

NEWINGTON COMMUNITY ASSOCIATION  
BOARD OF DIRECTORS' MEETING – August 3, 2011  
Minutes of the Meeting – NCA Pool House Meeting Room

At 7:00 pm President Sarah Jernigan called the meeting to order. Other board members present were Vice President John Nolan, Treasurer Louise Whitt, Secretary Mike Smith and Director Kirk Brustman.

#### PRESIDENT'S COMMENTS

President Jernigan stated she will be implementing a new plan for Board meetings. With several members working full time jobs, they need to stop where they are in the agenda and go in to Executive Session at 9 pm.

John Nolan's Board term is up in August and he will not be running for re-election. John started with the Board in 2003 and has served seven years. His dedication to NCA is remarkable.

#### APPROVAL OF MINUTES

Treasurer Whitt made a motion to accept the minutes of the July 6, 2011 meeting with an additional sentence that clarifies the fraud comments are regarding a routine questionnaire that the Board needs to return to the auditor. Secretary Smith seconded the motion. Vote: 3 yes, 2 abstain.

#### HEARINGS

Lots 584, 478, 549, 550, 552, and 572 were not in attendance for scheduled hearings. Lot 126 explained that he had problem tenants and that they were now gone. He has put his property up for sale. He provided his email address for notification of the results of the hearing.

#### COMMUNITY FORUM

Lot 343 wanted to address the Board regarding a violation letter that stated he would be assessed \$50 after missing an opportunity for a hearing. He also discussed the pile of mulch in his front yard. He expressed concern that an individuals trash could be looked in when placed out for pick up. President Jernigan explained to no one would go through trash unless it was placed out early.

Another resident had been assessed \$50 for tall grass a few months ago and explained why the grass had gotten tall and that it was mowed the day they received the letter. She also wanted to make the Board aware that there is a bigger problem with water puddles on her sidewalk and parking space. President Jernigan explained that there are plans to fix these problems on the community streets but there isn't enough money to fix it all at once. The next street to be repaired is Durer Court.

A resident asked if a draft budget would be in the newsletter before the annual meeting. A draft budget will be in the October newsletter to give residents a chance to comment before the Board votes on it in November.

#### COMMITTEE/BUSINESS REPORTS

##### Treasurer's Report

Treasurer Whitt stated the Budget committee has met and has a draft 2012 budget prepared. A copy was available for the Board. They anticipate an increase to both the townhomes and single families. The committee needs to have another meeting. There was discussion on available funds for any upcoming projects. The largest amount will be needed for the Durer Court project but that won't happen until next year. A resident questioned the increases to the CM budget line and Assistant CM budget line. Those increases do not represent an increase in the employees' hourly rates but an increase to the line to eliminate any shortfall in the line. A CD matures September 2<sup>nd</sup> and some various bank rates were shared. The CM reminded the Board if they are considering another bank, paperwork takes

time and they would need to start now. Treasurer Whitt shared a chart she saw in the Washington Post regarding Treasury TIPS. President Jernigan mentioned the unrealized gains of \$9K we have from our current TIPS investment. Treasurer Whitt mentioned that there seems to be progress in collecting delinquent assessments by our collections attorney.

#### Planning and Development, Lou Tobat

Lou mentioned the four office buildings that are being constructed on Telegraph Road. This will add to the congestion in the area. The park and ride seems to be progressing despite multiple communities' concerns. The exit from the parkway to Fullerton is now open.

#### Community Manager Report, Lori Randall

- *General*

1. *NCA Vehicle Tickets: 0*
2. *Disclosure inspection(s): 7737 Matisse*
3. *Exterior Project Requests: 7*
4. *More drain problems in pool house. Toilet paper coming up from floor drains. Had drains snaked. No roots or breaks found. If problem persists, recommends using drain camera.*
5. *Annual meeting mailing completed.*
6. *Health department review: adjust diving board, flow meter broken, turn hot water heater up. Recommends getting fan in pump room on a switch as opposed to on a temperature gauge.*
7. *Reviewed draft 2012 budget and provided comment.*
8. *Met with representative from American Disposal and Trash Away. Bids due 8/15/11.*
9. *Annual RV Lot renewal reminder letters were sent.*

- *Complaints/Issues*

1. *Yard sale at top of Northumberland on Saturday. Anyone resident can call police since there is a 'no trespassing/soliciting/loitering' sign in that location.*
2. *Damage to home from fireworks. Wants a ban on them.*
3. *Common ground tree roots encroaching in yard*
4. *A resident complimented the pool operations and would like to see Sunday morning adult swim continue into August.*
5. *Dead branches in tree.*
6. *Sidewalk raising from tree roots.*

The CM was asked about the status of some actions from last month. The tree that was recommended for removal didn't get taken down but looks good, even better than some of the other trees in that area. The concrete pad hasn't been looked at. The CM was asked to talk to Titan about their recommendation on the fan for the pump room. The Fire Marshall was not called to look at the townhomes and will not be called. Blade Runners has not provided a signed contract yet.

#### GENERAL BUSINESS -- Old

Proposal for Fireblight – The dead branches have been removed from the infected trees. The CM would like the Board to approve the fungicide now. That would be one less action to track and we don't want to miss the window for applying the fungicide, which is late winter/early spring before leaves come out. Vice President Nolan made a motion to approve the proposal to remedy the fireblight to be paid from the tree maintenance line. Director Brustman seconded the motion. Vote 4 yes, 1 no.

#### GENERAL BUSINESS -- New

2010 Audit – No one had any questions or concerns with the draft 2010 financial audit. President Jernigan made a motion to accept the audit. Vice President Nolan seconded the motion. Vote: 5 yes.

Audit questionnaire Response on Fraud – the Board reviewed the draft response. There were no comments or questions. Vice President Nolan made a motion to accept the questionnaire response. Director Brustman seconded the motion. Vote: 5 yes.

Annual Meeting Agenda – Treasurer Whitt made a motion to accept the annual meeting agenda as drafted. Vice President Nolan seconded the motion. Vote: 5 yes.

The Board adjourned to Executive Session at 8:17 pm to discuss hearings and personnel issues and returned at 8:25 pm.

Regarding Lot 343 and their request to waive the \$50 charge for tall grass, Vice President Nolan made a motion to not waive the \$50 charge. Treasurer Whitt seconded the motion. Vote: 5 yes.

Regarding Lot 59, the NCA attorney's recommendation was provided to the Board. The owner recently passed away. President Jernigan made a motion to reverse any outstanding violation fees on this property since the architectural violation was rectified and there are no other fees owed to the association and then close the account with the NCA attorney. Vice President Nolan seconded the motion. Vote: 5 yes.

Regarding Lot 375, Vice President Nolan made a motion that probable cause exists for this property to have a hearing on an architectural violation. Director Brustman seconded the motion. Vote: 5 yes.

Regarding Lot 343, Secretary Smith made a motion that probable cause exists for this property to have a hearing on an architectural violation. Vice President Nolan seconded the motion. Vote: 5 yes.

Regarding Lot 126, Treasurer Whitt made a motion to waive any charges for a trash violation. Director Brustman seconded the motion. Vote: 5 yes.

Regarding Lot 584, Secretary Smith made a motion to charge \$50 for a early trash violation. Director Brustman seconded the motion. Vote: 5 yes.

Director Brustman felt the language in the after hearing letter should be revised from 'chose not to attend' to 'did not attend'. The CM will make the change.

Regarding Lot 478, 549, 550, 552, and 572, President Jernigan made a motion to charge \$50 for tall grass violations. Treasurer Whitt seconded the motion. Vote: 5 yes.

The Community Manager's work anniversary was in June. Secretary Smith made a motion to increase the hourly rate by 2%. Director Brustman seconded the motion. Vote: 5 yes.

The meeting adjourned at 9:08 pm.