

NEWINGTON COMMUNITY ASSOCIATION  
Minutes of the Special Meeting of the Board of Directors  
Video Conference Call, Meeting ID: 148 947 9311  
June 17, 2020 - 7:00 pm

**CALL TO ORDER:** Meeting was called to order at 7:00 pm by President Cerchione.

The meeting was recorded.

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

**MANAGEMENT PRESENT:** Lori Randall

**OTHER ATTENDEES:** 9 residents

**PRESIDENT'S COMMENTS:** This is a special meeting to discuss full or partial opening of the pool for the 2020 season. Community Forum will be limited to pool issues.

**COMMUNITY FORUM:**

- A resident commented that they would like to see the pool open.
- A resident commented that they would like to see the pool open, as other communities are opening their pools.
- A resident thanked the Board for taking the time to hold the special meeting to address the pool opening and the due diligence in researching the issues.

**OLD BUSINESS**

- Pool – Titan, the pool contractor, follows the Virginia Department of Health Guidelines, which sometimes are stricter/conflict with the Governor's guidance. The reason other pools have cancelled their seasons has been mainly due to liability issues.

The pool procedures that have been developed so far include the following: pool passes would not be distributed, but passes would remain with the guards to determine eligibility for entrance to the pool. Residents would need to sign a waiver of liability and acknowledgment of not being sick before each entrance and the guards would collect these documents. No guests would be allowed.

Entrance to the pool would be by reservation only. Titan will not use SignUpGenius, as they do not have the equipment or staffing to handle the work. They are willing to use a reservation book and could take reservations over the phone during regular pool hours. Reservations would be limited in some manner (to be determined) to allow more residents to have access to the limited number of time slots available each week. Based on the size of NCA's pool, the maximum number of residents allowed would be 21–25 per 2-hour time slot to maintain social distancing.

There are 6 swim lanes and the diving bay for use for lap swimming and exercising only. A maximum of 3 persons per swim lane would be allowed if they are living in the same household; otherwise only 1 person per swim lane if not living in the same household. The baby pool would be closed and there would be no sunbathing on the deck. No chairs would be available. A few tables may be placed on the deck.

Titan would provide signage for entering, etc., and would have a person dedicated to cleaning during the check in process, as well as cleaning the whole area between every time slot throughout the day. They have hand sanitizer for placement at the entrance and exit, and at the 2 bathroom doors to the deck, as well

as the disinfecting equipment for the showers, bathrooms, etc.

Neither NCA's insurance nor the pool contractor's insurance covers a virus or bacteria. NCA can be sued by someone claiming to have gotten COVID-19 from the pool, even though they signed a waiver. It may be difficult for them to prove and win such a lawsuit, but without insurance coverage, NCA would have to pay all legal fees associated with defending the lawsuit.

If the pool is closed for a certain length of time, or the whole season, the contract includes provisions for a refund of a portion of the operating costs during the time the pool is closed. The pool would still need to be maintained throughout the summer and winterized in the fall.

Motion made on the matter. An article will be put in the newsletter explaining the reasons for the Board's decision. Board will discuss at the July regular Board meeting if there have been any updates from the State or Northern Virginia regarding Phase 3 or pool requirements, etc. By mid-July, Titan will have trouble hiring staff.

Board convened into Executive Session at 8:17 pm to discuss possible legal issues.

## **EXECUTIVE SESSION**

Board reconvened into Open Session.

## **MEETING MOTIONS**

1. Motion: Based on the requirements set by the State and Northern Virginia, and the Board's assessment of NCA's liability, the pool will not open in Phase 2. The Board will re-evaluate the requirements and liability issues when Northern Virginia moves to Phase 3 to determine if the pool may open.  
Made by President Cherchione, Seconded by Treasurer Royal.  
Vote: 5 Yes 0 No.

**ADJOURNMENT:** The Board adjourned at 9:53 pm.

Minutes prepared by Secretary Chauvin