

NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – November 6, 2013
Draft Minutes of the Meeting – NCA Pool House Meeting Room

At 7:00 pm President Smith called the meeting to order. Board members present were President Mike Smith, Vice President Beth Rodriguez, Treasurer and Secretary Louise Whitt and Director Chris Hammel. Director Charles Thomas was not in attendance.

PRESIDENT'S REPORT

President Smith stated he had a potential volunteer that responded to last month's article. He has had some computer problems and has lost several email addresses from residents who have written him but he will try to reply as best he can.

APPROVAL OF MINUTES

Treasurer Whitt made a motion to accept the September 21st Board meeting minutes. Director Hammel seconded the motion. Vote: 4 yes. President Smith made a motion to accept the October 2nd monthly Board meeting minutes with a change to the date. Treasurer Whitt seconded the motion. Vote: 4 yes.

HEARINGS

No one was in attendance for violation hearings.

COMMUNITY FORUM

A resident presented the Board with a formal written request to amend NCA rules to allow the display of political signs. He was informed that the covenants prohibit all signs except for signs advertising the property for sale, and are very difficult to revise. He was willing to start a petition. This topic will be put on next month's agenda.

COMMITTEE/BUSINESS REPORTS

Treasurer's Report, Louise Whitt

Treasurer Whitt had no report. All Treasurer related topics will be discussed as part of the agenda.

Planning and Development Report, Lou Tobat

As Lou predicted in last month's report, Alban has been repaved and is in good condition. He followed up on an email from the County soliciting input in the prioritization of unfunded projects. He supported the widening of Alban and the section of Rolling Road from Old Keene Mill to the Fairfax County Parkway. He did note that the widening of Rolling Road from Fullerton to Alban was no longer on the list although he would have liked to see some improvements included such as lights and paths.

Community Manager (CM) Report, Lori Randall

General

- *NCA Vehicle Tickets:*
- *Disclosure inspection(s): 8517 Jenner, 8453 Brainerd*
- *Asphalt paths. Asked engineer to contact Tibbs and see if could be done this Fall and why they didn't bid on stream crossing 2. Ideally both would be done at same time. Tibbs submitted comprehensive proposal which was signed. Tibbs work load is heavy but will continue to press forward until weather becomes a problem.*
- *Audit Update: Draft received. Included on agenda.*

- *Non-judicial Foreclosure Update: NCA will no longer need to proceed since balance has been paid in full.*
- *Architectural committee walk throughs on Moline, Euclid and single family section. Door hangers and letters sent out.*
- *Started planting flower bulbs in some NCA gardens.*
- *Call from Dominion Power that they will be replacing cable to pool transformer in December or January.*

Resident Complaints/Issues/Comments

- *Loss of power from Brandeis construction. Thinks office should be involved in these situations.*
- *Reimbursement for food lost due to power outage. Referred to Fairfax Water.*
- *Kids run through resident's yard. Can we put something in newsletter?*
- *Branch from tree broke car mirror*
- *Recycling bin is not being picked up and will not pay assessments for not receiving services*

Additionally, the CM reminded the Board of the upcoming Christmas party on Friday, December 13th at the Saratoga Elementary School cafeteria.

GENERAL BUSINESS – Old

South County Federation – The Board discussed whether to join the South County Federation, an organization of multiple homeowner associations. The CM placed an article in the October newsletter to see if anyone would be interested in volunteering to be a liaison. No one volunteered and the Board agreed there was no need to join. Attendance is allowed at the meeting without being a member.

2014 Draft Budget – A budget line was created to track expense activity for the collection attorney to pursue a non-judicial foreclosure against a significantly delinquent owner. That account has been paid in full. President Smith made a motion to eliminate that newly created budget line of \$5,000 and use the general collections line in the event another case is recommended for non-judicial foreclosure. He wants to ensure that there is a method of tracking the expense if the need arises again. Vice President Rodriguez seconded the motion. Vote: 4 yes. Vice President Rodriguez made a motion that the common reserves line be increased by \$5000. The result is no change to assessments from the draft budget that was in the November newsletter. Director Hammel seconded the motion. Vote: 4 yes. Vice President Rodriguez made a motion to accept the 2014 budget as amended. Director Hammel seconded the motion. Vote: 4 yes.

GENERAL BUSINESS – New

Snow Contract – Springfield Lawn sent a new contract to NCA covering the timeframe of December 1, 2013 through May 1, 2016. Costs have not gone up. President Smith made a motion to accept the contract with Springfield Lawn. Director Hammel seconded the motion. Vote: 4 yes.

Financial Management Contract – Summit Management's contract renews unless given a 60 day notice of cancellation. Their monthly fee increases by CPI-W and their Attachment A list of itemized costs has not changed. President Smith made a motion to continue with Summit Management for NCA's financial management services. Vice President Rodriguez seconded the motion. Vote: 4 yes.

Maintenance Projection – Based on a comment last month regarding the condition of NCA's tennis courts, the CM shared with the Board the status of current maintenance projects. The interior section of asphalt path and stream crossing at the triple culvert is expected to be started this week. These projects took precedent over other projects such as sealcoating the pool parking lot and getting a pool

cover. It is time to put together a report of maintenance for 2014 which should be presented to the Board in January. The CM will see if a previous Board member and Co-Chair of the Maintenance Committee intends to continue to serve.

Pruning of Bradford Pear Trees – Based on a concern that the Bradford Pears at the entrance to Delong and along Northumberland are too low, Board members looked at the trees to decide if they need to be pruned. The overhang from these trees doesn't impede normal traffic but may be a problem for trucks and buses. These trees are very old and there isn't a lot of desire to put money into them. As they split, new, heartier trees are installed. The CM will get a quote to elevate just the pears that are in the medians at the entrance to Delong and Northumberland.

Tree Work – The CM has recommended the Board continue to take care of trees listed on the arborist's annual tree assessment. Treasurer Whitt made a motion to contract with Blade Runners on all priority two tree maintenance and one tree removal for a total of \$4,000. President Smith seconded the motion. Vote: 4 yes. Based on an adjustment in the 2012 audit that will increase the amount of available funds in 2013 by \$10,300, the CM recommended the Board look at the deteriorating pin oaks on Gwynedd and Brandeis. In a past request for community improvement ideas, Blade Runners suggested removing five trees and stumps at a cost of \$6,000. The CM recommended using the balance of the funds to remove two sweet gums on Brandeis that are raising the street, curb, and sidewalk. President Smith made a motion to spend \$10,000 on two sweet gum and five pin oak removals. Vice President Rodriguez seconded the motion. Vote: 4 yes.

2012 Audit – Vice President Rodriguez made a motion to accept the 2012 audit. Director Hammel seconded the motion. Vote: 4 yes.

South Run Coalition Petition – The South Run Coalition has been eager for NCA to sign and support their petition to the County in favor of ESL's contract extension at the Lorton construction debris landfill. Two members were neutral and two members felt that NCA should support the Coalition's petition. It was recommended that NCA consult with Mike Everett of Terra Grande, who has been leading the Rolling Road Committee concerned with the widening of Rolling Rd, to see if they also supported the petition.

Architectural Concern – An architectural violation came to the attention of the CM that has apparently existed for a long time. The CM drafted a letter explaining her approach to having the resident rectify the violation. There was discussion on the Virginia Property Owner's Act as it relates to disclosure packets. President Smith made a motion to sign the letter as drafted. Vice President Rodriguez seconded the motion. Vote: 3 yes, 1 no.

Doubtful Accounts Analysis – Treasurer Whitt prepared an analysis to provide a recommendation of how much should be set aside in the Allowance for Doubtful Account. Vice President Rodriguez made a motion to accept the \$18,000 recommendation. Treasurer Whitt seconded the motion. Vote: 4 yes. There is currently \$22,000 in the account and the adjustment will be passed on to Summit.

Brainstorming – President Smith stated that the Community Forum section is for residents to bring items to the attention of the Board and has introduced a Brainstorming section for the Board members to bring subjects/discussions to the Board. Lou recommended the Board address the fact that this is an aging community and some residents live by themselves. President Smith may develop an article in the President's Corner around this subject. President Smith asked the CM about the availability of hard copy the State statutes that govern Homeowners Associations. She informed the Board that she utilizes

the State's website but would be willing to print out a copy for any Board member who needs one. Rees, Broome also has a link on their website. There was a discussion on if general counsel should review NCA governing documents regarding assessing violation charges. The CM will forward to the Board an email expressing legal opinion on this subject. President Smith expressed his concern with use of lot numbers in the minutes. The Board discussed this matter and was equally divided on the interpretation of "motion or other action which shall have its substance reasonably identified in the open meeting." The CM reminded the Board that they had voted on this subject a few months earlier.

At 9:36 pm the Board convened to Executive Session to discuss hearings, write offs, the attorney's opinion on a potential non-judicial foreclosure, and a resident's request for the Board's involvement in their delinquent account.

The Board reconvened to open session at 9:45 pm.

The CM informed the Board of a write off that was included in the monthly financial statements on a foreclosed property. Vice President Rodriguez made a motion to write off \$664.67. President Smith seconded the motion. Vote: 4 yes.

Vice President Rodriguez made a motion to write off \$1,183.73 in pre-bankruptcy debt at the attorney's recommendation. President Smith seconded the motion. Vote: 4 yes.

The Board reviewed the email from NCA's collection attorney in response to an NCA inquiry on whether he recommended pursuing a non-judicial foreclosure on one specific case. He did not. The amount owed is lower than initially thought because the balance had not been split between pre and post-bankruptcy debt in the monthly financial report.

The Board discussed a case where the resident would like to negotiate a payment plan directly with the Board. To ensure the case is handled legally, this is not a consideration. The account will continue to be handled by NCA's attorney.

Regarding Lot 558 and 570, Vice President Rodriguez made a motion to assess a \$50 charge for each grass violation. President Smith seconded the motion. Vote: 3 yes, 1 no.

The Board adjourned at 10:01 pm.