

NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' SPECIAL MEETING – November 18, 2010
Minutes of the Meeting

At 7:07 pm President Sarah Jernigan called the meeting to order. Other board members in attendance included Vice President John Nolan, Secretary Mike Smith, Treasurer Louise Whitt, and Director Kirk Brustman. The Community Manager, Lori Randall, was also in attendance.

GENERAL BUSINESS – OLD

Legal Counsel for Collections – The purpose of the meeting was to discuss how the Board wants to proceed on the assessment delinquency process and if they want to switch legal counsel. The Board reviewed the pro/con list provided to them which was prepared based initial letters, interviews and follow up Q&A.

President Jernigan expressed to the Board some of her concerns with the existing collections counsel.

The Community Manager put a suggestion to the Board. She recommends the Board use Rees Broome for all new collections work. They are NCA's existing general counsel and have provided quality service. It would be good to have all legal business with one law firm. They are familiar with our governing documents and management structure. Rees, Broome will report delinquencies to national credit bureaus. Collections are handled by a collections department. Treasurer Whitt liked that there is a fixed fee on moving old cases over to their law firm as opposed to an hourly fee. The Board wanted to know if there was a time constraint for turning over new cases to an attorney. The CM will contact both Segan, Mason and Rees, Broome with that question.

A transfer process was discussed which included three steps: 1) pick a new law firm, 2) send all new cases to the law firm, 3) Board meets and reviews status report of all cases currently with the existing collections counsel to decide how each shall be handled. Director Whitt felt it needed to be stressed that NCA needs to be better informed and receive more information on delinquencies during the collections process.

Vice President John Nolan made a motion to invite Rees, Broome back for a final discussion on a collection process that the Board would like implemented. Treasurer Whitt seconded the motion. Each Board member was asked to express if they had any concerns with inviting Rees, Broome back. Vote: 5 yes.

To move forward on this, the Board will put together a final list of questions for the attorney as well as a proposed process to be discussed. Questions include:

- 1) how much is escrow for expense outlay?
- 2) Cost clarifications:
 - Exactly what are fees for certain services?

Are there other costs that aren't in fee schedule?

Do they charge for copies and postage in addition to flat fees?

3) Can NCA modify the process for collections?

4) Would the assigned attorney and paralegal be available to meet with the Board?

5) Do they follow up with credit bureau when residents pay all balances due?

The Board will prepare a proposed delinquency process for discussion with Rees, Broome. The CM will prepare a draft for the Board by Wednesday, November 24th. The Board will provide their comments to the draft by Wednesday, December 1st. This will be an agenda item at the next Board meeting, in hopes of meeting with Rees, Broome around December 8th. Everyone was asked to read all materials provided to them prior to the meeting in hopes of making the meeting go quicker and be sure to always confirm attendance for meetings.

Vice President Nolan made a motion to adjourn at 8:40 pm. Secretary Smith seconded the motion. Vote: 5 yes.