

NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – February 3, 2010
Minutes of the Meeting

At 7:00 pm President John Peirce called the meeting to order. Board members in attendance included Treasurer Chip Catherine, Secretary Sarah Jernigan, Director John Nolan, Director Louise Whitt, Director Bob Fasick, and Director Al Roy. Vice President Liz Fernandez and Director Nestor Fernandez were not in attendance.

PRESIDENT'S COMMENTS

President Peirce stated that the upcoming snow storm is a high priority for him and he has already ensured that the snow contractor can provide NCA with a dedicated truck when there are two inches on the ground. We expect removal to occur while the snow storm is going on not after it is over.

APPROVAL OF MINUTES

Treasurer Catherine made a motion to accept the minutes of the January 6, 2010, monthly Board meeting. Secretary Jernigan seconded the vote. Vote: 7 yes.

HEARINGS AND APPEALS

There was no one in attendance for scheduled hearings. Secretary Jernigan made a motion to assess Lot 8 \$50 for a rule violation. Director Fasick seconded the motion. Vote: 7 yes.

EMAIL VOTES THAT OCCURRED SINCE LAST MEETING

None

COMMITTEE/BUSINESS REPORTS

Bylaws Committee

The committee has already met and reviewed various sections of the bylaw for revision. They expect to have a final review at the upcoming February 12th meeting after which it can be presented to the Board. Each section will be presented on a separate page with purpose, existing wording, and suggested changes.

Maintenance Committee

Secretary Jernigan stated the Maintenance Committee had its first meeting on Saturday, January 16th at 11 a.m. They will compile a list of maintenance needs and requests and then rank them based on importance including safety concerns. The goal is to help the Board make informed decisions and track expenditures. Path repair is a concern and RFPs have been solicited. Secretary Jernigan provided a detailed report on the pros and cons of a request for a static IP address on the security camera computer. The cost estimate of a Static IP address ranged from \$15/month to \$5,000/month depending on security level needed. It was suggested that the cameras would need maintenance, not the computer system. Internet access to the security camera computer raises concerns with hacking and legal issues. This item was withdrawn as a maintenance request.

Snow Contract Sub Committee – Quotes have been received from other snow removal contractors and the NCA rates with their current contractor are competitive with the new bids. The quotes received were based on yellow page listings and responsiveness of contractors. The committee is looking at past snow removal invoices and comparing them to NOAA reports of snow fall to compare what costs would have been incurred by NCA if they had been in a priority contract. It will take at least two months to prepare this report.

Nominating Committee

Director Fasick stated that the first committee meeting is scheduled for Monday, February 15th at 7 pm. The purpose is to make recommendations for four Board vacancies at the annual meeting.

Community Manager Report

- *General*
 - *NCA Vehicle Tickets: 1*
 - *Disclosure inspection(s): 8434 Kitchener, 7782 Euclid*
 - *New Violation letters: TRASH (), RULES (1), ARCHITECTURAL (0).*
 - ***Court date of March 9th for non payment of a violation charge on maintenance of lawn. Resident contesting charges.***
 - *Tree work authorized in December completed.*
 - *Path RFP resubmitted due to lack of response. Weather in December effected due date for contractors.*
 - *Meet with a fence contractor*
 - *Electrician repaired several outages around pool*
 - *Meeting room toilet fixed*
- *Resident Complaints/Issues:*
 1. *Trash in woods*
 2. *Toys left in front yards and clunker on Jenner*

There was discussion on the pool fence. President Peirce was curious about the cost to upgrade it. The one quote received was \$23,000 for a six foot aluminum fence around the perimeter and \$5000 for the two shorter interior fences. There was discussion on other options including painting the existing fence. This led to a discussion on seeking licensed and insured workers within our community to perform community maintenance needs.

GENERAL BUSINESS - OLD

T-bill – NCA has a T-bill expiring in February for \$190,000. After discussions at January's meeting on government backed securities other than T-bills, Director Roy researched the topic further. He stated that there are four investment considerations for NCA; T-bills, zero coupons, bonds and TIPS. TIPS keep pace with inflation and will never go lower in value than what is put in. Term is five years. No penalty full early withdrawal. The CM explained that the previous investment philosophy has been to have reserve funds in a ladder where each year, over three years, a portion of the reserve investment matures so a decision can be made to utilize the matured funds or reinvest.

This investment philosophy has not been followed over the past year and a half because T-bill rates were so low. There was extensive discussion on having an investment analyst advise the Board on this matter. The subject has been tabled until the next meeting to give the Board time to do research and contact investment companies for clarification.

Legal review of governing documents – NCA general counsel has reviewed our governing documents. He stated the Article of Amendment are sloppy. Class A and C are treated the same and since they are expressed that way in the CCRs, NCA should continue to treat all lots the same. Treasurer Catherine is concerned that this is in conflict with the NCA Articles of Incorporation and the Virginia Non Stock Act. There was discussion on the cost benefit to pursue this subject further. Director Nolan made a motion to table this subject for a year. Secretary Jernigan seconded the motion. Vote: 7 yes.

Roles and responsibilities – Secretary Jernigan has taken on the task of defining roles and responsibilities of NCA employees. She has received input and should have something by the next Board meeting. At a higher level she will also be addressing responsibilities of Board members as well.

GENERAL BUSINESS - NEW

Policy: Personal Property on Common Grounds – The general policy regarding personal property being left on common grounds was modified to include the statement that motorized vehicles and those of a resident's contractor are prohibited on common grounds. Director Roy made a motion to accept the change. Secretary Jernigan seconded the motion. Vote: 6 yes, 1 no (Peirce).

Removal of parking privileges for assessment delinquencies – There are currently 75 homeowners delinquent with their assessments. Language in the Delinquency Policy mentions revoking parking privileges. Director Whitt has offered to present some possible plans to implement the revoking of parking privileges but is concerned that this has never been presented to NCA general counsel. Director Roy made a motion to get a legal perspective on revoking parking privileges for delinquent owners. Director Nolan seconded the motion. Vote: 7 yes.

2010 Pool Rules – One change was made to the 2010 pool rules. It was a clarification on who a teenager is allowed to bring to the pool. Treasurer Catherine made a motion to accept the change to the pool rules. Director Roy seconded the motion. Vote: 7 yes.

Common grounds contract (mowing and liming) – Although it was initially recommended that this topic be tabled until next month, there were questions about what the Landscaping Committee would like to renegotiate in regards to the common grounds contract's number of mowing and liming. Putting the concerns in writing was suggested. The contract is a fixed price contract and really shouldn't have a defined number of mowing since there is language that states they will mow as needed. The CM provided comments from Blade Runners on the subject. It was agreed that Blade Runners provides

quality service to the community. Secretary Jernigan made a motion to leave our contract as it is without trying to renegotiate it. Director Nolan seconded the motion. Vote: 7 yes.

Common grounds improvement, Pruning – The Landscaping Committee would like the Board to consider rejuvenation pruning throughout the community. An old quote from Blade Runners to perform this type work was provided to the Board. The Landscaping Committee will be responsible for identifying the shrubs that need pruning and the CM will be responsible for the implementation of the work. Director Roy made a motion for 100 shrubs to be pruned at a cost of approximately \$2,000 which will be funded from the Common Grounds Improvement line in the budget. Director Nolan seconded the motion. Vote 7 yes.

The Board adjourned to Executive Session at 9:00 pm to discuss violations.

Upon return to open session, Director Roy made a motion that there is probable cause for Lot 530 to have a hearing on an architectural violation. Director Fasick seconded the motion. Vote 7 yes.

Director Fasick made a motion that there is probable cause for Lot 531 to have a hearing on an architectural violation. Treasurer Catherine seconded the motion. Vote: 7 yes.

Secretary Jernigan made a motion there is probable cause for Lot 7 to have a hearing on a rule violation. Treasurer Catherine second the motion. Vote: 7 yes.

Director Nolan made a motion to move forward with the violation assessment process for Lot 59 for an architectural violation. Secretary Jernigan second the motion. Vote: 7 yes.

Director Fasick made a motion to adjourn at 9:35 p.m. Secretary Jernigan seconded the motion. Vote: 7 yes.