 9:55 p.m.

President Rundgren stated that John Nolan has offered to be a Director on the Board. Treasurer Catherine made a motion to accept John as a Director. Director L Fernandez seconded it. Vote: 6 yes.

Regarding Lot 526, Vice President Peirce made a motion to charge the resident \$50 for a trash violation. Secretary Steele seconded the motion. Vote: 6 yes.

Regarding Lot 441, Treasurer Catherine made a motion to waive a charge to the resident for an early trash violation. Director L Fernandez seconded the motion. Vote: 5 yes, 1 no.

Regarding Lot 114, Treasurer Catherine made a motion to waive a charge to the resident for an architectural violation. Director L Fernandez seconded the motion. Vote: 6 yes.

Regarding Lot 471, Director L Fernandez made a motion to charge the resident \$50 for an architectural violation. Secretary Steele seconded the motion. Vote: 6 yes.

Regarding the attorney's recommendation to hire a private investigator, Director L Fernandez made a motion to not expend funds on a private investigator. Treasurer Catherine seconded the motion. Vote 6 yes.

Regarding Lot 116, Treasurer Catherine made a motion that probable cause exists for a hearing on an architectural violation. Secretary Steele seconded the motion. Vote 6 yes.

Treasurer Catherine made a motion to adjourn the meeting at 10:30 pm. Secretary Steele seconded it. Vote 6 yes.

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