

NEWINGTON COMMUNITY ASSOCIATION
BOARD OF DIRECTORS' MEETING – July 2, 2014
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, Treasurer and Secretary Louise Whitt, Director Kevin Benore and Director Chris Hammel. Vice President Beth Rodriguez was not in attendance.

APPROVAL OF MINUTES

Director Hammel made a motion to accept the June 4th monthly Board meeting minutes as prepared. Director Benore seconded the motion. Vote: 4 yes.

HEARINGS

Lot 35 was not in attendance for a hearing.

COMMUNITY FORUM

A resident wanted to discuss the revised commercial vehicle policy. His vehicle has truck plates with a P designating it as a private vehicle, not commercial. The truck plate is based on weight. It does fit into a parking space. Another resident asked why cabs were not allowed on the private streets. Commercial vehicles are prohibited based on NCA covenants from when the association began and cannot be changed without $\frac{3}{4}$ of owner's approval. The Board has agreed to revisit the subject at next month's meeting.

A resident had a trash violation in the past and received notice of a charge for the violation. She had not attended the hearing and asked the Board to reconsider her charge. She stated she put the trash out while the truck was still in the neighborhood and some boxes were still at the corner. The boxes were recycling materials which the contractor does not pick up on Fridays so the trash should not have been put out.

COMMITTEE/BUSINESS REPORTS

Treasurer's Report, Louise Whitt

The Budget Committee will be three people. They hope to meet this month to prepare a draft for the annual meeting. At this time, CPI-U is up 1.8%. That will give the committee a starting point of how much the assessments can be adjusted.

Planning and Development, Lou Tobat

Lou had no report but wished everyone a happy July 4th.

Community Manager (CM) Report, Lori Randall

General

- *Disclosure Packets: 8321 Cushing, 7728 brandeis*
- *Architectural Exterior Project Requests: fence, front door,*
- *Asphalt paths/stream crossing update: Rescheduled for week of June 23rd. Not started as expected.*
- *Foot shower broke and had to be replaced. \$350*
- *Cleaning of tennis courts is 90% finished.*
- *Two people have approached NCA asking if a swim team (with outside members) can be hosted at our pool. Saratoga Pool may no longer be an option for area swimmers next year.*
- *Firecode violations at pool. (i.e. exit signs, corrosive sign, extinguishers)*
- *Notary renewal complete.*

- *County has begun large scale renovation of all its units in Newton Place. Siding, trim, windows and doors. Pool parking lot is being used for a staging area for supplies, dumpster and portable toilet. Should take two months.*
- *Updated Collection Attorney Status Report for quarterly report to Board [attached to Board's supporting documents meeting package]*
- *Tree work: hanging branch at 7800 Marconi, tree across path next to tennis courts, two dead trees on Moline, two dead pines behind Marconi, branch overhanging path near 8358 Luce.*
- *Fairfax Water resurfaced Lodge and Brandeis where new pipes were installed this past winter.*
- *Draft preliminary (85 to 95 percent complete) Reserve study received this week.*

Resident Complaints/Issues/Comments

- *Compliment to common grounds contractor. They do a great job and the grounds seem to be improving every year.*
- *Compliment to a neighbor on Gwynedd, Bill Loy, who delivers newsletters and keeps his yard neat. He even cuts grass of his neighbors. It is always nice to have neighbors who go above and beyond.*
- *Leaves behind home are not being blown completely into woods and are around her fence and front door.*
- *Tree down on walking path in woods.*
- *Triple culvert pipes in woods is blocked.*
- *Fresh bed of mulch around the community looks great.*
- *Visibility issues from trees look north on Rolling Road from Delong Drive.*
- *Tree in woods fell and looks unattractive. Can it be cut? [requires Board approval but before Board could consider someone cut it to look better.]*
- *Exhaust system in front yard of a house for weeks*
- *Trash can at tot lot behind Luce Court has not been picked up. [multiple emails sent from CM to contractor but no response. Emails are not going through. Called and situation will be remedied.]*
- *Dead tree on Moline and hanging branch off of Luce.*
- *Resident said son's car was hooked up for tow with only a one day expiration and tow driver took cash to put it back.*
- *Pipe break on Durer.*
- *House is for sale and prospective buyer has asked if an egress window to basement would be allowed.*
- *Pipe break on Brandeis.*
- *Late fee waiver request. [Notified he must get board approval and recommended attending next meeting.]*
- *Vehicle with 'Truck' plates is not necessarily commercial. Has a P on plate for private.*

President Smith will call Tibbs Paving to find out why they have not started the path/stream crossing project.

GENERAL BUSINESS – Old

NCA Parking Policy -- The Board reviewed the parking policy revisions. Parking in blank spaces will be limited to 14 days. A resident felt this was not enough especially if someone was going on vacation. A resident provided the CM a marked up copy of the policy with grammatical corrections. Director Benore made a motion to accept the policy, with grammatical revisions, as included in the July newsletter. Director Hammel seconded the motion. Vote: 4 yes.

GENERAL BUSINESS – New

Contracts – Two big contracts expire in 2014, trash and common grounds. Both existing contractors have provided good service. The CM will be contacting both contractors to get a proposal for extensions of the contracts. If the conditions or prices are a concern, the Board will still have time to

go out for several bids.

Tree down in Woods, Request to cut requires Board approval – A resident asked that a tree be cut that had split behind his home because he did not like the appearance. NCA does not cut trees that have fallen in the woods without Board approval. The tree was trimmed by a neighbor before the meeting and no approval was needed.

Architectural Discrepancy – A resident has put in new windows without an architectural approval. The windows are not consistent with the rest of the community and when another resident had requested the same style, they were not approved. A violation letter will be sent to the owner.

Saratoga Swim Team – Two individuals have contacted the community office about if NCA is receptive to hosting the Saratoga Swim Team next year. There are legal and insurance ramifications as well as the effect on NCA residents when hosting a swim team. The CM will put together a list of what the Board should consider when discussing this topic.

Discussion on Governing Documents – President Smith has further looked into the subject of violations in our governing documents and discovered that other associations have lost in court due to a lack of reasonable, fair application of the rules. One court case that has been in the Washington Post involved hefty consulting fees to a Board member and excessive fines and charges for things such as calling the office. In one case the governing documents specifically prohibit the type of charges that were being made. Also the court decision was not published so sets no precedent for future court cases. Treasurer Whitt felt that president Smith was interpreting the information too broadly.

Architectural Question, Emergency Egress Window – a resident who is selling their home had a prospective buyer ask if an egress window would be allowed to be installed in the basement. While this specific request has not come up before, the Board felt that more information would be needed before a decision could be made. The CM will draft language for the Architectural Standards to address any future requests and present to the Board at the August meeting.

Brainstorming – President Smith wondered if there were an alternative to fines for violations such as community service. Issues may be enforcement and restrictive wording of the Virginia Property Owner's Act. The topic would require more thought.

Regarding the request for a late fee waiver, the resident was sent a letter that they could appeal to the Board at the Board meeting. No one was in attendance. President Smith made a motion to not waive an assessment late fee. Director Benore seconded the motion. Vote: 4 yes.

At 8:39 pm President Smith made a motion to convene to executive session to discuss hearings, a rule violation and revisiting the Board decision on a trash violation. Director Hammel seconded the motion. Vote: 4 yes.

At 8:54pm President Smith made a motion to reconvene to the regular meeting. Director Hammel seconded the motion. Vote: 4 yes.

Regarding Lot 35, President Smith made a motion to waive any charges since all violations have been corrected. Director Hammel seconded the motion. Vote: 4 yes.

Regarding Lot 605, President Smith made a motion to reverse the violation assessment for a trash

violation due to the conflicting information regarding the evidence of early trash. Director Hammel seconded the motion. Vote: 4 yes.

The meeting adjourned at 8:58 pm.