

NEWINGTON COMMUNITY ASSOCIATION
Minutes of the Meeting of the Board of Directors
Video Conference Call, Meeting ID: 149 375 2705
January 6, 2021 7:00 pm

CALL TO ORDER: Meeting was called to order at 7:02 pm by President Ramirez.

The meeting was recorded.

BOARD MEMBERS PRESENT: President Debby Ramirez, Vice President Regina Watson, Treasurer Bobby Royal, Secretary Karen Chauvin, and Director John Kylis.

MANAGEMENT PRESENT: Lori Randall

OTHER ATTENDEES: 2 residents

PRESIDENT'S COMMENTS: President Ramirez wished everyone a Happy New Year.

COMMUNITY FORUM:

A resident stated that one of the new NCA letter board signs had been moved and a bag of trash and a sign were hung on it.

A resident had concerns that there were only 31 responses to the NCA Community Survey. The Board should consider ways to make the survey more anonymous to try and increase the number of responses to improve communication with the residents, as few people attend Board meetings. Also, consider adding questions on accomplishments of the Board and Management.

HEARINGS:

No hearings were scheduled.

APPROVAL OF MINUTES: See Meeting Motions.

OFFICER/COMMITTEE REPORTS:

Treasurer's Report/Finance Committee – Treasurer Royal

No report as November financial statements have not been received.

Discussions are continuing on whether to move the reserve accounts currently at Eagle Bank to Summit Management.

Committee Reports

Environmental Committee – John Kylis

The next Committee meeting is scheduled for February 1, 2021, and announcements will be posted on the website and the letter board signs. Clean-Up day is tentatively scheduled for March 20, 2021.

Planning & Development – Lou Tobat

No report.

Reserves & Maintenance Planning Committee – Beth Rodriguez

No report.

Recreation Committee – Pam Rodriguez

No report.

GENERAL BUSINESS – MANAGEMENT REPORT:

Votes Held Between Meetings – Lori Randall, Management
None.

Homeowner Communications – Lori Randall, Management

- Resident's cable was cut during recent work behind her home. She wants HOA to make sure it does not happen again. [Explained the HOA is not involved in any utility work. Article will be put in newsletter.]
- Resident would like to know if the Board would paint lines on the tennis court to accommodate pickleball. [When the courts were repaired and painted in 2019, there was an option in the proposal to add these lines at \$885 per court. The Board declined to add this to the agenda.]
- Three community lights out on Brandeis and DeLong. [All were reported.]
- Resident saw comment about communications in the newsletter and suggested creating a Facebook page. [Legal counsel's opinion on this matter was shared with resident.]
- Erosion on side of path. [Management looked at area and contacted Fairfax Paving. Difficult area to access. Resolution pending.]
- Complaint about kids running around unsupervised on Red Ash. [NCA has no enforcement for this issue and recommends contacting non-emergency police if children are young or in danger.]
- Resident upset that her vehicle was towed as a commercial vehicle. [Vehicle has wording on side, back, and windows promoting a business. It was a legitimate tow. She may attend the Board meeting to discuss a change in the rules.]
- Sink put out for trash and not removed and cans stay out. [Can was gone when Management drove through and the sink was removed later.]
- Fallen tree across path near tennis courts. [Contractor was called.]
- Two lights out on Euclid. [Dominion notified. Seen out again on 12/24 and second notice sent.]
- Complaint that residents in one house on Kitchener continue to abuse parking space privileges. They have two cars, but park their second vehicle in blank space next to their numbered space. [Management took pictures and cars were not remaining in blank space for more than a week in December. Monitoring will continue.]
- Trash contractor continues to miss emptying the trash can at tot lot between Luce and Moline. [American Disposal customer service said the issue has been escalated because of the continued deficiency in service.]
- People putting trash out on Gwynedd common area days before trash is picked up.
- Neighbor dug a hole in front yard and didn't fill it back up. [Violation letter was sent.]
- Trash continues to be dumped from cars parallel parked on Euclid.
- Concern regarding dead tree in woods behind home on Moline. [Management will look at tree.]

OLD BUSINESS

- Maintenance – Reserve Funds
Streets
 - Engineering specifications for Euclid/Getty/LeMoyne street renovations in 2021. Contract with GJB for \$4,950 signed. Management contacted contractor and reports will be received by the end of February. Tabled until specifications report is received.
- Community Survey – Thirty-one responses were received and tallied. Results will be posted on the NCA website. Vice President Watson will provide a list of the priority items for Board review at the February meeting.
- Exterior Project Forms – When owners receive access to the new Summit computer system, they will be able to submit Exterior Project Request Forms online and NCA will be able to review and approve the

documents, but the system does not include a notification back to the homeowner. A box will be added to the current paper form to allow owners to indicate whether they want to receive the response via email, regular mail, or both. Action has been completed on this item.

- Email Distribution List – Motion made on the matter. Secretary Chauvin will write procedures for Board review.
- Use of Association Email by Committees – The purpose of these NCA email addresses is so that a history of the activities and work of each Committee can be preserved and available to future members of the respective committee. Motion made on the matter.
- Website Streamlining – All additions to the website have been completed. The Board may revisit this topic when the calendar function in the Summit software is enabled and events can be added to the calendar.
- Committee Charters – Motion made on the matter. Charters were not developed for the Architectural Control Committee, Nominating Committee, Publicity Committee, and Planning and Development as these committees are either inactive or specified in the Declaration of Covenants, Conditions, and Restrictions (CCR). A charter will be developed for the Welcoming Committee and put on the agenda for the February meeting.

NEW BUSINESS

- Formal Complaint – The Board received a formal complaint alleging that a seller of an NCA house was required to pay a \$58.00 fee for receiving the status of HOA dues on the property and that this was an illegal settlement charge. The seller stated that the Virginia POA 55.1–1810 only allows fees to be charged for a “financial update,” and therefore the \$58.00 fee should be returned. The Board discussed whether there was any material difference in meaning between “status of dues” and “financial update/statement of account.” In addition, this is a routine transaction that title companies or real estate agents commonly require as part of the closing process when selling a property. Motion made on the matter.
- Formal Complaint – The Board received a formal complaint stating that NCA was assessing illegal violation charges, as only NCA Bylaws were amended to provide that authority, but the Declaration was not amended. The Board discussed that POA 55.1–1819 B states that “The board shall also have the power, to the extent the declaration **OR** (emphasis added) rules and regulations duly adopted...(ii) assess charges against any member for any violation....” Motion made on the matter.
- Maintenance 2021 – Operating Funds – Tabled to February 2021.
- Townhouse Mailboxes – The U.S. Postal Service (USPS) will repair Cluster Box Units (CBU’s mailboxes) which are installed in the townhouse areas, but USPS does not replace permanently damaged CBU’s. NCA would be responsible for such replacement costs, which average between \$1,500 – \$2,000 each. Replacement costs for about 33 CBU’s have not been included previously in the Reserve Study. This will be added to the next Reserve Study. Maintenance Committee can check the mailboxes to make a list of those that may need work. Cleaning mold and dirt from the mailboxes in the townhouse areas will be added to the February agenda.
- 2021 Pool Contract – Pool costs have increased \$5,660 more than budgeted due to an increase in the minimum wage. Tabled to February 2021.
- Security Cameras – The current Architectural Standards do not address security cameras of any kind. Director Kyllis will prepare a draft standard for security cameras for Board consideration.
- Allowable Colors for Staining Brick – Motion made on the matter.

MEETING MOTIONS

1. Minutes of the December 2, 2020 Board meeting as published in the January 2021 newsletter were approved by unanimous consent, with a correction that Vice President Watson volunteered to lead the Welcoming Committee, not Neighborhood Watch.
2. Motion to re-instate the Welcoming Committee.

Made by Treasurer Royal, Seconded by President Ramirez.

Vote: 5 Yes 0 No.

3. Motion to use NCA's email distribution list for both emergency and routine communication with residents, pending development of written procedures.

Made by Treasurer Royal, Seconded by Director Kylis.

Vote: 5 Yes 0 No.

4. Motion to allow Committee Chairs to use NCA email addresses for Committee business, e.g., xxxcommittee@newingtoncommunity.org and to develop operating procedures for use.

Made by Director Kylis, Seconded by Treasurer Royal.

Vote: 5 Yes 0 No.

5. Motion: To accept the Committee Charters as written for the following five NCA Committees: Architectural Advisory Committee, Budget Finance Committee, Environmental Committee, Recreation Committee, and the Maintenance Committee.

Made by Director Kylis, Seconded by President Ramirez.

Vote: 5 Yes 0 No.

6. Motion: To make a final determination on the formal complaint that no further NCA action is necessary as there is no material difference between a "financial statement of account" and a "dues statement" and it has been NCA's customary practice to charge \$58 for such statements.

Made by Director Kylis, Seconded by Treasurer Royal.

Vote: 5 Yes 0 No.

7. Motion: To make a final determination on the formal complaint that no NCA action is necessary as NCA's duly adopted rules and regulations provide the authority to assess charges for violations.

Made by Director Kylis, Seconded by President Ramirez.

Vote: 5 Yes 0 No.

8. Motion: To approve a list of allowable colors for staining brick.

Made by Treasurer Royal, Seconded by Director Kylis.

Vote: 5 Yes 0 No.

ADJOURNMENT: The Board adjourned at 10:15 pm.

Minutes prepared by Secretary Chauvin.