

NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – July 7, 2011
Minutes of the Meeting – NCA Pool House Meeting Room

At 7:04 pm President Sarah Jernigan called the meeting to order. Other board members present were Treasurer Louise Whitt and Secretary Mike Smith. Vice President John Nolan and Director Kirk Brustman were not in attendance.

PRESIDENT'S COMMENTS

President Jernigan stated she has received resident complaints and encourages anyone who sends these unpleasant emails to come to a Board meeting to provide their comments to the entire Board, not just one person. She stated that the Board will need to take an email vote later in the month after she has had an opportunity to answer some audit questions regarding fraud. This is a routine questionnaire. She commented on how great the pool looks. The CM noted a resident made a point of coming to the meeting room right before the meeting to compliment us on the pool and the pool staff.

APPROVAL OF MINUTES

Secretary Smith made a motion to accept the minutes of the June 1, 2011 meeting. Treasurer Whitt seconded the motion. Vote: 3 yes.

HEARINGS

Lots 20, 541, 42, 109, 276, 277, 311, 325, 336, 343, 574, 513 and 573 were not in attendance for scheduled hearings. Lot 311 has provided an email to the Board. Lot 541 left a message with the Community Manager (CM) regarding their letter.

COMMUNITY FORUM

No one in attendance had any comments or questions.

COMMITTEE/BUSINESS REPORTS

Treasurer's Report

Treasurer Whitt stated the Budget committee has met and has a draft 2012 budget prepared. The Board discussed the Reserve Fund Status report. There was talk about the TIPS investments and the CM recommended looking at the unrealized gains on the account. The \$100K certificate of deposit matures on 9/2/11. The CM will find out how many days after the maturity before it will automatically renew. President Jernigan asked Treasurer Whitt to provide a written recommendation for reinvesting those funds by July 27th so that the Board could discuss at the August meeting with a vote no later than the September meeting. Under expenditures, an additional \$450 was spent on pool fence fabric and repairing the hand rail at the entrance steps. President Jernigan asked the CM to send a 'heads up' email when there are additional expenses. There was discussion on the difference between a commitment and an outstanding item. A commitment is when the Board has approved the expense/repair but it hasn't been paid yet. Outstanding items will be Maintenance Committee recommendations. A resident suggested looking at the rates on the accounts where quarterly deposits go and moving funds if necessary. The 2010 audit was discussed. The Treasurer should recommend to the Board to accept or provide questions on the audit. Treasurer Whitt will provide comments on the audit by July 13th. If there are no problems it will be sent to the Board for comment by July 20th.

Planning and Development, Lou Tobat

Lou stated the article in the newsletter on the park and ride was good. President Jernigan recommended everyone provide comment to Gerry Hyland's office.

Community Manager Report, Lori Randall

- *General*
 1. *NCA Vehicle Tickets: 1*
 2. *Disclosure inspection(s): 0*
 3. *New Violation letters: 5*
 4. *Exterior Project Requests: 3*
 5. *Received three common grounds maintenance bids. Prepared chart.*
 6. *Path work, have final proposal; Engineer prepared contract.*
 7. *Large pieces of plaster bubbled/broken in pool – pool down for two days, mainly due to amount of time to fill. 8 swimming hours effected.*
 8. *New law regarding 48 hour notice posting before applying pesticides. (added to Agenda)*
 9. *Fireblight disease in Pears in Northumberland – getting effected branches removed and have proposal for fungicide treatment for 2012. (Added to Agenda)*
 10. *Billing from Segon Mason for registered agent fixed.*
 11. *Bid letters for trash contract were sent. Responses due 8/15/11.*
 12. *Annual tree inspection completed.*
- *Complaints/Issues*
 1. *Pool hours in June on Friday are not late enough and should adjust hours when very hot.*
 2. *Resident stated there are more trees behind Luce that are a threat. Asked to show them to me and I'll have arborist look at them but never heard back.*
 3. *Poison ivy on common grounds. We do not remove.*
 4. *Will pay for tall grass but doesn't understand why going after them for tall grass when broken curb has not been fixed in front of their home. Response: A rule violation can't compare to a large scale construction project. Recommended attending a board meeting.*
 5. *Yard debris not picked up at one home on Cushing.*
 6. *Charges to account for NSF check and then check is resubmitted and more charges to account.*
 7. *Car possibly dented by mower. Blade Runners meeting with them, doesn't appear to be from mower.*
 8. *Home with grills on deck and problem with children in street. Grill is not a violation but if multiple neighbors sign a complaint about problems, NCA will send a nuisance letter.*
 9. *Various complaints about property maintenance. Addressed issues that are a violation.*
 10. *Resident doesn't like that the curb in front of his home is a central location where other residents pile trash for collection. Suggested placing his trash somewhere else to encourage others to do the same but felt it didn't work and wants NCA to flyer the homes in that area. Done.*

The CM stated the fireblight branches are being removed and recommended the Board approve the fungicide treatment for 2012. The Board was not willing to vote on the proposal until they discussed and approved the common grounds contract that is up for bid. The CM stated that tree work is separate from the common grounds contract. Branch pruning was paid for from tree labor budget line. There was a question on the NSF check charges. The Board felt this individual should talk to his bank. Treasurer Whitt felt the CM should not have placed flyers out regarding the relocation of a trash pick up area. The CM wanted the Board to be aware that she has notified two owners that individuals in their home are not following the rules at the pool and are being warned that they could lose pool privileges.

GENERAL BUSINESS -- Old

Trash Can Storage in Single Family Section – Secretary Smith made a motion to accept the revised Trash Policy. President Jernigan seconded the motion. The policy will be in next month's newsletter and an article written explaining that the single family homeowners will be affected by the revisions. Vote: 3 yes.

Delinquency Policy Revisions – The Board had an extensive discussion on the current draft of the Delinquent Assessment Policy Resolution and attorney responses to questions from the Board. President Jernigan made a motion to accept the current revision to the NCA Policy Resolution Regarding Delinquent Assessment Payments. Secretary Smith seconded the motion. Vote: 2 yes, 1 no. There was discussion on putting the new policy in the newsletter. Treasurer Whitt felt the policy should be mailed to all residents. The time and material cost was a concern to the CM when this is not required. Including it in the annual meeting letter would be a problem since they are all printed and ready to be stuffed.

GENERAL BUSINESS -- New

Fire Code definition of a townhouse – Treasurer Whitt thought that the homes in the Newington Glen section of the community may not meet Fairfax County's definition of a townhouse because their balconies recess into the home instead of starting beyond the front or back wall. The CM noted that the definition states that a townhouse is "three or more attached units in which each unit extends from foundation to roof . . . " In the Glen there are no units where more than one family/unit is between the foundation and roof. It was recommended the CM call the Fire Marshall to come and look at these homes to confirm they are townhouses.

Tree problems – There have been several tree complaints recently and the alley between Kitchener and Brainerd has a lot of evergreens that were hit hard by the last two winters of heavy snow. The branches that broke were removed but many of these trees still have significantly bent tops or branches. The spreading of the branches has an ugly overall appearance. The CM met with the tree contractor and reviewed all. He prepared a proposal of several trees being removed and pruned. The CM stated the price is a good one, \$3200, considering how much work will be done. The Board was asked to look at them before the meeting. Treasurer Whitt stated one of the trees behind Brainerd near the electrical box looked like it would best be removed instead of pruned. The CM asked the Board to approve \$4000 so she can get the work done without coming back with a new number for the Board. Treasurer Whitt felt this was too high. Secretary Jernigan made a motion for \$3500 to address all trees in the proposal plus an additional removal. Secretary Smith wanted to know why not just go with the \$4000 limit since the CM wouldn't spend any more than was necessary. Treasurer Whitt seconded the motion. Vote: 3 yes.

Sign posting for pesticides – New Virginia law requires NCA to post notice of pesticides being spread on common grounds 48 hours in advance. The CM felt the proposal from Blade Runners for two signs was not necessary and the office could handle this at less cost to the association. She stated the new common grounds contract should include a requirement that they provide the office with 48 hours notice. It was recommended that the notice be 3 business days and that we could ask the attorneys if there are any guidelines on the signage. The CM was asked to inform the Board of how much was spent on the signs at the next meeting and that it should not go over \$400. Treasurer Whitt made a motion to purchase 3 signs for pesticide application notification up to \$400. President Jernigan seconded the motion. Vote 3 yes.

Common Grounds 2012 proposals – The Board reviewed the summary of the three common grounds proposals. The CM stated there are two things that are not in the proposal that should be added, sidewalk edging in the single family section and notification for pesticide sign posting. President Jernigan asked the CM if there was any reason not to continue with Blade Runners. The CM stated the pricing was comparable to a new company and better than the third. The service has been excellent and she trusts this contractor to provide quality service. President Jernigan made a motion to accept Blade

Runners contract for three years with no increase over the term of the contract. Secretary Smith seconded the motion. Vote: 3 yes.

The Board adjourned to Executive Session at 10:04 pm to discuss hearings and returned at 10:10 pm.

Regarding Lot 541, President Jernigan made a motion to assess a \$50 charge for a trash violation. Treasurer Whitt seconded the motion. Vote: 3 yes

Regarding Lots 109, 276, 277 325, 336, 574, 513, and 573 President Jernigan made a motion to assess a \$50 charge for the tall grass violations. Secretary Smith seconded the motion. Vote: 3 yes

Regarding Lot 311, the CM read a letter to the Board. Treasurer Whitt made a motion to waive any assessment for a tall grass violation. Secretary Smith seconded the motion. Vote: 3 yes.

Regarding Lot 343, Treasurer Whitt made a motion to assess a \$50 charge for the tall grass violation. Secretary Smith seconded the motion. Vote: 3 yes.

Regarding Lot 42, the CM read an email to the Board. Treasurer Whitt made a motion to waive any assessment for a tall grass violation. Secretary Smith seconded the motion. Vote: 3 yes.

The Board discussed a property that received a letter stating they had placed a concrete pad on common grounds behind their home. The resident stated it was that way when he purchased the home. The CM sent the letter because she hadn't thought she had seen it before but found pictures from nine months ago showing it was there. A neighbor confirmed the concrete had been there for some time. The CM was asked to get the date the property was purchased. Treasurer Whitt stated we should be getting disclosure cover pages from the disclosure packets and filing them in the lot number file. The CM was asked to get a quote of the cost to remove the pad.

A resident responded to a letter stating the Board had voted on a tall grass violation and asked the Board to reconsider. President Jernigan made a motion to allow the ruling on the violation to stand. Secretary Smith seconded the motion. Vote: 3 yes.

A resident submitted an Exterior Project Form and the request was denied by the Architectural Control Committee. The resident appealed in writing to the Board. President Jernigan made a motion to deny the appeal and uphold the ruling of the Architectural Control Committee for the back patio and handrails. Treasurer Whitt seconded the motion. Vote: 3 yes. The CM will send a letter to the resident regarding his appeal and a violation letter for the work that was done.

The meeting adjourned at 11:10 pm.