

NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – May 5, 2010
Minutes of the Meeting

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

APPROVAL OF MINUTES

Director Nolan made a motion to accept the minutes of April 7, 2010. Director Fasick seconded the motion. Vote: 5 yes, 1 abstain.

COMMUNITY FORUM

There was a question on the pool being filled already and how that went. The pool is continually losing water and the pool contractor will be asked to give their assessment of the problem.

COMMITTEE/BUSINESS REPORTS

By laws Committee

The committee has reviewed the comments made by NCA's legal counsel regarding proposed Bylaw changes. They accepted some of the advice and rejected others. They would like the Board to call a Special Meeting of the Members to vote on the bylaw revisions, preferably in June. They would not like to wait until the annual meeting because they don't believe questions can be answered and a vote taken before the 8 p.m. deadline to starting the Board elections. The Community Manager will look to see if Pohick Church is available either June 21st or June 22nd. Director Nolan made a motion to call a Special Meeting for the voting of bylaw revisions. Director Fasick seconded the motion. Vote: 6 yes. Notices and proxies will be mailed to all residents.

Maintenance Committee

Secretary Jernigan explained that after the CM has met with Tibbs Paving and the NCA engineers, it is their recommendation that the Board approve \$22,647 for path repair and another \$3,000 for a tree removal and to have the engineers draw up the contract. Director Nolan made a motion to approve \$25,000 to perform all the work. Secretary Jernigan seconded the motion. President Peirce wanted more details on the project such as the grade of asphalt. Vote: 1 yes, 5 no. Director Fasick made a motion to approve \$4,000 for tree removal and engineer's time to draft contract. Director Nolan seconded the motion. Vote: 6 yes.

Secretary Jernigan shared information from the committee report that Durer Court is the street in the worse condition. The committee recommends that the Board approve funding for the engineers to draft an RFP for its replacement in 2010. The RFP should include some concrete sidewalk repairs that are considered the worst in the community.

Director Nolan made a motion to fund an RFP for the work on Durer. Director Fasick seconded the motion. Vote: 6 yes.

Secretary Jernigan mentioned that oil spills from cars are the leading cause of damage to asphalt and questioned whether NCA needs to get tougher on enforcing its rules with regard to those spills especially on the newer streets such as Moline.

The maintenance committee is also looking at the cost of painting and/or repairing fences.

Planning and Development

Mr. Lou Tobat provided an update on the progress on Rolling Road and Phase 3 of the Parkway/BRAC project. Maps were displayed in the meeting room for everyone.

Community Manager Report

- *General*
 - *NCA Vehicle Tickets: 1 (trailer)*
 - *Disclosure inspection(s): 7839 Godolphin, 7881 Godolphin, 7748 LeMoyne*
 - *New Violation letters: TRASH (1), RULES (), ARCHITECTURAL (1).*
 - *Exterior Project Requests: 5*
 - *VDOT work orders: potholes on Northumberland - COMPLETE, broken barrier at end of Delong - COMPLETE*
 - *Response from police officer on vandalism at pool house. Forensics from door knob turned up nothing. Circulated picture around police station and didn't get any hits. Inactive case at this point.*
 - *Met with engineer and contractor on path RFP (see Maintenance Committee)*
 - *County received our letter requesting a re-evaluation of the denial of yard waste recycling system for townhouses. They have reconsidered and approved through 2011.*
 - *TIPS purchased*
 - *Curb painting being coordinated for May 5 through 7th.*
 - *Grounds contractor's parking lot clean up to occur May 3 and 4th.*
 - *Met with fence contractor to have sign posts put in ground and get quote on fixing up pool fence.*
 - *Continuing to work on pool water situation with Fairfax County Water Authority*
 - *Spoke with engineer on water drainage behind 7771 Durer (see attached)*
 - *Updated working budget (see attached)*

- *Complaints*
 1. *A neighbor's grill too close to fence.*
 2. *Dog poop not being cleaned up.*
 3. *Grass not being cut.*
 4. *Car stolen on Moline and another car vandalized*

Regarding the drainage issue at 7771 Durer, the engineers comments were shared with the Board. The CM will ask the grounds company if they can run water through the drain pipe on common grounds to see if there is flow and if there is a need to replace those pipes.

GENERAL BUSINESS - OLD

T-bill/Investment Strategy – The Budget Committee Chairperson was not in attendance. President Peirce stated the strategy must involve a ladder so that every year funds mature and are available for use or renewal. The CM will contact Vice President Fernandez and Director Roy to find out the status of a budget/finance meeting.

Roles and responsibilities of CM – Secretary Jernigan received only three person's comments to the draft of the Roles and Responsibilities of the Community Manager. The printed format is confusing so she will reformat and the subject will be tabled until next month.

Charles Schwab Investment Accounts – Tabled until next month.

GENERAL BUSINESS – NEW

Roles and Responsibilities for Board Members – Tabled until next month

Secretary Jernigan motioned for adjournment to executive session at 8:10 pm to discuss probable cause for hearings and legal opinions. Director Nolan seconded the motion. Vote: 6 yes.

Return to open session at 8:35

Secretary Jernigan made a motion to seek bids for a new collection attorney. Director Nolan seconded the motion. Vote: 5 yes, 1 no (Catherine)

Secretary Jernigan made a motion to accept general counsel's opinion on not pursuing an appeal on a violation assessment and reversing the charge of a \$900 assessment. Director Fasick seconded the motion. Vote: 6 yes.

Regarding a foreclosure action on a delinquent owner, Secretary Jernigan made a motion to accept our collection attorney's opinion that it is best not to force foreclosure on this one specific resident but continue with the established process for collecting delinquent assessments. Treasurer Catherine seconded the motion. Vote: 6 yes.

Director Nolan made a motion there is probable cause for Lot 394 to have a hearing on an architectural violation. Director Fasick seconded the motion. Vote: 6 yes.

Secretary Jernigan made a motion there is probable cause for Lot 393 to have a hearing on an architectural violation. Treasurer Catherine seconded the motion. Vote: 6 yes.

Secretary Jernigan made a motion there is probable cause for Lot 388 to have a hearing on an architectural violation. Director Nolan seconded the motion. Vote: 6 yes.

Director Fasick made a motion there is probable cause for Lot 505 to have a hearing on an architectural violation. Director Nolan seconded the motion. Vote: 6 yes.

Regarding Lot 420, it was agreed this is a shared fence and the neighbors need to be notified of the architectural violation before there is a vote for probable cause.

Director Whitt made a motion there is probable cause for Lot 103 to have a hearing on a rule violation. Director Nolan seconded the motion. Vote: 6 yes.

Regarding Lot 119, a letter to the Board was read from a resident regarding a trash violation assessment. The Board will not be reconsidering the assessment.

The Board further discussed the path repairs recommended by the Maintenance Committee. Secretary Jernigan made a motion to dismiss the previously approved motion of \$4,000 for tree removal and engineer's time to draft contract. Treasurer Catherine seconded the motion. Vote: 6 yes. Director Whitt made a motion not to exceed \$25,000 for path repairs and incidental expenses. President Peirce stated he had no concerns with specifications on the path RFP. Director Nolan seconded the motion. Vote: 6 yes.

Secretary Jernigan made a motion to adjourn and 9:10 p.m. Treasurer Catherine seconded the motion. Vote: 6 yes.