

NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – October 6, 2010
Minutes of the Meeting

At 7:02 pm Vice President Nolan called the meeting to order. Other board members in attendance included Secretary Sarah Jernigan, Treasurer Louise Whitt, and Director Mike Smith. Director Kirk Brustman and Director Chip Catherine were not in attendance. John Peirce and Al Roy submitted resignations to the Board.

ELECTION OF BOARD PRESIDENT

Treasurer Whitt nominated Sarah Jernigan to be the Board President. Director Smith seconded the motion. Vote: 4 yes. Since Sarah was the Secretary, that position is now available. Treasurer Whitt stated the bylaws allow the Treasurer and Secretary to be one person. The Board will wait until all Board members are in attendance to see if anyone else would be interested in the position.

APPROVAL OF MINUTES

Treasurer Whitt made a motion to accept the minutes of the June 22, 2010 Special Meeting of Members. President Jernigan seconded the motion. Vote: 3 yes, 1 abstain. Treasurer Whitt made a motion to accept the minutes of the August 18, 2010 Special Board Meeting. Director Smith seconded the motion. Vote: 4 yes.

Treasurer Whitt made a motion to accept the September 1, 2010 monthly Board meeting minutes with changes. Under New Business, Bylaws, it will be noted that Treasurer Catherine had made a motion but there was no second. Additionally, it will be added that the Community Manager (CM) will be asked to redistribute the comments from general counsel regarding voting and membership rights. Motion was seconded by President Jernigan. Vote: 4 yes.

HEARINGS

Lots 61, 347, and 578 were not in attendance for hearings.

Lots 57, 132, 359 were in attendance to discuss trash violations.

COMMITTEE/BUSINESS REPORTS

Finance Committee

The Finance Committee's budget was changed by \$500 in the curb painting line since the Board last reviewed the budget. There will also be a line change for the common ground reserves. The \$30,000 budget will be split between \$25,000 for general common grounds repairs and \$5,000. The \$5K is earmarked for a possible appraisal in the event NCA property is taken for the widening of Rolling Road and the amount offered is unacceptable.

There is concern of the effect on the pool when Rolling is widened. VDOT was not aware that surveyors were recently spending a lot of time on Rolling Road in front of our property.

Treasurer Whitt has reviewed the status report provided by Segan, Mason of all cases. The information was helpful on some cases. There were four cases that were not included. It was noted by the CM that three of our worst delinquencies are paid up.

Planning and Development

Mr. Lou Tobat provided an update on the progress around the area. There was a question as to whether Barta Road will go through from Rolling to Backlick. It is not known at this time.

Community Manager Report, Lori Randall

- *General*
 1. *NCA Vehicle Tickets: 1*
 2. *Disclosure inspection(s): 8411 Red Ash, 7709 Brandeis, 7774 Euclid*
 3. *New Violation letters: TRASH (4), RULES (1), ARCHITECTURAL (4/2 grass).*
 4. *Exterior Project Requests: 8*
 5. *Path project finished. Problems found and fixed.*
 6. *Updated reallocated budget is attached. Budget lines of concern (usually over 66%) have been highlighted.*
 7. *Received Arborist review of community trees.*
 8. *Opening of bank accounts for reserve money. Issues to be discussed in meeting.*
 9. *Fixed office hours with new assistant: Lori is in Monday, Wednesday and Thursday 10 to 3 and Tina is in Tuesday and Friday 9 to 2.*
 10. *Second Clean Up Day for NCA being planned by Bob Fasick for October 16th.*
 11. *Attended attorney luncheon on eminent domain.*
 12. *Second board meeting needed this month?*
 13. *Annual Fenced Enclosure space renewal process started.*
 14. *Neighborhood Enhancement Grant due October 29th.*
- *Complaints/Issues*
 1. *Pool incident reported by resident.*
 2. *Ground hornets/wasps on ball field and nearby*
 3. *Ongoing suspicious activity at a resident's house on Durer.*
 4. *Car damaged by branches that fell out of a tree during a storm. Asked for reimbursement which NCA does not provide.*
 5. *Robbery on Moline. They were caught thanks to a neighbor reporting suspicious activity.*
 6. *Tree fell on fence and shed behind Luce.*
 7. *German shepherd on Godolphin has attacked dogs that walk by the house.*

If no one else is interested, the CM will put in an application for the County grant money for neighborhood improvements. She will apply to have some paths replaced that lead to the Fairfax County trail at Pohick Creek.

Under complaints, President Jernigan stated it was her dog that was attacked and wants anyone who lets their kids walk their dogs know that this occurred on the top half of Godolphin, has happened to more than one dog, and people should be very cautious.

GENERAL BUSINESS – OLD

Reserve Accounts – The CM did not open the \$200,000 money market at Burke & Herbert because the Board approved a lesser rate based on the bank stating they could provide dual signature authority. When at the bank, they stated they could not guarantee dual authority on all account transactions. Treasurer Whitt went to the branch and had them contact the District Manager who stated that the bank can guarantee dual authority. VCB stated they could insure per signatory. This will all be looked into further.

Investment Strategy – Treasurer Whitt will draft a written document for the Board's review.

Drainage Concern – Vice President Nolan met with the owner of the property. The owner suggested an outdoor sump pump. She will get more information on this.

NCA gardens – Due to a budget shortfall the CM has recommended waiting to spend any funds on common grounds improvements. There was no motion and the topic will be dropped.

Legal Counsel for Collections – There was consideration of interviewing a third law firm but at this point only two board members actually took part in the first two interviews. Treasurer Whitt prepared a list of questions for both firms. These will be forwarded and after the responses are received, one will be asked to come back and meet with the new Board members. The goal is to get the questions out and responded to by October 21st.

GENERAL BUSINESS – NEW

Board Goals – The Board discussed the ideas presented for goals including reducing delinquencies, providing exterior appearance ideas, making the Board and committees more accessible, and review of governing documents. The Board would like to solicit from the community, their talents that they would like to share with the community. President Jernigan would like to get back to the idea of a Community Day with professionals setting up advice stations and she would like the Maintenance Committee to become more active. There was discussion of a group email.

Black algae on roof shingles – Director Smith is working on his own roof trying to remove algae and presented the Board with some information on the problem. He found zinc and copper prevent the algae and metal strips can be placed at the top of the roof. Rain hitting the metal strips helps dissolve the algae. He will do a test strip on his roof to see if it works and what it will look like from an aesthetic standpoint. The results will be discussed in six months.

Security cameras – Based on a resident's question at the annual meeting, Director Smith provided a paper for discussion by the Board. It included concerns about aesthetics, radio frequency and privacy. The NCA Architectural Standards do not specifically address this topic. This subject will be tabled unless someone submits an architectural request.

Donation to Saratoga Elementary – A resident asked the Board to consider making a donation to Saratoga Elementary School for their beautification project. Treasurer Whitt made a motion that no donation be made since our budget is short and we are not funding our own beautification projects. Director Smith seconded the motion. Vote: 4 yes. It was suggested that the resident run an article in the newsletter to see if any business owners in our community or residents would be interested in donating to the project.

Pool contract extension – The current pool contract has offered NCA a one year extension, through 2012, with no cost increase. Vice President Nolan made a motion to extend the pool contract through 2012. Director Smith seconded the motion. Vote: 4 yes.

Bylaws: Does trustee have rights of a member? – A Board member questioned if a trust owns their property, then who has the right to represent the trust on the Board. There was discussion regarding the fact that someone elected would be grandfathered under bylaws that allowed non-members to be on the Board. It was agreed a legal opinion would be needed to get a final answer but since the Board member has resigned the point is moot. It was suggested that a legal opinion still be obtained for future reference.

Bylaws: Are they consistent with State law? – The Board agreed they are not aware of any inconsistencies between the governing documents and any State laws. If there are any specific instances that can be cited, then they should be presented to the Board in writing for them to consider.

The Board adjourned to Executive Session to discuss hearings at 9:05 pm. The Board returned to open session at 9:08 pm.

Regarding Lot 57, President Jernigan made a motion to waive any charge for a trash violation. Director Smith seconded the motion. Vote: 4 yes.

Regarding Lot 132 and Lot 359, Vice President Nolan made a motion to waive charges for trash violations. Director Smith seconded the motion. Vote: 4 yes.

Regarding Lot 578, President Jernigan made a motion to assess a \$50 charge for a rule violation. Vice President Nolan seconded the motion. Vote: 4 yes.

Regarding Lot 447, Vice President Nolan made a motion to assess a \$50 charge for an architectural (grass) violation. Director Smith seconded the motion. Vote: 4 yes.

Regarding Lot 61, Treasurer Whitt made a motion to assess a \$50 charge for an architectural (grass) violation. Vice President Nolan seconded the motion. Vote: 4 yes.

Regarding Lot 61, Treasurer Whitt made a motion to assess a \$50 charge for a trash violation. Vice President Nolan seconded the motion. Vote: 4 yes.

Vice President Nolan mentioned that it is very difficult to find residents willing to sit on the Board of Directors. We have not been able to maintain nine members for more than three months since it was increased. We are currently at eight. The Nominating Committee worked very hard this year and was able to only find two interested candidates both of which are now on the Board. With the recent resignations, there are now six Board members. Vice President Nolan made a motion to not fill the Board seats vacated by John Peirce and Al Roy. This will leave one vacancy to be filled. Based on the remaining positions, there will be two terms expiring in 2011, two in 2012 and three in 2013. Director Smith seconded the motion. Vote: 4 yes.

The meeting adjourned at 9:15 pm