

NEWINGTON COMMUNITY ASSOCIATION  
BOARD OF DIRECTORS' MEETING – August 5, 2015  
Minutes of the Meeting – NCA Pool House Meeting Room

At 7:00 pm President Beth Rodriguez called the meeting to order. Board members present were President Beth Rodriguez, Vice President Kevin Benore, Treasurer Louise Whitt, Secretary Chris Hammel, and Director Florence Smoczynski.

#### APPROVAL OF MINUTES

Treasurer Whitt made a motion to accept the July 1st monthly board meeting minutes with a typo correction. Director Smoczynski seconded the motion. Vote: 4 yes, 1 abstain. Vice president Benore made a motion to accept the July 1st monthly board meeting executive session minutes as written. President Rodriguez seconded the motion. Vote: 4 yes, 1 abstain.

#### HEARINGS

Lots 56, 530, 531, 552, and all had a scheduled hearing as an opportunity to comment on a rule violation but were not in attendance. Lots 120, 532 and 542 (appeal) were in attendance.

#### COMMUNITY FORUM

A resident asked what the Board plans to do about a house across from her that is not being maintained. She feels the condition of the house reduces the value of her home. The lot was the subject of a vote in the June minutes that did not pass and then was not in the July minutes. She also volunteered to assist with the architectural inspections. If architectural violations are not pursued then she thinks she should be allowed to put up political signs without the Board enforcing that rule.

A resident commented that trash is taken out early and put out in front of his home. If this is reported to management, they will look into the matter. The resident also wanted the Board to be aware that the street light in front of his home doesn't always work. He was informed that the light has been reported to Dominion Power.

A resident wanted to make sure the Board was aware of the truck that got stuck in the common grounds at Northumberland and Moline Place. Two tow trucks were needed to get the truck out.

#### COMMITTEE/BUSINESS REPORTS

##### Treasurer's Report, Louise Whitt

Treasurer Whitt presented a first draft of the budget to the Board. The CM questioned if this first draft was the version being presented at the annual meeting. The CM stated she had provided input to the committee and reminded them of the new policy on employee compensation but the employee compensation lines showed no increase. There was discussion on the calculation the committee used to decide no increase was needed in the lines and the CM reminded her that is not the committee's responsibility per the new policy. Treasurer Whitt stated the committee may meet again before the annual meeting.

Treasurer Whitt provided the Board with an analysis of the Doubtful Accounts. The mid-year analysis is for information only. The final determination of how much should be held in Doubtful Accounts will be made with the September data but this is the lowest it has been in a while.

##### Community Manager (CM) Report, Lori Randall

*General*

- *Disclosure Packets: 7762 Durer, 8353 Moline, 7762 Durer, 7755 Euclid, 7771 Durer, 7719 Durer*
- *Asphalt paths/stream crossing update: County has approved bridge design. RFP out for bid. One response. Engineer following up with bidders.*
- *Brandeis Way renovation: Complete. Survey sent to Brandeis residents. 5 completed. Drove during downpour on 7/28. All water flow looked good. One corner of concern but need to see a few hours after a longer rain to determine if a problem.*
- *Survey: 49 electronic, 22 paper (note this statistic for comments on non-paper newsletters)*
- *Scheduled painting of Moline addresses and tic marks. Complete.*
- *Need to look at getting crack fill on center seam of Moline Place. Will have engineer look at it to confirm that is all that is needed.*
- *Tennis courts update: Requested an accurate measurement from Mid Atlantic before committing to repairs on tennis courts. Additional 25 feet at \$375.*
- *Release valve open on office hot water heater again. Bathroom and storage room flooded. It was recommended to replace the valve. Contacted plumber. Replaced valve and temperature gauge at \$215. Recommends adding a pressure reducing valve at \$300.*
- *Contacted VDOT about getting Delong Drive repaved. Not on any schedule for 2015 or 2016.*
- *Reported backed up storm drain on Godolphin and Northumberland to County.*
- *Door to door architectural inspections: started on Kitchener*
- *Follow up on exposed sewer line in common ground stream: no response*
- *Street sign inspection completed. Need . . .*
- *Truck stuck in mud on common grounds at Moline and Northumberland. Letters sent to owner and contractor. No response from contractor. Resident will call them as well.*
- *Planning landscaping for Brandeis. Working with Blade Runners.*
- *Expressed concern to pool contractor that lifeguards are not following the rules.*
- *Budget spreadsheet prepared.*
- *Finished creating garden at corner of Delong and Kitchener. Covers bare ground. Needs plants.*
- *Water main break on Durer. More street damage than being repaired by FCWA. Needs follow up.*
- *Contacted electrician on broken pool lights.*
- *Backed up storm drain on Godolphin reported to VDOT.*
- *Annual meeting letters mailed out per Covenants.*
- *Getting quote on yellow curbs painted in Newington Place. Considering for this year if enough in budget.*
- *One Soccer goal is broken. Not repairable.*

#### *Resident Complaints/Issues/Comments*

- *Tree concerns on Moline and Kitchener.*
- *Cable crosses path between Marconi and Brandeis.*
- *Front yard on Brandeis torn up for sewer pipe repair. Yard all mud when it rains and could affect integrity of new sidewalk.*
- *Can the resident remove roots from common grounds tree. Yes on your property and will talk to Board if on community property. Resident was only interested in roots on their property.*
- *Construction (kitchen renovation) trash on LeMoyne in street.*
- *Giant carts on Northumberland. Giant said they would pick up but never did then someone moved one on to Matisse and threw another in gully.*
- *Blank space on Brainerd is occupied for months at a time. Management is not monitoring this problem.*
- *Resident that lives on Kitchener parks in LeMoyne blank spaces when no spaces available on Kitchener or Delong. Honey is being poured on windshield when they park there.*
- *Puddling behind home on Brandeis after rain. [checked day after a quick rain and no ponding]*

- *Someone is occupying what appears to be a vacant home. [Note: FCHA acknowledged the home was vacant, visited the property, saw signs of occupation and called the police]*
- *Tree on Euclid needs pruning. [Private property, not NCA]*
- *Shrubs behind homes on Luce Court block water. [Shrubs are down hill from home and up hill from woods. Not sure how this problem exists.]*
- *How would the association handle a resident sunbathing nude in their back yard? Not an association issue. Suggested a neighbor might call police for indecent exposure.*
- *Single family sidewalks not edged in a month.*
- *Water is seeping out of street on Dampier. Fairfax Water has been called. Leak to be repaired at end of this week or early next.*

Regarding the Brandeis Way construction, the project went \$17,000 over contract but with prompt payment we were able to get it reduced \$3K. Total for the project was \$155K.

Adding a pressure release valve to the hot water heater at the office will be added to the end of the agenda.

The estimate to repair the common grounds from a truck that drove on it is over \$2K. The contractor and resident were sent letters but the contractor has told the resident that he will not attempt to repair it himself since receiving the letter.

#### Planning and Development, Lou Tobat

Lou doesn't have a Planning and Development report but wanted to make the community aware that Elizabeth Carroll of Kitchener Drive had passed away. Liz lived in the community a long time and was a very active participant on the Board, on the Architectural Standards committee and in recreation activities including the egg hunt and holiday parties.

#### Amending CCRs Committee, Beth Rodriguez

No report at this time. As a summary President Rodriguez stated the committee is assessing what changes, if any, need to be made to the Covenants. The process would involve getting 75% of the community to approve any changes. The procedure for doing this isn't established yet and will be presented to the Board before moving forward. The committee is planning to meet in the next two weeks and if anyone wants to participate, they should contact the Board President. A resident offered to help get signatures, but the requirements for that process are uncertain.

#### GENERAL BUSINESS – Old

NCA Assessment of Charges for Rule, Covenant and Architectural Violations Policy – The Board previously reviewed changes made to the policy and posted it in the August newsletter. There were no comments from the owners. Secretary Hammel made a motion to accept the revised NCA Assessment of Charges for Rule, Covenant and Architectural Violations Policy. Vice President Benore seconded the motion. Vote: 4 yes, 1 abstain.

Contract Renewal, Pool – The CM recommended the Board approve a contract renewal with Titan Pool Service for three years. The cost will increase \$3,200 the first year and there will be no increase the second and third year. NCA will also now pay the cost of a first aid kit which is approximately \$115 each year. The contract price is still significantly lower than any bids provided when the Board sent an RFP out in 2009. Vice President Benore made a motion to accept the contract with Titan Pool. Director Smoczynski seconded the motion. Vote: 5 yes.

## GENERAL BUSINESS – New

Additional Trash Receptacle Along Delong Drive – A resident recommended adding a trash receptacle along Delong Drive. The CM supported the suggestion, provided cost estimates, and recommended the Board approve. Director Smoczynski made a motion to purchase and install a trash receptacle at a cost not to exceed \$400. Vice President Benore seconded the motion. Vote: 5 yes. The CM expects the trash company to add this to their route without any additional costs.

Bank Account Resolution, Alliance – The Community Manager has always been a signature authority on NCA's operating accounts. Summit changed banks last year and the CM was working with them to get this authority. The bank forms require the Secretary acknowledge a resolution by the Board. Director Smoczynski made a motion to accept the resolution for the Alliance bank accounts and add Lori Randall, the Community Manager, as a signatory on the account. Vice President Benore seconded the motion. Vote: 5 yes.

Draft Financial Statements Audit, 2014 – The CM has reviewed and had small changes. Summit had no changes to the audit. Vice President Benore made a motion to accept the audit of the 2014 financial statements. Director Smoczynski seconded the motion. Vote: 5 yes.

Income tax, 2014 and Estimate for 2015 – Vice President Benore made a motion to accept the 2014 income tax returns as prepared by the auditor and pay the estimated 2015 income taxes of \$2250 Federal and \$900 State. Director Smoczynski seconded the motion. Vote: 5 yes.

Additionally, the CM informed the Board that after the audit, NCA ended 2014 with \$18K in net income. In the past the net income was put into a deferred assessment account and after several years of consistent increases, the new auditor recommended allocating the money into equity and reserves. Because there is a chance that CPI-U will be stagnant and assessments can't be increased, the CM discussed an option with the auditor of having a line in the budget for carrying forward funds. The auditor stated that NCA's equity position is strong and that NCA could go into the 2016 budget accepting a \$10,000 net loss.

Annual Employee Recommendations – President Rodriguez completed a performance evaluation on the Community Manager and the Community Manager completed a performance evaluation on the Assistant Community Manager. These first-time, written evaluations were time intensive and difficult. The CM suggested a 1 to 4 scale for future evaluations as opposed to the 1 to 5 scale used this first time since it is hard to know the difference between a 4 and a 5. Board members said 5's should be rare. The recommendations on compensation increases for 2016 were provided to the Board. A resident asked if there were any complaints on the CM's performance. She stated only one but it was after she had already completed the evaluation. President Rodriguez made a motion to give the Community Manager a 5% increase for 2016. Director Smoczynski seconded the motion. Vote: 4 yes, 1 no. President Rodriguez made a motion to give the Assistant Community Manager a 5% increase for 2016. Director Benore seconded the motion. Vote: 4 yes, 1 no. A resident asked if there was a chance the manager could work full time since office hours are not convenient for full time workers. The Board stated there are evening and weekend hours provided for pool pass pick up.

Annual Tree Assessment – The annual tree inspection is complete. The inspection is by a licensed arborist. The CM recommends the Board approve tree work by Blade Runners which totals \$17,670 but there is a 10% discount if all work is approved at once. Director Smoczynski made a motion to

approve \$15,900 for all tree work and take advantage of the discount. Secretary Hammel seconded the motion. Vote: 5 yes. A resident noted there were tree complaints in the Community Manager's report. Were they included in the report? One was, yes. The other was a branch that has been called in to a tree contractor already. The third was not an NCA tree.

Trail and Stream Crossing Project – Despite repeated requests, NCA only has one bid for the path and trail crossing project from Fairfax Paving, the contractor who completed the Brandeis Way construction. An RFP was sent out two years ago and a contract was signed but the contractor failed to start the job. The engineer's opinion is that the location is the problem for most bidders. It will be difficult to access. The CM informed the Board that they do have the option of closing the trail but everyone agreed it is heavily utilized and an asset in the community. Secretary Hammel made a motion to accept the bid from Fairfax Paving at a cost of \$92,650. Vice President Benore seconded the motion. Vote: 5 yes.

President Rodriguez asked the CM to contact the County about the paths that are deteriorating beyond NCA's property line.

Parking Issues – Several issues have come up about parking and have been reported in the CM's monthly report. The Board discussed options including placards for guest parking and stickers for all parking so no one can have more than three vehicles parking on NCA streets.

Common Grounds Improvements – The CM is working with Blade Runners to improve the peninsulas on Brandeis Way. Trees were removed a few years ago and now that the street has been renovated, the landscaping should be improved. Additionally, there is a section of garden on Euclid that has been overgrown by weeds and needs to be improved. The CM will be getting both areas improved.

Hot Water Heater - The pressure valve on the hot water has opened twice and water has flooded the storage room and meeting room bathroom. The plumber replaced the temperature pressure valve and thermostat but recommends a pressure reducing valve. If we supply the part, the cost is \$275. If they purchase the part, the cost is \$410. Secretary Hammel made a motion to have the plumber install the valve at a cost of \$410. Vice President Benore seconded the motion. Vote: 5 yes.

Annual Meeting – The meeting is scheduled for August 13<sup>th</sup>. The CM is trying to get the proxies for the County owned properties to ensure there is a quorum.

At 9:30 pm President Rodriguez made a motion to convene to executive session to discuss hearings, a hearing update, an appeal, probable cause for a hearing and an inquiry from the attorney on pursuing non-judicial foreclosure on a delinquent account. Vice President Benore seconded the motion. Vote: 5 yes.

At 10:21 pm President Rodriguez made a motion for the Board to reconvene to the regular meeting. Vice President Benore seconded the motion. Vote: 5 yes.

Regarding Lot 343, they were scheduled for a hearing in June but requested a postponement. They did not show and were not on the agenda for July. They will be sent a reminder that they still have an opportunity for a hearing and it is now scheduled for September.

Regarding Lots 120, 530, 531, 532 and 552, Vice President Benore made a motion to waive charges for tall grass violations. Director Smoczynski seconded the motion. Vote: 4 yes, 1 no.

Regarding Lot 56, Vice President Benore made a motion to assess a \$50 charge for a trash violation. Director Smoczynski seconded the motion. Vote: 4 yes, 1 no.

Regarding Lot 542, Vice President Benore made a motion to reverse the charge for a rule violation, tall grass. President Rodriguez seconded the motion. Vote: 3 yes, 1 no.

Regarding Lot 189, Vice President Benore made a motion to assess the maximum charge of \$900 for architectural violations. Secretary Hammel seconded the motion. Vote: 3 yes, 1 no, 1 abstain (Smoczynski).

Regarding Lot 141, Secretary Hammel made a motion that there is not probable cause for a hearing on an architectural violation. Vice President Benore seconded the motion. Vote: 4 yes, 1 no.

Regarding Lot 138, Vice President Benore made a motion that there is probable cause for a hearing on an architectural violation. President Rodriguez seconded the motion. Vote: 5 yes.

Regarding the attorney's recommendation for a non-judicial foreclosure, the Board was provided a response from the attorney that he is unable to get information on the owner's mortgage payments without express authority from the owner. Vice President Benore made a motion to table the topic for six months. Director Smoczynski seconded the motion. Vote: 5 yes.

At 10:31 pm Secretary Hammel made a motion to adjourn. Vice President Benore seconded the motion. Vote: 5 yes.