

NEWINGTON COMMUNITY ASSOCIATION  
BOARD OF DIRECTORS' MEETING – January 6, 2016  
Minutes of the Meeting – NCA Pool House Meeting Room

At 7:08 pm President Beth Rodriguez called the meeting to order. Board members present were President Beth Rodriguez, Vice President Kevin Benore, Treasurer Louise Whitt, and Director Mark Polansky. Secretary Chris Hammel and Director Florence Smoczynski were not in attendance.

#### PRESIDENT'S COMMENTS

President Rodriguez asked everyone to please raise their hands and wait to be recognized so discussions run smoother. She wants civility at the meeting.

#### APPROVAL OF MINUTES

Treasurer Whitt made a motion to accept the December 2nd monthly board meeting minutes with a correction to the vote for Lot 435 and changing the word 'audit' to 'auditor'. Vice President Benore seconded the motion. Vote: 4 yes.

#### COMMUNITY FORUM

The meeting was attended by approximately 40 residents. Concerns brought up included (Board response in parenthesis):

- A resident wanted to note that the December 14<sup>th</sup> meeting signs advertised an Executive Session meeting. It was asked if the September 14<sup>th</sup> and 30<sup>th</sup> meetings were advertised. (They were)
- There are meetings without minutes. (That will be taken care of)
- Actions were being taken and no minutes to document those actions and yet actions were taken (i.e. acceptance of a resignation). (No actions were taken)
- Purpose of special board meetings in September. (Grievance against a board member, not a resident)
- Those in attendance wanted to review why the community manager resigned. There was confirmation that she felt unsupported by the Board when spoken to in an unprofessional manner and did not feel safe.
- The Board might not be acting in a transparent method.
- The Community Manager, Lori Randall, stated she asked for the board's support because she was afraid of a community member and wanted a letter sent to the resident and a meeting room policy implemented. (Board President was going to try to make sure meetings were more civil without a policy)
- Didn't the Board think they were creating a hostile work environment for Lori and that they should seek action? (wanted to seek legal opinion first and wanted to make sure resident had a right to be represented and had a voice)
- Lori resigned because of Louise Whitt and Mike Smith and the board not supporting her by taking any actions. This was communicated verbally not in writing.
- What is being done going forward and why aren't concerns being addressed. What if this were to happen to another person. (there needs to be due process)
- The community manager resigned and you accepted the resignation without addressing the problem. That is the community concern. (NCA needs to talk to an attorney and it will be added to this agenda)
- The board created a special board meeting in December but did not talk about the nature of why she resigned or how to fix it. (The Board met to figure out how to share the information with the community.)

- Is Lori willing to hold off on her resignation until there is a response from the attorney on both grievances? (Board member thought grievance was settled) Lori stated nothing is settled and she won't return as long as Louise Whitt is a board member.
- If civility to employees is not in code of conduct can we find if legal agrees with that considering the community manager is also a member of the community.
- Are there procedures for removal of a board members for cause? (yes in the bylaws through a meeting of the members)

Lot 437. A resident wanted to address the status of their architectural violation and to request an extension.

## COMMITTEE/BUSINESS REPORTS

### Treasurer's Report, Louise Whitt

No Report

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

*First, I would like to say that I have loved working as the Community Manager of NCA for the last ten years. There have been ups and downs but I feel this is has been the most rewarding job I've held. I believe the community is doing well. We have good residents, beautiful grounds and open spaces. My wish for the community is that the Board will spend less time thinking they need to fix things that aren't broken or creating problems that don't exist and focus more on improving the community appearance by enforcing rules, maintaining the grounds and streets, and maintaining the financial health of the association. My wish for the residents is to get more involved and be aware of decisions being made on your behalf. I am a Certified Manager of Community Associations, a State required license for management companies, and would be happy to discuss with the Board my availability for advisory or training services. Lori Randall*

### *General*

- *Disclosure Packets: 8325 Moline Place, 8323 Cushing Court, 8491 Kitchener*
- *Asphalt paths/stream crossing update: Work began 11/9/15. All is completed except for trail "segment A" abandonment with signs. Requested engineer's final evaluation. He is waiting for invoice. (see pics).*
- *County brought in large rock to secure/cover exposed sewer pipe that is in stream bed. Didn't like access point off Matisse that Fairfax Paving was using and instead went in from Brandeis Way. Spoke to them about new curbs and weight of trucks on the new street. County informed me that there is an exposed water pipe (originally thought to be a sewer pipe) in the stream bed as well and that I should call Fairfax Water Authority. FCWA has been notified (see pics).*
- *Door to door architectural inspections: Kitchener COMPLETE, LeMoyne COMPLETE. Durer is next. Board Action Needed.*
- *Survey response prepared. On agenda.*
- *I have asked the tree contractor to leave good wood and mulch in pool parking lot for residents to use. Two oaks taken down in December and wood was left in parking lot. Residents removed it all.*
- *Pictures with Frosty on December 19<sup>th</sup>. Not well attended but kids were happy. Pics in newsletter.*
- *Filing and organizing office for next CM.*
- *Street light outage reported: 7705 Brandeis*

### *Resident Complaints/Issues/Comments*

- *Strangers knocking on door late at night and hanging out around car when she didn't answer door. Suspicious and wanted community to be aware.*
- *Resident on Brandeis allows their dog to poop in other yards and on sidewalk.*
- *Resident on Luce continues to have very loud parties, music blaring at 2 in the morning, trash and bottles discarded on common grounds, and speeding through the street. Residents must call police to handle the noise.*

- *Resident seeks compensation for leash that was broken by grounds crew running over it with mower during leaf removal. Stake is on property of end unit. Leash extended to common grounds. Leash has been there for years and resident felt grounds crew could have avoided it. Board action needed.*
- *Large tree with broken branches on Moline. [Asked for more detail on location]. Trash on Northumberland and recommends a trash can be installed or signs prohibiting littering. Also two homes with litter in front yards.*
- *Many responses to request for input on swim team. All have been forwarded to the board and put on a single word document for discussion in February.*
- *Trash bag left out on Christmas day when there is no trash collection. Mattresses left out on Euclid as well. [gone with next trash service]*
- *Fairfax Water cover upside down in middle of intersection of Godolphin and Northumberland. Sharp side up. Reported to police but no change.*

Sarah Jernigan volunteered to do architectural inspections.

Someone had seen Lori walking down to the stream crossing with a shovel to unclog the pipe on her time on a weekend. Lori came out and dealt with a yellow jacket nest on the ballfield when kids were getting stung. We see the little things she does, setting canopy up at the pool on weekends, that are not required. She goes above and beyond. It was appalling her resignation. It is a big position to fill.

#### Planning and Development, Lou Tobat

Lou read a letter to the Board asking they install an electrified opening devise on the gate and install a speaker intercom system outside gate. Purpose is to provide additional protection for possible intruder. Currently have cameras that record on to computer.

It was stated security cameras could be enhanced so no areas where there is no coverage and someone can lurk.

#### Amending CCRs Committee, Beth Rodriguez

Board agreed to have a special meeting to discuss the proposals on Wednesday, January 13<sup>th</sup> at 7 pm. Changes include combining townhome and single family covenants, allowing ham radio antennas up to 35 feet. Meet and discuss with Board and then publish in newsletter and give the community opportunity for feedback. After that the process would include going to the attorney. We would need to find out legal procedure and legal opinion on the changes. No timetable set.

Antenna would not take power away from the board. The Board could still deny the request. They want to delete section on clotheslines.

#### Amending Bylaw Committee, Sarah Jernigan

The committee has met and will hold another meeting on Monday, January 18<sup>th</sup>. Outlined process for how to handle going forward. Working under timeline to have amendments for annual meeting. Same process followed in 2010.

#### GENERAL BUSINESS – Old

Saratoga Swim Team – comments still welcome until January 20<sup>th</sup>.

2016 Maintenance Plan – The CM prepared a spreadsheet of available funds for reserve maintenance projects. Table until February.

## GENERAL BUSINESS – New

POAA 55-510.2 Distribution of Information by Members. Board reviewed list of how different associations adhere to this section. There are internet forums, Facebook pages, newsletters, meetings. An email reflector would get communications going and allow for quicker response. General announcements can be sent with email distribution. It would need to be managed and rules developed.

Response to comments in Survey for Website, Section 3 – The CM provided a response to more comments from the survey. These will go on the web. Director Polansky made a motion to put Section 3 on the website. Vice President Benore seconded it. Vote: 4 yes.

Pool Rules 2016 – Changes to the 2015 rules were discussed. There was discussion on how to track those that are not good swimmers. Guests and parties raise the biggest concerns. Markers or event bands that have to be cut off could be considered. A resident felt rules were poorly written and should be revamped. The Board will review changes and vote on the policy at the next meeting.

Display of the Flag – We can't restrict the display of the U.S. flag but we should have rules on size and placement of the U.S. flag. The Board will all provide written suggestions before the next meeting.

Attorney review of employee grievances – President Rodriguez made a motion to schedule a meeting with the attorney to discuss employee grievance and additional human resource related actions. Vice President Benore seconded the motion. Discussion included who would be in attendance and it was concluded that Beth would be the only individual speaking. The community asked if the discussion could be open to the community. Sarah Jernigan will be included on follow up. Vote: 4 yes.

At 9:27 pm Vice President Benore made a motion to convene to executive session to discuss violations and a collections case. Treasurer Whitt seconded the motion. Vote: 4 yes.

At 9:59 pm Vice President Benore made a motion for the Board to reconvene to the regular meeting. President Rodriguez seconded the motion. Vote: 4 yes.

Regarding Lot 343, the Board agreed to extend the deadline to correct the violation until May 1<sup>st</sup> but did not hold a vote in open session in the December meeting. Vice President Benore made a motion to extend the deadline to correct violations to May 1<sup>st</sup>. President Rodriguez seconded the motion. Vote: 4 yes.

Regarding Lot 437, Vice President Benore made a motion to extend the deadline for correction of violations to May 1<sup>st</sup>. A letter detailing what needs to be done will be sent. Director Polansky seconded the motion. Vote: 4 yes.

Regarding a collections case recommendation from the attorney, Vice President Benore made a motion to leave the liens on the property, for the attorney to send a letter to the owner stating that she is responsible for those liens, and to close the case. President Rodriguez seconded the motion. Vote: 3 yes, 1 no.

At 10:09 PM, Vice President Benore made a motion to adjourn the meeting. Director Polansky seconded the motion. Vote: 4 yes.